



**NORTON CITY COUNCIL  
REGULAR COUNCIL MEETING  
MONDAY, SEPTEMBER 13, 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-Excused  
Pete Kostoff-Excused  
Justin Markey-Attorney (Roetzel & Address)  
Karla Richards  
Ann Campbell-Excused

The Regular Council Meeting convened on Monday, September 13, 2010 at 7:02 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 he held a Utilities Committee meeting last week and the report or minutes from that meeting are included in this week's Council packet. Mr. Mowery thanked Mayor Koontz for contacting the Brentwood Estates resident regarding their situation with tar seeping back onto their driveway. Mr. Mowery indicated that this particular resident had just paid between \$9,000.00 to \$10,000.00 for a new driveway.

**COMMUNICATIONS FROM THE PUBLIC:**

Mr. Dan Grether, a Norton resident, spoke regarding the longevity pay issues. Mr. Grether stated that looking from past managerial experience of over sixteen (16) years he agreed with Council's comments last week. Mr. Grether stated that in order to sustain a good work force that we have you need to have the best people on board and the longevity benefit is priceless. Mr. Grether stated that the dollar amount for the salary increase seems very minimal and it would be in the city's best interest to offer that. Mr. Grether discussed the contract for the trash hauler and he felt the wording could use some more work before going out for bid. Mr. Grether discussed the best deal he found was \$49.50 per month for services. Mr. Grether questioned if there was a contingency in place for broken down vehicles, can we still get the job done in a timely manner?

Mr. Ari Aviram, a Norton resident, spoke stating that he recently moved into Norton on July 24, 2010. Mr. Abraham commented on the recycle bins noting that there is only one (1) and its always full, and suggested the city look into either getting two (2) bins or more frequent pickups. Mr. Abraham asked about curbside recycling and if this was something that would be in the trash bid that is going out? Mr. Abraham noted that from what he read all that could be recycled now is items #1-3 recyclables and asked what about #4-#7 items.

Mr. Abraham discussed the need for a traffic light at the Norton Shopping Center; west entrance in front of the school and Arby's because its so hard turning left out of this area.

Mrs. Elaine Tompkins, a Norton resident, spoke regarding various ordinances and read a statement (see attached).

Ms. Charlotte Whipkey, a Norton resident, spoke again about speakers at the podium not announcing that they are employed by the city like the first speaker from tonight, he is on either the Planning Commission or the BZA. Ms. Whipkey discussed the trash hauler bid adding that she is still against this, and she still wants the option to be able to choose her own service. Ms. Whipkey stated she researched the trash program for the City of Kent, and they pay \$2.00 a bag with \$1.50 for pick up, then they settled for 10 bags for \$18.50. Their unlimited service is \$20.50 per month. Ms. Whipkey discussed the lost jobs of those who would not get the contract awarded to their company. Ms. Whipkey stated she has a real issue with being told whom she has to pay and if she doesn't pay the bill it would go onto her property taxes. Ms. Whipkey stated she wasn't sure that was even legal to do in the first place.

#### **CONSIDERATION OF THE MINUTES:**

Minutes of the Regular Council Meeting of August 23, 2010 were approved as submitted.

Minutes of the Committee Work Session of September 7, 2010 were approved as submitted.

Minutes of the Utilities Committee Meeting of September 9, 2010 were approved as submitted.

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

Mayor Koontz gave out a Proclamation for Arts in Education week to Mr. Tom Chiera, Band Director for the Norton High School. Mr. Zita noted that the Norton High School Band would be holding an Art in Motion event on Saturday October 9, 2010 at the football stadium. Mr. Zita stated that various other high school bands participate in this event. Mr. Zita stated that the Norton High School Band is going to the Fiesta Bowl in January and will be working on various fundraisers for that trip. Mr. Ryland noted the construction for the new fire station is on schedule and the drywall started today and should take about three (3) weeks to complete. Mr. Ryland stated this Friday would be the opening of our new firing range behind the Service Garage. Mr. Ryland stated the overall cost was approximately \$25,000.00 mostly from donations by local business, the city's cost was only about \$1,600.00. Mr. Ryland stated that our Service Dept. employees built this structure and they did a really nice job and encouraged everyone to stop out and take a look. Mr. Ryland stated the one way exit road behind the Police Dept. should be opened up later this week. Mr. Ryland reported that Oak Street Sewer project is ready for testing of the lines. Mr. Ryland stated that Hartzell, Lowell, Long and Clubside are about ninety (90) percent completed, a topcoat is all that is waiting to be done. Mr. Ryland stated that Greenwich Sanitary Sewer project has begun with the mobilization of equipment, and construction to start this week.

#### **PUBLIC HEARINGS:**

None

#### **INTRODUCTION OF NEW LEGISLATION:**

##### **ORD #93-2010**

Mrs. Hlas offered Ord. #93-2010 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.

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. #93-2010, seconded by Mr. Bergstrom.

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

Motion passed 7-0.

**ORD #94-2010**

Mr. Pelot offered Ord. #94-2010 for its first reading, and asked the Clerk to read it:

THE ORDINANCE TO AMEND THE NON-BARGAINING SALARY RATES, LONGEVITY COMPENSATION AND WAGES FOR THE FISCAL YEAR ENDING DECEMBER 31, 2010 AND DECEMBER 31, 2011 AND DECLARING AN EMERGENCY.

First reading only.

**ORD #95-2010**

Mrs. Hlas offered Ord. #95-2010 for its first reading and asked the Clerk to read it:

AN ORDINANCE DESIGNATING THE CITY'S PROPERTY AT 3412 GREENWICH ROAD FOR USE AS A HISTORICAL MUSEUM FOR THE BENEFIT OF THE CITY'S RESIDENTS; AUTHORIZING THE CITY ADMINISTRATOR TO ENTER INTO AN AGREEMENT WITH THE NORTON HISTORICAL SOCIETY, INC. TO ACT AS THE INITIAL MANAGER OF THE MUSEUM; AND AUTHORIZING THE CITY ADMINISTRATOR TO DEVELOP RULES AND REGULATIONS FOR THE USE OF THE MUSEUM.

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

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

Motion passed 7-0.

Mrs. Hlas moved to adopt Ord. #95-2010, seconded by Mr. Pelot.

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

Motion passed 7-0.

**ORD #96-2010**

Mr. Mowery offered Ord. #96-2010 for its first reading and asked the Clerk to read it:

AN ORDINANCE AUTHORIZING THE CITY ADMINISTRATOR OR HIS DESIGNEE TO APPLY FOR SAFE ROUTES TO SCHOOL PROJECT GRANT FUNDS FROM THE OHIO DEPARTMENT OF TRANSPORTATION, AND DECLARING AN EMERGENCY.

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

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

Motion passed 7-0.

Mr. Mowery moved to adopt Ord. #96-2010, seconded by Mr. Nicolard.

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

Motion passed 7-0.

**ORD #97-2010**

Mrs. Hlas offered Ord. #97-2010 for its first reading and asked the Clerk to read it:

AN ORDINANCE TO PROVIDE FOR THE ISSUANCE AND SALE OF NOT TO EXCEED \$380,000 OF NOTES OF THE CITY OF NORTON IN ANTICIPATION OF THE ISSUANCE OF BONDS TO PAY COSTS OF ACQUIRING REAL PROPERTY FOR MUNICIPAL PURPOSES, 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. #97-2010, 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 #92-2010**

Mrs. Hlas offered Ord. #92-2010 for its second reading and asked the Clerk to read it:

AN ORDINANCE TO AUTHORIZE THE MAYOR AND/OR CITY ADMINISTRATOR TO SOLICIT TECHNICAL PROPOSALS FOR AND TO EXECUTE AND DELIVER A CONTRACT FOR ENGINEERING SERVICES IN CONNECTION WITH THE IMPROVEMENT OF NASH HEIGHTS; AND DECLARING AN EMERGENCY.

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

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

Motion passed 6-1.

Mrs. Hlas moved to adopt Ord. #92-2010, seconded by Mr. Bergstrom. Mr. Mowery stated that although he understands this is just for the engineering services, however, he does not feel the residents in Nash Heights are financially prepared for the future of this project.

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

Motion passed 6-1.

### **ORD #51-2010**

Mr. Bergstrom offered Ord. #51-2010 for its third reading and asked the Clerk to read it:

AN ORDINANCE AUTHORIZING THE ADMINISTRATIVE OFFICER TO PREPARE PLANS AND SPECIFICATIONS AND TO ADVERTISE FOR BIDS FOR THE ESTABLISHMENT OF A CITY-WIDE SINGLE TRASH HAULER SYSTEM.

Mr. Bergstrom moved to adopt Ord. #51-2010, seconded by Mr. Braman. Mr. Bergstrom stated that he and Mr. Ryland have been diligent in working through the edits on the bid proposal and felt confident in moving this forward. Mr. Mowery commended all for doing a good job, however there is no opt out provision, this is something being forced upon the residents and he cannot support that. Mr. Mowery stated that he felt we would get a lot of recall as far as other issues that maybe will have a chance of being passed in the future. Basically if you force this on someone, they are going force it back, when you push, they will push back. Mr. Pelot stated as he has stated all along, he has been opposed to a single trash hauler, and was opposed to this five (5) years ago when it was first proposed. Mr. Pelot stated his main issue is that the residents are forced into this, there is no option to opt out. Mr. Pelot stated that you go with this trash company and that is it. If you let the government step in and tell us what trash company to take, what's next? Are they going to tell us what sewer, electric, or gas company we have to go with?

This is not a city service, if it was we would have our own trucks and we would be doing our own billing. Mayor Koontz stated he felt if we had our own city service with our own trucks and billing, it would probably be more costly. Mayor Koontz thanked everyone for all of their hard work on getting it to this point. Mayor Koontz stated that he believed in the long run it would save the residents money on their billing, while saving the wear and tear on our roads. Mr. Bergstrom added that this would provide cleaner streets, and may save the residents money and improve the services of the city by taking advantage of a bulk rate program. Mr. Bergstrom stated that in a way it is a city service because we are basically renting the equipment from the carrier. Mr. Mowery stated the thought of buying our own garbage trucks is not even a reality, we are struggling just to maintain the vehicles and equipment we already own.

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

Motion passed 5-2.

**UNFINISHED BUSINESS:**

None

**NEW BUSINESS:**

Mr. Mowery asked Mr. Ryland about the status of any new businesses coming into the city. Mr. Ryland replied that he has heard about new leads through Summit County, and that most are manufacturing companies. Mr. Mowery asked if we could get a listing of vacant commercial land up on the city's web site and Mr. Ryland stated we could look into that. In addition this information is also available through Summit County Economic Development. Mr. Pelot asked if Golf Course Drive, which is a private road has any future plans for sanitary sewer and Mr. Ryland replied no. Mayor Koontz stated that the residents would need to establish a sewer right of way first.

**PUBLIC SERVICE ANNOUNCEMENTS:**

Mayor Koontz reminded everyone of the Cider Festival at Columbia Woods Park at the end of this month. Mayor Koontz reminded everyone of the free shredding day this coming Saturday. Mr. Zita reminded everyone that Friday evening is the opener for the Cider Festival and wanted to see all of the Council and Administration representatives there from 5:00-6:00 PM if possible. Mr. Zita stated that the Norton Idol would also be selected on this same night. Mr. Bergstrom reminded everyone that he has another Ward 1 Town Hall meeting this Thursday at the Community Center from 7:00-9:00 PM.

**ADJOURN:**

There being no other business to come before the Regular Council Meeting, the meeting was adjourned at 7:43 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 September 27, 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.