



**NORTON CITY COUNCIL  
REGULAR COUNCIL MEETING  
MONDAY, JANUARY 14, 2008**

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

Also Present:  
Mayor David Koontz  
Rick Ryland  
John Moss  
Mike Lyons  
Jeff Pritchard  
Karla Richards  
Ann Campbell

The Regular Council Meeting convened on Monday, January 14, 2008 at 7:00 PM, in Council Chambers of the Safety Administration Building. The meeting was called to order by Scott Pelot, President of Council, followed by the Pledge of Allegiance and a moment of silent prayer.

**COMMITTEE OF THE WHOLE:**

Mr. Jones stated that there were a couple of items on the agenda tonight that we did not speak about during the Work Session, which are Ord. #4-2008 and Ord. #5-2008. Mr. Jones stated that Mr. Lyons suggested we waive the second & third readings on these tonight, and asked Mr. Lyons to elaborate. Mr. Lyons indicated that the rate increase takes effect at the beginning of 2008 and he recommends that Council act quickly and that there is no reason to delay. Mr. Lyons stated that this would stop any implementation of an increase.

**CONSIDERATION OF THE MINUTES:**

Minutes of the Regular Council Meeting of December 10, 2007. Mr. Jones noted a correction to page #2, fifth line down. The figure should be 8,700 not 8,700.00. The minutes were approved as corrected.

Minutes of the Organizational Meeting of January 2, 2008, were accepted as written.

Minutes of the Committee Work Session of January 7, 2008, Mr. Jones noted a correction on page #11, sixth line up from the bottom, it should be spending and not pending. Mr. Jones noted a correction on page #12 under the Water Sewer Assessment fees the last line needs Mr. Pritchard removed. The minutes were accepted as corrected.

**COMMUNICATION FROM THE PUBLIC:**

Mr. Pelot reminded the audience not to use Council member's names in their comments and to show professionalism at the podium.

Mr. Mike Meden, a Norton resident, spoke about all of the recall petitions and some of the statements made and that this is in retaliation to Issue #45, it is not. Mr. Meden stated that he even commended Ward One councilman for sticking to his guns on that issue. Mr. Meden stated that originally he was not going to be involved in the recall process.

**Communication from the Public continued:**

Mr. Meden stated that his feelings changed after a few events with a few residents being threatened or a perceived as a threat, which is just as bad. Mr. Meden stated that any one of these items on its own would not stand up, but when you add them all together in addition to a memo that this Councilperson circulated they do. Mr. Meden stated that the memo basically stated he could not support the overall plans for the City and that a committee should be formed to look at merging with Barberton. Mr. Meden questioned how someone can represent the City when they don't even believe the City should exist as a City as a whole? Mr. Meden stated that he didn't want the Ward One Councilman to be surprised when he sees his name is on the petition. Mr. Meden quoted from former President Ronald Reagan, "just because you are my eighty percent friend does not make you my twenty percent enemy". Mr. Meden stated that the petitions would be filed with the Clerk of Council tomorrow. Mr. Meden stated that this is not personal it is an issue with the City, and that we need to keep moving forward. There have been many roadblocks thrown up and wasted time on many issues like Issue #45.

Ms. Jill Larimore Miller, a Norton resident, stated that many times she has been at the podium and suggested that Council lower their desk down to have all of you at eye level. Ms. Miller stated that she does not like to see some of the members lean back away from others and it would be nice to have conversation back and forth across the floor. Ms. Miller stated that a lot of residents would like to see this happen again. Ms. Miller called for Ward One Councilman to resign and save the City some money. Step down before we have to spend the money on a recall. Ms. Miller stated that the City is far enough in debt and hoped he would consider that.

Ms. Gayle Brenner, a Norton resident, stated that she would like Ward One Councilman to step down and resign from his position. Ms. Brenner stated that if he really cared for the City and the residents, this would be a wise thing to do and would save the City money.

Mr. Joe Danko, a Norton resident, showed two (2) photos to Mayor Koontz reflecting the city in 1956 and another showing Loyal Oak Township January 1, 1956 and stated nothing has changed much. Mr. Danko stated that Issue #39 got shot down last year which would have given the Building Dept. the right to tell people to fix up their yards. *(Note: This was actually Ordinance #37-2006 not Issue #39)*. Mr. Danko stated that if you drive around the City, it has actually gotten worse. Mr. Danko stated that he wanted Mayor Koontz to address this. Mrs. Hlas stated that on Friday she was in the Administration Offices discussing this and she has asked them to bring this code back, adding that it would be a national maintenance code.

Ms. Charlotte Whipkey, a Norton resident, stated that last week she suggested showing your votes together somewhere such as who voted and how. Ms. Whipkey stated that she hoped that someone was looking into this. Ms. Whipkey stated that she has talked to some people about this and they thought it was a good idea. Ms. Whipkey commented on Mr. Danko's reference to the issue that failed, and that it was Ord. #37-2006. Ms. Whipkey stated that if we are going to be telling them how many outlets they need to have, or how many people they can have in their homes, or told that our homes can be eliminated and condemned by location as a hazard, then you will have another fight on your hands again.

**Communication from the Public continued:**

Ms. Whipkey questioned the cost for a recall in Ward One and if all the residents would be paying for this or just Ward One?

**PUBLIC HEARINGS-None**

**INTRODUCTION OF NEW LEGISLATION:**

**ORD #1-2008**

Mr. Zita offered Ord. #1-2008 for it's first reading, and asked the Clerk to read it:

AN ORDINANCE TO APPOINT MATTHEW G. HISCOCK AS PROSECUTOR FOR THE CITY OF NORTON, APPROVE A CONTRACT FOR HIS SERVICES, AND DECLARE AN EMERGENCY.

Mr. Zita moved to waive the second and third readings, seconded by Mr. Jones. Mr. Jones asked if Mr. Hiscock was present, and Mayor Koontz replied no. Mayor Koontz asked that Council approve this recommendation and that Mr. Hiscock is a very good candidate and comes with the recommendations from the Chief of Police and Lt. Hete. Mayor Koontz stated that Mr. Hiscock is also familiar with the Barberton Municipal Court.

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

Motion passed 6-0.

Mr. Zita moved to adopt Ord. #1-2008, seconded by Mr. Jones. Mr. Pelot stated that Mr. Hiscock is replacing Dave Fish who was recently elected as Judge for the Barberton Municipal Court.

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

Motion passed 6-0

**ORD #2-2008**

Mr. Zita offered Ord. #2-2008 for it's first reading, and asked the Clerk to read it:

AN ORDINANCE TO AMEND SECTION 222.01 OF THE NORTON CODIFIED ORDINANCES TO MODIFY THE LOCATIONS FOR POSTING NOTICES AND DECLARING AN EMERGENCY.

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

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

Motion passed 6-0

**Introduction of New Legislation continued:**

**ORD #2-2008 continued:**

Mr. Zita moved to adopt Ord. #2-2008, seconded by Mr. Jones. Mr. Zita stated that the Town Crier is being remodeled and will become Cleats Club Side Grill and will remain the Ward One posting location. Mr. Zita stated that we also changed the name from the Norton Library to the Norton Branch of the Akron Summit County Public Library. Mrs. Hlas stated that the new sign for Cleats went up today.

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

Motion passed 6-0

**ORD #3-2008**

Mrs. Hlas offered Ord. #3-2008 for it's first reading and asked the Clerk to read it:

AN ORDINANCE TO AUTHORIZE TRANSFERS FROM THE GENERAL FUND INTO VARIOUS FUNDS.

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

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

Motion passed 6-0.

Mrs. Hlas moved to adopt Ord. #3-2008, seconded by Mr. McGlone. Mr. Jones asked Mr. Moss to explain the details of the exhibit. Mr. Jones stated that you have a Street Fund listed for \$417,450.00 and a Road Program listed for \$417,760.00. Mr. Moss stated that was correct. We are taking income tax money into the General Fund, and we take in almost as much money as we spend for road repairs. Mr. Jones questioned if this was correct because they are similar amounts, and Mr. Moss replied that they indeed are correct, even though they are similar amounts.

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

Motion passed 6-0.

**ORD #4-2008**

Mr. Jones offered Ord. #4-2008 for it's first reading, and asked the Clerk to read it:

AN ORDINANCE TO DELAY INCREASES IN ACCESS CHARGES FOR NEW CONNECTIONS TO THE CITY'S WATER SYSTEM SCHEDULED FOR THE YEAR 2008 AND THEREAFTER, AS SET FORTH IN NORTON CODIFIED ORDINANCE SECTION 1040.02(C), UNTIL FURTHER ACTION OF COUNCIL, AND DECLARING AN EMERGENCY.

**Introduction of New Legislation continued:**

**ORD #4-2008 continued:**

Mr. Jones moved to waive the second and third readings, seconded by Mr. Braman. Mr. Jones stated that this is to hold back for another year, and asked Mr. Ryland to elaborate. Mr. Ryland stated that legislation calls for an increase this year and we have contracted with another firm to review the Finkbinder Report to see if our fees are in line and defensible, which we believe they are. This moratorium provides us the time to get that study complete.

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

Motion passed 6-0.

Mr. Jones moved to adopt Ord. #4-2008, seconded by Mr. Braman.

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

Motion passed 6-0.

**ORD #5-2008**

Mr. Jones offered Ord. #5-2008 for it's first reading, and asked the Clerk to read it:

AN ORDINANCE TO DELAY INCREASES IN ACCESS CHARGES FOR NEW CONNECTIONS TO THE CITY'S SEWER SYSTEM SCHEDULED FOR THE YEAR 2008 AND THEREAFTER, AS SET FORTH IN NORTON CODIFIED ORDINANCE SECTION 1042.05(C), UNTIL FURTHER ACTION OF COUNCIL, AND DECLARING AN EMERGENCY.

Mr. Jones moved to waive the second and third readings, seconded by Mr. Braman. Mr. Jones stated that this is a mirror image of what Mr. Ryland and Mr. Lyons had just discussed with Ord. #4-2008.

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

Motion passed 6-0.

Mr. Jones moved to adopt Ord. #5-2008, seconded by Mr. Braman.

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

Motion passed 6-0.

**ORD #6-2008**

Mrs. Hlas offered Ord. #6-2008 for it's first reading and asked the Clerk

AN ORDINANCE TO AMEND THE APPROPRIATIONS FOR THE CURRENT EXPENSES OF THE CITY OF NORTON FOR THE FISCAL YEAR ENDING DECEMBER 31, 2008.

Mrs. Hlas stated that this would be for the gazebo and it is a first reading only.

**INTRODUCTION OF PRIOR LEGISLATION:-None**

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

Mayor Koontz announced his press release for the open positions for various Boards and Commissions, (see attached). Mr. Pelot asked if there was a time frame, and Mayor Koontz stated that the positions are due to expire on February 29, 2008 so if candidates apply by the end of January 2008, he would interview in February.

Mr. Ryland was present and had no report.

Mr. Moss, reminded Norton residents that if you work outside the City and do not have a full credit in the City you work in, you would owe the City of Norton taxes. Mr. Moss stated that the result is that you need to file estimated tax payments. If you are not filing these estimated reports quarterly, then you must file and pay no later than January 31, 2008. Mr. Moss asked that Council add discussion for a change in the Capitalization Threshold for their next agenda. Mr. Moss stated that he has distributed sample legislation and a cover memo explaining the need for this legislation. Mr. Moss stated that this changes how we report capital assets on our CAFR. Mr. Pelot directed Mrs. Richards to add this item to the next Work Session agenda.

Mr. Pritchard, stated that he is looking at working with the Summit County Engineering Department for the NPDES permit for the Storm Water Phase II permit process. Mr. Pritchard indicated that this would require an agreement with Summit County.

Mr. Lyons stated that he has received pleadings from the number of various communities that have been included in the expansion of the MAD and these communities are opposing being added.

Mr. Binic-Barberton Health District was present and had no report.

**UNFINISHED BUSINESS:**

Mr. Pelot stated that he has asked Council to look at possible dates for the annual Workshop, the potential dates are January 26, 2008 or February 2, 2008. Mr. Pelot again asked Council to please reply to him or Mrs. Richards with your best dates. Mr. Pelot reminded Council and Administration about the Barberton-Norton Officials dinner on Thursday January 24, 2008 and that Mrs. Richards will need your RSVP by this Friday.

**NEW BUSINESS:**

Mr. Jones questioned Mr. Moss about lottery winnings, adding that people have won money here in the City and asked how we go about getting our money? Mr. Moss stated that lottery winnings are declared as income and that we do request annual reports from the State as to who won what and then we take that up to CCA to be included in their review. Mr. Moss stated that all winnings are based on receipt. Mr. Jones asked what if you lose at a casino? Mr. Moss stated that we do have professional gamblers in our community and that you can claim losses on your tax return on your professional activities.

**PUBLIC SERVICE ANNOUNCEMENTS:**

None

**ADJOURN:**

There being no other business to come before the Regular Council Meeting, the meeting was adjourned at 7:34 PM

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Scott Pelot, President of Council

I, Karla Richards, CMC-Clerk of Council for the City of Norton, do hereby certify that the foregoing minutes were approved at a Regular Council Meeting held on January 28, 2008

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Karla Richards, CMC-Clerk of Council

**\*\*NOTE: THESE MINUTES ARE NOT VERBATIM\*\***

All Council & 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.