



**NORTON CITY COUNCIL
REGULAR COUNCIL MEETING
MONDAY, MARCH 10, 2008**

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

Also Present:
Mayor David Koontz (Excused-Midway)
Rick Ryland
John Moss
Mike Lyons
Jeff Pritchard
Karla Richards
Ann Campbell

The Regular Council Meeting convened on Monday, March 10, 2008 at 7:02 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. Mowery thanked the Safety forces that made the City quite safe during our recent snowstorm.

Mr. McGlone discussed Res. #33-2008 and stated that he wanted to waive the second and third readings with emergency language in order to have this to the Court in time. Mr. McGlone moved to suspend the readings, seconded by Mr. Jones. Mrs. Hlas indicated that emergency language is not stated and this would need to be amended if you are going to add the emergency language. Mrs. Richards clarified that the current legislation pending does not have the emergency clause listed. Mr. McGlone stated that as long as this reaches the Court in time he is ok with not having emergency language.

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

Motion passed 5-2.

Mr. McGlone discussed Ord. #18-2008 and moved to table this until the March 24, 2008 Council meeting since the Town Meeting was rescheduled to March 19, 2008 seconded by Mr. Jones. Mr. McGlone felt that Council should wait until the Town Meeting is held to give the citizens more time to talk to us and it is only fair to hold the second reading on March 24, 2008,

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

Motion passed 4-3 to table Ord #18-2008 until the March 24, 2008 Council Meeting.

Mr. Jones questioned Ord #10-2008 which was up for it's third reading. Mr. Jones indicated that he tried to get in touch with Mr. Moss today.

COMMITTEE OF THE WHOLE CONTINUED:

Mr. Jones stated that he discussed it with Mr. Ryland over a week ago and he has concerns with Section 1 where it states “for city officials and employees to meet with the public in planning workshops in an amount not to exceed \$150.00, 2) for employees at mandatory Safety Meetings for the Service Department in an amount not to exceed \$100.00, the expenditure of \$150.00”, however Mr. Jones stated that there is no limit as to how many times in a year this can be done. Can this be done every week, every month? Mr. Moss replied that he interprets this to be a one time expense and it is for Council’s Annual Workshop. Mr. Jones stated that this is not stated in the legislation. Mr. Jones stated that he went back to last year’s legislation and it has the exact same language. Mr. Moss explained that this is a one-time use and if it were two or more it would have to be stated in the language.

Mr. Zita moved to send Ord. #34-2008 back to Committee for further discussion, seconded by Mrs. Hlas. Mr. Ryland asked what further discussions would you like? Mr. Zita stated that we are seeking clarification on a couple of figures and rather than amend this legislation he would like to make the exclusion and bring it forward at that time.

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

Motion passed 7-0.

Mr. Zita stated that due to the weather last weekend, the Town Meeting was rescheduled and read his press release, (see attached).

Mr. Pelot also thanked the Safety crews for their hard work this weekend. They split their schedule into twelve (12) hour shifts to make sure we had twenty-four (24) hour coverage for our salt trucks. Mr. Pelot also thanked the family members of the employees for their patience in their absence. Mr. Pelot stated that some of our Fire Fighters actually camped out at the Fire Station to make sure they were there and ready for any calls.

Mr. Jones added that he spoke with Mr. Weinsheimer about the snowplowing and he had received two (2) phone calls from residents asking for their roads to be plowed. Mr. Jones stated that this was addressed right away and Mr. Weinsheimer had stated that we are doing the best we can. Mr. Weinsheimer stated that one of our retired Service Dept., employees offered to come back and help.

Minutes of the Regular Council Meeting of February 25, 2008; Mr. Jones noted a correction to page #4 Under Res. #14-2008, Mr. McGlone moved to adopt Res. #14-2008, not Ord. #14-2008. Mr. Jones noted a correction to page #5 middle of the page second sentence it should be on not in. Mr. Jones noted a correction on page #6 under Res. #26-2008, the sentence which reads “Mr. Zita stated the reason for waiving the readings is to allow the appointees to begin serving right away” does not belong here. This sentence belongs on the next page under Res. #27-2008 after Mr. Zita’s motion to waive readings. The minutes of the February 25, 2008 Council Meeting were approved as amended.

Minutes of the Committee Work Session of March 3, 2008 were approved as written.

COMMUNICATION FROM THE PUBLIC:

Mrs. Tompkins, a Norton resident, spoke regarding her concerns with the agenda items, (see attached).

Ms. Charlotte Whipkey, a Norton resident, thanked the road workers, and stated that she got her road plowed a lot sooner than she expected. Ms. Whipkey stated thank goodness that the Summit County Sheriff decided to step up to the plate and shut down all of our roads this weekend. Ms. Whipkey stated that she had been asking since Friday for the Town Meeting to be called off, yet our own people did not see fit to cancel it. Ms. Whipkey complained about her request for information and that she expected to receive it prior to the Town Meeting. Ms. Whipkey stated that her request was filed on February 28, 2008, and that she was told on February 29, 2008, this was turned over to the Administration to get the records. Ms. Whipkey stated that she had called the City on Thursday to check on it and was told it was not ready and the cost could be upwards of \$500.00. Ms. Whipkey stated that she was shocked at the price of \$500.00 and that she would be given a price list, and blueprints at a cost of \$16.00 each. Ms. Whipkey asked how can you possibly have blueprints on a Community Center when you haven't even said you are going to pay an architect to make them? Ms. Whipkey stated that she felt this is just a ploy to keep this information out of her hands before the meeting. Ms. Whipkey stated that she copied her request before filing it at city hall and was told her request stated any and all documents. Ms. Whipkey stated that is not what she requested, she requested: *"All correspondence (Memo's email's, etc.) and or information, legislation, etc. regarding the Community Center, it's condition and changing/remodeling over to a Fire Station and or Police Dept. or anything else"*. Ms. Whipkey stated that she spent two (2) days preparing her request, and if she wanted blueprints she would have asked for them. Ms. Whipkey spoke again about the minutes and gave a definition from Webster's Dictionary for minutes; *"The detailed record of the proceedings of a formal meeting, as of a business organization, society or legislative body"* Ms. Whipkey stated that the things that went on in this Council should have been in these minutes.

Mr. Robert Copen, Norton Fireman's Association, presented Mr. Moss with a bill for the new CO2 detectors that were received in February 2008 for \$11,638.32. Mr. Copen stated that the detectors the Fire Dept. had were so old that we could not buy replacement batteries for them. Mr. Copen stated that he has been informed that the new CO2 detectors are now in working order. Mr. Copen stated that the Fire Chief would be going to Alabama this weekend to inspect and receive the new squad vehicle, which is ahead of schedule.

PUBLIC HEARINGS:

None

INTRODUCTION OF NEW LEGISLATION:

RES #29-2008

Mr. Zita offered Res. #29-2008 for its first reading and asked the Clerk to read it:

A RESOLUTION CONFIRMING THE APPOINTMENT OF TOM OCEPEK TO HIS FIRST FULL THREE-YEAR TERM AS AN AT LARGE REPRESENTATIVE ON THE BOARD OF ZONING AND BUILDING APPEALS OF THE CITY OF NORTON AND DECLARING AN EMERGENCY.

Res #29-2008 Continued:

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

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

Motion passed 7-0.

Mr. Zita moved to adopt Res. #29-2008, seconded by Mr. Jones.

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

Motion passed 7-0.

ORD #30-2008

Mr. Zita offered Ord. #30-2008 for its first reading, and asked the Clerk to read it:

AN ORDINANCE TO APPOINT HOLLY REESE AS PROSECUTOR FOR THE CITY OF NORTON, APPROVE A CONTRACT FOR HER SERVICES, AND DECLARE AN EMERGENCY.

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

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

Motion passed 7-0.

Mr. Zita moved to adopt Ord. #30-2008, seconded by Mr. Jones.

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

Motion passed 7-0.

ORD #31-2008

Mr. Jones offered Ord. #31-2008 for its first reading, and asked the Clerk to read it:

AN ORDINANCE TO AUTHORIZE THE MAYOR AND/OR ADMINISTRATIVE OFFICER TO ENTER INTO AN AGREEMENT WITH RAFTELIS FINANCIAL CONSULTANTS FOR PROFESSIONAL FINANCIAL SERVICES TO EVALUATE THE CITY OF NORTON'S SEWER AND WATER ACCESS FEES.

First reading only.

ORD #32-2008

Mr. Jones offered Ord #32-2008 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, 2008.

Firs reading only.

RES #33-2008

Mr. Mowery offered Res. #33-2008 for its first reading, and asked the Clerk to read it:

A RESOLUTION TO OPPOSE THE EXPANSION OF THE BARBERTON-NORTON MOSQUITO ABATEMENT DISTRICT.

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

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

Motion passed 5-2.

Mr. Mowery moved to adopt Res. #33-2008, seconded by Mr. McGlone

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

Motion passed 5-2.

ORD #35-2008

Mr. Jones offered Ord. #35-2008 for its first reading, and asked the Clerk to read it:

AN ORDINANCE TO AMEND CHAPTER 1060 OF THE CITY OF NORTON'S CODIFIED ORDINANCES TO ESTABLISH AS A CONDITION OF A WASTE HAULER'S LICENSE, A LIMIT ON THE TIME DURING WHICH RECYCLABLES, REFUSE AND WASTE MATERIALS OF ANY KIND MAY BE PICKED UP WITHIN THE CITY.

First reading only.

INTRODUCTION OF PRIOR LEGISLATION

ORD #16-2008

Mr. Braman offered Ord. #16-2008 for its second reading and asked the Clerk to read it:

AN ORDINANCE TO ACCEPT A TWENTY FOOT EASEMENT FOR THE INSTALLATION OF SANITARY SEWER LINES ON PROPERTY KNOWN AS 5085, 5111 AND 5129 WOOSTER ROAD WEST (PERMANENT PARCEL NUMBERS 4606250, 4606120 AND 4607048) AND DECLARING AN EMERGENCY.

ORD #16-2008 Continued:

Mr. Braman moved to waive the third reading, seconded by Mr. Mowery. Mr. Braman stated that this is a mandated connection and we are only holding up the process by not waiving the third reading.

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

Motion passed 7-0.

Mr. Braman moved to adopt Ord. #16-2008, seconded by Mrs. Hlas.

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

Motion passed 7-0.

ORD #8-2008

Mr. Zita offered Ord #8-2008 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 ARTICLE VIII OF THE CHARTER OF THE CITY OF NORTON TO ESTABLISH NON-PARTISAN ELECTIONS.

Mr. Zita moved to adopt Ord. #8-2008, seconded by Mrs. Hlas. Mr. Pelot stated that this would be the third ordinance that will be going to the voters in November. Mr. Pelot stated that this was brought to us to make all of the elections in Norton non-partisan. If approved all of the voters would have a choice in the decision process and we felt it is best to move forward to allow the residents to decide if they want to have non-partisan elections.

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

Motion passed 7-0.

ORD #10-2008

Mrs. Hlas offered Ord. #10-2008 for its third reading and asked the Clerk to read it:

AN ORDINANCE TO AUTHORIZE NOMINAL EXPENDITURES FOR REFRESHMENTS OR MEALS TO BE SERVED AT VARIOUS EVENTS, AND TO DECLARE AN EMERGENCY.

Mrs. Hlas moved to adopt Ord. #10-2008, seconded by Mr. Jones

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

Motion passed 7-0.

RES #11-2008

Mr. Braman offered Res. #11-2008 for its third reading and asked the Clerk to read it:

A RESOLUTION TO AUTHORIZE PARTICIPATION IN THE SUMMIT COUNTY COUNTYWIDE STORM WATER MANAGEMENT PROGRAM.

Mr. Braman moved to adopt Res. #11-2008, seconded by Mrs. Hlas.

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

Motion passed 7-0.

REPORTS FROM OFFICERS, BOARDS AND COMMISSIONS:

Mr. Ryland announced that Chief Carris has submitted his letter of resignation effective on May 9, 2008. Chief Carris has served the City of Norton for thirty-three (33) years. Mr. Ryland stated that the City would miss him greatly. Mr. Ryland stated that we received eighty-eight thousand (88,000) pounds of salt today, however we are still in a salt crisis. Mr. Ryland stated that he agrees with the previous comments about our City employees, they all did an outstanding job this past weekend. Mr. Ryland stated that the blueprints on the walls in Council Chambers are from an informational meeting with the residents on Berry, McGowan and Wadsworth Roads regarding a waterline assessment. Mr. Ryland indicated that approximately forty-five (45) of the residents attended in addition to Mr. Braman. Mr. Ryland stated that most of the residents were glad to see this project move forward and agreed it was long overdue. Mr. Ryland indicated that he would be bringing a Resolution of Necessity forward to Council shortly for this project.

Mr. Moss confirmed Mr. Copen's statements regarding the new squad. This is a second squad donated by the Norton Fireman's Association. They have donated the entire \$150,000.00, and even though we will be cutting a check, it is from the money that the Norton Fireman's Association gave to the City. Mr. Moss thanked Mr. Copen for the CO2 detectors, which were very much needed for the City. Mr. Moss discussed the engraving for the City's donation to the Veterans Memorial Park in Clinton, Ohio. Mr. Moss stated that he and the Administrative Officer have a tentative selection made from suggestions received from within the community. Mr. Moss stated that he would be contacting the Memorial Park group on the tentative inscription and will follow up hopefully at the next meeting.

Mr. Pritchard and Mr. Lyons were both present and had no report to offer.

Mr. Pelot indicated that Mr. Binic had contacted the Council Clerk's office earlier to be excused, and he had no report to offer.

UNFINISHED BUSINESS:

Mr. Jones discussed his conversations he recently held with Mr. Weinsheimer regarding our snow plows being over twenty (20) years old and asked Mr. Ryland if this was correct? Mr. Ryland replied yes, we have a 1986 model and a 1985 model. Mr. Jones asked if we are looking at replacing these in the future and Mr. Ryland replied yes, we have one (1) on order now and we will need to replace two (2) more. Mr. Jones asked what is our newest truck and Mr. Ryland stated the one purchased last year (2007). Mr. Ryland added that we have two (2) trucks that are twenty (20) years old and will soon need to be replaced.

Unfinished Business Continued:

Mr. Ryland stated that these trucks are in good operating condition thanks to our Service Department mechanic Larry Hitchings, who does an excellent job keeping up with our equipment.

Mr. Pelot questioned Mr. Ryland about the status of the Law Directors position candidates and Mr. Ryland replied that he was not sure of the Mayors decision, and that several applications from individuals as well as some firms have been received.

NEW BUSINESS:

Mr. Jones asked Mr. Ryland if he had time to look into the lighting situation at the entrances at Acme, and Mr. Ryland replied that with the flooding and snow storm he had not had the time to look into this yet, and will address it tomorrow. Mr. Jones noted that the lights at Cleveland-Massillon and I-76 on and off ramps are now working properly.

PUBLIC SERVICE ANNOUNCEMENTS:

Mr. Braman announced that the Norton Lions Club is working with the Norton Health Advisory Board selling reflecting address signs for \$12.00 per sign, and \$5.00 for a post if needed. Order forms are available at City hall in the lobby, the Medicine Shoppe, Ritzman's Pharmacy and the Norton Library. Mr. Braman indicated that the Lions Club will deliver them and if necessary they can install them. Mr. Braman stated the contact number was 330-825-3272. Mr. Pelot stated that this is a safety issue and would enable the Police Dept. and the Fire Dept. to find your home easier in an emergency.

Mr. Ryland stated that Mayor Koontz was excused from the meeting earlier because he was invited to attend New Franklin's Council meeting along with Mayor Genet to be introduced. Mr. Ryland announced the CCA taxpayers assistance dates (see attached). Mr. Ryland stated that FEMA is holding an open house for those residents who may be concerned about living in a flood zone area, and announced the locations (see attached). Mr. Ryland stated that the Mayor has received a written reply from Senator Coughlin regarding the City's position on the Mosquito Abatement District (MAD) and Senator Coughlin thanked Mayor Koontz for advising him on how our community felt.

Mr. Ryland stated that our Fire Department looked like a refugee camp this past Saturday. Mr. Ryland thanked all of the staff that stayed all weekend, sleeping on cots between the fire engines, and trying to cook in the poor conditions they have to deal with. Mr. Ryland commended all of the Safety forces and Street Dept. employees for all of their hard work and long hours this weekend, they did an excellent job.

ADJOURN:

There being no other business to come before the Regular Council Meeting, the meeting was adjourned at 7:46 PM

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 March 24, 2008

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.