



**NORTON CITY COUNCIL
REGULAR COUNCIL MEETING
MONDAY, APRIL 25, 2011**

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

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

The Regular Council Meeting convened on Monday, April 25, 2011 at 7:01 PM, in the Council Chambers of the Safety Administration Building. The meeting was called to order by Scott Pelot, President of Council, followed by the Pledge of Allegiance and a moment of silent reflection.

COMMITTEE OF THE WHOLE:

Mr. Bergstrom discussed Ord. #37-2011 Transmission Agreement with Summit County and that it has edits to the Exhibit A as dated 4-14-11 and pointed out the various changes to it. Mr. Bergstrom moved to accept the edits to the exhibit and asked to also have the exhibit clearly marked as “Exhibit A”, seconded by Mr. Zita

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

Motion passed 7-0.

COMMUNICATIONS FROM THE PUBLIC:

Maggie Abbot, of the Norton Kiwanis, announced this years annual Prayer breakfast on Thursday, May 5, 2011 at 7:00 AM at the Johnson Methodist Church. Ms. Abbott noted she did have tickets with her this evening if anyone is interested, they are \$10.00 each. Ms. Abbott noted tickets could also be purchased as late as Friday at the Medicine Shoppe.

CONSIDERATION OF THE MINUTES:

Minutes of the Regular Council Meeting of April 11, 2011 were approved as submitted. Minutes of the Committee Work Session of April 18, 2011 were approved as submitted.

REPORTS FROM OFFICERS, BOARDS AND COMMISSIONS:

Mayor Koontz stated we had a great turnout for the Clean Up Norton Day this past Saturday. Mayor Koontz stated that as part of Arbor Day the city now has a new tree in the park near the flagpole and monument. Mr. Ryland stated that due to an addendum to the Newpark Drive project, he has postponed the opening of that bid project to next Friday.

PUBLIC HEARINGS:

None

INTRODUCTION OF NEW LEGISLATION:

ORD #41-2011

Bergstrom offered Ord. #41-2011 for its first reading and asked the Clerk to read it

AN ORDINANCE TO AUTHORIZE THE MAYOR AND/OR CITY ADMINISTRATOR TO EXECUTE AND DELIVER A CONTRACT FOR ENGINEERING SERVICES IN CONNECTION WITH THE IMPROVEMENTS OF NASH HEIGHTS PHASE II, AND DECLARING AN EMERGENCY.

Mr. Bergstrom moved to waive the second and third readings, seconded by Mr. Zita. Mr. Mowery stated that he feels he needs to defend the residents because its necessary. Mr. Mowery stated there is no magic wand on the engineering here. It could have been done years ago and wasn't because it wasn't feasible and it didn't concur with what this community is all about. Mr. Mowery stated that he is totally against this type of unaffordability that this Administration and others are bringing forward. Mr. Bergstrom stated that although he does respect Mr. Mowery's opinion, you cannot maintain that same style of living and this is a small cost to our budget. You cannot be a bedroom community and continue what we have. Mr. Mowery stated that this dirt road city was not built to turn it into what you want. Mr. Pelot stated that part of the trunk line cost is being paid from the Sanitary Sewer Trunk Line Fund, that's what the money is there for in the first place. Mr. Pelot went on to explain that when most of us were on the campaign trail we were out with promises of future development and that is what we are doing. Mr. Mowery stated again that this is just not feasible and he is not against growth. Mr. Bergstrom noted that in the past we never had the financial mechanism in place like we do now.

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

Motion passed 6-1.

Mr. Bergstrom moved to adopt Ord. #41-2011, seconded by Mr. Zita.

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

Motion passed 6-1.

ORD #42-2011

Mr. Zita offered Ord. #42-2011 for its first reading and asked the Clerk to read it:

AN ORDINANCE AUTHORIZING THE ACCEPTANCE OF DONATED LAND BY VICTOR A. MUNGO, TRUSTEE OF THE VICTOR A. MUNGO TRUST (FIRST RESTATEMENT), DATED JUNE 25, 2007, AND ANNA MARY MUNGO QTIP

PORTION OF THE FAMILY TRUST, JAMES F. MUNGO SUCCESSOR TRUSTEE TO THE CITY OF NORTON AND DECLARING AN EMERGENCY.

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

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

Motion passed 7-0.

Mr. Zita moved to adopt Ord. #42-2011, seconded by Mrs. Hlas.

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

Motion passed 7-0

INTRODUCTION OF PRIOR LEGISLATION:

Amended ORD #37-2011

Mr. Bergstrom offered Amended Ord. #37-2011 for its second reading and asked the Clerk to read it:

AN ORDINANCE AUTHORIZING THE CITY ADMINISTRATOR TO ENTER INTO AN AGREEMENT WITH SUMMIT COUNTY FOR THE TRANSMISSION OF SANITARY SEWAGE WITHIN THE CITY.

Mr. Bergstrom moved to waive the third reading, seconded by Zita. Mr. Bergstrom asked Mr. Kostoff about the five (5) year term in the contract on page #4 and if this was a problem? Mr. Kostoff replied there was not a problem with this time frame and that either party could agree to amending that if necessary, which in all likelihood would end up being less than that anyway.

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

Motion passed 7-0.

Mr. Bergstrom moved to adopt Ord. #37-2011, seconded by Mr. Zita.

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

Motion passed 7-0.

UNFINISHED BUSINESS:

None

NEW BUSINESS:

Bergstrom discussed the letter Mr. Nicolard sent to his residents in Ward 2 along Oak Street about the waiver of tap in fees for the new sanitary sewer connection. Mr. Bergstrom stated that he likes the idea of the letter informing the residents of the one year time frame and suggested that Mr. Mowery do something similar for his residents in Ward 3 for the Greenwich Road waterline project. Mr. Mowery stated he would rather do a door to door approach, that works best for him. Mr. Bergstrom stated that may be true but having a letter in hand is also helpful. Mr. Pelot stated he wants to have the Ward Councilman work together with the Utilities Committee on sending out letters to inform the residents. Mr. Mowery expressed some concern with the fact the these residents have never received their final assessment costs and that we need to give them some type of guidelines here. Mr. Kostoff indicated that Mr. Nicolard had provided him with a draft of his letter to the residents, which he did approve as to legal form. Mr. Nicolard noted this letter only informed them about the waiver of the tap in fees and that the time to take advantage of that was ticking. Mrs. Hlas discussed the situation with the fees along Barber Road several years ago, which were either \$200.00 or \$500.00 for several years for them to connect, then we increased them.

PUBLIC SERVICE ANNOUNCEMENTS:

Mayor Koontz made several announcements, (see attached).

Mr. Pelot asked Mayor Koontz how he felt J & J Refuse was doing so far? Mayor Koontz replied in the beginning we did have a number of complaints, but they have declined now. Mayor Koontz stated that its nice to only see the cans out on Monday and Tuesdays. Mayor Koontz stated there have been some issues with business owners outside of Norton asking to be exempt from the residential pickup. Mr. Ryland stated that all in all, things are very smooth, and there have been a lot of positive comments.

Mr. Zita thanked the Norton Women's Club for the Easter egg hunt in Columbia Woods Park this past Saturday. It went very well and we had well over 100 kids participating.

Mr. Mowery clarified an issue on the trash that if a resident refuses to pay their bill, it goes onto their property taxes. Mr. Ryland concurred this was correct, only if the city does the billing though, its really an issue with J & J Refuse. Mr. Mowery asked if J & J Refuse could end up using a collection agency, and Mr. Ryland replied yes they could.

ADJOURN:

There being no other business to come before the Regular Council Meeting, the meeting was adjourned at 7:34 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 May 9, 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.