



**NORTON CITY COUNCIL
REGULAR COUNCIL MEETING
MONDAY, DECEMBER 14, 2009**

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

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

The Regular Council Meeting convened on Monday, December 14, 2009 at 7:02 PM, in the Council Chambers of the Safety Administration Building. The meeting was called to order by Mike Zita, President of Council, followed by the Pledge of Allegiance and a moment of silent prayer.

COMMITTEE OF THE WHOLE:

There was no discussion

COMMUNICATIONS FROM THE PUBLIC:

Mrs. Elaine Tompkins, a Norton resident, thanked the two (2) departing Council members for their service and wished everyone a Merry Christmas. Mrs. Tompkins addressed the wages issue for the Law Director adding that since he turned down a pay increase that surely he would not have a problem removing Clause A out of section two from his original contract. That Clause states that the Mayor at his discretion, after his first year the Law Director would receive a \$1,000.00 increase in salary. Mrs. Tompkins stated that after further review of the records she stated he was awarded, she did not state that he was paid. Mrs. Tompkins discussed the various amounts paid to Mr. Kostoff in October and November. However in the eleven months from January-November 2009 Roetzel & Andress has collected approximately \$150,770.00; \$135,000.00 under his normal law contract, \$12,000.00 for Council and \$3,000.00 for civil services. That's a ton of money and we had better be taking a good look at just what is being paid for such a little city as Norton. We have never paid out this kind of money in legal services, and the only litigation she was aware of was to buy the Lindeman property and the appeals hearing for Council on June 17, 2009. Mrs. Tompkins discussed the \$1356.00 considered as a figure for employee health care, and the 51 current number of employees, which comes to \$829,872.00 that the city is paying out. Mrs. Tompkins stated there is no other industry in northeastern Ohio that fully pays for their employee health care. Its time Council takes a position to require employee contributions in the future.

CONSIDERATION OF THE MINUTES:

Minutes of the Committee Work Session of November 23, 2009 were approved as submitted.
Minutes of the Regular Council Meeting of November 23, 2009 were approved as submitted.

Minutes of the Committee Work Session of December 7, 2009 were approved as submitted.
Minutes of the Special Council Meeting of December 7, 2009 were approved as submitted.

REPORTS FROM OFFICERS, BOARDS AND COMMISSIONS:

Mayor Koontz reported that the reason Mr. Ryland and Mr. Moss were excused this evening was because they are currently involved in the union negotiations meetings. Mayor Koontz and Mr. Kostoff had no reports to offer.

PUBLIC HEARINGS:

None

INTRODUCTION OF NEW LEGISLATION:

ORD #113-2009

Mrs. Hlas offered Ord. #113-2009 for its first reading and asked the Clerk to read it:

THE ANNUAL APPROPRIATION ORDINANCE FOR CURRENT EXPENSES AND OTHER EXPENDITURES OF THE CITY OF NORTON FOR THE FISCAL YEAR ENDING DECEMBER 31, 2010.

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

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

Motion passed 7-0.

Mrs. Hlas moved to adopt Ord. #113-2009, seconded by Mr. McGlone.

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

Motion passed 6-1.

RES #114-2009

Mr. Pelot offered Res. #114-2009 for its first reading and asked the Clerk to read it:

A RESOLUTION OF APPRECIATION TO THE FRED MARTIN MOTOR COMPANY FOR THE DONATION OF A D.A.R.E. VEHICLE TO THE CITY OF NORTON FOR USE BY ITS POLICE DEPARTMENT.

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

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

Motion passed 7-0.

Mr. Pelot moved to adopt Res. #114-2009, seconded by Mrs. Hlas. Mr. Pelot thanked Fred Martin Motors, Adam and Dwayne Huff for continuing to support our community and everything they do for our Police Dept.

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

Motion passed 7-0.

RES #115-2009

Mr. Pelot offered Res. #115-2009 for its first reading, and asked the Clerk to read it:

A RESOLUTION OF APPRECIATION FOR NORTON CITY COUNCIL MEMBER TOM JONES.

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

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

Motion passed 6-1.

Mr. Pelot moved to adopt Res. #115-2009, seconded by Mrs. Hlas. Mr. Pelot thanked Mr. Jones for his time served on Council.

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

Motion passed 6-1.

RES #116-2009

Mr. Pelot offered Res. #116-2009 for its first reading and asked the Clerk to read it:

A RESOLUTION OF APPRECIATION FOR NORTON CITY COUNCIL MEMBER DENNIS MCGLONE.

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

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

Motion passed 7-0.

Mr. Pelot moved to adopt Res. #116-2009, seconded by Mrs. Hlas. Mr. Pelot thanked Mr. McGlone for his time served on Council. Mr. McGlone thanked Council for the past eight years; it been a real enjoyment. Mr. McGlone also thanked the Administration; adding that we may not have granted everything but he felt that he always did what he felt was right for the people. Mr. McGlone thanked Mr. Kostoff for the time he has worked with him. Mr. McGlone gave a special thanks to Mrs. Richards, adding that she has been a wonderful Clerk, and he enjoyed working with her.

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

Motion passed 7-0.

ORD #117-2009

Mrs. Hlas offered Ord. #117-2009 for its first reading and asked the Clerk to read it:

AN ORDINANCE TO AUTHORIZE THE MAYOR AND/OR ADMINISTRATIVE OFFICER TO INCREASE THE AMOUNT OF THE ORIGINAL CONTRACT WITH ARCHITECT, THOMAS KLINGENSMITH, IN THE AMOUNT OF \$45,000.00 TO DESIGN A NEW FIRE STATION AND DECLARING AN EMERGENCY.

First reading only. Mrs. Hlas indicated there are some issues we need to address and we are working those out right now.

RES #118-2009

Mr. Jones offered Res. #118-2009 for its first reading and asked the Clerk to read it:

A RESOLUTION DECLARING IT NECESSARY TO IMPROVE OAK STREET AND COLUMBIA AVENUE BY CONSTRUCTING AND INSTALLING SANITARY SEWER LINES, MANHOLES AND LATERALS, TOGETHER WITH NECESSARY APPURTENANCES THERETO COMPRISING THE OAK STREET SANITARY SEWER PROJECT, AND DECLARING AN EMERGENCY.

Mr. Jones moved to waive the second and third readings, seconded by Mr. Braman. Mr. Jones indicated the Administration would like to move forward on this project. Mayor Koontz added there are some serious pollution problems in this area and we need to move ahead on this as soon as possible.

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

Motion passed 7-0.

Mr. Jones moved to adopt Res. #118-2009, seconded by Mr. Braman.

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

Motion passed 7-0.

INTRODUCTION OF PRIOR LEGISLATION

RES #106-2009

Mrs. Hlas offered Res. #106-2009 for its third reading and asked the Clerk to read it:

A RESOLUTION REQUESTING THE COUNTY AUDITOR TO ADVANCE TAXES FROM THE TAX YEAR 2009 COLLECTIONS PAYABLE IN 2010 PURSUANT TO SECTION 321.34 OF THE OHIO REVISED CODE.

Mrs. Hlas moved to adopt Res. #106-2009, seconded by Mr. McGlone.

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

Motion passed 7-0.

ORD #107-2009

Mrs. Hlas offered Ord. #107-2009 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.

Mrs. Hlas moved to adopt Ord. #107-2009, seconded by Mr. McGlone.

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

Motion passed 7-0.

UNFINISHED BUSINESS:

Mr. Jones thanked the Street Dept. for their work on Easton Road along the west berm in the 3200 block, just up from Creekside Drive.

NEW BUSINESS:

Mr. Pelot discussed some sinkholes that have come up along Greenridge Road relating to the recent waterline project. Mr. Pelot indicated that Mr. Ryland was in contact with the contractor and inquired if Mayor Koontz had a time line as to when this would be addressed.

Mayor Koontz indicated he discussed this with Mr. Ryland and in addition asked to have the clean up of the mud into the streets cleaned up as well, however he had no specific time line of when this would be completed. Mayor Koontz stated the sinkholes are created due to settling around the shut off valves. Mr. Jones commented about the lack of our local broadcast of Channel #15 and he would like to see the future Council work towards bringing this back in the future, he has had a lot of calls about this. Mr. Jones thanked all of the residents in Ward 1 for their support for the past sixteen (16) years. He has enjoyed working here on Council, we have had our ups and downs in Council and Administration.

Mr. Jones stated that he would be back. Mr. Pelot reminded Mr. Jones about the details surrounding the loss of Channel #15. There was a lawsuit between AT&T and Time Warner, where AT&T sued claiming a monopoly of local government channels by Time Warner. The courts sided with AT&T. That is the reason it was shut down, and unless everyone is willing to televise it that would probably not happen. Mr. Jones indicated he still would like Council and the Mayor to follow up on that.

PUBLIC SERVICE ANNOUNCEMENTS:

Mr. Zita announced Mr. Bergstrom's upcoming town meetings, (see attached). Mr. Zita wished everyone a Merry Christmas and a safe holiday season.

ADJOURN:

There being no other business to come before the Regular Council Meeting, the meeting was adjourned at 7:26 PM.

Mike Zita, 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 11, 2010.

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.