



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

Roll Call:	Ken Braman	Also Present:
	Brenda Hlas	Mayor David Koontz
	Tom Jones	Rick Ryland
	Dennis McGlone - Excused	John Moss
	Bill Mowery - Excused	Pete Kostoff
	Scott Pelot	Jeff Pritchard
	Mike Zita	Karla Richards
		Ann Campbell

The Regular Council Meeting convened on Monday, July 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. Zita moved to add Ord. #64-2008 to the agenda, waiving the second and third readings as an emergency, seconded by Mrs. Hlas. Mr. Zita explained that this legislation is to accept a parcel of land on Barber Road being donated to the City of Norton.

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

Motion passed 5-0.

CONSIDERATION OF THE MINUTES:

Minutes of the Regular Council Meeting of June 23, 2008 were accepted as written. Minutes of the Committee Work Session of June 16, 2008; Mr. Jones noted the following additions page #5 line 21; add the words east and west to the sentence reflecting the speed bumps on St. Rt. 261 at St. Rt. 21. At the end of the following sentence, add quote from the paving company at the end of the sentence. On page #8, line 16, Mr. Jones added the following sentence; Mr. Pelot polled all Council members on allowing Mrs. Cunningham additional time, Mr. Jones stated that he was out voted so what the hell did it matter? The minutes of the Committee Work Session of June 16, 2008 were approved as amended.

Minutes of the committee Work Session of July 7, 2008; Mr. Jones noted the following additions: page #5, line 9, the following sentence is added: Mr. Jones stated that he was not sure whether this was ever zoned. Page #9 at the top of New Business the following is added: Mr. Jones stated that residents living on the east side of Medina Line Road get their bills addressed to Wadsworth Ohio. Mr. Jones stated that he was not sure the city is getting all of the franchise fees that we should be getting. Mr. Jones asked Mayor Koontz to issue a memo to Mr. Moss to check it out and see where we are. Mr. Jones indicated that his bill reflected \$3.61 per month.

CONSIDERATION OF THE MINUTES continued:

After the next sentence the following text is added: Mayor Koontz stated that this would be looked into, and it may be similar to auto tag fees where some people don't know where they live. Mr. Jones stated that it's just like years ago with the dealerships like Bishop Motors, A. Merry Olds, where we were losing money on taxes. Mr. Jones stated that several years ago we hired an outside firm to check into that. Mayor Koontz stated that he was not sure that it would be worth checking into, and that there may be a new process now at the State level. Also on the same page under Public Comment-Non Agenda items, third paragraph, the sentence is amended to read: Mr. Pelot warned again about using the podium for political posturing, and stated that if anyone else does it again, they would be asked to leave. Mr. Pelot stated that one resident asked that we take a look at the public comment section regarding the content, and approval of these minutes would be held until the next meeting so the concerns could be looked into and verified. Mr. Pelot stated that we make the additions to these minutes as Mr. Jones has suggested.

COMMUNICATION FROM THE PUBLIC:

Ms. Tiffany Grimaldi, a Norton resident, asked what the littering law was for the city? Ms. Grimaldi stated that her problem was with the flyers about Mr. Jones, and that she took pictures and reported it to the Post Master. Ms. Grimaldi stated that these flyers were not mailed, they were put into the newspaper boxes and mailboxes. They tend to blow out into the drains, ditches, and yards. Ms. Grimaldi stated that its not only these flyers, its for restaurants, etc. Ms. Grimaldi asked to have our littering law amended, and she indicated that she has the requirements from the post office. Mr. Pelot indicated that this is something that could be looked into. Ms. Grimaldi commented about a law in the City of Elyria that gave a certain time limit for yard sale signs, in addition to the distance from the road. Ms. Grimaldi complained that there are all types of signs on utility poles, in the right of ways and asked who is responsible for that? Mr. Ryland indicated that the Service Dept. takes care of any illegally placed signs. Ms. Grimaldi thanked Mr. Pelot for his statement at the last meeting about political comments, and that he is doing a good job controlling the political bantering at the podium.

Mr. Andrew Lehner, a Norton resident, reiterated the previous speaker's comments, adding that littering along Easton Road has been a problem for him and his father, especially prior to mowing their lawn.

Pastors Mike Guarnieri and Tim Ehlers from Our Fathers House, announced a new ministry, the Love Center at 2983 Wadsworth Road, Norton, Ohio 44203. Pastor Mike stated that they have started a new undertaking called the Love Center. The Love center is open every Wednesday evening at 6:30 PM providing a hot meal, free groceries, free clothing, and counseling. There are three (3) nurses in their congregation that have offered to help with free medical clinics as well. Pastor Guarnieri stated that so far they have served over 150 people in the past three (3) Wednesdays. The Pastors handed out the attached flyers and brochures promoting their new community ministry. Mr. Jones commented on the trouble spots their ministry is targeting such as stress, financial worries, unemployment, etc, and that this is a good program.

COMMUNICATION FROM THE PUBLIC continued:

Ms. Megan Booth, a Norton resident, discussed her issues with the microphone again. Ms. Booth stated that it was also an issue when she spoke last week and it was brought to her attention that someone was going into the booth while she was speaking. Mr. Pelot assured Ms. Booth stated that no one is playing with the microphones. Ms. Booth commented about the road conditions on Woodbine Drive and that it is still breaking away. Mr. Ryland stated that he and Mr. Weinsheimer are aware of this, however with the summer season upon us, the Service Dept. is inundated with mowing at this time.

Ms. Charlotte Whipkey, a Norton resident, stated that she appreciated that Council was taking the time to review the minutes and checking out some of the things we are questioning. Ms. Whipkey did question what the changes were to the June 16, 2008 minutes and the fact that she did not see a point of order called by a member of Council who spoke out of turn. Ms. Whipkey stated that she watched the tape three (3) times before she came in and made her comment, and she was not sure what the corrections were. Mrs. Richards stated that the corrections are not highlighted, however the actual minutes are in the packet. They include a sentence that was added at Mr. Pelot's request on page #9, third sentence from the top, which reads: " Mr. Pelot stated that a point of order was not valid because Ms. Booth was not using names specifically". Ms. Whipkey disagreed that there was no point of order called and Mr. Pelot stated he heard her and that is why he asked Mrs. Richards to insert that into the minutes.

PUBLIC HEARINGS:

None

INTRODUCTION OF NEW LEGISLATION:

ORD #60-2008

Mrs. Hlas offered Ord. #60-2008 for its first reading and asked the Clerk to read it:

AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO AN AGREEMENT WITH THE COUNTY OF SUMMIT AND THE SUMMIT COUNTY PROSECUTOR'S OFFICE FOR THE PURPOSE OF PROVIDING A DIRECT INDICTMENT PROGRAM AND TAKING ALL NECESSARY STEPS TO CANCEL ANY APPLICABLE PREVIOUS AGREEMENTS AND APPLYING ANY DIRECTING OUTSTANDING PAYMENT BE REFUNDED OR APPLIED TO THE NEW AGREEMENT.

Mrs. Hlas moved to waive the second and third readings, seconded by Mr. Zita. Mrs. Hlas stated the reason for waiving the readings is to clear this up before recess.

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

Motion passed 5-0.

ORD #60-2008 continued:

Mrs. Hlas moved to adopt Ord. #60-2008, seconded by Mr. Zita. Mr. Jones asked Mr. Kostoff if he had any problems with this legislation, and Mr. Kostoff replied no.

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

Motion passed 5-0.

ORD #61-2008

Mrs. Hlas offered Ord. #61-2008 for its first reading, and asked the Clerk to read it:

AN ORDINANCE AUTHORIZING AND DIRECTING THE MAYOR TO ENTER INTO CONTRACTS WITH LEGAL DEFENDERS OFFICE OF SUMMIT COUNTY, OHIO INC.

Mrs. Hlas moved to waive the second and third readings, seconded by Mr. Zita. Mrs. Hlas stated the reason for waiving the readings is to clear this up before recess.

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

Motion passed 5-0.

Mrs. Hlas moved to adopt Ord. #61-2008, seconded by Mr. Zita. Mr. Jones asked Mr. Kostoff if he had any problems with this legislation as well, and Mr. Kostoff replied no.

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

Motion passed 5-0.

ORD #62-2008

Mrs. Hlas offered Ord. #62-2008 for its first reading, and asked the Clerk to read it:

AN ORDINANCE DECLARING CERTAIN CITY OWNED PROPERTY AS NO LONGER NEEDED FOR MUNICIPAL PURPOSES AND AUTHORIZING THE CLERK OF COUNCIL TO ADVERTISE THE PROPOSED SALE OF SAID PROPERTY AND DECLARING AN EMERGENCY.

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

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

Motion passed 5-0.

ORD #62-2008 Continued:

Mrs. Hlas moved to adopt Ord. #62-2008, seconded by Mr. Zita. Mr. Jones asked Mr. Ryland about this list being incomplete, and Mr. Ryland stated that we are waiting for further items to be added by the Police Dept. Mr. Ryland indicated that two (2) items are being added by the Fire Dept., which are old air tanks and the emergency medical squad that has a blown engine. Mrs. Hlas stated that this legislation references the sale of the old service garage, not the city auction. Mr. Jones questioned if there is zoning on this property, and Mr. Pritchard replied yes there has always been zoning on this property. Mr. Jones asked what type and Mr. Pritchard stated that it was either I-1 or the local business, and Mr. Pelot asked for this to be verified and follow up with the Clerk on that information. Mr. Pelot stated that with the way our Charter is we have to advertise five (5) times and this is very expensive. Mr. Pelot indicated that when Council returns from recess they would be discussing amending the Charter to address reducing this requirement to three (3) in order to save the city money.

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

Motion passed 5-0.

ORD #63-2008

Mr. Zita offered Ord. #63-2008 for its first reading, and asked the Clerk to read it:

AN ORDINANCE TO AUTHORIZE THE SALE OF SURPLUS PROPERTY NOT NEEDED FOR MUNICIPAL PURPOSES, 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, Pelot
Nays: None

Motion passed 5-0.

Mrs. Zita moved to adopt Ord. #63-2008, seconded by Mr. Jones.

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

Motion passed 5-0.

ORD #64-2008 (Added to the Agenda)

Mr. Zita offered Ord. #64-2008 for its first reading and asked the Clerk to read it:

AN ORDINANCE AUTHORIZING THE ACCEPTANCE OF DONATED LAND BY CLARENCE A JONES AND MARY J. JONES TO THE CITY OF NORTON, AND DECLARING AN EMERGENCY.

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

ORD #64-2008 Continued:

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

Motion passed 5-0.

Mr. Zita moved to adopt Ord. #64-2008, seconded by Mrs. Hlas. Mr. Zita explained that this vacant parcel is locate on Barber Road and is 325 ft. wide by 74 ft. deep and donated to the city. Mr. Pritchard clarified that the parcel is 74 ft wide by 325 ft. deep and the EPA Environmental Phase I assessment was done in June and submitted to the city. Mr. Pritchard stated that this is just north of the self-storage units and it is a total of approximately .74 acres. Mr. Pritchard recommended that the city accept the donation although the city does not have a particular use, it could be banked for future use. Mr. Jones stated that the first half of the taxes are up to date, so there is nothing that is owed on this, and Mr. Pritchard concurred. Mr. Jones questioned the Barberton Gardens Allotment and that he had not seen that term before, and Mr. Pritchard stated that there are many parcels listed like that. Mr. Jones stated that although this parcel relates to his last name, there is no relation to him and he would not be abstaining on this. Mr. Pelot thanked Mr. Clarence and Mrs. Mary Jones for their donation to the city.

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

Motion passed 5-0.

INTRODUCTION OF PRIOR LEGISLATION:

ORD #58-2008

Mrs. Hlas offered amended Ord. #58-2008 for its second reading, and asked the Clerk to read it:

AN ORDINANCE AUTHORIZING THE MAYOR OR HIS DESIGNEE TO GIVE NOTICE OF THE CITY OF NORTON'S INTENTION TO TERMINATE THE CONTRACT FOR PUBLIC HEALTH SERVICE BETWEEN THE CITY OF BARBERTON AND THE CITY OF NORTON, AND DECLARING AN EMERGENCY.

Mrs. Hlas moved to waive the third reading, seconded by Mr. Zita. Mrs. Hlas stated the reason for waiving the readings is to clear this up before recess.

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

Motion passed 4-1.

Mrs. Hlas moved to adopt Ord. #58-2008, seconded by Mr. Zita. Mr. Pelot stated that this would allow the city some leverage and time to address the concerns and gives the Barberton Health Dept. notice.

ORD #58-2008 Continued:

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

Motion passed 4-1.

RES #52-2008

Mrs. Hlas offered Res. #52-2008 for its third, and asked the Clerk to read it:

A RESOLUTION SUPPORTING THE RENEWAL OF THE CLEAN OHIO FUND BOND.

Mrs. Hlas moved to adopt Res. #52-2008, seconded by Mr. Jones.

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

Motion passed 5-0.

REPORTS FROM OFFICERS, BOARDS AND COMMISSIONS:

Mayor Koontz announced that he attended an AMAT's meeting recently and that there is funding available for State routes for base repairs.

Mr. Ryland offered a follow up to Ord. #58-2008. He would be meeting with the Barberton Health District and discussing our concerns with them. Mr. Ryland announced that this Friday would be Mr. Pritchard's last day, he has accepted a new position with the City of Streetsboro. Mr. Moss, Mr. Kostoff and Mr. Pritchard had no reports to offer.

UNFINISHED BUSINESS:

Mr. Jones discussed the Planning Commission minutes of June 10, 2008 and the permit for the Topia building, and questioned if it was still valid? Mr. Ryland stated that he checked on that today and yes it is still valid. Mr. Jones questioned that because nothing has been done on this site for some time. Mr. Ryland stated that he has sent letters asking for them to clean up the property. Mr. Jones stated that last August he spoke with Mr. Tim Brenner of Raymond James Financial, and he was told that they were going to get their money to go forward, and then this May he was told money would be coming. Mr. Jones inquired about road striping and if it would be done prior to this winter, and Mr. Ryland indicated that it would be done. Mr. Jones requested a report of the number of calls, either EMS, Fire or whatever from the Fire Dept. going east on Greenwich Road, North to I-76. Mr. Ryland stated that he gets a full report each month but it is not broken down. Mr. Jones stated that he was mostly concerned with I-76. Mr. Jones asked for something for the last year in the direction of and on I-76. Mr. Ryland clarified this request is for accidents that take us north and then onto I-76, that is a big number, and Mr. Jones stated yes. Mr. Ryland stated that this year alone we are at 400 plus calls already. Mr. Pelot asked about the culvert at St. Rt. 21, and Mr. Ryland indicated that it is not plugged, the water flow is running in the proper direction. Mr. Ryland discussed the issue of the culvert under the roadway and they are still working on this, they have talked with everyone they know trying to figure out how to unplug that section.

UNFINISHED BUSINESS continued:

Mr. Ryland indicated that we have a number of culverts like this in the city. We can water jet them, but this does not solve the problem. Mr. Jones asked Mr. Ryland again about the speed bumps and Mr. Ryland stated that he spoke with Karvo Paving today, they still have not sent the estimate to him and he does not understand what is taking so long. Mr. Ryland stated he would continue to look into this. Mr. Jones stated that he tried to contact ODOT-District 4 as well to see if they could get any assistance from them. Mr. Jones indicated that he wanted to ask them about the heavy truck traffic and route them to I-76 instead of St. Rt. 261 because they are sure tearing up the roads.

NEW BUSINESS:

Mr. Jones thanked all of the voters in Ward 1 for their support, the signs in the yard, the literature, etc. Mr. Jones stated that he received cards and phone calls from people thanking him for continuing on and he appreciates their support. Mr. Jones stated that there is always a negative and a positive and that he felt what he is trying to do here for the people of Ward 1. When he casts a vote it is throughout the community. Mr. Jones stated that what is disturbing to him is the amount of money that has to be spent on this recall.

PUBLIC SERVICE ANNOUNCEMENTS:

Mayor Koontz stated that the Barberton Norton Mosquito Abatement (MAD) announced that due to the increase in mosquitoes they would be spraying weekly, (see attached). Mayor Koontz made the following announcements, (see attached). Mr. Jones stated that he understands that Mr. Binic has retired, and Mayor Koontz, stated that was correct, their home was for sale and sold quicker than expected. Mr. Pelot stated that Council is on recess until August 18, 2008 and that would be a Committee Work Session.

ADJOURN:

There being no other business to come before the Regular Council Meeting, the meeting was adjourned at 7:54 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 August 25, 2008.

Karla Richards, Deputy 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.