



**NORTON CITY COUNCIL  
REGULAR COUNCIL MEETING  
APRIL 14, 2014**

Roll Call: Scott Pelot  
Dennis McGlone  
Danny Grether  
Dennis Pierson  
Paul Tousley  
Charlotte Whipkey  
Rick Rodgers

Also Present:  
Mayor Mike Zita  
Valerie Wax Carr  
Laura Starosta  
Karla Richards  
Ann Campbell

The Regular Council Meeting convened on Monday, April 14, 2014 at 7:00 PM, in the Council Chambers of the Safety Administration Building. The meeting was called to order by Rick Rodgers President of Council, followed by the Pledge of Allegiance and a moment of silent prayer.

**COMMITTEE OF THE WHOLE**

Mr. Grether noted that we have discussion on a new liquor permit for the Wolf Creek Tavern formerly the old Loyal Oak Tavern. Mr. Grether stated the City has received notification from the State of Ohio Liquor Board and that this license is for new ownership. The discussion of Council on this tonight is to determine if we desire to have a formal hearing, and Mr. Grether noted this location has had previous liquor permits, and he noted there are also letters of support from Chief Hete, Mayor Zita and Sen. Frank LaRose. Mr. Grether noted the new owner is present tonight if there are any questions. Mr. Rodgers stated he met the wife of the owner today and agreed to move forward with this as they are investing in our community and he welcomed their investment in our community. Mr. Pelot agreed, stated they are investing an awful lot and making a lot of changes to the property, this will be an added benefit to the community and wished them the best. Mr. Grether moved to accept this application without a public hearing, seconded by Mr. Pelot.

Roll Call: Yeas: Grether, Pelot, McGlone, Pierson, Tousley, Whipkey, Rodgers  
Nays: None

Motion passed 7-0. No formal legislation is required.

Mr. Shane Moore, the new owner of Wolf Creek Tavern, thanked all of Council for their support and gave a brief background of his family, and all of the work that they have done to the building, and the future of his new restaurant. Mr. Moore stated that they intend to employ approximately 20-25 local employees in the business.

Ms. Whipkey moved to remove Ord. #50-2014, seconded by Mr. Tousley. Ms. Whipkey discussed her concerns with the Simple Recycling agreement to Ord. #50-2014 and that she had raised the same issues last week, nothing had changed and the wording was the same. Mr. McGlone asked Mrs. Carr if this is going to back things up and Mrs. Carr stated she wanted to get moving with the advertising and coordinate this with the Norton Clean Up Day. Mrs. Carr stated she understood the changes requested and had verified the changes with the Company and that Justin is aware of the change; it's just working out the language and everything that was asked to be done has been approved by the Company There was discussion as to the wording of the legislation that it authorizes the Administration to enter into an agreement. Mrs. Carr stated she did not realize that Ms. Whipkey wanted to see the changes in the actual contract prior to passing the ordinance and had only attached it as an example of what they would most likely enter into. Ms. Whipkey replied that she would never agree to anything when there is a question as to how the document is written. Mrs. Carr explained Norton was a little different from what she was used to doing. Mr. Markey stated all the ordinances authorizing Administration to enter into contracts have the additional language that changes may be made by approval of the Administrative Officer that are not adverse to the City and it is not in the final form of the agreement. Mr. Markey added that Council is agreeing to the form, not the final form, and that Mrs. Carr has worked out with the Company to make the changes we want and she is authorized to make those further changes when the contract actually gets signed. Mr. Tousley stated it is our due diligence to see that the changes had been made before the vote. Ms. Whipkey stated that is why she wanted this addressed from last week to see the changes were made. Mr. McGlone suggested having only a first reading only tonight and we can change the attachment later and Mr. Markey stated that is proper and you can amend the legislation at the next meeting. Mrs. Carr asked if Ms. Whipkey would like the changes with the Company emailed for her review prior to the next meeting and Ms. Whipkey confirmed that is what she wanted. Ms. Whipkey and Mr. Tousley removed their original motions. Mr. Rodgers stated he has a request to amend the current year's budget. The County has awarded the City \$40,000.00 for demolitions of vacant homes, however we must spend it rather quickly, and we will be waiving the readings and adopting this evening. Mr. Pelot asked if the money needed to go into a special fund and Mrs. Starosta explained it went in as a line item and not a special fund. Mr. Rodgers moved to add Ord. #52-2014 to the agenda, seconded by Ms. Whipkey. Ms. Whipkey noted that we do need to move this rather quickly to get the reimbursement as we have went through all our current funds for demolitions. Mr. Tousley asked if this requires matching funds from the City and Mr. Rodgers replied no. Mr. Grether asked how many homes we are dealing with that the funds will cover and Mrs. Carr explained that we have two houses ready to go and a third one being examined for asbestos. The houses are at: 4960 Richland Avenue, 5007 S. Hametown Road, which hopefully will come down next week, and 1289 Norton Avenue. Ms. Whipkey asked if we know if we will have the opportunity for the matching funds for this year or next year and Mrs. Carr replied she was not sure. Mr. Rodgers stated these funds are from delinquent taxes and this is a use it or lose it situation.

Roll Call: Yeas: Rodgers, Whipkey, Pelot, McGlone, Grether, Pierson, Tousley  
Nays: None

Motion passed 7-0.

## **COMMUNICATIONS FROM THE PUBLIC-Agenda and Non-Agenda Items**

Maggie Abbott of the Norton Kiwanis commented about the Prayer Breakfast for May 1, 2014 at 7:00 AM (see attached details).

## **CONSIDERATION OF MINUTES**

Minutes of the Committee Work Session of April 7, 2014 were approved as submitted.

Minutes of the Regular Council Meeting of March 24, 2014 were approved as submitted.

Minutes of the Annual Work Shop of March 31, 2014 were approved as submitted.

## **REPORTS FROM OFFICERS, BOARDS AND COMMISSIONS**

Mayor Zita stated late last week he met with Mayor Judge and Mrs. Helen Humphrys from Copley Twp., on the Storm Water issue. We are putting together a fact sheet for a meeting sometime in middle of May with the three of us and just the communities' legislators as the first phase of meetings. Shortly after that we intend for meetings to be held in each community to go over the information in the fact sheets with the public and citizens could attend another community's meeting if they miss the one held in their own community. Mayor Zita stated that he received an email from Judge Todd McKenney on a Good Deeds Program he would like to present for the residents this fall to review their property deeds. Judge McKinney would like to have a about a five (5) minute presentation for Council sometime in the future.

## **PUBLIC HEARINGS-None**

## **INTRODUCTION OF NEW LEGISLATION**

### **ORD #48-2014**

Mr. Pierson offered Ord. #48-2014 for its first reading and asked the Clerk to read it:

AN ORDINANCE TO APPROVE A MUTUAL AID AGREEMENT BY AND BETWEEN THE CITIES OF NORTON AND FAIRLAWN, THE VILLAGE OF RICHFIELD, THE TOWNSHIPS OF COPLEY, BATH, CHIPPEWA, SHARON CENTER AND GRANGER, AND THE VALLEY FIRE DISTRICT FOR THE SHARING AND EXCHANGE OF APPARATUS AND/OR EQUIPMENT BY THE FIRE DEPARTMENTS OF THE RESPECTIVE SUBDIVISIONS IN EMERGENCY SITUATIONS.

First reading only.

### **ORD #49-2014**

Mr. Pierson offered Ord. #49-2014 for its first reading and asked the Clerk to read it:

AN ORDINANCE TO AUTHORIZE AND DIRECT THE MAYOR TO EXECUTE AND DELIVER AN AGREEMENT TO PROVIDE COMMUNITY CORRECTIONAL SERVICES WITH ORIANA HOUSE, INC., AND DECLARING AN EMERGENCY.

First reading only.

**ORD #50-2014**

Mr. McGlone offered Ord. #50-2014 for its first reading and asked the Clerk to read it:

AN ORDINANCE AUTHORIZING THE ADMINISTRATIVE OFFICER TO EXECUTE AND DELIVER AN AGREEMENT WITH GREAT LAKES RECYCLING, INC. DBA SIMPLE RECYCLING FOR THE COLLECTION AND RECYCLING OF SOFT RECYCLABLES IN THE CITY, AND DECLARING AN EMERGENCY.

First reading only.

**ORD #51-2014**

Mr. Pelot offered Ord. #51-2014 for its first reading and asked the Clerk to read it:

AN ORDINANCE AUTHORIZING THE ADMINISTRATIVE OFFICER TO EXECUTE AND DELIVER AN AGREEMENT WITH TRANSYSTEMS REAL ESTATE CONSULTING, INC., IN CONNECTION WITH THE WIDENING OF CLEVELAND-MASSILLON ROAD FROM WEBER DRIVE TO INTERSTATE 76, AND DECLARING AN EMERGENCY.

Mr. Pelot moved to waive the second and third readings, seconded by Mr. McGlone. Ms. Whipkey asked if this will interfere with the traffic flow and Mrs. Carr stated they are only negotiating the right of ways and this has no interference with traffic.

Roll Call: Yeas: Pelot, McGlone, Grether, Pierson, Tousley, Whipkey, Rodgers  
Nays: None

Motion passed 7-0.

Mr. Pelot moved to adopt Ord. #51-2014, seconded by Mr. McGlone.

Roll Call: Yeas: Pelot, McGlone, Grether, Pierson, Tousley, Whipkey, Rodgers  
Nays: None

Motion passed 7-0.

At 7:31 PM Mr. Rodgers informed everyone that the sound system is not broadcasting properly and he called for a short recess to look into the issue. At 7:36 PM Mr. Rodgers reconvened the Regular Council Meeting back to session and announced that we were receiving audio on our end.

**\*\*ADDED TO THE AGENDA**

**ORD. #52-2014**

Mr. Rodgers offered Ord. #52-2014 for its first reading and asked the Clerk to read it:

THE ORDINANCE TO AMEND THE APPROPRIATIONS FOR THE CURRENT EXPENSES OF THE CITY OF NORTON FOR THE FISCAL YEAR ENDING DECEMBER 31, 2014 AND DECLARING AN EMERGENCY.

Mr. Rodgers moved to waive the second and third readings, seconded by Mr. Grether

Roll Call: Yeas: Rodgers, Grether, Pelot, McGlone, Pierson, Tousley, Whipkey  
Nays: None

Motion passed 7-0.

Mr. Rodgers moved to adopt Ord. #52-2014, seconded by Ms. Whipkey.

Roll Call: Yeas: Rodgers, Whipkey, Pelot, McGlone, Grether, Pierson, Tousley  
Nays: None

Motion passed 7-0.

## **INTRODUCTION OF PRIOR LEGISLATION**

### **RES#46-2014**

Mr. Grether offered Res. #46-2014 for its second reading and asked the Clerk to read it:

A RESOLUTION URGING OHIO VOTERS TO SUPPORT STATE ISSUE #1, RENEWAL OF THE STATE CAPITAL IMPROVEMENTS PROGRAM, ON THE MAY 6, 2014 BALLOT.

Mr. Grether moved to waive the third reading, seconded by Mr. McGlone

Roll Call: Yeas: Grether, McGlone, Pelot, Pierson, Tousley, Whipkey, Rodgers  
Nays: None

Motion passed 7-0.

Mr. Grether moved to adopt Res. #46-2014, seconded by Ms. Whipkey. Mr. Tousley stated he will abstain from the vote due to his personal belief that he should not be telling people how to vote, and after some consideration Ms. Whipkey stated that she agreed with Mr. Tousley and that she would have to say no for the same reason.

Roll Call: Yeas: Grether, Pelot, McGlone, Rodgers  
Nays: Whipkey, Pierson  
Abstain: Tousley

Motion passed 4-2.

### **ORD #47-2014**

Mr. Grether offered Ord. #47-2014 for its second reading and asked the Clerk to read it:

AN ORDINANCE TO AMEND CERTAIN SECTIONS OF CHAPTER 856 OF THE CODIFIED ORDINANCES OF THE CITY OF NORTON, OHIO; AND DECLARING AN EMERGENCY.

Second reading only.

## **UNFINISHED BUSINESS**

Ms. Whipkey stated she received a few inquiries about the issues she raised last week with the Mayor being absent (out of State) and not informing the Council President and appointing the Council President as Mayor Interim. Ms. Whipkey clarified that her issue is that we have Charter Section 2.03 relating to this procedure, and she has an issue with that not being followed and it was pointed out that it's her own issue and problem.

Mr. Rodgers stated we do expect to have all rules and protocol followed and he accepts the fact that it was an oversight with this and move forward, but agrees with Ms. Whipkey. Mr. Tousley agreed with Ms. Whipkey, adding that a little more communication would have prevented this from becoming an issue in the first place.

**NEW BUSINESS**

None

**PUBLIC SERVICE ANNOUNCEMENTS:**

Mayor Zita read several announces (see attached)

**ADJOURN:**

There being no other business to come before the Regular Council Meeting, the meeting was adjourned at 7:47 PM.

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Rick Rodgers, 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 April 28, 2014.

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Karla Richards, CMC-Clerk of Council

**NOTE: THESE MINUTES ARE NOT VERBATIM\***

**\*\*ORIGINAL SIGNED AND APPROVED MINUTES ARE ON FILE WITH THE CLERK OF COUNCIL\*\***

All Council & Committee Meetings will be held at the Norton Safety Administration Building, unless otherwise noted.