



**NORTON CITY COUNCIL
REGULAR COUNCIL MEETING
MONDAY, SEPTEMBER 12, 2011**

Roll Call: Todd Bergstrom-Excused
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

The Regular Council Meeting convened on Monday, September 12, 2011 at 7:00 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.

Mayor Koontz swore in K-9 Officer Brix as an official officer of the Norton Police Department, along with his partner Ptl. Ryan Burnett. Chief Hete thanked all of those who supported this special training. Chief Hete noted that donations totaling over \$8,500.00 were received from local businesses, residents, and one business as far away as Las Vegas Nevada. Chief Hete also thanked Brix's trainer, Sgt. Tabek from Cuyahoga Falls, who planned to be here tonight, however duty called and he could not attend. Mayor Koontz presented Chief Hete with a certificate of thanks to Sgt. Tabek to be forwarded to him.

COMMITTEE OF THE WHOLE:

Mr. Zita moved to amend Ord #78-2011, there has been a change in Section 2, it now states not to exceed \$32.00 per square yard, seconded by Mrs. Hlas.

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

Motion passed 6-0.

Mr. Pelot reiterated Chief Hete's comments regarding the overwhelming support from the community for the purchase and training for Brix. Mr. Pelot stated that it was great to see the community coming together like this and also thanked the support received from the CIC (Community Improvement Corporation) and the NBDTF (Norton Business Development Task Force) for their contributions.

COMMUNICATIONS FROM THE PUBLIC:

Jeff & Leslie Evans, 2047 Wadsworth Road, Norton, Ohio spoke again about the water runoff coming from their neighbor-Impact Irrigation and how devastating this has been to the trees and their property. Mr. Evans stated he has been told there is an ordinance that states you can elevate your property by one (1) foot, but he cant seem to find it. He has repeatedly asked the members in Administration for this information and is yet to get any response. Mr. Evans questioned who approved this site plan because he would like to see it. Mr. Evans discussed the bank being built up so much that it actually stops water from going into the creek. Mr. Evans discussed the Charter requirement of protection of city property, and that nothing is being done about this. Mr. Evans stated this property has been in his wife’s family for over forty (40) years, and this destruction is very upsetting to them. Mr. Evans stated he is very disappointed in the lack of response from the City of Norton and expects the city to abide by its own ordinances.

Ms. Charlotte Whipkey, a Norton resident, appealed to Council to remove Ord #77-2011, the sale of municipal property. This legislation is not needed nor or in the future. Ms. Whipkey stated that some of you have been lead down the preverbal garden path and the reasons given to you don’t hold up. There are no reasons to hide anything; there never really was a benefit to this. Ms. Whipkey stated she does not recall any cars being parked there until we entered into that agreement to purchase it. Ms. Whipkey stated that World Real Estate told ODOT that they thought the property was theirs. Ms. Whipkey stated she thought this was supposed to be a sealed bid process, but it sounds more like its being presented as a done deal.

CONSIDERATION OF THE MINUTES:

Minutes of the Regular Council meeting of August 22, 2011 were approved as submitted.
Minutes of the Committee Work Session of September 6, 2011 were approved as submitted.

REPORTS FROM OFFICERS, BOARDS AND COMMISSIONS:

There were no reports

PUBLIC HEARINGS:

None

INTRODUCTION OF NEW LEGISLATION:

RES#76-2011

Mrs. Hlas offered Res. #76-2011 for its first reading and asked the Clerk to read it:

A RESOLUTION ACCEPTING THE AMOUNTS AND RATES AS DETERMINED BY THE SUMMIT COUNTY BUDGET COMMISSION AND AUTHORIZING THE NECESSARY TAX LEVIES AND CERTIFYING THEM TO THE SUMMIT COUNTY FISCAL OFFICER, AND DECLARING AN EMERGENCY.

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

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

Nays: None

Motion passed 6-0.

Mrs. Hlas moved to adopt Res. #76-2011, seconded by Mr. Nicolard.

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

Motion passed 6-0

ORD #77-2011

Mr. Zita offered Ord. #77-2011 for its first reading and asked the Clerk to read it:

AN ORDINANCE DECLARING THAT CERTAIN CITY-OWNED PROPERTY IS NO LONGER NEEDED FOR MUNICIPAL PURPOSES AND AUTHORIZING THE ADMINISTRATIVE OFFICER TO SELL AND DISPOSE OF SUCH PROPERTY IN THE MANNER DETERMINED BY COUNCIL, AND DECLARING AN EMERGENCY.

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

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

Motion passed 6-0.

Mr. Zita moved to adopt Ord. #77-2011, seconded by Mrs. Hlas. Mr. Mowery stated that there have been some concerns over this property and hoped that everything is in order and in the best interests of the city.

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

Motion passed 6-0.

Amended ORD #78-2011

Mr. Zita offered Amended Ord. #78-2011 for its first reading and asked the Clerk to read it:

AN ORDINANCE ACCEPTING THE BID OF UNDERGROUND SERVICES, INC., IN AN AMOUNT NOT TO EXCEED \$32,500, AND DECLARING AN EMERGENCY.

Mr. Zita moved to waive the second and third readings, seconded by Mrs. Hlas. Mr. Zita stated he wanted to move forward on this and get this moving before the snow flies. Mr. Ryland commented about the changes in the original ordinance and that this has included a 10% overrun adding that this company's references have been verified and everything is ok.

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

Motion passed 6-0.

Mr. Zita moved to adopt Amended Ord. #78-2011, seconded by Mrs. Hlas.

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

Motion passed 6-0.

Mr. Zita moved to adopt Amended Ord. #78-2011, seconded by Mrs. Hlas.

INTRODUCTION OF PRIOR LEGISLATION:

ORD #65-2011

Mrs. Hlas offered Ord. #65-2011 for its second reading and asked the Clerk to read it:

AN ORDINANCE LEVYING SPECIAL ASSESSMENTS FOR THE IMPROVEMENT OF GREENWICH ROAD AND CERTAIN OTHER PARCELS BY CONSTRUCTING AND INSTALLING SANITARY SEWER LINES, TOGETHER WITH NECESSARY APPURTENANCES THERETO, COMPRISING THE GREENWICH ROAD SANITARY SEWER PHASE I PROJECT, AND DECLARING AN EMERGENCY.

Second reading only.

ORD #66-2011

Mrs. Hlas offered Ord. #66-2011 for its second reading and asked the Clerk to read it:

AN ORDINANCE LEVYING SPECIAL ASSESSMENTS FOR 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.

Second reading only.

ORD #67-2011

Mrs. Hlas offered Ord. #67-2011 for its second reading and asked the Clerk to read it:

AN ORDINANCE LEVYING SPECIAL ASSESSMENTS FOR THE CONSTRUCTION OF WATER MAINS, HYDRANTS AND RELATED IMPROVEMENTS AND ALL OTHER NECESSARY APPURTENANCES THERETO, COMPRISING THE GARDNER BOULEVARD PHASE III PROJECT, AND DECLARING AN EMERGENCY.

Second reading only.

UNFINISHED BUSINESS:

None

NEW BUSINESS:

At 7:30 PM Mr. Pelot moved to temporarily adjourn the Regular Council Meeting in order to convene into Executive Session for the purpose of discussing the purchase of real property as identified under O.R.C. Section 121.22 (G) (2) and by Section 3.12 of the Charter, seconded by Mr. Zita.

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

Motion passed 6-0. Mr. Pelot stated Council would be returning only to adjourn the meeting, no legislative action would be taken. Mr. Pelot asked the Mayor to address any Public Service Announcements before adjourning into Executive Session.

PUBLIC SERVICE ANNOUNCEMENTS:

Mayor Koontz made several announcements, see attached. Mr. Pelot commented on the cell phone-recycling program and encouraged everyone to take advantage of this as it is for a worthy cause.

At 8:03 Council returned from Executive Session, as stated previously, no action was taken on their discussions.

ADJOURN:

There being no other business to come before the Regular Council Meeting, the meeting was adjourned at 8:03 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 September 26, 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.