



## COMMITTEE WORK SESSION OCTOBER 6, 2008

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

**Also Present:** Mayor David Koontz-Excused  
Rick Ryland  
John Moss  
Karla Richards  
Ann Campbell

The Committee Work Session convened on Monday, October 6, 2008 at 7:01 PM, in Council Chambers of the Safety Administration Building. The meeting was called to order by Mike Zita, Vice President of Council. Following a salute to the flag and the Pledge of Allegiance, there was a moment of silent prayer.

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

#### **MPO Ordinance:**

Mr. Zita explained that we had discussed this in the past and it is a section in the Codified Ordinances. Mr. Ryland stated that this is a document that is rarely used and it has numbers that are false, and would not be reached in the foreseeable future. Mr. Ryland stated that historically we bring raises before Council to get their comments, therefore this is a useless document and there is no reason to keep this in effect. Mr. Zita moved to place this on Council's next agenda for a first reading, seconded by Mr. Mowery.

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

Motion passed 4-0.

#### **ODOT Consent for Cleve-Mass. Road Widening Study:**

Mr. Mowery turned this discussion over to Mr. Ryland for the details. Mr. Ryland indicated that this is a request from ODOT to conduct a study for the widening of Cleveland-Massillon Road. Mr. Ryland indicated that this is a 90%/10% split and that the city's participation would be 10% of the cost for the study. Mr. Ryland stated that the improvements would include buying of easements, the number of traffic lights, and safety

issues to cut down on accidents in this area. Mrs. Hlas reminded everyone that this is just for the study in 2009, it is not to widen Cleveland-Massillon Road now as there were rumors out there to that effect. Mr. Mowery moved to place this on Councils next agenda, waiving the second and third readings with emergency language, seconded by Mr. Braman.

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

Motion passed 4-0.

**Time Warner Channel #15:**

Mr. Zita stated that due to the changes with Time Warner, we would continue to tape and record our meetings, which will allow for our Audio Visual Intern to continue to earn her credits. Mrs. Campbell added that she has spoken with the Intern and she needs 135 hours for her credits for class. Ms. Campbell stated that the Intern averages about 2 hours per meeting at 4 meetings a month that only adds up to about 80 hours for the year. Ms. Campbell stated that she would be contacting Mr. Barnett at the Wadsworth School tomorrow to get more details. Mr. Zita stated that as of October 10, 2008 Time Warner would no longer take our tapes, so it would not do us any good to run tapes down to them. Ms. Campbell indicated that she would continue to archive the DVD's for now, it is difficult to take a DVD and tape this onto a VHS tape.

**Dispose of Service Dept. Equipment:**

Mr. Zita stated that this is a grader the city owns, it's a 1955 450 Grader and it has been out of service since July of 1989. Mr. Zita stated that the cost to repair this equipment far exceeds the value and the Service Dept. would like to scrap it. Mr. Ryland added that all this equipment is doing is taking up valuable space. Mr. Zita moved to add this item to Councils next agenda, waiving the second and third readings with emergency language, seconded by Mrs. Hlas.

Roll Call: Yeas: Zita, Hlas, Braman, Mowery.  
Nays: None

Motion passed 4-0.

**PC Res. #14-2008 Rezoning of Multiple Parcels:**

Mr. Braman stated that this is to bring the zoning up to par in the areas of Cleveland-Massillon Road south from Pleasant Road on the west side of the road to the traffic light, and then west on Greenwich Road to Cryodon Road. Mr. Braman stated that currently there is a conglomeration of zonings and this would make them all B-2. Mr. Braman indicated that most of the parcels are owned by the school district. Mr. Braman stated that there was a resident on the Cleveland-Massillon Road area that attended the Planning Commissions meeting and he was in favor of this rezoning. Mr. Braman moved to add this item to Councils next agenda for a first reading, seconded by Mrs. Hlas. Mr. Braman noted that a public hearing would take place at the second reading on October 27, 2008.

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

Motion passed 4-0.

Ms. Whipkey was recognized and wanted to discuss the issues previously mentioned regarding Time Warner Channel 15. Ms. Whipkey questioned if last weeks meeting and this one would be televised? Mr. Zita replied no because the tapes would not make it down this week. Ms. Whipkey stated that she thought the tapes were mailed down. Ms. Whipkey stated that the residents to pay extra to have access to this channel. Mrs. Hlas stated this was not correct, the residents do not pay for this. Mrs. Hlas explained that when former Mayor Addis negotiated the contract with Time Warner, she got a grant from Time Warner for \$10,000.00 to be used for anything related to Time Warner. The Administration decided to do this public access channel because it was available as Channel #15. Mrs. Hlas explained that the grant money was spent on the equipment, TV monitors, sound system, etc., in order to air on Channel #15. It has absolutely nothing to do with the franchise fees. Ms. Whipkey asked when this ends will the fees be over with? Mrs. Hlas stated that there were no fees. Ms. Whipkey asked about the nearly \$60,000.00 that has been coming annually and goes to the Park Fund. Mrs. Hlas stated that the franchise fees would continue to come in, Time Warner collects the fees and they turn it over to the city. Mrs. Hlas stated that Council and the Administration decided to earmark that money and set it aside for the parks. Ms. Whipkey asked if the channel is still available and we chose to use it, then what is the big deal with the State? Mrs. Hlas replied that per State law the cable company has to supply 2 educational/governmental programs. Mrs. Hlas stated that since we already have Channels 45 and 49 they will leave Channel 15 open if we get the right equipment to do it.

**Unfinished Business:**

None

**New Business:**

Mrs. Hlas wanted to have the legislation for accepting the amounts and rates from the county on the next agenda. Mrs. Hlas indicated that this would need to be adopted at the October 27, 2008 Council meeting. Mr. Moss indicated that this is something we have to do every year and within a short time frame. It is necessary to get the taxes and available renewed and on the bills for next year. Mr. Ryland asked Council to consider passing a resolution to exercise our right to use eminent domain to acquire land for the new Fire Station. Mr. Ryland stated that since April he has been trying to make contact with the owners, to no avail. Mr. Ryland indicated that the city is ready to go out for bid for the Berry, McGowan and Wadsworth Road waterline project. Mr. Ryland indicated that this time we would be doing a reverse auction process on the internet. Mr. Ryland indicated that Councils does not need to take action, this is authorized under the Charter and Ohio Revised Code. Mr. Ryland stated that this is done with a service called Bid Bridge, and there is no cost to the city, the bidders pay the fees. Mr. Ryland stated that this opens up our territory and will attract more contractors. Mr. Moss added that if this is successful we might use this for other items, which is a cost saving to the city. Mr. Ryland

commented on the current road program, and that all was going well. Mrs. Hlas stated that the city does not assess the residents for the road program, as is done in other communities.

**Public Comment-Non Agenda Items:**

Russ Farkas, a Norton resident, spoke regarding the septic inspection issues. Mr. Farkas stated that the Barberton Health District was called to investigate a complaint of septic smells in his neighborhood recently. One neighbor was found to have an aeration pump not working properly, and that was corrected. Mr. Farkas stated his system was inspected and found to be ok because he recently spent \$9,000.00 for a new system. Mr. Farkas stated that another neighbor has a failed system and he does not have to fix his, this does not make sense. Mr. Farkas stated this was like the long arm of the law coming down on you.

Don Weigand, a Norton resident, commented on the need for improvements on Maco Drive, all this ever gets is a patch job. Mr. Weigand stated that this is the third time he has come to Council with this request. Mr. Weigand stated that in the 30 years he has been here this road has never been paved and it would be nice to see at least a chip and seal done. Mr. Weigand asked if the discussion on eminent domain has anything to do with the community center being torn down? Mr. Ryland stated that the city is looking at other options, and at no time did the city ever consider tearing down the community center. Mr. Weigand stated that it's good to present other options to see how things play out instead of jamming one plan down our throats. Mr. Weigand commented on a recent survey showing that Ohio is 7<sup>th</sup> in the nation for the worst place to find a job.

Gayle Brenner, a Norton resident, commented about the Cider Festival and how great it was. Ms. Brenner stated that she heard so many positive comments. Ms. Brenner stated that the fireworks show was absolutely phenomenal, best she has ever seen. Ms. Brenner thanked everyone for such good show.

Elaine Tompkins, a Norton resident, read part of a written statement, however she ran out of time before finishing, (see attached)

Richard Guello, Magical Train owner/operator, commented about the success of the Cider Festival. Mr. Guello stated that he has been involved with this festival since its inception, and was encouraged to get involved by Mr. Jones. Mr. Guello stated that he was saddened that Mr. Jones was not there at the festival. Mr. Guello stated that many visitors commented that they were not aware of the park and that it was so nice. Mr. Guello stated that he noticed something different here this year, and that people came and stayed for hours. Mr. Guello stated that the city really has something very good here, in fact it has the possibility of being the best in the area. Mr. Guello complemented the city employees who worked this; they treated all of the vendors very well. Mr. Guello commented on the newspaper coverage the city received in the West Side Leader and the South Side Leader. Mr. Guello thanked Mr. Ted Weinsheimer and Mr. Blake Miller for doing such a great job. Mr. Guello stated that the fireworks were the best half-hour show he has ever seen.

Michael Meden, a Norton resident, deferred his time to Mr. Blake Miller, Chairman of the Cider Festival Committee. Mr. Miller read a statement relating to the Cider Festival events, (see attached).

Charlotte Whipkey, a Norton resident, commented about Issue 26, the proposed Charter amendment to downsize Council. Ms. Whipkey discussed the comments about legislation or legal action being brought against us. Mr. Whipkey stated that The Bill of Rights of Ohio, Article I, Section II; *“All political power is inherent in the people. We have the right alter, reform or abolish the same”*. Ms. Whipkey stated that it has been said the city’s population has not declined, this is not true and she cited various census information which is also on the city’s own website. Ms. Whipkey stated that we have not grown, we have either lost residents or remained stagnant. Ms. Whipkey stated that the other communities that have 7 Council members have approximately 20,000 residents and that they have been growing. Ms. Whipkey commented on the cost savings, adding that anyone who holds a public office for 10 years is entitled to a retirement. Ms. Whipkey stated that we will continue to pay for that and it is something we all need to think about. Ms. Whipkey stated that we would get more accountability from our Administration and Council. Ms. Whipkey stated that this proposed amendment could not have been written any more constitutionally than what it is, the person with the most votes is maintained. Ms. Whipkey stated that this is not illegal, it is fear mongering and trying to influence a vote that has not even taken place. Ms. Whipkey cited an article in the Akron Beacon Journal dating back to July 22, 1968 where we had nearly 17,000 residents.

**Topics for the next Work Session:**

Accepting the rates and amounts from Summit County  
Eminent Domain

**Adjourn**

There being no other business to come before the Committee Work Session, the meeting was adjourned at 7:40 PM.

---

Mike Zita, Vice President of Council

**\*\*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.