



**NORTON CITY COUNCIL
REGULAR COUNCIL MEETING
MONDAY, MAY 14, 2007**

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

Also Present:
Mayor James A. Price
John Moss
Jeff Pritchard
Mike Lyons
Karla Richards

The Regular Council Meeting convened on Monday, May 14, 2007 at 7: 00 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. Mowery discussed the residents concerns about the proposed project on Weber Drive. Mr. Mowery stated that he has met with the Millers and they have indicated that this project is still on hold. Mr. Mowery stated that he intends to meet with the Millers once a week for a progress report to keep the public informed. Mr. Mowery also discussed the current situation with the Ohio EPA and the red flags of several septic systems within the city. Mr. Mowery stated that we need a plan or solution if there is such a thing to address this situation. Mr. Mowery stated that with the new rules and restrictions from the EPA, and with limited utilities within the city, this may need to be addressed, we really need to take a hard look at this.

CONSIDERATION OF THE MINUTES:

Mr. McGlone stated that unless there was an objection from Council the minutes would not be considered for approval until the next meeting. Mr. McGlone indicated that Council was not able to go over the minutes, there was no objection.

COMMUNICATION FROM THE PUBLIC:

Ms. Barb Vimont, Chair of the Charter Review Commission, addressed Mr. Zita's previous concerns regarding the Assessment Equalization Board, adding that the Commission wanted to make this more like a jury system. Ms. Vimont stated that by doing this all of the members would be present and involved for the discussion, however they could not vote if they were asked to be removed, and this procedure could be set up by Council. Ms. Vimont indicated that due to a family illness she would not be able to attend the next Committee Work Session. Ms. Vimont asked for any concerns to be made available to Mrs. Richards and she can reply via email. Ms. Vimont reminded Council that Ord. #31-2007, which is up for its third reading tonight, was done for better language clarification and to bring it in line with other city positions. Mrs. Hlas discussed the Assessment Equalization Board ordinance, and the implication of a jury style and that when people pick a jury, some jurors are disqualified before they are seated. Mrs. Hlas asked how they want this done. Mrs. Vimont stated that she did not intend to follow the absolute law of a jury selection, the Commission was selecting pieces of that process that seemed to fit for what the citizens wanted. It is kind of a mix of a jury selection and an alternate jury selection. Mrs. Hlas indicated that she felt this needs more clarification and that the selection process could become a serious issue at times.

Ms. Violet Carr, a Norton resident, spoke again about her concerns for the status of the Weber Drive project and thanked Mr. Mowery for his information. Mrs. Violet Carr distributed her public records request (see attached).

Communications from the Public continued:

Ms. Charlotte Whipkey, a Norton resident, asked for answers as to why Council decided to turn down Charter Review Resolution #3-2007-Disqualification of Service. Some of you took this personally, while others did not see any merit in it at all even though earlier you stated that anyone voted out of their ward or as a Council person, did not need to be appointed to a position. Ms. Whipkey stated that the people of Norton need to know why Council felt this was a worthless piece of legislation. Ms. Whipkey stated that Council needs to consider who put them in their seats and who is paying their salary, it's the people and this resolution was for the people. Maybe some of you like being professional politicians, because when you are booted out, you get appointed back into position and still collecting pay when the people didn't want you. You are put into the position of even more power and having say so over four wards when your own ward didn't want you. Ms. Whipkey stated that Mayor Price has her complete support and inquired as to whom the low life was that attempted to ruin his good reputation.

PUBLIC HEARINGS:

None

INTRODUCTION OF NEW LEGISLATION:

ORD #38-2007

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

AN ORDINANCE TO AMEND THE DRIVEWAY DESIGN, LOCATION AND CONSTRUCTION STANDARDS AS SET FORTH IN SECTION 1026 OF THE CODIFIED ORDINANCES OF THE CITY OF NORTON.

First reading only.

RES #39-2007

Mrs. Hlas offered Res. #39-2007 for its first reading, and asked the Clerk to read it:

A RESOLUTION TO EXPRESS GRATITUDE TO OHIO VIETNAM VETERANS THROUGH THE PURCHASE OF A GRANITE MEMORIAL BENCH IN THE OHIO VIETNAM VETERANS MEMORIAL PARK, AND DECLARING AN EMERGENCY.

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

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

Motion passed 6-0.

Mrs. Hlas moved to adopt Res. #39-2007, seconded by Mr. Pelot. Mr. Pelot stated that this is part of the Vietnam Veterans Memorial Park being built in Clinton, and that Council felt this was important to show our respect and support for those that have served and given their lives over the years.

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

Motion passed 6-0.

Introduction of New Legislation continued:

ORD #40-2007

Mr. Zita offered Ord. #40-2007 for its first reading, and asked the Clerk to read it:

AN ORDINANCE SUBMITTING TO THE ELECTORS OF THE CITY OF NORTON A PROPOSAL TO AMEND SECTION 3.04 OF THE CHARTER OF THE CITY OF NORTON TO MODIFY THE ESTABLISHMENT OF THE TIME AND DAY OF THE ANNUAL ORGANIZATIONAL MEETING OF COUNCIL.

First reading only.

INTRODUCTION OF PRIOR LEGISLATION

ORD #31-2007

Mr. Pelot offered Ord. #31-2007 for its third 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.

Mr. Pelot moved to adopt Ord. #31-2007, seconded by Mr. Zita. Mr. Pelot stated that the Charter Review Commission wanted to clarify the residency issue of the Mayor. They have removed a section that states “*continued to be a continuous resident and a qualified elector*” and they have added “*continuous and physically reside within the Municipality. Notwithstanding vacations, the Mayor is expected to be a visible presence in the Municipality*”. Mr. Pelot stated that he felt the Charter Review Commission did a nice job with this one. Mrs. Hlas stated that she was curious with the removal of the qualified elector wording. What if the individual becomes Mayor and then never votes again? Mrs. Hlas also questioned if you have elderly parents living in Wadsworth and you are taking turns spending the night weeks at a time in their home taking care of them, what would happen in that case? Ms. Vimont stated that there is a provision in the Charter where the President of Council temporarily steps in if the Mayor is not available. Mrs. Hlas stated that this could happen any number of times, and the term *continuously and physically residing* seems to be too precise and you don’t leave any options. Ms. Vimont stated that we do make allowances for vacations, but if the Mayor cannot be available and cannot not physically reside here, then the President of Council should take over. Mrs. Hlas asked what if the Mayor works in Cleveland, and Ms. Vimont stated that’s their problem, they should not run for Mayor if they cannot fulfil the requirements. Mrs. Hlas stated that she cannot support this, it is too specific and would cause some problems down the road when something happens and you have to abide by the exact wording in the Charter. Ms. Vimont stated that something did happen recently, and we wanted it to be more specific. Mrs. Hlas reminded Mrs. Vimont that the current salary is \$11,200.00 and you are requesting the Mayor to physically be in the city at all times. Ms. Vimont stated not at all times, they can work outside the city, it is a part time position and we addressed that. What we are saying is that at night when they go to bed they need to reside in the city, not work in the city.

Roll Call: Yeas: Pelot, Zita, Braman, Mowery, McGlone
Nays: Hlas

Motion passed 5-1.

Introduction of Prior Legislation continued:

AMENDED ORD #85-2006

Mrs. Hlas offered Amended Ord. #85-2006 for its third reading, and asked the Clerk to read it:

AN ORDINANCE TO ESTABLISH THE COMPENSATION OF THE MAYOR.

Mrs. Hlas moved to adopt Amended Ord. #85-2006, seconded by Mr. Pelot. Mr. Mowery stated that since he has been on Council he has denied any kind of an increase on the Mayors salary, especially this amount. Mr. Mowery stated that he was more than willing to discuss something more on the lines of minimum wage more appropriate with this position. Mr. Mowery stated that he feels he has a conflict of interest since he is running for Mayor and setting up his treasury and he would be voting either no or abstaining on this legislation, and asked the Law Director to comment. Mr. Lyons stated that he is not required to abstain, rather it's a choice that Mr. Mowery makes. Mr. McGlone clarified this is for \$25,000.00 with no benefits. Mr. McGlone stated that this is something he has been pushing for the last four (4) years. Mr. McGlone stated that he felt this is one step in the right direction in having a full time Mayor in the future.

Roll Call: Yeas: Hlas, Zita, Pelot, McGlone
 Nays: Braman, Mowery,

Motion passed 4-2.

REPORTS FROM OFFICERS, BOARDS AND COMMISSIONS:

Mr. Ryland stated that tomorrow we enter into a Fact-Finding with our full time Fire Fighters. Mr. Ryland stated that he has asked the union to reduce the contract from three (3) years to a two (2) year contract effective 2007-2008. With our finances the way they are he felt we should not be negotiating something for 2009 when we are not sure that we can support this. Mr. Ryland stated that he has surveyed the employees regarding their safety issues at work. Mr. Ryland stated that with additional cameras at the Service Garage, camera adjustments at city hall, and possibly glass windows, everyone is comfortable with the Police Dept. downstairs, the employees do not fear for their lives while working here. Mr. Ryland stated the estimated costs for cameras and upgrades are around \$12,000.00. Mr. Ryland indicated that \$10,000.00 for cameras at the Service Garage was approved within the 2007 Budget. Mr. McGlone stated that this issue would now be removed from the Matters Referred listing.

Mayor Price announced that J & J Refuse would conduct a large appliance pick-up for their customers only on Saturday May 19, 2007. For more information contact 1-800-201-0005. Mayor Price announced the kick off for the 2007 Summer Recreation Program for grades 1-6. Registration is June 11, 2007 and June 12, 2007 from 9:30 AM to 11:30 AM. The fee is \$50.00 for the first child and \$40.00 for each additional child. For more information contact the Administration Building at 330-825-7815 #14.

Mr. Moss stated that he was pleased to announce that due to the work of Mr. Pritchard, the city has received a grant for recycling purposes and the money has been received and in our treasury. Mr. Moss indicated that he has been discussing the appropriate use for this and would like to bring something to Council at the next Work Session to increase the appropriations and allow us to spend this money received. Mr. Moss discussed the sound system and stated that he discussed this issue with a concerned citizen who brought this issue up in the first place. Mr. Moss stated that it was not just the volume issue, but more the quality of the sound, such as improving choices of microphones, as well as getting people to speak directly into the microphones.

Reports from Officers, Boards and Commissions continued:

Mr. Moss stated that if the quality of sound were improved, it would not only improve the sound in our gallery; it would improve the sound on Channel #15 as well.

Mr. Pritchard announced that the city received a Nature Works Grant for Columbia Woods Park in the amount of \$29,277.00. We will work on the selection of the proper equipment at the next Parks Board meeting. Mrs. Hlas clarified that this is for the purchase of new playground equipment and that this grant covers about half of the costs, and Mr. Pritchard concurred.

UNFINISHED BUSINESS:

Mr. Mowery stated that a resident had asked about the drilling on the property for the new Digestive Wellness Center on Cleveland Massillon Road. Mr. Mowery indicated that he discussed this with Mr. Pritchard and there is no ordinance requiring connection to available waterlines. Mr. Pritchard concurred; adding that the drilling that was done at this site was for the heat pump lines underground. Mrs. Hlas questioned if businesses are required to connect to water if it is available? Mr. Pritchard indicated that the city encourages businesses to connect if available adding that this particular business did connect to both water and sewer lines. Mr. Mowery stated that it was their option to connect, and Mr. Mowery indicated that this is something we need to look into.

NEW BUSINESS:

None

PUBLIC SERVICE ANNOUNCEMENTS:

Mr. Pelot thanked the Norton Police, Fire and EMS for their professional conduct during a recent fatality in his neighborhood. They went door to door explaining to the residents what had occurred and how things would transpire.

Mr. Mowery stated that Norton After Prom went on this past weekend, it was very successfully and there were no fatalities. Mr. Mowery stated that all of the students did a great job in getting there safely.

ADJOURN:

There being no other business to come before the Regular Council Meeting, the meeting was adjourned at 7:31 PM

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.

Karla Richards, CMC-Clerk of Council

THESE MINUTES ARE NOT VERBATIM

All Committee Meetings will be held at the Norton Safety Administration Building, unless otherwise noted. If you do not have access to Time-Warner Channel #15, you may request to view a copy of any VHS recorded meeting in Council Chambers. Please contact Ann Campbell in the Administration office to make the necessary arrangements at (330) 825-7815 ext. 14.