

City of Norton
CHARTER REVIEW COMMISSION
Wednesday, November 1, 2006

The Charter Review Commission of the City of Norton, Ohio, convened for a public meeting in Norton City Council Chambers. Chairperson Barbara Vimont called the meeting to order at 6:03 p.m.

I. ATTENDANCE:

PRESENT: Barbara Vimont, Gene Becker, Robert Daymut, Christopher Judge, Sue Ringkor

ABSENT: Megan Booth, Charles Campbell

II. CONSIDERATION OF MINUTES:

A.) Minutes from Wednesday, September 6, 2006 Meeting:

The Commission reviewed the minutes from their Wednesday, September 6, 2006, meeting and Chairperson Vimont called for a motion. **Mr. Robert Daymut moved to approve the minutes of Wednesday, September 6, 2006, as submitted; seconded by Ms. Sue Ringkor. ROLL CALL: Mr. Daymut -Yea, Ms. Ringkor-Yea, Mr. Christopher Judge, Mr. Gene Becker-Yea, Ms. Barbara Vimont-Yea. The motion passed 5-0, approving the minutes as submitted. The minutes were signed and processed accordingly.**

II. PUBLIC COMMENTS:

Chairperson Vimont reviewed the items for discussion listed on the agenda. She then stated that since there were a few people in the audience, the Commission would move out of order of the agenda to allow them to speak first. Chairperson Vimont asked the audience to approach the Commission.

Ms. Charlotte Whipkey, 4624 Albert Avenue, Norton, Ohio 44203, approached the Commission and stated that she did not think that merging the Parks and Recreations Board (PRB) and the Cemetery Board (CB) was a good idea. She also mentioned that the parking lot behind ACME had been expanded and she believed that the Norton Center Cemetery would soon become a parking lot. Ms. Whipkey said that she was told by the Norton Administration that nothing would happen to that cemetery, but she said that what they say and what they do are two different things. She said that the CB needed more input and power. Ms. Whipkey continued by stating that the Norton Center Cemetery was zoned business and therefore had no protection. She said that if it was zoned residential there would be a clause for the protection of memorials.

Ms. Phyllis Arkett, 1140 Gardner Boulevard, Norton, Ohio 44203, approached the Commission and stated that she was a former member of the PRB and the CB. She also stated that she is still the Acting Advisor to the CB as appointed by Mr. Tim Crawford, former Mayor.

Ms. Arkett spoke in reference to a letter from Mr. Claude Collins, Administrative Officer, dated July 18, 2006. She said he made suggestions regarding PRB and CB to which she felt should be addressed. She continued by stating that the Norton Center Cemetery, which was a closed cemetery, was located behind the ACME store and was an important part of the City. She said that the Norton Service Department maintains the Norton cemeteries and the Lahr Haus. Ms. Arkett said that she was pleased to see that Mr. Albrecht, owner of ACME, had extended and cleaned up the rear parking lot. She was pleased also with the buffer left between the cemetery fence and the parking lot. She said that mud runs down onto the north side of the cemetery

probably from the delivery trucks in the ACME rear parking lot. She felt that a retaining wall of some sort would help that issue. Ms. Arkett commented that she was not concerned with ACME or the future widening of Cleveland Massillon Road infringing on the Norton Center Cemetery. She added that cemeteries are considered parkland and are under the jurisdiction of the city maintenance crew and that some city organizations and private citizens volunteer their time.

Ms. Arkett added that some trees were taken down at the Western Star Cemetery about three years ago and she was concerned, because they have not yet been replaced.

Mr. Becker asked Ms. Arkett if she believed the PRB and CB could function well together since she has previously served on both Boards. She said yes and no, due to the CB having to deal with people and emotions. She said that the Western Star Cemetery still had openings and closings of graves, so it was a business. Ms. Arkett mentioned that Ms. Becky Lukats, Office Manager, does a good job dealing with people as they purchase gravesites. She also mentioned that she contacted Ms. Lisa Merrick, Cemetery Board Chair, and asked her to attend tonight's meeting, but she must have been unable to attend.

There was discussion regarding the status of CRC Resolution No. 04-2006-Parks and Receptions Board and Cemetery Board, and the possibility of rescinding it. The Secretary said she would inquire as to whether or not rescinding it was an option.

Ms. Brenda Anderson, 3272 Weber Drive, Norton, Ohio 44203, approached the Commission and stated that she wondered if the cemeteries would still be protected if someone other than Mr. Collins was the Administrative Officer. She was greatly concerned that the Norton Center Cemetery was zoned residential and was changed to business in 1996, at which time a lot of rezoning occurred in Norton. Ms. Anderson said that she received a letter from Mayor Kernan regarding spot zoning and that he believed all lots abutting Cleveland Massillon Road should be zoned commercial. She believed this meant that there was no guarantee for the protection of the Norton Center Cemetery since Cleveland Massillon Road has been designated a corridor of commerce.

Mrs. Anderson continued by stating that she believed Mr. Jeff Pritchard, Director of Planning and Community Development, has too much power in the City. She said that from her experience in Council meetings, the Council members do not challenge Mr. Pritchard on any level. Ms. Anderson felt that the Charter needed to address who has power and how much. She would prefer that the elected officials have power instead of the appointed officials.

Ms. Anderson wanted the Cemetery Board to remain in the Charter because it has deteriorated and has lost its power. She said that in 2002, Amy Addis, former Mayor, tried to wipe out the cemeteries at which time they lost most of their power. She did not feel that the cemeteries in Norton would be fairly represented if the PRB and the CB were merged. Who is going to protect the cemeteries and would there be another black plaque cemetery?

Ms. Anderson stated, that in her opinion getting rid of the CB was not about economics, because it only costs about Five Hundred Forty Dollars (\$540.00) a year to pay the CB members. Therefore, it is about power. The residents have lost enough power, we have to get it back.

Ms. Anderson said that the biggest problem with the Norton Center Cemetery being zoned commercial is that the City can sell it.

Ms. Anderson felt that the new technology of the City, such as the video taping of the Council meetings, be addressed in the Charter. She felt that the tapes should be on television for viewing sooner because the citizens find out about issues after the fact. She wanted the Charter to place a time limit of when the videos should be shown on television.

Mr. Becker informed the audience that some of the issues mentioned that night might be better served by mentioning them to Council.

There was further discussion regarding the zoning classification of the Norton Center Cemetery.

Ms. Anderson stated again that the Planning Director had too much power and that because of development directed by appointed City officials, other cemeteries might be in danger.

She added that there were too many changes in the Comprehensive Master Plan currently being drafted and that the Zoning Code is being changed bit by bit and the citizens do not have a chance to vote on them. She asked the Charter Review Commission to examine this issue.

Ms. Whipkey then stated that a Maintenance Code for the City was recently proposed. She said that it would have controlled such issues as how many electrical outlets could be in a house, how many people were allowed in a house, and that your property could be condemned by location. She was concerned that it almost passed through Council, and that the residents would not have been able to vote on it. Ms. Whipkey said that the residents needed to be protected and that she wanted the cemeteries protected within the Charter.

Ms. Whipkey suggested that the Charter address that an elected official that has been voted out of an elected position should have to wait a specific time before being appointed to any other City position. Ms. Anderson agreed and explained that a former Councilman was appointed to two different Board and Commission positions after just a short time of being voted out of his elected position by 95 percent of his constituents. There was further discussion regarding this matter.

Ms. Anderson also mentioned that there was a sanitary sewer problem with Weber Drive. A spot zoning was allowed and now a privatized sanitary sewer line was going to be installed. She said that the nearby residents will be forced to connect to the line, which will cost between Seventeen Thousand Dollars (\$17,000.00) and Twenty Thousand Dollars (\$20,000.00) per household. Ms. Anderson said that she tried to work within the system to fight this issue. She discovered that there was an Equalization Board that worked with these type of projects. She also found out that the same people who would appoint the Board members were the people that will tax assess the residents of this project, so there was no one to help them. Ms. Anderson said that she wanted the Commission to examine an avenue of appointing a more equalized membership onto an Equalization Board.

Ms. Whipkey asked for clarification of Issue 42 regarding the Board of Control, which would be on the November 7, 2006, voting ballot. Ms. Vimont clarified it for her.

The Commission thanked the audience for their input.

III. OLD BUSINESS:

A.) Review of Article III-The Council:

1.) Section 3:03-Qualifications:

After discussion, the Commission agreed that Sections 3:03 and 1:03 were similar. Chairperson Vimont suggested that Mr. Daymut and Mr. Becker review these sections and prepare a draft revision for the next meeting. They said they would.

2.) Section 3:12-Regular Meetings:

The Commission reviewed Section 3:12 in regards to making the Charter consistent with Council Rules for the number of meetings that Council should hold in a month. After discussion, the Commission decided that Council Rules should be made consistent with the Charter instead of the Charter being made consistent with Council Rules.

The Commission also discussed executive sessions. They felt that the Ohio Revised Code (ORC) 121.22(G)(1-7) was reasonable regarding the conditions for executive sessions. Mr. Judge said he would review this section and prepare a draft revision for the next meeting that would bring it in line with the ORC.

3.) Section 3.13-Special Meetings:

The Commission reviewed Section 3.13 in regards to making the Charter consistent with Council Rules for the special meetings' notification process. After discussion, the Commission decided that no change was needed for this section.

B.) Review of Article V-Administrative Departments:

The Commission discussed previous comments from Mr. Collins regarding streamlining the appointment process of Directors and regarding the removal of Department Heads from the Charter. Mr. Judge explained the current appointment process and the suggested streamlined process to the audience and Commission. After discussion, the Commission agreed not to revise this section.

1.) Section 5.03-Board of Control:

After discussion, Ms. Vimont volunteered to review the ORC as it pertains to the Investment Policy and possibly draft a revision for the next meeting.

C.) Review of Article VII-Special Boards and Commissions & Article X-Charter:

Mr. Becker said that he was still reviewing these sections and would probably have a drafted revision of this section for the next meeting.

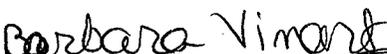
VI. NEW BUSINESS:

A.) Update on CRC Resolutions in Council:

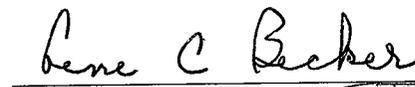
Ms. Vimont and Mr. Daymut reported that CRC Resolution No. 06-2006/Ord. 82-2006 and CRC Resolution No. 07-2006/Ord. 83-2006 had slight changes by Council. CRC Resolution No. 08-2006/Ord. 81-2006, however, did not have any changes made to it.

V. ADJOURNMENT:

Chairperson Vimont noted that she would update the 'Items Remaining to be Addressed' list for the next meeting. She informed the Commission that the next meeting date would be announced later due to a deadline confirmation from the Clerk of Council regarding the May 2007, ballot issues and the expense of advertising them. She requested the Secretary receive clarification from the Clerk and inform the Commission. The Secretary said she would. With no further business coming before the Commission, Chairperson Vimont adjourned the meeting at 8:01 p.m.



Charter Review Commission Chair/Vice Chair



Charter Review Commission Vice-Chair/Member

11/29/06

Date

**CITY OF NORTON, OHIO
CHARTER REVIEW COMMISSION
ATTENDANCE RECORD**

The following members were present at the Hearing of the Charter Review Commission,

Held on: **Wednesday, November 1, 2006**

Barbara Vimont	<u>Barbara Vimont</u>
Gene Becker	<u>Gene Becker</u>
Megan Booth	<u>_____</u>
Charles Campbell	<u>_____</u>
Robert Daymut	<u>_____</u>
Christopher Judge	<u>_____</u>
Sue Ringkor	<u>Sue Ringkor</u>

Signed Cynthia F. Hughes
Stenographer

**Distribution: Mayor
CRC Files**