



**NORTON CITY COUNCIL
REGULAR COUNCIL MEETING
MONDAY, SEPTEMBER 22, 2008**

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

The Regular Council Meeting convened on Monday, September 22, 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, followed by the Pledge of Allegiance and a moment of silent prayer.

COMMITTEE OF THE WHOLE:

Mr. Jones moved to table Res. #68-2008 until the October 14, 2008 Council meeting, seconded by Mr. Braman. Mr. Jones asked Mrs. Richards to explain the reason for tabling this legislation. Mrs. Richards indicated that because certified mail to some of the residents affected by this assessment project was returned unclaimed, it was necessary to table this. A legal requirement is that a notice must be published in the newspaper notifying these residents of this project, which provides a 14-day time frame for these residents to respond if they want to object to the project. Mrs. Richards indicated that legislation couldn't be adopted until this 14-day time frame expires.

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

Motion passed 6-0.

Mr. McGlone moved to amend Ord #82-2008 due to a clerical error made by ODOT in the amount on the estimate for the resurfacing of St. Rt. 261, seconded by Mr. Jones. Mr. McGlone stated that the original estimate was \$30,000.00 and the corrected amount is \$390,430.00. Mr. Ryland stated that he had ODOT confirm these figures on Tuesday. Mr. Zita stated that because this legislation is up for a first reading tonight. it is not necessary to amend it, we are only correcting the exhibit.

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

Motion passed 6-0.

Mrs. Hlas moved to add Ord. #83-2008, which was necessary because of the change in Ord. #82-2008. Mrs. Hlas stated that we need to appropriate the funds and we do have the money, seconded by Mr. McGlone.

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

Motion passed 6-0.

CONSIDERATION OF THE MINUTES:

Minutes of the Regular Council Meeting of September 8, 2008 were approved as written.
Minutes of the Committee Work Session of September 15, 2008 were approved as written.

COMMUNICATION FROM THE PUBLIC:

Mr. Hetrick, a Norton resident, spoke regarding the situation with Time Warner and questioned if we could open this up to other cable companies. Mr. Hetrick stated that if we could do that maybe we could get better prices for the residents. Mr. Hetrick discussed his concerns about the traffic near the north end of the Acme exit in front the school. Mr. Hetrick stated that now with school back in session the traffic is really heavy. Mr. Hetrick expressed his concerns and asked that someone take a serious look at this situation.

Mr. Danko, a Norton resident, spoke about the Barberton Health District and the \$55.00 inspection fee. Mr. Danko asked how much more can the Norton people take? Mr. Danko asked about the public seminar because he is against this.

Ms. Charlotte Whipkey, a Norton resident, stated she agreed with Mr. Hetrick's comments. Ms. Whipkey questioned if the Time Warner Channel is still available, what is it supposed to be available for? Does this mean to bring it in live from Council chambers because a lot of residents are informed from watching this? Ms. Whipkey discussed the \$60,000.00 in annual revenue received from Time Warner and that we pay extra for Time Warner. What will be the benefits for the citizens? Ms. Whipkey inquired about the Police Union contract and how the talks were going? Ms. Whipkey inquired about the septic system list if this was received yet? Ms. Whipkey inquired about the need to have a new Planning Director and that this money would have been better spent on an Engineer instead of someone telling us where to put trees.

INTRODUCTION OF NEW LEGISLATION:

ORD. #82-2008

Mr. McGlone offered Ord. #82-2008 for it's first reading, and asked the Clerk to read it:

AN ORDINANCE AUTHORIZING THE MAYOR OR HIS DESIGNEE TO ENTER INTO AN AGREEMENT WITH THE OHIO DEPARTMENT OF TRANSPORTATION AND DECLARING AN EMERGENCY.

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

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

Motion passed 6-0.

Mr. McGlone moved to adopt Ord #82-2008, seconded by Mr. Jones.

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

Motion passed 6-0.

ORD #83-2008

Mrs. Hlas offered Ord. #83-2008 for it's first reading, and asked the Clerk to read it:

AN ORDINANCE FOR FISCAL YEAR 2008, APPROPRIATING SAID FUNDS IN THE 2008 BUDGET, AND DECLARING AN EMERGENCY.

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

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

Motion passed 6-0.

Mrs. Hlas moved to adopt Ord. #83-2008, seconded by Mr. McGlone.

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

Motion passed 6-0.

INTRODUCTION OF PRIOR LEGISLATION:

ORD #68-2008

This ordinance was tabled earlier in the meeting until October 14, 2008.

RES #69-2008

Mr. Mowery offered Res. #69-2008 for it's third reading and asked the Clerk to read it:

A RESOLUTION AUTHORIZING THE CHIEF OF POLICE TO APPLY FOR GRANTS FOR THE NORTON POLICE DEPARTMENT FOR THE PURPOSE OF PROVIDING FUNDS FOR THE SALARIES OF CERTIFIED DARE OFFICERS, TEACHING OR PLANNING TO TEACH THE APPROVED DARE CURRICULUM IN LOCAL SCHOOLS AND DECLARING AN EMERGENCY.

Mr. Mowery moved to adopt Res. #69-2008, seconded by Mr. Jones.

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

Motion passed 6-0.

ORD #70-2008

Mr. Braman, offered Ord. #70-2008 for it's third reading, and asked the Clerk to read it:

AN ORDINANCE TO RECLASSIFY THE PROPERTIES KNOWN AS 3175 AND 3147 BARBER ROAD, NORTON, OHIO- VACANT LOTS (PERMANENT PARCEL NUMBERS 4700310, 4700311, 4700168 AND 4700166) FROM I-1 LIGHT INDUSTRIAL TO B-3 HIGHWAY BUSINESS DISTRICT.

Mr. Braman moved to adopt Ord #70-2008, seconded by Mr. Jones.

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

Motion passed 6-0.

ORD #71-2008

Mr. Braman offered Ord. #71-2008 for it's third reading and asked the Clerk to read it:

AN ORDINANCE TO RECLASSIFY PROPERTY KNOWN AS 3095 BARBER ROAD, NORTON, OHIO (PERMANENT PARCEL NUMBER 4603791 AND 4603792 FROM I-1 LIGHT INDUSTRIAL DISTRICT TO B-3 HIGHWAY BUSINESS DISTRICT.

Mr. Braman moved to adopt Ord #71-2008, seconded by Mrs. Hlas.

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

Motion passed 6-0.

RES #72-2008

Mr. Jones offered Res. #72-2008 for it's third reading, and asked the Clerk to read it:

A RESOLUTION DECLARING IT NECESSARY TO IMPROVE CLEVELAND-MASSILLON ROAD, GREENRIDGE ROAD, DURHAM ROAD, DRIFTWOOD ROAD AND CERTAIN OTHER PARCELS BY CONSTRUCTING AND INSTALLING WATER LINES, TOGETHER WITH NECESSARY APPURTENANCES THERETO COMPRISING THE CLEVELAND-MASSILLON ROAD WATER IMPROVEMENT PROJECT, AND DECLARING AN EMERGENCY.

Mr. Jones moved to adopt Res. #72-2008, seconded by Mr. Braman. Mr. McGlone asked if each parcel has to pay the fee only if they connect to the waterline? Mr. Ryland stated that they pay regardless if they connect or not, this is an assessment project bringing the line to their property. Mr. McGlone questioned if there is an additional fee to connect and Mr. Ryland replied yes. Mr. Jones asked Mr. Ryland what the fee was to connect, and Mr. Ryland replied that we know what the old connection fee is, however we have a new report just in suggesting that we change the fees. Mr. Jones asked what the old fee was, and Mr. Ryland replied approximately \$2900.00.

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

Motion passed 6-0.

ORD #73-2008

Mr. Braman offered Ord. #73-2008 for it's third reading, and asked the Clerk to read it:

AN ORDINANCE AUTHORIZING THE DEMOLITION OF THE UNSAFE STRUCTURES AT 3829 EASTON ROAD, NORTON, OHIO AND DECLARING AN EMERGENCY.

Mr. Braman moved to adopt Ord. #73-2008, seconded by Mrs. Hlas. Mr. Jones discussed an issue with a resident and his concern about the well being capped. Mr. Jones commented on the minutes from September 15, 2008 and the reference to Mr. Ryland's statement that the well was capped, and that Mr. Arters stated that once the house is demolished the well would be capped. Mr. Jones stated that this is confusing and asked if it is capped or not? Mr. Ryland indicated that the correct term is sealed not capped. Mr. Ryland indicated that we had to pump out the basement and called in a professional well company to come in and seal the well. It is sealed and there is no leakage going into the house at this point. Mr. Jones stated that last January the basement was flooded, frozen and you could not get in there to cap it, and Mr. Ryland concurred. Mr. Jones stated that this resident claimed that he pumped the basement out back then, so he was not sure who is telling the truth here. Mr. Ryland stated that our fire truck was there and we had used a salvage pump to pump out that basement. If this resident pumped it himself, then it had filled back up. Mr. Ryland stated that when we went up there this past winter the basement was frozen and we have the bills to show the that the work was done.

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

Motion passed 6-0.

REPORTS FROM OFFICERS, BOARDS AND COMMISSIONS:

Mayor Koontz had no report.

Mr. Ryland stated that this past weekend we sent our Street Dept. crews out into the community collecting tree limbs and branches, etc. for chipping. This was very well received in the community and worked out very well. Mr. Ryland announced that starting tomorrow at 8:00 AM the construction will begin on the gazebo at Columbia Woods Park and it will be finished by 5:00 PM. Mr. Ryland indicated that the plans are progressing very well for the Cider Festival.

UNFINISHED BUSINESS:

Mr. Jones stated that he left a phone message for Mr. Weinsheimer a few weeks ago reporting to him several holes in the roads on Hametown & Wadsworth Road, Cleveland Massillon, and to this date this has not been addressed. Mr. Ryland stated that he would look into this. Mr. Jones stated that he had previously asked for a town meeting regarding the septic inspection issues, however he wondered if this was necessary since Ms. Kline of the Barberton Health District is working on something. Mr. Jones asked Mr. Ryland if he was aware of this and for the details. Mr. Ryland stated that he was informed about this last week, although he does not have the details at this time. Mr. Jones questioned if the inspections would be done now or in next April? Mr. Ryland replied that they are to begin

October 1, 2008. Mr. Jones asked if this public meeting would take place prior to October 1, 2008 and Mr. Ryland replied that he did not know and that he would look into it.

Mr. Zita discussed the recent letter the city received from Time Warner adding that Council would be discussing this next week and we need to decide how we want to continue. Mr. Zita reminded everyone that we do have an Audio Video student. This student is under contract for the remainder of this year for a fee of \$825.00.

NEW BUSINESS:

Mayor Koontz announced the road closings on St. Rt. 21 and the restrictions along I-76 on Sundays through nights. Mayor Koontz stated that the construction along St. Rt. 21 is scheduled to continue through July of 2009. Mr. Jones asked about the heavy gauge wire laid all along the highway on I-76 in the median. Mr. Ryland explained that these are there in preparations for a barrier to keep vehicles from crossing over the median line and run all the way to State Street in Barberton.

PUBLIC SERVICE ANNOUNCEMENTS:

Mayor Koontz made several announcements, (see attached)

ADJOURN:

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

Mike Zita, Vice 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 October 14, 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.