



## COMMITTEE WORK SESSION MAY 7, 2007

Committee Members Present: Ken Braman  
Brenda Hlas  
Tom Jones  
Bill Mowery  
Mike Zita  
Scott Pelot  
Dennis McGlone

Also Present: Mayor James A. Price  
John Moss  
Jeff Pritchard  
Karla Richards  
Ann Campbell

The Committee Work Session convened on Monday, May 7, 2007 at 7:02 PM, in Council Chambers of the Safety Administration Building. The meeting was called to order by Council President, Dennis McGlone. Following a salute to the flag and the Pledge of Allegiance, there was a moment of silent prayer.

### **Committee Work Session General Discussion:**

#### **Mayors Salary Increase**

Mr. Jones stated that this legislation was at a second reading as amended and turned the discussions over to Mr. McGlone. Mr. McGlone stated that he would like to see this pass as amended to \$25,000.00 and no benefits, and possibly changing it from part time to full time at the next term of office. Mr. Pelot agreed with the \$25,000.00 salary and no benefits, its time the city moves forward and the city needs a full time Mayor. Mr. Pelot stated that as a Mayor, he or she needs to be out attracting business to the community, getting more involved with various county meetings. Mr. Braman stated that he felt all along the Mayors salary needed a substantial increase and was looking at \$18,000.00. Mrs. Hlas supported the \$25,000.00 salary with no benefits, and she sponsored the proposed Ord. #18-2003 back in 2003. Mrs. Hlas stated that this salary range should be higher and the position really should be full time. Mr. Mowery did agree with the comments, however, he felt that \$25,000.00 is a bit of a stretch. Mr. Mowery stated that the full time and part time language has always been confusing. If you have to dangle money out there in order to get people to run for this position, its doubtful that you will get what you are paying for. Mr. Mowery stated that he felt an increase to \$15,000.00 at this time would be more in line, with no benefits. Mr. Zita stated that he has always supported this increase to \$25,000.00 and will stay with this. Mr. Jones indicated that he is opposed to this raising it in that direction.

**Mayors Salary Increase continued:**

Mr. Jones stated that by paying more money does not mean you would get a better person, adding that this is a 122% increase from what we are currently paying for this position. Mayor Price commented on the issue, and that when he was on Council he supported this increase with no benefits. Mayor Price stated that there are a lot of responsibilities with this position, not just attending Council and Committee meetings. Mayor Price stated that based in neighboring communities, he felt the salary should be increased. Mr. Jones stated that we could base anything we want in regards to other communities, however this community is in need of money, and does not know of anyone who gets a 122% increase. Mr. Jones stated that if this is Councils wish to place on the agenda for May 14, 2007, he would not be making a motion. Mr. Zita discussed Mr. Jones' motion a few weeks ago where he made a motion to bring it back to committee, and Mr. Zita asked what was his reason for that? Mr. Jones stated his reasoning was because we did not have a full Council with the vacant seat. Mrs. Hlas stated that she does not look at the 122% increase, she is looking at this as a very respected position. Mrs. Hlas stated that according to our Charter, "the Mayor is the chief executive officer of the Municipality, the Mayor shall supervise the administration of all affairs of the Municipality and the conduct and administration of all the departments and divisions thereof". Mrs. Hlas stated that she felt the position needs the respect of Council and the city with the respectable salary for this position. Mrs. Hlas stated that with this increase even as proposed back in 2003 is a start in the right direction. It does not need to be publicized as a 122% increase it needs to be publicized as paying the position for the duties it entails. Mr. Jones did not disagree with Mrs. Hlas, adding that she has a point in that direction, however he felt the city could not afford to pay this kind of money, we have not had a road program for several years. Mrs. Hlas moved to place Amended Ord. #85-2006 on Councils next agenda, seconded by Mr. McGlone. Mrs. Elaine Tompkins, a Norton resident, stated that Mrs. Hlas and Mr. Jones are both correct, and that she had proposed a salary of \$22,000.00 earlier and is now recommending \$18,000.00 with no benefits. Mrs. Tompkins called attention to the wording of the ordinance and that it was projected with the next new Mayor, and not the remainder of the current term. There was further discussion and the ordinance is specific that the increase would take effect with the new Mayor and starts January 1, 2008. Mr. Andrew Lehner, a Norton resident, spoke regarding the finances of the city, and suggested Council looks at the finances and see where we are at before an increase, and suggested a salary of \$16,000.00 without benefits.

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

Nays: Jones

Motion passed 6-1 to place Amended Ord. #85-2006 on the May 14, 2007 agenda for its third reading.

**Ohio Vietnam Veterans Memorial**

Mr. Jones stated that this is something that he and Mr. Pelot discussed and would be something beneficial to the community. Mr. Pelot stated that this is to honor Veterans serving and those who lost their lives and shows the respect from our community. Mr. Pelot stated that there are several items that can be purchased for the park such as granite benches, markers, bricks, etc. Mr. Pelot indicated that he would like to know if our Historical Society could provide a listing of Norton residents that have passed away during the wars.

**Ohio Vietnam Veterans Memorial continued:**

Mrs. Hlas stated that she contacted Mr. Noon of the Vietnam Veterans Memorial and Mr. Noon stated he had a listing but because of the 44203 zip code he could not determine who was a Norton resident from a Barberton resident. Mrs. Hlas stated that she has asked the Clerk of Council to contact the Historical Society to get a listing of the Norton Veterans that have served. Mr. Jones stated that Mr. Braman had served in the military, and Mr. Braman stated that he served in between the wars. Mr. Braman stated that Mayor Price is a Veteran, as well as Mrs. Campbell and Mr. & Mrs. Tompkins. Mr. Jones indicated that he would like the city to purchase a park bench if they are still available. Mrs. Hlas indicated that as of last Friday a bench was still available. Mrs. Hlas stated that we just need to decide what to engrave on the bench, do we want all Veterans, or just deceased ones? Mr. Jones suggested that Mr. Ryland and Mayor Price look into this. Mrs. Hlas stated that some communities have gone as far back to the Civil War and listed these members. Mrs. Hlas stated that you can reserve it now and when we decided on what to put on the bench we would receive a proof which would be double and triple checked. Mr. Pelot suggested that we ask the residents to give us ideas on what they would like to see engraved on the bench. There was further discussion on the costs and the engraving details, and all of Council agreed with purchasing a bench. Mr. Jones moved to place the purchase of a bench in the amount of \$3,500.00 on Councils next agenda waiving the second and third readings as an emergency, seconded by Mr. Zita.

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

Motion passed 7-0.

**EMS/Fire Levy**

Mr. Mowery stated that the Fire and EMS Departments are solely supported with levy money. Mr. Mowery indicated that the Administration wants to get information out to the residents for the November ballot. Mr. Ryland stated that the news about the Fire and EMS is not good, before year-end we will be approximately \$42,000.00 short of fulfilling the budget needs that they have. This means we will have to cut back in personnel to a dangerously low level if the funding remains the same, six people will have to be let go in that department. Currently we have twenty (20) shifts per month in those departments that are not covered, and if layoffs occur that would mean fifty-six (56) shifts not covered by our Fire and EMS. This is a situation that should have come to Council nearly four (4) years ago. We have spent a great amount of time looking into this, and will be coming to Council with full documentation in the next week or so. Mr. Ryland stated that if we continue on this path we would be \$216,000.00 short of running our Fire and EMS Departments next year and \$500,000.00 short in 2009. Complicating this is a firehouse that was built in 1950 that does not meet the needs that this community now has. Mr. Ryland indicated that we have concluded that the city would be better off to put a joint Fire/EMS new levy on the ballot that allows us to have discretionary spending that could support both. We would be looking at a possible three (3) mill levy. We need \$1,700,000.00 dollars to start the year in 2009. Mr. Jones clarified that the current levies are based on the property valuations from 1988 and 1995, and Mr. Ryland concurred. Mr. Jones asked about a new law either passed or pending in the State where you would not have to keep coming back to the voters for an increase? Mr. Ryland stated that there could be a law and we are looking into that at this point, however initial review indicates that this law may only apply to schools.

**EMS/Fire Levy continued:**

Mr. Jones asked what kind of millage would we be looking at and Mr. Moss indicated a new three (3) mill levy in addition to the two current ones. Mr. Moss stated that it is based on 2005 valuations projected forward. Mr. Pelot inquired what would happen with the current Fire and EMS levies, and Mr. Ryland stated that they would remain in effect as is because these are permanent levies, the new three (3) mill which would generate \$826,000.00 would be added to the current levies. There was discussion about rolling the old levies and the new one together, and Mr. Ryland stated that it could be done, however cautioned this method. Mr. Ryland stated that if you combined all of these the new total millage would be very high, possibly not being accepted to the voters. Mr. Zita was concerned with losing all three if they were combined, and Mr. Ryland stated that the current Fire and EMS levies would remain in effect regardless. Mr. Ryland urged Council and the public to address any concerns to the Administration so that when we make our next presentation we have all issues addressed ahead of time. Mr. McGlone asked what a three (3) mill additional levy would cost a homeowner? Mr. Ryland stated that a \$100,000.00 valued home would cost approximately \$92.00 per year. Mr. Jones indicated that in the past most of the Fire and EMS levies have been supported and passed by the voters. Mr. Pelot stated that he would like to see full disclosure on the clear numbers posted to the website and Channel #15, plain and simple so all residents could understand it. Mrs. Hlas clarified that this new levy would also be a permanent levy, and asked the Administration what the millage would be if we started all over again, and Mr. Ryland indicated it could be in excess of six point two (6.2) mills to six point three (6.3) mills. Mrs. Hlas stated that in the past the levies did fail, eventually passing so don't think this would be an easy sell to the residents. Mr. Ryland cautioned everyone that if the residents do not pass the levy in the fall, the city would not have a fire department. We would run out of money by May of 2008 if we were not successful in the fall. There was discussion that this issue should have three (3) full readings and that June 11, 2007 could be the first reading. Mr. Lino, a Norton resident, stated that as a tax payer when he sees that we are looking at doubling the Mayors salary to \$25,000.00 he would be more than happy to take another \$100.00 cut in his pension to support this levy. Mr. Ryland stated that the city did receive the new emergency medical squad vehicle from the Norton Fireman's Association last week. Mr. Ryland indicated that the timing could not have been more appropriate since another vehicle had an engine blow up in it the very next day in route to the hospital. Mr. Ryland thanked the Norton Fireman's Association for their generous donation. Mr. Mowery stated that Council would wait for more information from the Administration before moving forward with this issue.

**Driveway Ordinance NCO 1026**

Mr. Braman stated that we discussed this at length and had sent it back for the Municipal Engineer to comment on. Mr. Braman indicated that the recommendation from the Municipal Engineer was that the minimum should be the entire area in the right of way area, which could be from the curb or roadway to the right of way line, which could be roughly 18ft. Mr. Pritchard agreed with this recommendation adding that this is a more simplified process. Mr. Jones asked how far back we should go and suggested we go to the utility pole not the tree line, and Mr. Pritchard stated that the right of way line is the same as the utility pole or box. Mr. Braman moved to place this item on Councils next agenda for its first reading, seconded by Mr. Pelot.

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

Motion passed 7-0.

### **Public Access Channel #15**

Mr. McGlone discussed some concerns from the residents with Channel #15. Mr. Jones stated that on April 25, 2007 he watched Channel #15 starting at 4:00 PM waiting for a Council meeting. Mr. Jones stated that he noticed advertisement that was old, such as the Norton Clean Up Day date that had already occurred. Mr. Jones stated that he didn't know if the problem was with the city or at Time Warner. Mayor Price stated that Mrs. Campbell was present since she runs this program and could answer any questions. Mrs. Campbell gave the history of the Time Warner Public Access Channel #15 (see attached). Mrs. Campbell stated that she provides this service to the community on her own time and is done after normal business hours. Mrs. Campbell stated that the Community Corner is a long and ongoing process, constantly growing. Mrs. Campbell explained that as far as the Norton Clean Up Day showing up so often is because she was trying to promote this as much as possible. Mr. Zita asked Mrs. Campbell why she does this on her own time, and if she is compensated for this? Mrs. Campbell answered that this is not part of her job description and that she does it as a service for our residents. Mrs. Hlas inquired if Mrs. Campbell spent maybe ten (10) hours a week on this and Mrs. Campbell stated no, not nearly that much time, and that she does this about every two weeks. Mrs. Hlas asked Mrs. Campbell if she is paid hourly or salary, and Mrs. Campbell answered salary with flextime. There was discussion as to the timing of delivering the tapes to Time Warner in Canton, and that some residents have complained that they are watching old news. Mr. Ryland stated that Mrs. Campbell does an excellent job and the only time the tapes may have been late is with short staff issues or bad weather. Mr. Ryland suggested that Council come up with a method to take the burden off of Mrs. Campbell, especially with the cost of gasoline and her time away from the office. Mr. Jones suggested mailing the tapes to Time Warner back and forth. Mrs. Campbell stated that she is all for change, however this would not eliminate the need for her to go down to Time Warner. Mrs. Campbell stated that when she delivers the tapes to them, they are all color-coded and she provides an exact schedule of the required time to insert the tapes. Mrs. Hlas discussed Senate Bill #117 pending, which is 54 pages long. Mrs. Hlas stated that if this bill passes, we have a chance of losing our cable access franchise fees for good. Mrs. Hlas stated that a Commerce Committee would be established and they would get the franchise fees and split the funds up between the municipalities. If this passes each community would only be allowed to have two (2) educational channels called PEGS (Public Educational and Government Stations). Mrs. Hlas stated that she was talking with Scott Collins with Time Warner and he indicated that we are in jeopardy of losing that because Time Warner already has education channels. Mr. Collins indicated that this is being pushed by ATT because they want to get into the cable business and that this bill would probably pass. Mr. Moss concurred, adding that the State would now regulate the phone companies and they would have access to our right of ways without coming to us. Mrs. Campbell stated that Time Warner would not accept DVD instead of VHS tapes. Mrs. Campbell stated that she felt the system is working well, however she understands that some of the citizen's feel that it is not as relevant as it could be. We are efficient in getting the approved minutes out there, and that this is just another layer of getting information out there. Mrs. Carr, a Norton resident commented on Senate Bill #117 and that due to some changes she understood that we may be grandfathered in and we may not need to worry about it affecting our community. Mrs. Carr stated that she understands that these are Mrs. Campbell's babies and it is very gracious of her to drive the tapes to Canton every two weeks. Mrs. Carr suggested that as far as the Council and Committee meetings, we should mail the copy to Time Warner, the originals are kept here. Mrs. Carr stated that to mail tapes uninsured as soon as a copy can be done costs about \$3.00, you don't need to pay for registered mail to see if the tapes arrived, this could be done by phone

**Public Access Channel #15 continued:**

If they have not arrived then we could make the effort to drive them down. Mrs. Carr indicated that she has received a number of calls about recent meetings not being current. We want current events not recent history. Mrs. Carr stated that Mrs. Campbell does an excellent job with the Community Corner and can understand the need to go down every couple of weeks, however the Council and Committee meetings needs to be there as soon as possible as current events. We can have our meetings current and can make it more efficient. Mrs. Campbell asked about the Barberton Health Board and School Board meetings because they want their meetings aired in a timely manner as well? Mr. Jones suggested we try Mrs. Carr's suggestion for the Council and Committee meetings, let the Barberton Health Board and the School Board do their own, Mrs. Campbell should not be doing their work. There was further discussion and Mr. Jones suggested that Mrs. Campbell, Mayor Price and Mr. Ryland get together and try mailing tonight's meeting as a test and see how this works. If it does not work out at least we tried. Mayor Price indicated that this would be addressed, it has been discussed as far as the costs, and we even discussed getting Mrs. Campbell some help. Mrs. Hlas suggested that this be done for all tapes, this is a community channel and she pushed for the School Board to tape their meetings, and she hates to tell them sorry you are on your own. Mr. Jones stated that he was more interested in the Council and Committee tapes, he has been told by the residents that they have no idea when these meetings occur, they are late and this is no reason not to try and mail them. Mrs. Hlas stated that as Council members we are to be supporting the community as a whole and to just send the Council/Committee tapes is really sad. Mrs. Campbell expressed her concerns with tapes being mailed and the open opportunity for mistakes to occur. Mr. McGlone asked Mrs. Campbell and the Administration to try this new method and see how it works out, adding that Mrs. Campbell is doing a great job. Mr. Bill Braman, a Norton resident, spoke about Mrs. Campbell using her own time and resources to do this for the community. You guys are cutting her up for something she is doing on her own time. Maybe there is someone from the School Board that could help and take the tapes down to Time Warner, and make tape copies.

**CRC Resolution #3-2007, Article IX-Add Section 9.05 Disqualification of Service**

Mr. McGlone turned this discussion over to Ms. Vimont, Chair of the Charter Review Commission. Ms. Vimont stated that this came about due to concerns that when someone is voted out or removed from office, there should be a time frame set before they could be appointed or serve for two (2) years. Mrs. Hlas stated that as far as she sees it, this is the Conklin and Hlas Charter Amendment. Mrs. Hlas stated that she was not voted out of office, she lost a re-election by twenty-two (22) votes, and felt that this was a very political amendment and does not belong. Ms. Vimont stated that she did not feel this was taken from a political nature, she was at all of the meetings and that Mrs. Hlas' name never mentioned once. Mr. Braman clarified that this has nothing to do with elections or re-elections this pertains to appointments. Mr. Mowery stated that although it may be a good thought, there is too much involved here, and that the current process is not that bad. Mr. Jones stated that so far we have heard all of the negative points and nothing positive, maybe the residents in the audience feel differently and that the seven (7) of us should not decide this. Mr. Jones suggested we put it out there for the people and let them vote on it, if they don't like it let them vote it down. Mr. Jones asked why should we say no to something that the Charter review said yes to? Mr. McGlone stated that if that's the case then why didn't Council pass the executive sessions? Mr. Zita added that out of the ten (10) proposed Charter amendments, six (6) of them were no's out of ten (10) , and we can't pick and choose. Ms. Charlotte Whipkey, a Norton resident, stated that this is one of the few good amendments for the people.

**CRC Resolution #3-2007, Article IX-Add Section 9.05 Disqualification of Service continued:**

If you are voted out of office you should not get appointed to another position, you have to sit out for two (2) years. It does not keep you from running you can run for anything. This is real simple to understand, and now you are trying to turn it around. For you to deny this for the people to decide is wrong. This gives us a really good opportunity to have some power. Mr. Jones moved to add this to Councils next agenda, seconded by Mr. Braman.

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

Motion failed 2-5.

**CRC Resolution #4-2007, Article VI-Section 6.02(b) Powers & Duties**

Mr. McGlone turned this over to Ms. Vimont for the details. Ms. Vimont stated that this is a new paragraph added to the Planning and Zoning Sections powers and duties. This new paragraph reads as follows: *“Any and or all actions taken by the Planning commission and approved by Council may be subject to citizen referendum”*. Ms. Vimont stated that it was brought to their attention that certain actions taken by the Planning Commission, specifically the Comprehensive Plan could not be subject to a referendum. Ms. Vimont stated that overall you could not stop anything than has been done. Mr. Pelot stated that the Zoning Board is a legal legislative body and Council has no control over that. Ms. Vimont stated that this is directed to the Planning Commission duties only. Mrs. Hlas stated that this amendment is not necessary, all ordinances passed by Council have the right to a referendum by the residents. Ms. Vimont stated that she was told ability was taken away with the Comprehensive Plan. Mr. Pelot stated that this was just a plan and the legislation simply stated that Council supported the plan. It just gives a focus of future within the city. Mr. Pritchard stated that the recommendations within the plan are objectives for the city to move forward. Mr. Pritchard stated that any action within the Comprehensive Plan has to come before the Planning Commissions and then brought before Council for approval. Ms. Vimont stated that this is not how it was explained to the Commission, adding that a certain member of the Commission was telling people that it doesn’t matter what you want you cannot referendum this. Mr. Pritchard stated that you cannot referendum the Comprehensive Plan because there is nothing there to referendum, it’s just a plan it is not a law. Ms. Vimont stated that the Commission was told that any of the actions that occurred because of this plan could not have a referendum filed unless you were harmed by it. Mr. Pelot indicated that what was stated to the Commission is not a true statement. Mr. Pelot stated that any changes to zoning would still have to go through the same process through Planning Commission and then on to Council. Ms. Charlotte Whipkey stated that during the May 23, 2006 Planning Commission meeting it was clearly stated that there was no way for the residents to file a referendum unless it affected your own property. Mrs. Hlas clarified any changes still has to come to Council to be changed and that change would be legislated and once that is done a referendum could be filed. Ms. Whipkey asked what if we don’t like what you have written now, just because you passed it means we cant referendum it? Mrs. Hlas again stated that anything passed by council, you can file a referendum against it by an initiative petition. Mr. Pelot stated that a Comprehensive Plan is just that, it’s a plan. Ms. Whipkey stated that she understood that, it’s just a plan until if affects you and then its no longer a plan. If there is an area going to be affected the residents should have the right to file a referendum. Mr. Zita stated that you would if that part comes to Council to be legislated the residents would then have that right. Ms. Whipkey stated that you need to go back and look at those minutes and see exactly what was stated.

**CRC Resolution #3-2007, Article IX-Add Section 9.05 Disqualification of Service continued:**

There was no further discussion and no motion was made for Council to act on this resolution. Mrs. Hlas asked if we need a motion to get it out of Committee, and Mr. McGlone stated that if we have no motion, it dies now.

**CRC Resolution #5-2007 Article III-Section 3.04 Council President & Vice-Pres.:**

Ms. Vimont stated that this is just a clarification because the Charter does not allow for the first business day of the year to be covered. Your first meeting day could actually fall on a holiday, and this allows for Council to hold their organizational meeting on the first business day of the new year. Mr. Zita stated that situation actually did occur while he was President of Council and he would support this change. Mr. Pelot moved to place this item on Councils next agenda, seconded by Mr. Zita.

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

Motion passed 7-0.

**CRC Resolution #6-2007, Article VII-Add Section 7.02 Equalization Board**

Ms. Vimont stated that this was to add a new section to Boards and Commissions. We did some research on other cities and the State does have certain rules, however communities can add their own rules. Ms. Vimont stated that they intended for this process to be more like a jury selection. Ms. Vimont wanted to ensure that we did not have the same people serving all of the time and that everyone could have an opportunity to serve. Ms. Vimont read the following new language: *“A rotating board to have a minimum of six and a maximum of twelve people who are disinterested freeholders and shall be established. Members will be selected randomly from the rolls of all eligible voters who are property owners in the Municipality. Selected citizens are expected to participate for the benefit of the community, but exceptions will be made for employment, health or family hardship reasons. Additionally, no elected or appointed officials including members of other Boards and Commissions will be eligible to sit on the Assessment Equalization Board. Once a citizen has served on a project that citizen shall not serve again until three (3) additional projects have been completed. Members of the Board shall hear objections to estimated special assessments for particular projects in the Municipality. Each party to the objection shall have the opportunity to request replacement of up to two (2) Board members with or without cause. Any person making use of the Assessment Equalization Board who is an eligible voter and property owner in the Municipality will be given then opportunity to serve on the next Board”*. Ms. Vimont stated that if you have a six (6) to twelve (12) member Board you will have those six (6) needed to serve. It gives greater opportunity for more citizens to get involved. Mr. Pelot questioned if each ward is represented or required, and Ms. Vimont stated that this did not seem to be an issue. Mr. Pelot stated that he questioned the statement that you cannot serve again until three (3) projects have been completed. Mrs. Hlas stated that we have had three (3) projects since 1998. Mr. Zita gave a brief background on the last few projects for Gardner Blvd. Phases I, II, and III and the reason some of the Board members were reappointed from one phase to another and this is one (1) project with three (3) phases. We did use some of the same residents because some of the background and work was already done to obtain the knowledge of the project. Mrs. Hlas discussed the issue with replacement of members if each party wanted them removed. Mrs. Hlas stated that the Gardner Blvd. Phase I had twenty (20) residents that objected.

**CRC Resolution #6-2007, Article VII-Add Section 7.02 Equalization Board**

If each of those objected to any two (2) to sit on the Board it would be difficult to find six (6) to twelve (12) more people. Mrs. Hlas felt this would be a difficult requirement to meet. Ms. Vimont stated that the reason for this is that you don't have the same people making the same final decisions. Mr. Pritchard also had issues with the statement of removal with or without cause. Mr. Pritchard stated that we should check with Mr. Lyons on the legality of this statement because he believed this is a quasi-judicial Board. Mr. Jones moved to place this on Councils next agenda, there was no second to his motion. Mr. Pelot stated he would like to address the specific wards in the language. Mrs. Hlas stated that she was reviewing the Ohio Revised Code and asked what do you do if you have a citywide project you are supposed to go outside of the city to select the Board members? Ms. Vimont stated that was correct and if you make that requirement you are violating that. Mrs. Hlas stated that she could not support it with the two (2) people clause. Mrs. Hlas also mentioned the legal time line required for setting up an Assessment Board and this may be difficult to meet. There was further discussion on this, and it was decided that Council would hold off on this pending a review by Mr. Lyons on the questions that were raised. Mr. Jones removed his previous motion. Ms. Vimont stated that the next Commission meeting is June 6, 2007 at 6:00 PM and suggested that Mr. Lyons and or any other Council members try and attend. This issue would remain in Committee pending further review by Mr. Lyons.

Mrs. Richards questioned Councils intention on the date of the ballot for CRC Res. #5-2007, as it was not discussed. Mrs. Richards stated that there are already two (2) items slated for the November elections, two (2) more pending, and who knows how many more will be brought forward. Mrs. Richards stated that there is nothing by law requiring all amendments be placed on the November ballot, they could be staggered. Mr. McGlone stated that this one should go on this November's ballot.

**Unfinished Business:**

None

**New Business:**

Mr. Zita asked Ms. Vimont to correct Item C-Police Division of the Charter Review Summary, which she prepared. Mr. Zita stated that it reads: "*Mr. Zita asked this section be revised or removed to allow for contracting with the Summit County Sheriff*". Mr. Zita stated that in his memo to Mayor Kernan dated March 30, 2006 he stated that "*if we end up contracting with the Summit County Sheriff or any other agency this may need to be amended or removed in its entirety*". No where did he state that we need to allow for contracting with the Summit County Sheriff.

**Non-Agenda Items:**

Mr. Andrew Lehner, a Norton resident, spoke regarding the Summit County Sheriff issue. Mr. Lehner stated that he thinks this is a very good idea, in order for the city to save money every year we should contract with the Summit County Sheriff. Mr. Lehner asked Council to look at what was spent last year for the Norton Police Dept. and seriously consider this issue.

**Non-Agenda Items continued:**

Mr. Robert Copen, Norton Fireman's Association, spoke regarding the mailing of tapes to Time Warner. Mr. Copen stated it takes four (4) days to get a letter to him from one side of Norton to the other, maybe Council needs to rethink this. Mr. Copen discussed the issues with the Fire/EMS levy and the fact that the city is authorized for fifty (50) volunteer firemen and you have thirty two (32) and its been this way for twenty (20) years and you can't pay for what you have. Mr. Copen discussed the recent letter from Ms. Maloney of the Attorney Generals office and stated that Ms. Maloney was full of bologna regarding her statements. Mr. Copen stated that there are some half-truths in there and a lot of fiction. Mr. Copen stated that he was not "holding the squad truck hostage", he was following a letter from his attorney dated February 14, 2007, (see attached). Mr. Copen stated that he came to Council nearly three (3) months ago with this information, and that he never stated they encumbered funds, what he stated was that the Attorney General could encumber funds. Mr. Copen stated that he was not sure where Ms. Maloney got her information. This hearing is not done and we still have a fight ahead of us. Mr. Pelot thanked Mr. Copen and the Association for their generous donation to the city.

Violet Carr, a Norton resident, stated that she wants to clear up some rumors and stories she has heard. Mrs. Carr stated that on April 26, 2007 she contacted her Councilman between 11:00 and 1:00 PM and asked him to check on this issue, she still has not received a reply. Mrs. Carr stated that she would be filing a request for the following information: Any information regarding the proposed construction on the Miller property. Is there at this time an active request to develop this site, if yes, how long can this be active? When was it initiated and when will it become void? If it is on hold or tabled can it be re activated as is or must it be resubmitted? If it is not active or valid due to inactivity or time slot, when was that decision made? Was the nature of the site the terrain? Was it due to the fact that it is wet, low or unstable as was indicated by the Ohio EPA? Mrs. Carr stated that we do have interested people whose lives are on hold. We have inquired and asked questions and all we have are rumors. All we have been told is that this is on hold. We need to know these answers; it's been two and a half (2 ½) years.

Ms. Vimont asked Council to rescind Res. #4-2006 merging Parks and Recreation and the Cemetery Board. There has been some confusion on how they wanted these Boards to be merged. They would like to have this back and make their changes in order to send it back to Council and have it on the November ballot. Mrs. Hlas indicated that Council has already adopted this, and Mrs. Richards indicated that it is already on file with the Board of Elections. Ms. Vimont stated that she was told the Law Director indicated that the Commission could ask to rescind this. There was discussion as to what stage this was in at the Board of Elections and if there would be any costs involved. Mrs. Hlas indicated that if Council wants to rescind this we need to prepare legislation because we adopted legislation to send it in the first place. Ms Vimont stated the change would be to make this an eight (8) member board instead of a (5) member board Mr. Moss asked if they decided that eight (8) members was the right amount or was it because they didn't want to exclude anyone? Ms. Vimont stated that they did not want to exclude anyone. Mr. Moss stated that instead of rescinding this, maybe we could just ask to appoint all eight (8) to the board until attrition brings it down to five (5) or you could keep them all. Mr. Zita stated that the board should be an odd number so there is no tie. Mr. Moss stated that there might be an opening to accomplish what they want without taking it back. There was further discussion and Council decided to hold off on this until we concur with Mr. Lyons. Ms. Vimont stated that in regards to setting the Mayors position as full time, there is nothing in the Charter that defines this position as either full time or part time, so Council can set this on their own.

**Non-Agenda Items continued:**

Mrs. Brenda Anderson, a Norton resident, spoke about democracy and that the power should belong to the people more than anything else. Mrs. Anderson stated that she has watched Council not even accept some of the Charter Commissions resolutions. She has watched decisions being made about the costs of a driveway, Mayors salary, fire levy, full time Mayor, and she does not even get to vote on these issues. Mrs. Anderson stated that she is a taxpayer and showed Council her empty wallet adding that we are all broke.

**Topics for the next Work Session:**

Listening devices, safety issues, and baseball fields. Mr. Zita stated that the baseball fields discussion was on hold because the fields are not ready to be used. There was brief discussion and Council agreed to remove this item from the Matters Referred list until the fields are done. Mr. McGlone asked where we stand on Ord. #93-2006 Sewer Connections, and Mr. Pritchard stated that this is being worked on and is ongoing. Mr. Braman asked about the status of the bids for the road program. Mr. Ryland stated that the bids have been received and the figures are more in line this time. Mrs. Hlas asked about the Matters Referred list where it states "waiting for action" and asked for clarification to be added as to who we are waiting on action from. Mr. Braman asked Mr. Pritchard when he expects the feasibility study to be completed? Mr. Pritchard indicated that it might be about two and a half months from now. Mr. Pelot asked when we could expect to get the road repairs started? Mr. Pritchard indicated that Osborn Engineering is evaluating the bids and once this is complete we will get moving as soon as possible.

**Adjourn**

There being no other business to come before the Committee Work Session, the meeting was adjourned at 9:40 PM.

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Dennis McGlone, President of Council

Date approved: May 29, 2007

**\*\*NOTE: 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.