



**NORTON CITY COUNCIL
REGULAR COUNCIL MEETING
MONDAY, MAY 9, 2011**

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

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

The Regular Council Meeting convened on Monday, May 9, 2011 at 7:04 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 stated we had talked about doing some work with Barberton and at that time when this was discussed it was mentioned as being a sewer line project, when in fact this is actually a waterline project and this should have been corrected at that time. Mr. Bergstrom stated that the intent is to piggyback on their project. We will be sharing the engineering costs with them and if all goes well, we will share the construction costs. Mr. Bergstrom moved to add Ord. #45-2010 to tonight's agenda, seconded by Mr. Nicolard.

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

Motion passed 5-0.

COMMUNICATIONS FROM THE PUBLIC:

Mr. Jim Lino, a Norton resident, commented about the new Norton Police Dept.'s stealth cruiser and that when he saw this vehicle with someone pulled over, you couldn't really tell it was a cruiser. Mr. Lino commented about a recent newspaper article about this cruiser and that Chief Hete stated that it is marked and it is legal. Mr. Lino expressed his concerns with Chief Hete stating that if someone was suspicious of any unmarked cars and getting pulled over by them, they should call 911 and get to a safe place, wouldn't that seem like you are fleeing an officer? Mr. Lino questioned why they even bother to paint cruisers.

CONSIDERATION OF THE MINUTES:

Minutes of the Regular Council Meeting of April 25, 2011 were approved as submitted.
Minutes of the Committee Work Session of May 2, 2011 were approved as submitted.
Minutes of the Special Council Meeting of May 2, 2011 were approved as submitted.

REPORTS FROM OFFICERS, BOARDS AND COMMISSIONS:

Mr. Ryland reported that the bids for the Newpark Drive reconstruction project were opened this past week and the bids came in \$1,000,000.00 under the Engineers estimate. The final bid was for \$1,600,000.00, which was from Lockhart construction, and the Engineers estimate was for \$2,700,000.00. Mr. Ryland stated we began clearing some of the ditches in that area with the help of Mr. Easterling. Mr. Ryland addressed some of Mr. Lino's concerns relating to the new police cruiser, it is well marked and it is completely legal. Mr. Ryland cautioned anyone who would try to run from a police vehicle with flashing lights that you would be ticketed. Mr. Ryland stated that some of our vehicles might be more visible in neighborhoods because we want our presence known there and we want you to know who we are. Mr. Ryland stated this new vehicle is a great tool on the interstates for enforcement. Mr. Kostoff asked Council if they would entertain a motion for Executive Session after the Public Service Announcements to discuss a potential purchase of property. Mr. Kostoff stated if this were to be disclosed it could harm the property owner as well as the city in discussions.

PUBLIC HEARINGS:

None

INTRODUCTION OF NEW LEGISLATION:

RES #44-2011

Mr. Braman offered Res. #44-2011 for its first reading and asked the Clerk to read it:

A RESOLUTION IN SUPPORT OF FUNDING TO OHIO'S 88 COUNTY SOIL AND WATER CONSERVATION DISTRICTS.

Mr. Braman asked Mr. Kostoff about the number of votes required and Mr. Kostoff replied that you need five (5) affirmative votes to suspend the rules and four (4) affirmative votes to adopt. Mr. Nicolard stated that it is the General Assembly's duty to cut their budget and he does not want to be second-guessing the General Assembly. Mr. Nicolard stated that the representatives in Columbus were elected to address this Budget and we should not be undermining that. Mr. Pelot did agree with Mr. Nicolard not wanting to second guess the General Assembly, however not when they are passing those costs onto the local communities. Mr. Nicolard stated that the taxpayers are supporting this one way or another because the State has to cut this deficit somehow.

Mr. Braman moved to waive the second and third readings, seconded by Bergstrom.

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

Motion passed 5-0.

Mr. Braman moved to adopt Res. #44-2011, seconded by Mr. Bergstrom.

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

Motion passed 4-1.

ADDED TO THE AGENDA
ORD #45-2011

Mr. Bergstrom offered Ord. #45-2011 for its first reading and asked the Clerk to read it:

AN ORDINANCE AUTHORIZING THE MAYOR OR HIS DESIGNEE TO ENTER INTO A COST SHARING AGREEMENT WITH THE CITY OF BARBERTON, OHIO FOR THE EVALUATION AND DESIGN RELATING TO THE EXISTING 31st STREET NW 16-INCH WATERLINE AND EXTENSION, AND DECLARING AN EMERGENCY.

First Reading Only. Mr. Pelot asked about keeping this at a 16" line and Mr. Ryland replied this is important especially due to fire hydrants being involved.

INTRODUCTION OF PRIOR LEGISLATION:

None

UNFINISHED BUSINESS:

Mr. Pelot noted that Mrs. Tompkins is attending the Mosquito Abatement District (MAD) meeting tonight and is was planning to attend this meeting to provide a report. Apparently she is still at their meeting and will report to Council at the next meeting.

Mr. Moss gave a brief staffing report and revenue summary (see attached). Mr. Moss stated that the Finance Dept. is now down from five (5) employees to three (3) and the Clerks have adjusted well, although he has not adjusted quite as well with the loss of the Dep. Director of Finance. Mr. Moss stated the hit to the Local Government Fund would be very challenging to the City for the next two (2) years. Mr. Moss estimated the City will lose \$300,000.00 each year and this funding will not come back. Mr. Pelot discussed the differences in the States fiscal year calendar and the City's and questioned how that impacts us? Mr. Moss stated that we are looking at a \$75,000.00 loss by July 1, 2011 and \$225,000.00 next year with the full \$300,000.00 loss in 2013. Mr. Moss stated that these cuts are just coming way too fast for us to properly absorb them. Mr. Moss discussed the revenue breakout for a residential property tax bill of \$1,729.72, and that the City of Norton only receives \$236.05 and most of this is dictated to levies which leaves only \$51.61 going into the General Fund. Mr. Moss discussed some good news in relation to a slight revenue increase of about 2% for 2010 due to J R Wheel bringing back employees. They are now up to a total of 350 employees and are continuing to grow. Mr. Moss cautioned that these increases could be quickly eaten up by the losses from the State. Mr. Kostoff noted one additional item out there lurking in the Ohio Senate is the elimination of the Estate Tax. Mr. Kostoff noted this has already passed through the Ohio House. Mr. Moss concurred adding that from this point forward we are looking to zero this out.

Mr. Ryland stated he was a bit surprised no one on Council commented more on the staffing issues especially with replacing the Dep. Director of Finance position. We had a resignation and now we cannot find a replacement with that we are paying for this position. Mr. Moss stated that to replace Laura, you would need someone with five (5) years plus experience and she has moved on to a better position with about a 50 percent increase from the salary we were paying her. Mr. Moss indicated that Laura came to us with experience and was very good with what she did here. There was brief discussion as to the various salary ranges out there and Mr. Pelot asked the Clerk to use her Ohio Municipal Clerks database search and see what feedback we get. Mr. Nicolard stated that we will finding ourselves in a situation that we will be paying more for a Dep. Director of Finance than what we are currently paying the Finance Director or Administrative Officer and suggested she also look at those salaries. Mr. Pelot stated we would just look at the Dep. Director of Finance for now and see what comes back and if that seems to be the case it would necessitate looking at the other positions.

NEW BUSINESS:

At 7:51 PM Mr. Pelot moved to adjourn the Regular Council Meeting into an Executive Session for the purpose to discuss property purchase pursuant to ORC 121.22(g) and Norton City Charter Section 3.12, seconded by Mr. Bergstrom. Mr. Pelot asked Mr. Moss, Mr. Ryland and Mr. Kostoff to attend. Mr. Pelot noted the discussion would be for the potential purchase of property and the disclosure of information would give unfair competitive advantage to any interested parties. Mr. Kostoff noted for the public that upon the return from Executive Session, no other business would be transacted on this matter.

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

Motion passed 5-0.

At 8:16 PM Council returned from Executive Session for the purpose to adjourn. Mr. Nicolard moved to adjourn, seconded by Mr. Bergstrom.

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

Motion passed 5-0.

PUBLIC SERVICE ANNOUNCEMENTS:

None

ADJOURN:

There being no other business to come before the Regular Council Meeting, the meeting was adjourned at 8:17 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 23, 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.