



**NORTON CITY COUNCIL
REGULAR COUNCIL MEETING
MONDAY, NOVEMBER 22, 2010**

Roll Call: Todd Bergstrom
 Don Nicolard
 Brenda Hlas-Excused
 Bill Mowery
 Ken Braman
 Scott Pelot
 Mike Zita

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

The Regular Council Meeting convened on Monday, November 22, 2010 at 7:02 PM, in the Council Chambers of the Safety Administration Building. The Norton Webelos Boy Scout Troop # 3132 presented the Flags followed by the Pledge of Allegiance and a moment of silent prayer. The meeting was called to order by Mike Zita, President of Council.

COMMITTEE OF THE WHOLE:

Mr. Braman thanked all who helped make the second annual Norton Marine Corps Birthday party a success once again. First to Ann Campbell who helped get the word out, next to the anonymous donor and the four (4) local businesses who provided unsolicited funds so that every Marine received a full course meal at no cost. One Norton business owner even requested to buy a round of after dinner drinks in honor of his uncle who served in the Marine Amphibious Corp in 1945 on the Island of Siapan in the South Pacific. Mr. Braman stated that two (2) Marines were present who fought in the invasions of Okinawai and Iwo Jima in WW2. Mr. Braman also thanked Amato's Restaurant for hosting the event. All of the diners present gave a big round of applause after we all sang the Marine Corps hymn and some patrons in the restaurant even stopped by our table on their way out to thank individual Marines for their service. This made us all proud to be Marines and citizens of the great City of Norton, and there were a total of eighteen (18) Marines present.

COMMUNICATIONS FROM THE PUBLIC:

Mr. Andrew Lehner, a Norton resident, stated he had not been here in a while and was not happy with the sewer line project going in on Greenwich Road. Mr. Lehner stated that ODOT paved the road first and now you have torn it all up, that just doesn't make any sense financially. Mr. Lehner discussed the election results, and stated they should have not been passed, adding that he doesn't like being messed around with. The economy is really bad and here you all are spending money and forcing more money and more taxes down our throats. Mr. Lehner reminded everyone about the Christmas Walk on November 27, 2010 in downtown Barberton at Lake Anna.

COMMUNICATIONS FROM THE PUBLIC CONTINUED:

Mr. Gilbert Chaney, a Norton resident, reminded everyone that they had purchased a new home and they need to do something about the verbal deal with the city. They can't keep the offer with the city open forever.

CONSIDERATION OF THE MINUTES:

Minutes of the Regular Council meeting of November 8, 2010 were approved as submitted. Minutes of the Committee Work Session of November 15, 2010 were approved as submitted.

REPORTS FROM OFFICERS, BOARDS AND COMMISSIONS:

Mayor Koontz addressed Mr. Lehner's concerns about the paving project on Greenwich Road. Mayor Koontz indicated that ODOT was on a tight schedule due to the Stimulus funding they had received and the Greenwich Road sewer project was delayed a bit because of that fact. Mr. Ryland indicated that the Greenwich Road sewer project is now completed and the testing is also finished.

Mr. Ryland reported that the Oak Street sewer project is also completed. Mr. Ryland reported that the construction on the new fire station remains on schedule and on budget. Mr. Moss advised that on November 18, 2010 the Clerk of Council sent all of you the revised budget work sheets, noting that the major change was for the weight scales and the figures in the 2012 columns.

PUBLIC HEARINGS (3):

At 7:18 PM Mr. Zita temporarily recessed the Regular Council Meeting in order to convene the Public Hearings.

#1. ORD # 110-2010 AN ORDINANCE AMENDING SECTION 1280.02 OF THE CODIFIED ORDINANCES OF THE CITY OF NORTON, OHIO, AND DECLARING AN EMERGENCY.

Mr. Zita called three times for anyone in favor for this zoning code amendment to come forward; there was no response. Mr. Zita called three times for anyone against this zoning code amendment to come forward; there was no response. Mr. Zita closed this public hearing.

#2. ORD. #111-2010 AN ORDINANCE AMENDING SECTION 1282.02 OF THE CODIFIED ORDINANCES OF THE CITY OF NORTON, OHIO, AND DECLARING AN EMERGENCY.

Mr. Zita called three times for anyone in favor for this zoning code amendment to come forward; there was no response. Mr. Lehner came forward and stated that he did approve of this rezoning. Mr. Zita called three times for anyone against this zoning code amendment to come forward; there was no response. Mr. Zita closed this public hearing.

PUBLIC HEARINGS CONTINUED:

#3. ORD # 112-2010 AN ORDINANCE AMENDING SECTION 1278.02 OF THE CODIFIED ORDINANCES OF THE CITY OF NORTON, OHIO, AND DECLARING AN EMERGENCY.

Mr. Zita called three times for anyone in favor for this zoning code amendment to come forward; there was no response. Mr. Zita called three times for anyone against this zoning code amendment to come forward; there was no response. Mr. Zita closed this public hearing. Mr. Kostoff stated that all three of these amendments have been drafted as a result of the Planning Commissions review and consultation with the Zoning Department and he was confident they could withstand any challenges.

Mr. Zita closed the Public Hearings at 7:25 and reconvened the Regular Council Meeting back into session.

INTRODUCTION OF NEW LEGISLATION

ORD #116-2010

Mr. Bergstrom offered Ord. #116-2010 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, 2010 AND DECLARING AN EMERGENCY

First reading only.

ORD #117-2010

Mr. Bergstrom offered Ord. #117-2010 for its first reading and asked the Clerk to read it:

AN ORDINANCE TO REDUCE OR ELIMINATE AUTHORIZED TRANSFERS FOR THE FISCAL YEAR ENDING DECEMBER 31, 2010 AND DECLARING AN EMERGENCY.

First reading only.

ORD #118-2010

Mr. Bergstrom offered Ord. #118-2010 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, 2011.

First reading only.

INTRODUCTION OF PRIOR LEGISLATION

ORD #110-2010

Mr. Braman offered Ord. #110-2010 for its second reading and asked the Clerk to read it:

AN ORDINANCE AMENDING SECTION 1280.02 OF THE CODIFIED ORDINANCES OF THE CITY OF NORTON, OHIO, AND DECLARING AN EMERGENCY.

Second reading only.

ORD #111-2010

Mr. Braman offered Ord. #111-2010 for its second reading and asked the Clerk to read it:

AN ORDINANCE AMENDING SECTION 1282.02 OF THE CODIFIED ORDINANCES OF THE CITY OF NORTON, OHIO, AND DECLARING AN EMERGENCY.

Second reading only.

ORD #112-2010

Mr. Braman offered Ord #112-2010 for its second reading and asked the Clerk to read it:

AN ORDINANCE AMENDING SECTION 1278.02 OF THE CODIFIED ORDINANCES OF THE CITY OF NORTON, OHIO, AND DECLARING AN EMERGENCY.

Second reading only.

RES #113-2010

Mr. Bergstrom offered Res. #113-2010 for its second reading and asked the Clerk to read it:

A RESOLUTION REQUESTING THE COUNTY AUDITOR TO ADVANCE TAXES FROM THE TAX YEAR 2010 COLLECTIONS PAYABLE IN 2011 PURSUANT TO SECTION 321.34 OF THE OHIO REVISED CODE.

Second reading only.

ORD #114-2010

Mr. Bergstrom offered Ord. #114-2010 for its second reading and asked the Clerk to read it:

AN ORDINANCE TO AUTHORIZE NOMINAL EXPENDITURES FOR REFRESHMENTS OR MEALS TO BE SERVED AT VARIOUS EVENTS.

Second reading only.

ORD # 115-2010

Mr. Bergstrom offered Ord. #115-2010 for its second reading and asked the Clerk to read it:

AN ORDINANCE AUTHORIZING AND DIRECTING THE MAYOR TO ENTER INTO CONTRACTS WITH LEGAL DEFENDER'S OFFICE OF SUMMIT COUNTY, OHIO, INC., AND DECLARING AN EMERGENCY.

Second reading only.

ORD #104-2010

Mr. Braman offered Ord. #104-2010 for its third reading and asked the Clerk to read it:

AN ORDINANCE AMENDING CHAPTER 1290 OF TITLE SIX OF PART TWELVE OF THE CODIFIED ORDINANCES OF THE CITY OF NORTON, OHIO; AND DECLARING AN EMERGENCY.

Mr. Braman moved to adopt Ord. #104-2010, seconded by Mr. Pelot.

Roll Call: Yeas: Braman, Pelot, Bergstrom, Nicolard, Mowery, Zita
Nays: None

Motion passed 6-0.

ORD #109-2010

Mr. Braman offered Ord. #109-2010 for its third reading and asked the Clerk to read it:

AN ORDINANCE AMENDING SECTION 1454.07(A) OF THE CODIFIED ORDINANCES OF THE CITY OF NORTON, OHIO, AND DECLARING AN EMERGENCY.

Mr. Braman moved to adopt Ord. #109-2010, seconded by Pelot.

Roll Call: Yeas: Braman, Pelot, Bergstrom, Nicolard, Mowery, Zita
Nays: None

Motion passed 6-0.

UNFINISHED BUSINESS

Mr. Pelot inquired about the status of the moratorium on Internet Cafes. Mr. Kostoff stated that there is some legislation pending with another community that he needs to check into and will report back to Council at a later time on that, possibly at the next Committee Work Session.

NEW BUSINESS

None

PUBLIC SERVICE ANNOUNCEMENTS:

Mayor Koontz stated we are still looking for candidates on the Charter Review Commission. 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 7:28 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 December 13, 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.