



**NORTON CITY COUNCIL  
REGULAR COUNCIL MEETING  
MONDAY, APRIL 26, 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 26, 2010 at 7:03 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. Bergstrom stated that at last weeks meeting he had talked about setting up some bi-weekly Utilities Committee meetings, although no dates have been set yet. Mr. Mowery discussed the issues with the Brentwood water meters and the JEDD Agreement and asked if Mayor Koontz would consider writing a letter to the Barberton officials asking them to either lower their fees or waive them all together. Mayor Koontz indicated that he has done a little research on this already and would comment on this later. Mr. Pelot wanted to recognize Pt. Beavers for his professional conduct in response to a recent traffic accident. Mr. Pelot stated that the accident victim, who was not from this area, wrote a letter to Chief Hete commending Pt. Beavers on how he handled her situation with such professionalism and compassion.

**COMMUNICATIONS FROM THE PUBLIC:**

Mrs. Elaine Tompkins, a Norton resident, commented on various City issues and Council recommendations, (see attached).

Ms. Maggie Abbott, of the Norton Kiwanis, reminded everyone about the Prayer breakfast on May 6, 2010 at 7:00 AM at the Johnson Methodist Church. Tickets are \$10.00 in advance and Pastor Mark Archer from Valley Community Church will be the guest speaker.

Mr. Gilbert Chaney, a Norton resident, commented about the city wide trash hauler, stating that you cannot shut down small independent companies. Mr. Chaney stated that he does not want this form of socialism, and questioned just where is this going to stop? Will it be grocery stores and gas stations? Mr. Chaney stated it's like all of you are being brain washed or hypnotized or something.

Mr. Joe Danko, a Norton resident, stated that last Monday's meeting was very interesting. Mr. Danko asked how many trash bins are in the City of Norton and Barberton? Mr. Danko commented on the statement that was made last week about the billing and how maybe we need to walk first before we run, and asked why are we running? People are nice enough to help out their neighbors when they get into a bind by letting them bring their trash over to their home, they should be able to continue to do that if they want to. Mr. Danko discussed the property maintenance code and that Council is dropping their feet here on a lot of things.

Mr. Jason Sams, a Norton resident, stated a lot of time was spent discussing trash last week and we need to move on to more important issues, this could all be addressed if we work on the maintenance code. It would be more effective, and you need to take a look at this. There is no real purpose with this trash issue. Mr. Sams stated he lives on a culdesac and there are four (4) busses that go down his road, so its not just trash trucks that are tearing up the roads. Mr. Sams commented on the Mayor, some of the Council members, Mr. Ryland and Mr. Moss who worked on Norton Clean Up Day, they all did an excellent job.

Mr. Jim Grubb, a Norton resident, commented about the sewer line project and thanked Mr. Bergstrom for the earlier discussion he had today and his clarification on this subject. Mr. Grubb questioned the significant burden this is causing the residents in this area and he had a problem with the view of septic systems not being a worthy solution. Mr. Grubb commented on the fact that lot sizes also seem to be an issue with leach beds and replacements. Mr. Grubb commented on the ecoli issue and questioned if this was really the source of the failing septic systems in this area, or census growth to push business development up this area. Mr. Grubb stated that he does understand that we do have failing septic systems throughout the city and that the owners need to be educated and that he is not against growth in the city and over the last thirty (30) years he has not seen it. Mr. Grubb reminded Council to keep in mind the heavy financial burden you are placing on these twenty (20) residents for the better part of Norton.

**CONSIDERATION OF THE MINUTES:**

Minutes of the Regular Council meeting of April 12, 2010 were approved as submitted.

Minutes of the Committee Work Session of April 19, 2010 were approved as submitted.

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

Mr. Ryland stated he continues to have negotiations with the insurance company and most of the extras have been finalized. Mr. Ryland stated he has conducted an independent soil compaction testing at the new fire station site and it has met the requirements. Mr. Ryland stated that this Thursday he would be meeting with Barberton officials and B & M for general utility discussions. Mr. Moss discussed Ord. #49-2010 and reminded everyone that this is not tax money from the city. Mr. Kostoff stated he appreciated having the opportunity to facilitate the Saturday workshop last weekend. Mr. Zita stated that any Council members wishing to attend the utilities meeting with Mr. Ryland on Thursday, please let him or Karla know so that we do not have too many attending or violating any Ohio Sunshine Laws.

**PUBLIC HEARINGS:**

None

**INTRODUCTION OF NEW LEGISLATION:**

**ORD #48-2010**

Mrs. Hlas offered Ord. #48-2010 for its first reading, and asked the Clerk to read it:

AN ORDINANCE TO AUTHORIZE THE MAYOR AND/OR ADMINISTRATIVE OFFICER TO INCREASE THE AMOUNT OF THE ORIGINAL CONTRACT WITH ARCHITECT, THOMAS KLINGENSMITH, IN THE AMOUNT OF \$45,000.00 TO DESIGN A NEW FIRE STATION AND DECLARING AN EMERGENCY.

Mrs. Hlas moved to waive the second and third readings, seconded by Mr. Bergstrom. Mr. Bergstrom stated that he felt this request is now appropriate. It was the architect's burden to show the proof of the additional amount of work. Mr. Mowery stated he would have liked to see someone from the architect firm present at one of our meetings to address any questions we might have, especially when we are talking about this kind of money. Mr. Mowery stated that with the present money issues, this is a little extreme, and he cannot support this. Mr. Bergstrom stated he did personally sit down with the architect for over an hour and he went over these expenses in detail with him.

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

Motion passed 6-1

Mrs. Hlas moved to adopt Ord. #49-2010, seconded by Mr. Bergstrom. Mrs. Hlas noted that Council had never asked Mr. Klingensmith to come to a meeting, and had we asked, she was sure he would have attended and addressed any of our concerns. Mr. Bergstrom and the Administration are content with the documentation. Mr. Pelot reminded everyone that initially Council turned this request down basically because we had no documentation on what was done and requested, now we have that in front of us in detail.

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

Motion passed 6-1

**ORD #49-2010**

Mrs. Hlas offered Ord. #49-2010 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, 2010 AND DECLARING AN EMERGENCY.

Mrs. Hlas moved to waive the second and third reading, seconded by Mr. Bergstrom.

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

Nays: None

Motion passed 7-0.

Mrs. Hlas moved to adopt Ord. #49-2010, seconded by Mr. Bergstrom.

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

Motion passed 7-0.

## **INTRODUCTION OF PRIOR LEGISLATION**

### **ORD #46-2010**

Mr. Bergstrom offered Ord. #46-2010 for its second 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.

Mr. Bergstrom moved to waive the third reading, seconded by Mrs. Hlas. Mr. Bergstrom briefly discussed the potential of the city picking up more of their share of the assessment costs for this project. Mr. Bergstrom indicated that before the final assessments are calculated, Council would have the opportunity to set the limit the city will be paying. The residents already are aware of what the maximum amount would be, and the city is trying to determine the best way to offset these costs.

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

Motion passed 7-0.

Mr. Bergstrom moved to adopt Ord. #46-2010, seconded by Mrs. Hlas. Mr. Bergstrom stated that construction costs are currently at an all time low and going out for bid now is the best time to do this.

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

Motion passed 7-0.

### **UNFINISHED BUSINESS:**

None

**NEW BUSINESS:**

None

**PUBLIC SERVICE ANNOUNCEMENTS:**

Mayor Koontz read several announcements (see attached). Mr. Bergstrom reminded everyone about his Ward 1 Town Meeting on Thursday from 7:00-9:00 PM at the Community Center.

**ADJOURN:**

There being no other business to come before the Regular Council Meeting, the meeting was adjourned at 7:38 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 May 10, 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.