



**NORTON CITY COUNCIL
REGULAR COUNCIL MEETING
TUESDAY, JULY 6, 2021**

The Regular Council Meeting was convened on Tuesday, July 6, 2021 at 7:00 PM by Dennis McGlone, President of Council, followed by the Pledge of Allegiance and a moment of silent reflection.

ROLL CALL:	Jack Gainer	Also Present:
	Dan Karant	Mayor Zita
	Paul Tousley	Robert Fowler
	Scott Pelot (excused)	Pamela Keener
	Charlotte Whipkey	Justin Markey
	Joe Kernan	Kerry Macomber
	Dennis McGlone	

COMMUNICATIONS FROM THE PUBLIC

Vicky Wallace, 3110 Hemphill Rd, Norton OH and Shirley Bennett, 3648 Durham Drive, Norton OH discussed the Safety Town program and gave a recap of the number of students served and an overview of the program's objectives. They thanked the many volunteers that helped make this program a success for the children, as well as the City's assistance. Ms. Wallace express concern over the number of lines that were painted making the course confusing for the children. She asked if anyone had a remedy to simplify the course. She requested permission to repaint the entire area and then clearly outlining the boundaries of Safety Town and adding an appropriate diagram at a later date. Ms. Bennett requested assistance with relocating the dumpster temporarily. The stench from the dumpster during the summer heat is quite unpleasant and unfortunately, a car tried to drive up to the dumpster during Safety Town endangering the program set up.

Mr. McGlone noted that due to the approaching deadline for Charter Amendments, he is proposing that Council review these over the summer break and then place them on the ballot at next year's primary.

Todd Bergstrom Charter Review Commission Update: Mr. Bergstrom thanked City Council for the opportunity to serve and introduced the other Commission members in attendance: Ellen Stokes, Denise Mullins, Josh Smith, and David Kennedy. He also mentioned the members that were not in attendance: Rick Dobbins and John Isak. Mr. Bergstrom reported that during the review process, they met virtually except for the last meeting, which was held in Council Chambers. They had good discussions and came to a consensus on the changes that are being recommended to Council. He stated the committee was a fair representation and a good cross section of the community, as a whole. Mr. Bergstrom opened the floor for questions from Council.

Mr. Tousley noted that some of these changes are scrivener versus substantial, which would go on the ballot for the voters to decide. He gave the example of proposed changes to Article II Section

2.03 – Acting Mayor where the clause regarding temporary absence was stricken. Mr. Markey indicated that the minor changes are marked as scrivener changes and that most of the recommended changes are more substantive and will require the voters' approval. He would get a list of those for Council. Some things are more substantial and needs to go to the voters. Ms. Whipkey asked if the Mayor was out of town and could not connect via technology would that institute not available for duties and Mr. Markey concurred. There was discussion about Section 2.04 – Vacancy and the mandate that the President of Council becomes Mayor. Ms. Whipkey stated this is removing the ability for Council President to turn the position of Mayor down and mandating they take the position. Mr. Bergstrom stated the recommendation is to remove the language allowing the President to decline. Mrs. Mullins dissented and stated that was removed so they were not compelled to do so. Ms. Whipkey stated the recommended changes to Section 2.09 and 3.08 – Compensation increases and her issue it takes away the input from the people regarding the Council and the Mayor's salary rate. It gives that power back to Council and takes it away from the people; she believed there should be public input. Mr. McGlone stated if this change in charter is on the ballot, the people will vote on it and it requires it be passed by two thirds of Council to go to the ballot. Ms. Whipkey responded she wanted the people to understand what they would be voting on. He stated the reason for this change is so that people serving will be eligible for Ohio Public Employment Retirement System (OPERS). Ms. Whipkey asked the way she was reading this is that if the compensation was passed at ballot that in this case anyone currently sitting in office or elected into one of the upcoming seats would be eligible for the wage increases and Mr. Markey concurred. Ms. Whipkey concurred with recommendations on Section 3.12 – Regular Meeting; Executive Session because it would bring the City into compliance with the Ohio Revised Code now and in the future. She stated the recommendations for Section 3.20 are similar in that they update the City requirements. Ms. Whipkey asked about Article V and if the Administrative Department of Community Development falls under the Administrative Officer's responsibility. Mr. Markey stated that it does not. Ms. Whipkey discussed the recommended increased level of spending under Section 5.03 – Board of Control and she did not support; it allows the BOC to spend money without asking Council. Mayor Zita noted that the Board of Control includes Council members, so there are checks and balances. Ms. Whipkey noted there were five members on the Committee and three make a quorum. Mr. Kernan remarked the Council approves the budget and all monies to be spent at the beginning of the year. Mr. Gainer opposed the recommended elimination of Section 5.08 – Department of Community Development stating that right now this is handled by the Administrative Officer, but that it may not always be the case the Administrator could do it as well as our current Administrative Officer; it is not costing us anything at this time and we could establish a salary later if needed. He requested it remain in the Charter. Mr. Gainer also offered an opinion on Section 2.04 – stating he is not in favor of removing the Council President's ability to decline the Mayor's position and allowing the Vice President to assume the responsibility of Mayor. He was not in favor of forcing anyone into the position. Mr. Bergstrom stated that persons elected as President and Vice President should know that the possibility of having to assume the Mayor's role is a requirement and they should not accept the position, if they do not want that responsibility. Mr. Kernan stated that we have asked the Charter Review Commission, as representatives from the community, to make recommendations and all of these should go to the ballot and let the voters decide. Mr. Gainer stated his problem was that the public needs to be made aware of the changes, but only the ones that are truly important and need passed should go to ballot. Mr. McGlone stated we had plenty of time to get these to ballot and talk on it or wait till next year. There was discussion regarding the proposed changes.

Denise Mullins, 2886 Wilbanks, Norton OH discussed the reasoning of the recommended changes and stated that the Commission chose “shall” in the language of Section 2.04 to be ambiguous or suggestive not mandatory and the President wouldn’t be required to accept it. She explained the main points of the Commission’s discussion. Mr. Kernan offered that the legal interpretation of the word shall means must. Mr. Markey will review the language. Mr. Bergstrom stated things are presented as they voted on them and he believed Council had the opportunity to change it also.

The Mayor and several members of Council thanked the Charter Review Commission for its work and providing the recommendations for the changes in the Charter. Mr. Tousley expressed that any criticism offered was merely directed at the material, not the Commission members. Ms. Whipkey stated she has paid close attention to the Charter revisions for many years and she appreciates their work. However, she will not support any of these changes because they did not follow the rules and regulations of the Charter Review Commission. I don’t believe you understood that and the meetings were to be available to the public. I stated this after it came to Council’s attention that there had been a meeting held. Ms. Whipkey stated the dates of various meetings that there were no postings of meeting dates and Council was not informed. There were no agendas or minutes posted and the public had no time or way to speak. I would not feel secure about putting this forward to the people this year or next as this is for the people and I feel very strongly on the matter. You had to search for this information to find it and it was hard. Mr. Kernan asked if Council couldn’t submit Charter amendments at any time and Mr. Markey concurred. Mr. Markey stated that in defense of the Charter Review, he was under the impression that meeting notices were provided and they did receive input from at least one member of the public as Mr. Kazy promoted term limits in exchange on compensation so noting that the information about the meetings was received. We got and read that email at a meeting.

Josh Smith, 3905 Valley Drive, Norton OH – Mr. Smith questioned why this was not brought to the Commission’s attention earlier when it could have been corrected. Ms Whipkey stated she was probably the one paying the most attention. Mr. Kernan stated he knew if he wanted to watch the meeting he could have found out what the link was and come and watch it.

COMMITTEE OF THE WHOLE

Appropriations Amendment – Mr. Kernan stated these appropriation amendments have been discussed in previous meetings and moved to add Ord. No. 82-2021 to tonight’s Agenda, with emergency language and waiving readings; seconded by Ms. Whipkey.

Roll Call: Yes: Kernan, Whipkey, Gainer, Karant, Tousley, McGlone
 No: None

Motion passed unanimously.

Tax Budget – Mr. Kernan stated the tax budget needs to be submitted to Summit County and made a motion to adopt Tax Budget for 2022; seconded by Ms. Whipkey.

Mr. McGlone called for a verbal vote: Ayes were unanimous.

REPORTS FROM OFFICERS, BOARDS AND COMMISSIONS

Mayor Zita announced the Road Program has been put on hold because the contractor was pulled away for another job. They will be back in town next week.

Mayor Zita thanked Springtime Flowers for donating the four large planters of flowers in the center of town at the intersection of Cleveland-Massillon and Greenwich.

Ms. Whipkey asked about Golf Course Drive and the damage creating a trench-like area. She asked about the status of the agreement with Addison and stated they should repair it. Mr. Markey agreed to look into it. Ms. Whipkey also asked for an update on the tie-in question she posed some time ago.

CONSIDERATION OF MINUTES

Minutes of Regular Council Meeting of June 14, 2021 deferred until Council's next regular meeting.

INTRODUCTION OF NEW LEGISLATION

Ord. No. 82-2021

Mr. Kernan introduced Ord. No. 82-2021 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, 2021; AUTHORIZING AMENDMENTS TO THE CERTIFICATE OF ESTIMATED RESOURCES FOR THE CITY FOR CALENDAR YEAR 2021; AND DECLARING AN EMERGENCY.

Mr. Kernan moved to waive readings; seconded by Ms. Whipkey.

Roll Call: Yes: Kernan, Whipkey, Gainer, Karant, McGlone
 No: Tousley

Motion passed: 5-1.

Mr. Kernan moved to adopt Ord. No. 82-2021; seconded by Ms. Whipkey.

Roll Call: Yes: Kernan, Whipkey, Gainer, Karant, Tousley, McGlone
 No: None

Motion passed: 6-0.

INTRODUCTION OF PRIOR LEGISLATION - None

PUBLIC SERVICE ANNOUNCEMENTS


Mayor Zita thanked everyone for volunteering for the Adopt-A-Spot program and Tom Dayton for his assistance. Mayor Zita announced Wednesday, July 7, 2021, the Kiwanis has invited all to a ribbon cutting and dedication of the concert stage in Columbia Woods Park. The Mayor will present a State of the City address and also announced the schedule of events that will include a car show, Mark Leach concert, touch a truck, etc. A flyer announcing the events is posted on the City Website and attached to these minutes.

Mr. McGlone announced that Administration does not plan for any more legislation before summer break so the next Council meeting will be a Committee Work Session on August 16, 2021 and a Regular Council Meeting on August 23, 2021.

Mr. Karant announced that he will host a Ward 3 Town Hall meeting to discuss updates. He requested permission for the Clerk's assistance at the meeting, which was granted by the President. Information will be forthcoming.

ADJOURN:

There being no other business to come before the Regular Council Meeting, the meeting was adjourned at 7:57 PM.


Dennis McGlone, President of Council

I, Kerry Macomber, Clerk of Council for the City of Norton, do hereby certify that the foregoing minutes were approved at a Regular Council Meeting held on September 27, 2021.


Kerry Macomber, Clerk of Council

****Note: these minutes are not verbatim****
Original signed and approved minutes are on file with Clerk of Council.

