



**NORTON CITY COUNCIL  
REGULAR COUNCIL MEETING  
MONDAY, APRIL 12, 2010**

Roll Call: Todd Bergstrom  
Don Nicolard  
Brenda Hlas  
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, April 12, 2010 at 7:01 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:**

Mr. Mowery commented on a drafted proposal for legislation that was submitted from a Croydon Road resident that was in this week's Council packet. Mr. Mowery stated this proposal was to waive the tap in fees for residents in that area and asked Mayor Koontz to comment on this later on in the meeting. Mr. Zita announced we have Boy Scout Troop #759, Pat Goppart and Cole Collins in the audience tonight earning their citizenship badges.

**COMMUNICATIONS FROM THE PUBLIC:**

Mrs. Elaine Tompkins, a Norton resident, commented on various items relating to city finances (see attached).

**CONSIDERATION OF THE MINUTES:**

Minutes of the Regular Council Meeting of March 22, 2010 were approved as submitted. Minutes of the Committee Work Session of April 5, 2010 were approved as submitted.

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

Mayor Koontz commented about the sample legislation Mr. Mowery mentioned earlier, adding that there was no input from the Administration on this and we have no intention of moving forward with it. Mr. Ryland reported that the construction for the new fire station is on schedule and that we are only 3-4 days off with the site plans. Mr. Ryland indicated that with weather permitting, walls would start going up next week. Mr. Ryland commented on the statements made by Mrs. Tompkins regarding to the construction site manager and his pay/services/authority.

Mr. Ryland stated that although the Construction Site Manager would have some change order authority, it is very limited to small amounts and for simple things.

Mr. Ryland indicated he is not concerned about this being an “open check book” policy that Mrs. Tompkins alluded to. Mr. Ryland announced the city has reached a tentative agreement with the part-time firefighters union. Mr. Moss indicated that he would be bringing to Council some budget issues that will need to be addressed for the fire stations insurance settlement, and hoped to have all of this prepared for the next Committee Work Session.

**PUBLIC HEARINGS:**

None

**INTRODUCTION OF NEW LEGISLATION:**

**RES #42-2010**

Mr. Pelot offered Res. #42-2010 for its first reading and asked the Clerk to read it:

A RESOLUTION OF APPRECIATION FOR THE PAST SERVICE OF LINDA WEIGAND AS A MEMBER OF THE CITY OF NORTON CIVIL SERVICE COMMISSION.

Mr. Pelot moved to waive the second and third readings, seconded by Mr. Nicolard. Mr. Pelot indicated that Ms. Weigand has served on the Commission since October 1998 until October 12, 2009, and thanked her for her service. Ms. Weigand thanked everyone for the opportunity to serve, adding that it was a very educational experience.

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

Motion passed 7-0.

Mr. Pelot moved to adopt Res. #42-2010, seconded by Mr. Nicolard.

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

Motion passed 7-0.

**RES #43-2010**

Mr. Pelot offered Res. #43-2010 for its first reading and asked the Clerk to read it:

A RESOLUTION CONFIRMING THE APPOINTMENT OF PEGGY DOBBINS TO HER FIRST FULL TERM AS A MEMBER OF THE CIVIL SERVICE COMMISSION OF THE CITY OF NORTON AND DECLARING AN EMERGENCY.

Mr. Pelot moved to waive the second and third readings, seconded by Mr. Nicolard. Mr. Pelot welcomed Ms. Dobbins and stated he felt she would be an asset to the Commission.

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

Motion passed 7-0.

Mr. Pelot moved to adopt Res. #43-2010, seconded by Mr. Nicolard.

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

Motion passed 7-0.

**ORD #44-2010**

Mr. Pelot offered Ord. #44-2010 for its first reading and asked the Clerk to read it:

AN ORDINANCE APPOINTING AN ASSESSMENT EQUALIZATION BOARD TO HEAR OBJECTIONS RELATING TO THE CONSTRUCTION OF GREENWICH ROAD AND CERTAIN OTHER PARCELS BY CONSTRUCTING AND INSTALLING SANITARY SEWER LINES, INCLUDING MANHOLES, LATERALS AND NECESSARY APPURTENANCES THERETO, COMPRISING THE PROJECT KNOWN AS GREENWICH ROAD SANITARY SEWER PHASE I PROJECT, AND DECLARING AN EMERGENCY.

Mr. Pelot moved to waive the second and third readings, seconded by Mr. Nicolard. Mr. Pelot stated that we need to pass this now so the residents that have objected can be heard. Mr. Pelot stated the members on this Board are Jim Lada, Jim Bennett and Bob Adams, with Mike Wronkovich as the alternate if needed.

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

Motion passed 7-0.

Mr. Pelot moved to adopt Ord. #44-2010, seconded by Mr. Nicolard.

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

Motion passed 7-0.

**RES #45-2010**

Mr. Bergstrom offered Res. #45-2010 for its first reading, and asked the Clerk to read it:

A RESOLUTION APPROVING THE REPORT OF THE ASSESSMENT EQUALIZATION BOARD ON OBJECTIONS CONCERNING THE ESTIMATED SPECIAL ASSESSMENTS FOR THE IMPROVEMENT OF 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. Bergstrom moved to waive the second and third readings, seconded by Mr. Braman.

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

Motion passed 7-0.

Mr. Bergstrom moved to adopt Res. #45-2010, seconded by Mr. Braman.

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

Motion passed 7-0.

**ORD #46-2010**

Mr. Bergstrom offered Ord. #46-2010 for its first reading and asked the Clerk to read it:

AN ORDINANCE DETERMINING TO PROCEED WITH THE IMPROVEMENT OF 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.

First Reading Only.

**RES #47-2010**

Mr. Pelot offered Res. #47-2010 for its first reading and asked the Clerk to read it:

A RESOLUTION IN SUPPORT OF NORTON ISSUE #5, A 4.6 MILL CAPITAL IMPROVEMENT LEVY FOR THE NORTON CITY SCHOOLS.

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

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

Motion passed 7-0.

**INTRODUCTION OF PRIOR LEGISLATION**

**RES #40-2010**

Mr. Braman offered Res. #40-2010 for its second reading and asked the Clerk to read it:  
A RESOLUTION TO APPROVE THE RENEWAL FOR PLACEMENT OF FARMLAND LOCATED AT 4441 JOHNSON ROAD IN AN AGRICULTURAL DISTRICT.

Mr. Braman moved to waive the third reading, seconded by Mr. Pelot.

Roll Call: Yeas: Braman, Pelot, Bergstrom, Hlas, Mowery, Pelot, Zita

Nays: None

Motion passed 7-0.

Mr. Braman moved to adopt Res. #40-2010, seconded by Mr. Pelot.

Roll Call: Yeas: Braman, Pelot, Bergstrom, Hlas, Mowery, Pelot, Zita

Nays: None

Motion passed 7-0.

**ORD #35-2010**

Mr. Pelot offered Ord. #35-2010 for its third reading, and asked the Clerk to read it:

AN ORDINANCE AUTHORIZING THE ADOPTION OF CIVIL SERVICE RULES FOR USE BY THE CITY OF NORTON CIVIL SERVICE COMMISSION AND DECLARING AN EMERGENCY.

Mr. Pelot moved to adopt Ord. #35-2010, seconded by Mr. Nicolard.

Roll Call: Yeas: Pelot, Nicolard, Bergstrom, Hlas, Mowery, Braman, Zita

Nays: None

Motion passed 7-0.

**UNFINISHED BUSINESS:**

Mr. Mowery indicated that he was contacted by some of the residents along Hartzel and Long Drive regarding the recent waterline project. Mr. Mowery stated their biggest concern was if their property would be returned to the original condition before all of the equipment was removed. Mayor Koontz stated that all would be returned to its original state and that we sometimes have other companies doing the finishing/landscape work and the residents should address any concerns to Mr. Ryland. Mr. Mowery addressed the Brentwood Estates water meter issue and that he understood there was already a trial run with one of the residents replacing their meter and asked how that went? Mr. Ryland stated that he was present for this trial run a few months back, all went as planned and as it took about 15 minutes to complete. Mr. Ryland stated that most of the initial concerns were with the old valves, however that was not the case at that home. Mr. Mowery asked if we are going to be doing anything about waiving the meter fee and Mr. Ryland stated that is a Barberton Utilities Dept. issue, we have no say in that matter. Mayor Koontz stated that in regards to that meter fee, we have done some checking around in other communities and that fee is within line with what others are charging. Mr. Pelot asked Mr. Kostoff if the City of Norton could legally charge two (2) different tap in fees; one reduced rate for older existing residences and a normal rate for new construction? Mr. Kostoff replied he would have to look into that but generally speaking, he felt you might be able to give some type of credit. Mr. Bergstrom reminded everyone that we would be going over the Trash Haulers Bid package, so please get your comments/suggestions to Mrs. Richards by next Wednesday.

**NEW BUSINESS:**

Mr. Zita discussed the agenda for the Saturday Workshop, we will start with a breakfast buffet from 8:30-9:00 AM and then get into the discussions, hoping to be completed by 1:00 PM if not sooner. Mr. Zita reminded Council that he would like to have all of their suggested topics of discussion within the next day or two.

**PUBLIC SERVICE ANNOUNCEMENTS:**

Mayor Koontz made several announcements (see attached). Mayor Koontz announced the Summer Concert Series would kick off on Saturday June 5, 2010. Mayor Koontz added there would be two (2) concerts each month at the new gazebo at Columbia Woods Park from 6-8 PM. Mr. Bergstrom reminded everyone of his town hall meeting scheduled for April 29, 2010 at the Community Center, and the others would be held on May 20, 2010 and June 17, 2010 also at the Community Center.

**ADJOURN:**

There being no other business to come before the Regular Council Meeting, the meeting was adjourned at 7:36 PM.

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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 April 26, 2010.

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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.