



**NORTON CITY COUNCIL  
REGULAR COUNCIL MEETING  
MONDAY, APRIL 23, 2007**

Roll Call: Ken Braman  
Brenda Hlas  
Tom Jones  
Dennis McGlone  
Bill Mowery  
Scott Pelot  
Mike Zita

Also Present:  
Mayor James A. Price  
John Moss  
Rick Ryland  
Jeff Pritchard  
Mike Lyons  
Karla Richards-Excused  
Ann Campbell

The Regular Council Meeting convened on Monday, April 23, 2007 at 7:01 PM, in Council Chambers of the Safety Administration Building. The meeting was called to order by Dennis McGlone, President of Council, followed by the Pledge of Allegiance and a moment of silent prayer.

**COMMITTEE OF THE WHOLE:**

Mr. Jones discussed adding Ord. #38-2007 to tonight's agenda. Mr. Jones stated that Ord. #38-2007 is to amend the appropriations for the current expenses for the fiscal year ending December 31, 2007. Mr. Jones asked Mr. Moss to provide the details. Mr. Moss explained that this ordinance provides additional permission to spend money out of the Court Computerization Fund for court computers. Mr. Moss explained that the city has some funds by law that are restricted for specific purposes. Mr. Moss explained that by Ohio Law every court has an established fee on every case that is processed in the Norton Mayors Court. This fee is to be held in this fund for the purposes of purchasing computers and related expenses. This fund generates more money each year than what we are proposing to spend this year. We are asking to increase the spending of about \$1700.00 for hardware and additionally \$10,000.00 for software programs that is proprietary and relates specifically to the courts from Banks Baldwin Company. Mr. Jones moved to add Ord. #38-2007 to tonight's agenda, waiving the second and third readings, seconded by Mr. Braman. Mrs. Hlas questioned of the proposed legislation should have dollar signs for the \$200.00 to \$700 and \$200 to \$300.00 to reflect costs. Mr. Moss stated that he prepared this and the Clerk did not do it and he apologized for this oversight.

Roll Call: Yeas: Jones, Braman, Hlas, Mowery, Zita, Pelot, McGlone  
Nays: None

Motion passed 7-0.

Mr. Jones discussed potential safety problems that could arise at city hall with the recent situation that occurred at Virginia Tech shootings. Mr. Mowery stated that in the past he raised this issue twice with the Administration in the past. Mr. Mowery indicated that there have been a few minor altercations and he was concerned for the safety of the Clerk of Council and other employees. Mr. Mowery stated that at the time the Administration did not seem to be interested in doing much more to change it. Mr. Mowery stated that he would like to discuss this at the next work session with Mayor Price and Mr. Ryland and come up with some guidelines and make sure we have some safety precautions. Mr. Ryland indicated that since he received the memo from Mr. Jones he has been discussing this issue to see what we can or cannot do to improve things, such as glass windows, outside cameras, and adjusting the cameras in the lobby.

**CONSIDERATION OF THE MINUTES:**

Minutes of the Regular Council Meeting of Regular Council Meeting of April 9, 2007; Mr. Jones mentioned a correction at the top of page #1, Mr. McGlone is not listed under Roll Call. The minutes were accepted as corrected.

Minutes of the Committee Work Session of April 16, 2007; Mr. Jones stated that with Mr. Lyons comments on the appointment of Mr. Ryland, he would decline accepting the minutes. The minutes are approved as written.

Minutes of the Special Council Meeting of April 16, 2007; Mr. Jones stated that he would also not accept these minutes. Mr. Jones had issues with the nominations called for and the roll calls for those nominations. Mr. Jones stated that Mr. Braman nominated Mr. Beddow, Mr. Zita nominated Mrs. Hlas and he nominated Mrs. Booth, and Mrs. Whipkey. Mr. Jones stated that the roll call should have been Mr. Braman-Yea, Mr. Jones-Yea, and the other four members should have been nay, there was no roll call from the other four members for the nomination of Mr. Beddow. Mr. Jones stated that a majority vote is as far as it goes, and Mr. Lyons concurred. Mr. McGlone disagreed with Mr. Jones explaining that this same voting process was used back in 2000 when Mr. Jones was on Council that was how it was done when Mr. Mowery was appointed to Council. Mr. McGlone apologized if this was wrong, but if it was wrong, it was also done incorrectly back in 2000. Mr. Jones stated that according to Roberts Rules this was incorrect. Mr. McGlone stated that no one objected to this method in 2000 or again in 2007. Mrs. Hlas stated that she did have the majority vote of four (4) for her appointment.

**COMMUNICATION FROM THE PUBLIC:**

Mr. Don Weigand, a Norton resident, thanked Council for providing an opportunity for the public to have the five minutes to come before Council and voice their concerns. Mr. Weigand discussed the proposal to consolidate our law enforcement with the Summit County Sheriff. Mr. Weigand stated that consolidation is the key word today. Mr. Weigand stated that if in fact we can save 1,400,000.00 per year, this comes out to a little over \$121.00 per resident and with 11,526 residents a family of four (4) that is \$485.00 plus per year in savings. Another way to say this is that before taxes a family of four (4) would have to earn over \$700.00. Mr. Weigand stated that he is all for these proposals if the figures are correct. Mr. Weigand stated that it is up to Council to take the extra time and take a look at this. You are leaders and we need to be one step ahead of things. Mr. Weigand suggested the potential savings could be used to help get water and sewer installed, street repairs, etc. Mr. Weigand reflected on the large amounts of money the city has spent on the past on civil law suits regarding employees. Mr. Weigand welcomed Mrs. Hlas back to Council, adding that she works hard and has a good reputation and that Council made a good choice in appointing her.

Mr. Robert Copen, Norton Fireman's Association, spoke regarding the recent hearing on April 18, 2007 which took almost six hours. Mr. Copen stated that he was upset with the fact that the city sent Claude Collins to represent them. Mr. Collins showed up and stated that Norton absolutely does not have any volunteer firemen, and produced a book showing the same. Chief Calco was also present at this hearing. Mr. Copen indicated that the Norton Fireman's Association has donated to the city over \$252,200.00 since 2001 including the new truck and the city might have to give all of that back. Mr. Copen stated that if the Norton Fire Department is not a volunteer department, they should have never received the donations in the first place. Mr. Copen suggested someone in Norton get in touch with the Attorney Generals Office and get this straightened out. Mr. Copen stated that the new squad should arrive tomorrow or Wednesday, and that Barberton would be interested in purchasing this vehicle if the City of Norton cannot accept. Mr. Jones discussed the number of employees being at 32 or 34 and if they are part time or full time. Mr. Moss stated that we are playing games with the definitions here, they are all paid employees.

**Communications from the Public continued:**

Mr. Copen added that there are four (4) employees that are full time and pay into a pension fund. Mayor Price clarified that Mr. Collins is not representing the city as he is no longer an employee with the city. If anyone should be representing the city it should be either the Mayor or the Law Director. Mr. Pelot asked if there was another hearing date set, and Mr. Copen stated that there should be another hearing in about six (6) weeks, and we could be looking at about two (2) years to get this straightened out before you get the new truck.

Mrs. Patty Patterson, a Norton resident, spoke about her concerns with barking dogs in her neighborhood. Mrs. Patterson stated that she has as many as fourteen (14) dogs barking at various hours and she had been advised to tape the noise and bring it to the police. Mrs. Patterson stated that she came to the Police Dept. to deliver the tape and spoke with Det. Adkins. Mrs. Patterson stated that she felt that she was treated like a fool, she was so upset with what he said to her. Det. Adkins told her that because she has four (4) dogs of her own in her home, she needed a kennel license, but because she owns these dogs she would not need a license, so that made no sense to her. Det. Adkins had asked Mrs. Patterson if she was planning on moving out of Norton anytime soon. Mrs. Patterson stated that Det. Adkins should not ridicule her and that she contacted Lt. Hete and he also suggested that she move out of Norton. Mrs. Patterson stated that she should not have to move out of Norton, the Police Dept. should do their jobs and do something about the barking dogs. Mrs. Patterson stated that all she is asking for is peace and quite in her neighborhood.

Ms. Charlotte Whipkey, a Norton resident, voiced her concerns about the approval of minutes, the Council vacancy position and election process, the Charter being broken once again, etc., (see attached).

Mrs. Violet Carr, a Norton resident, spoke regarding the VHS tapes being taken to Canton, and that seeing a Council or Committee meeting two (2) weeks after the meeting is too late for it to be news. Mrs. Carr suggested that a copy of the tapes should be mailed to Time Warner in Canton, they would arrive faster. Mrs. Carr asked how would it be if the news about Virginia Tech or out of Iraq were two weeks late? It's now just history instead of current events. Mrs. Carr stated that she would like to know by the end of the week what took place at a meeting. Mrs. Carr stated that she understands that Mrs. Campbell is very judicious with these tapes, these are like her children. Mrs. Carr stated that she has checked with the Post Office, they have special envelopes for these tapes and it would cost approximately \$3.00 per tape. Mrs. Carr stated that what Time Warner in Canton gets now is a copy of a tape and if by Wednesday afternoon or Thursday afternoon a call could be made to make sure the tape has arrived. If not, a member of the community, or the Mayor or Council President could designate someone to get the tapes to Canton. Mrs. Carr stated that the two-week delay is not acceptable. Mrs. Carr stated that while she can appreciate everything our Clerk has done, her dedication is just not accomplishing what the intent of the taping process was meant to be. The people are not being kept informed, it needs to be handled by someone of authority to see to it that the people get the information they need in a timely fashion. Mr. McGlone stated that he has talked with the Mayor about issue over the weekend and Mayor Price is working on getting this corrected.

Mr. Jerry Carris, a Copley resident, spoke about Copley Place, which is a new active senior living facility being constructed in Copley, Ohio. Mr. Carris stated that there would be 115 apartments and this facility is all about the quality of life at their facility. Mr. Carris provided a packet of information (see attached).

**PUBLIC HEARINGS:**

None

**INTRODUCTION OF NEW LEGISLATION:**

**ORD. #37-2007**

Mr. Jones offered Ord. 37-2007 for its first reading, and asked the Clerk to read it:

AN ORDINANCE TO AUTHORIZE THE MAYOR AND FINANCE DIRECTOR TO ENTER INTO AN AGREEMENT FOR PROPERTY AND CASUALTY INSURANCE, FOR THE PLAN YEAR MAY 1, 2007 THROUGH APRIL 30, 2008, AND DECLARING AN EMERGENCY.

Mr. Jones moved to waive the second and third readings, seconded by Mrs. Hlas. Mr. Jones stated that Wichert Insurance has been our agent since 1982 and this year is a saving of approximately \$10,000.00.

Roll Call: Yeas: Jones, Hlas, Braman, Mowery, Zita, Pelot, McGlone  
Nays: None

Motion passed 7-0.

Mr. Jones moved to adopt Ord. #37-2007, seconded by Mrs. Hlas.

Roll Call: Yeas: Jones, Hlas, Braman, Mowery, Zita, Pelot, McGlone  
Nays: None

Motion passed 7-0.

**ORD #38-2007 (Added to the Agenda)**

Mr. Jones offered Ord. #38-2007 for its first reading, and asked the Clerk to read it:

AN ORDINANCE TO AMEND THE APPROPRIATIONS FOR THE CURRENT EXPENSES OF THE CITY OF NORTON FOR THE FISCAL YEAR ENDING DECEMBER 31, 2007.

Mr. Jones moved to waive the second and third readings, seconded by Mrs. Hlas.

Roll Call: Yeas: Jones, Hlas, Braman, Mowery, Zita, Pelot, McGlone  
Nays: None

Motion passed 7-0.

Mr. Jones moved to adopt Ord. #38-2007, seconded by Mrs. Hlas. Mr. Pelot indicated that Council had previously discussed the possibility of using a portion of the Court Computer Fund to purchase the equipment for the hearing impaired, not only for the Court to use but all meetings held in Council chambers. Mr. Pelot asked if we had reached a decision on this issue? Mr. Moss explained that the restrictions of the Court Computer Fund are that it has to be related to the computer systems to the Court. So to the extent that we use computer systems for the court to do hearing impaired services, yes we can do that, however he does not have that option on the table. Mr. Moss stated that what do have on the table is an option to purchase equipment with individual remote headsets so that you can adjust the volume yourself to suit your needs. Another option to consider is to re-wire the current sound system in the public seating area to enable us to turn the speaker volume up in this section. The third option would be to place additional jacks and volume controls at various sections in the public section so those headsets could be connected. Mr. Moss did indicate that none of these three (3) options are court computerized options.

**ORD #38-2007 continued:**

Mr. Jones discussed the amount budgeted in Councils budget for the equipment, and Mr. Moss concurred, adding that he believed there was \$900.00 budgeted for the purchase of this equipment.

Roll Call: Yeas: Jones, Hlas, Braman, Mowery, Zita, Pelot, McGlone  
Nays: None

Motion passed 7-0.

**INTRODUCTION OF PRIOR LEGISLATION:**

**ORD #31-2007**

Mr. Pelot offered Ord. #31-2007 for its second reading, and asked the Clerk to read it:

AN ORDINANCE SUBMITTING TO THE ELECTORS OF THE CITY OF NORTON A PROPOSAL TO AMEND SECTION 2.02 OF THE CHARTER OF THE CITY OF NORTON TO MODIFY THE LANGUAGE THAT DEFINES THE QUALIFICATIONS OF THE MAYOR.

Second reading only.

**REPORTS FROM OFFICERS, BOARDS AND COMMISSIONS:**

Mr. Ryland stated that effective tomorrow morning, the bridge at Greenwich & St. Rt. 21 comes out, and will be out for the next three (3) months. This is a unique problem for our Police & Fire Dept. EMS services, and we have made arrangements with Chippewa Township for mutual aid. Mr. Ryland indicated that in the absence of Chief Carris, Lt. Hete has made the necessary arrangements to have twenty-four (24) police coverage at Station #2 on the west end of town. Doylestown and Wadsworth have also agreed to provide additional coverage there if necessary. Mr. Ryland stated that the city has made driving routes throughout the city to estimate our response time, which appears to be approximately ten (10) minutes for the Johnson Road and Hametown Road sections of the city. Mr. Ryland indicated that this is the best we can do under the circumstances and something we are very concerned with at this time.

Mayor Price thanked all of the volunteers who came out for the annual Norton Clean Up day this past Saturday. Mayor Price indicated the he would like to discuss the Fire and EMS levy issues at the next work session.

Mr. Moss had no report.

Mr. Pritchard stated that the city has received the 2007 recycling grant from the Summit Akron Solid Waste management Authority in the amount of \$2,896.25. This funding is to go towards recycling projects and programs.

Mr. Lyons had no report.

Mr. Binic-Barberton Health District had no report.

**UNFINISHED BUSINESS:**

Mrs. Hlas discussed the matters referred list and asked if any of these items would be on the next work session agenda? Mr. McGlone indicated that now we have a full body of Council and he would discuss these issues with the Clerk next week. Mr. McGlone stated that we need to address the Mayors salary and the listening devices at the next work session.

**Unfinished Business continued:**

Mr. Jones discussed the concerns from Mr. Ryland on the response times to Johnson Roads and Hametown Road, and called attention to the construction on Reimer Road. Mr. Jones stated that he did not think that the State was looking ahead with these projects. Mr. Jones stated that now we are really placing the residents on the west side of St. Rt. 21 in a world of hurt. Mr. Ryland agreed, stating that in addition to this we will be monitoring the traffic patterns in these areas and it already appears that Hametown Road and Medina Line Road will be experiencing very traffic patterns. Mr. Ryland indicated that the intersection at Hametown Road just west of where Mr. Jones resides could become a very dangerous intersection for us and we will be taking a careful look at this area. Mr. Jones discussed his earlier concerns with area of Hametown Road and St. Rt. 261 not only with the recent construction but also the new complex in Wadsworth. Mr. Jones stated that he would like to see a traffic light installed at this intersection, adding that we have already had several accidents at this location. Mr. Jones indicated that he spoke to ODOT about his concerns some time ago and asked Mr. Ryland if he would look into this. Mr. Ryland indicated that he has already discussed this concern with Lt. Hete about the possibility of a temporary traffic light during the construction and we are checking with ODOT on this. Mr. Jones discussed an ordinance pending for the driveway ordinance and that it is not listed on the Matters Referred, and Mr. McGlone indicated he would discuss this with the Clerk of Council when she returns. Mr. Jones indicated that he would like to discuss the Mayors salary at the May 7, 2007 meeting. Mr. Jones stated that he would like to discuss the listening device issue with Mr. Moss before bringing this before the committee. Mr. Jones indicated that he would like to upgrade the complete system so that we do not have to keep knit picking at it, and will take some money. Mr. Jones discussed the four (4) Charter Amendments pending that Council received back on April 12, 2007, and that he was expecting to see these on tonight's agenda. Mr. McGlone indicated that we have not had a work shop discussion on these items yet, and he would get with the Clerk of Council to discuss these and other items pending. Mr. Jones discussed Mayor Price's memo regarding the benefit package for Mr. Ryland beginning June 1, 2007, and that he believed this was an additional \$12,000.00 on top of his salary. Mayor Price indicated that he had no idea on the exact costs. Mr. Moss stated that its not the exact total; however it is close to that. Mr. Moss stated that is an amount of money we set aside in escrow so that we have the money there when the bill comes in, and it is actually in the 2007 budget. Mr. Jones discussed the EMS & Fire levies that went into effect back in 1988 and 1995, and we have got to do something this year. Mr. Moss agreed adding that the amount of money spent has exceeded what has been coming in for the last two to three years. This is spending down what is left in the checking account and will hit zero and legally we cannot go below zero. We have a problem here and we need to address this as soon as possible. Mr. Jones stated that this is a priority and Council needs to move quickly on this. Mr. Moss indicated that because these are levies, we have one option to go back to the residents and ask if they are willing to authorize more. Mr. Jones clarified that the Fire Dept, is not funded by the General Fund, and Mr. Moss agreed this was correct, all of the direct costs associated with that department are from revenue generated by the levy. Mr. Jones discussed a recent memo from Chief Calco dated April 20, 2007 that was directed to Mr. Ryland. Mr. Ryland indicated that knowing this must be addressed and received at the Board of Elections by August for the November ballot, he felt is was appropriate to address this now.

Mr. Pelot discussed the tax valuations used with the current levies. Mr. Pelot explained that back when each of the levies passed the residents were paying what ever those valuations were at the time, it has not grown as the economy has increase in addition to the increase in property values. Mr. Moss concurred, and further explained that when you pass a 4 mill levy this is a percent of value and it is a fixed figure and the amount of money paid stays the same. Mr. Moss stated that there are other areas where some minor additional revenue is received such as new businesses. Mr. Pelot indicated that he would like to discuss the Ohio Vietnam Veterans Memorial at the next work session.

**Unfinished Business continued:**

Mr. Pelot is interested in the city purchasing a granite bench for the park, and felt that the city should show its respect to the Veterans that have served. Mr. Pelot indicated that he discussed this issue previously and he advised that the money is available for this purchase.

**NEW BUSINESS:**

None

**PUBLIC SERVICE ANNOUNCEMENTS:**

Mr. Braman mentioned there would be no meeting next week. Mr. McGlone concurred, adding that the next Council Work Shop is May 7, 2007.

**ADJOURN:**

There being no other business to come before the Regular Council Meeting, the meeting was adjourned at 8:03PM

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Dennis McGlone, President of Council

I, Karla Richards, CMC-Clerk of Council of the City of Norton, do hereby certify that the foregoing minutes were approved at a Regular Council Meeting held on May 29, 2007.

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Karla Richards, CMC-Clerk of Council

**\*THESE MINUTES ARE NOT VERBATIM\***