



**NORTON CITY COUNCIL
REGULAR COUNCIL MEETING
MONDAY, NOVEMBER 28, 2011**

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

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

The Regular Council Meeting convened on Monday, November 28, 2011 at 7:01 PM, in the Council Chambers of the Safety Administration Building. The meeting was called to order by Mike Zita, Vice President of Council, followed by the Pledge of Allegiance and a moment of silent reflection.

COMMITTEE OF THE WHOLE:

Mr. Nicolard moved to amend the agenda to add Res. #88-2011 due to time constraints, seconded by Mrs. Hlas.

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

Motion passed 5-0.

COMMUNICATIONS FROM THE PUBLIC:

Mr. Patrick Bussey, 3302 Cherrywood Drive, Norton, Ohio, spoke again regarding the road paving conditions in Brentwood Estates. Mr. Bussey stated these roads look like what you would expect to see in the slums-it's pathetic. Mr. Bussey stated that some roads have not been addressed for over thirty (30) years. Mr. Bussey stated that it would appear that we do not know how to properly pave a Class II road. However Mr. Bussey stated that is not the case because Greenridge Road, which is considered a Class II road was paved properly and provided pictures to prove it (see attached).

Mr. Robert Copen, 2518 Sue Lane, Norton, Ohio, stated that he swore to tell the truth here tonight. Mr. Copen stated he has heard so much of BS lately about the Fire Department it's pathetic. Mr. Copen commented about a female that spoke at the last meeting. Mr. Copen stated that this person and her husband left the city disgruntled adding that the husband recently got passed over for a promotion at his job for running his mouth. They are all against this Fire Department and will do wthey ever they have to do to stretch the truth. Mr. Copen stated that someone in the city needs to stand up for our Fire Department against all of the comments our there on Facebook, Twitter, etc. Mr. Copen was concerned that no one from the city stepped up to respond, which is probably why the levies failed recently.

Mr. Copen commended on the levy from 2007 which was passed to build a new fire station, it was not passed to operate it, although Mrs. Hlas had tried her best to stipulate that. Mr. Copen spoke about the comments in the community that the city has misspent money, adding that its not the Fire Department that is spending the money.

Mr. Danny Grether, 2831 Brookfield Drive, Norton, Ohio, echoed Mr. Copen's statements regarding the Fire Department. Mr. Grether stated that there have been whispers in the wind that the budget for the new fire station was overspent. Mr. Grether stated that we need to stand up to these unfounded claims and put a stop to it. Mr. Grether discussed the improper literature and signs out in the community with no disclaimers and that there seems to be nothing we can do to stop that. Mr. Grether stated that he is sick of people treading in this town and its time to step up and get the whole truth out there from the city's side and correct this even if this means item by item so we can all understand it. The city just needs to lay it all out there.

Ms. Charlotte Whipkey, 4624 Albert Avenue, Norton, Ohio and Council At Large Elect, spoke stated that an ordinance or resolution needs to be passed to reassure all of the residents that if the new levy passes all other outstanding levies would be repealed. Ms. Whipkey stated that it needs to be presented now and not later. Ms. Whipkey stated you need to start putting the faith back into the residents and you need to have more transparency. Ms. Whipkey reminded everyone that we didn't always have a manned fire station 24 hours a day and questioned just when did this change?

CONSIDERATION OF THE MINUTES:

Minutes of the Regular Council Meeting of November 14, 2011 were approved as submitted.
Minutes of the Committee Work Session of November 21, 2011 were approved as submitted.
Minutes of the Special Council Meeting of November 21, 2011 were approved as submitted.

REPORTS FROM OFFICERS, BOARDS AND COMMISSIONS:

Mr. Ryland reported that the Norton Police Department has been very busy and in the last two (2) weeks they discovered and destroyed two (2) meth labs, and apprehended an armed robbery suspect. Mr. Ryland addressed Ms. Whipkey's comment about manning the station 24 hours; this was implemented in the fall of 2007. Mr. Pelot stated that he has spoken with Mr. Ryland and Mr. Kostoff and it was a joint decision that early next year we will present legislation to make it clear on the city's intention if the new levy passes at the March Primary, the old levies will expire.

PUBLIC HEARINGS:

None

INTRODUCTION OF NEW LEGISLATION:

RES #86-2011

Mr. Braman offered Res. #86-2011 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 NEWPARK DRIVE PROJECT.

Mr. Braman moved to waive the second and third reading, seconded by Mr. Nicolard.

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

Motion passed 5-0.

Mr. Braman moved to adopt Res. #86-2011, seconded by Mr. Nicolard

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

Motion passed 5-0.

RES #87-2011

Mrs. Hlas offered Res. #87-2011 for its first reading and asked the Clerk to read it:

A RESOLUTION REQUESTING THE COUNTY AUDITOR TO ADVANCE TAXES FROM THE TAX YEAR 2011 COLLECTIONS PAYABLE IN 2012 PURSUANT TO SECTION 321.34 OF THE OHIO REVISED CODE.

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

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

Motion passed 5-0.

Mrs. Hlas moved to adopt Res. #87-2011, seconded by Mr. Nicolard.

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

Motion passed 5-0.

***ADDED TO THE AGENDA**

RES #88-2011

Mr. Nicolard offered Res. #88-2011 for its first reading and asked the Clerk to read it:

A RESOLUTION DETERMINING TO PROCEED WITH THE SUBMISSION OF THE QUESTION OF AN ADDITIONAL TAX LEVY IN EXCESS OF THE TEN-MILL LIMITATION FOR THE PURPOSE OF PROVIDING AND MAINTAINING FIRE APPARATUS, APPLIANCES, BUILDINGS AND SITES THEREFOR, SOURCES OF WATER SUPPLY AND MATERIALS THEREFOR, THE PAYMENT OF PERMANENT, PART-TIME OR VOLUNTEER FIREFIGHTING, EMERGENCY MEDICAL SERVICE, ADMINISTRATIVE AND COMMUNICATIONS PERSONNEL TO OPERATE THE SAME, INCLUDING THE PAYMENT OF ANY EMPLOYER CONTRIBUTIONS REQUIRED FOR SUCH PERSONNEL UNDER SECTION 145.48 OR 742.34 OF THE REVISED CODE, AND

THE PROVISION OF AMBULANCE, PARAMEDIC AND OTHER EMERGENCY MEDICAL SERVICES OPERATED BY THE FIRE DEPARTMENT PURSUANT TO SECTION 5705.19(I) OF THE REVISED CODE, AND DECLARING AN EMERGENCY.

Mr. Nicolard moved to waive the second and third readings, seconded by Mrs. Hlas. Mr. Zita noted that we would need a two-thirds majority vote or five (5) yeas to suspend the readings. In the event we don't have that we will have to schedule Special Council Meetings tomorrow night and again the following night to get this adopted in time. Mr. Kostoff stated that we have all moved diligently and thanked Mrs. Richards who immediately hand delivered the last legislation to the Fiscal Office in order for us to get the certification numbers we received just this afternoon. Mr. Kostoff noted that we have legal issues that need addressed before this can be filed at the Board of Elections in time. Mr. Mowery stated that we have spoken a lot about this and as a point of record he understands that we now have a big beautiful fire station. Mr. Mowery stated that the general consensus in the community is now we have it but we have no money to run it. Granted they know we need to service it, but we need to have the full truth to them. Mr. Nicolard stated in a small city like Norton there is no greater service we can provide to them than to save a life at 3:00 AM. Mr. Nicolard stated we would work to give them that opportunity to let the residents decide. Mr. Zita noted that he has been in continued discussions with Mr. Moss and Mr. Ryland on ideas for other cuts.

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

Motion passed 5-0.

Mr. Nicolard moved to adopt Res. #88-2011, seconded by Mrs. Hlas.

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

Motion passed 5-0.

INTRODUCTION OF PRIOR LEGISLATION

RES #82-2011

Mr. Mowery offered Res. #82-2011 for its third reading and asked the Clerk to read it:

A RESOLUTION ALLOWING THE MAYOR AND/OR CITY ADMINISTRATOR TO APPLY FOR FEDERAL SURFACE TRANSPORTATION PROGRAM (STP) AND CONGESTION MITIGATION/AIR QUALITY (CMAQ) FUNDS PROGRAMMED BY THE AKRON METROPOLITAN AREA TRANSPORTATION STUDY (AMATS) TO WIDEN AND RECONSTRUCT CLEVELAND-MASSILLON ROAD, AND DECLARING AN EMERGENCY.

Mr. Mowery moved to adopt Res. #82-2011, seconded by Mr. Braman.

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

Nays: None

Motion passed 5-0.

RES #83-2011

Mr. Zita offered Res. #83-2011 for its third reading and asked the Clerk to read it:

A RESOLUTION ESTABLISHING AND PROMOTING A TREE PLANTING PROGRAM FOR ALL CITY-OWNED PARKS AND THE MUNICIPAL COMPLEX.

Mr. Zita moved to adopt Res. #83-2011, seconded by Mr. Nicolard.

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

Nays: None

Motion passed 5-0.

UNFINISHED BUSINESS:

Mrs. Hlas asked Mr. Moss where he is with the 2012 Budget, as Council still has not received it and we only have one more Council meeting and one more Committee meeting left this year. Mr. Moss stated it is not done, he has been working on it daily. Mrs. Hlas asked about a temporary budget and Mr. Moss stated that he doesn't like it but if we have to do it that way we will.

NEW BUSINESS:

None

PUBLIC SERVICE ANNOUNCEMENTS:

Mayor Koontz read several announcements (see attached). Mr. Zita noted for 2012 CCA will be available again for taxpayer assistance and announced the schedule (see attached).

ADJOURN:

There being no other business to come before the Regular Council Meeting, the meeting was adjourned at 7:41 PM.

Scott Pelot, 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 12, 2011.

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.