



**NORTON CITY COUNCIL
REGULAR COUNCIL MEETING
MONDAY, SEPTEMBER 26, 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

The Regular Council Meeting convened on Monday, September 26, 2011 at 7:03 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:

There were no reports

COMMUNICATIONS FROM THE PUBLIC:

Ms. Julie Bradshaw, 571 Parkway Blvd., Norton, Ohio, spoke representing the residents along Parkway Blvd in a signed petition to keep Parkway Blvd., as it currently is, a two-way road (see petition attached). Ms. Bradshaw stated most of the residents felt there are safety concerns with people cutting through since the city reduced the speed limit to 25 MPH. This has now caused higher speeds in their neighborhood. Ms. Bradshaw also cited a major inconvenience factor for older residents waiting to get out of their road in the winter. Ms. Bradshaw stated that no one had signed up to live in a one-way road. Everyone she spoke to with agreed that the town meeting held earlier this year was a complete debacle. She did not feel that the changes discussed were truly necessary or real and if a one-way road is the answer why not consider a culdesac at the end? Ms. Bradshaw stated it was the consensus of the neighbors to just fix the road and leave it the way it is.

Ms. Elaine Tompkins, 3848 Cleveland-Massillon Road, Norton, Ohio, spoke again about the final costs of the new fire station and that she still has not received the complete figures she had asked for back in February 28, 2011. Ms. Tompkins asked how can the city ask the voters to approve the levies when you don't even know the total cost for the new station? All we have is a guestimate at best. Ms. Tompkins discussed the mils from the 2007 levy and that only 30% is supposed to be used for capital. Ms. Tompkins reminded everyone that if the two levies are not approved in November, the Fire Department will just have to live within their means. Ms. Tompkins had inquired from Mr. Moss earlier of the CAFR and audit for 2010 are ready and she was informed they were not due to his lack of staffing in the Finance Department. Mrs. Tompkins questioned the status of the Director of Planning & Community Development position, have we selected anyone for that position yet?

Ms. Charlotte Whipkey, 4624 Albert Avenue, Norton, Ohio, spoke again about the sealed bids for the Barber Road parcel. Ms. Whipkey stated she noticed the legal ad in the Barberton Herald this week and understands there will be another one on October 29, 2011 and the bids opened on the next day on October 30, 2011. Ms. Whipkey asked how does this really qualify for advertising in a weekly paper? Ms. Whipkey stated this is very clear to her as to whom this property is supposed to go to. Ms. Whipkey stated that she would not be surprised at all if you only received one (1) bid for that property. Ms. Whipkey also questioned the amount of \$90,000.00 listed in a recent newspaper article, and questioned if they had this correct because she never heard this figure stated before. None of the paperwork stated this figure nor does the contract.

CONSIDERATION OF THE MINUTES:

Minutes of the Regular Council Meeting of September 12, 2011 were approved as submitted.

Minutes of the Planning Committee of September 22, 2011 were approved as submitted.

REPORTS FROM OFFICERS, BOARDS AND COMMISSIONS:

Mayor Koontz announced the city has stuck a fixed price of \$5.57 per MCF for natural gas for the next year from December 1, 2011 until November 30, 2012. Mayor Koontz stated that the 2011 Road Program is now complete. A chip and seal was done on Easton and Maco Road got a three (3) inch reconstruction. Mayor Koontz advised that we did advertise for the Director of Planning and Development and we received eight (8) or nine (9) applicants, which are being reviewed now. Mayor Koontz commented on the great weather we had for the Annual Cider Festival and Akron Marathon and that we had several Norton residents competing in the Marathon. Mr. Ryland stated that after lengthy meetings and discussions the AFSCME Service & Clerical have postponed their request for a wage re-opener until 2012. Mr. Ryland stated that the city has signed the contract for the construction on the new basketball courts and they should start next week, with weather permitting.

PUBLIC HEARINGS:

None

INTRODUCTION OF NEW LEGISLATION:

None

INTRODUCTION OF PRIOR LEGISLATION:

ORD #65-2011

Mrs. Hlas offered Ord. #65-2011 for its third 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.

Mrs. Hlas moved to adopt Ord. #66-2011, seconded by Mr. Nicolard. Mr. Mowery stated these three sewer projects place a burden on the residents and he has repeatedly asked the Mayor for financial relief for these projects. You are trying to do something in this city that they just cannot afford at this time. Mrs. Hlas corrected Mr. Mowery on these projects, only the first two ordinances are for sewer, the last one is a water line project that has been completed for quite some time now. Mr. Nicolard stated as he has repeatedly done in that past, that this Council is working with the sins of our fathers and we have to move forward with this now. Mr. Mowery stated that he is proud to say that those in the past that set this community up did a good job at that time and they should be respected for it. Mr. Bergstrom stated when campaigning for office it was his agenda to bring sewer and water into this city. Mr. Mowery stated that the economy is the way it is, because the cities are out there spending their money at the taxpayers expense.

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

Motion passed 6-1.

ORD #66-2011

Mrs. Hlas offered Ord. #66-2011 for its third 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.

Mrs. Hlas moved to adopt Ord. #67-2011, seconded by Mr. Nicolard. Mr. Nicolard stated this project is in his ward and he is proud to have it completed. Mr. Pelot discussed the issue with the EPA and inspections and that they will no longer allow new septic systems on these smaller lots. We have no choice but to expand sewer systems to make that available to them.

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

Motion passed 6-1.

ORD #67-2011

Mrs. Hlas offered Ord. #67-2011 for its third 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.

Mrs. Hlas moved to adopt Ord. #67-2011, seconded by Mr. Nicolard. Mrs. Hlas stated that this project was completed several years ago and the city did receive grant money at the time to help pay for this.

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

Motion passed 6-1.

UNFINISHED BUSINESS:

Mrs. Hlas discussed the petition from the Parkway Drive residents and that it appears Ms. Bradshaw has obtained signatures of 21 property owners, and they all want to keep it the way it is. Mrs. Hlas moved to keep Parkway Drive the way it is, seconded by Mr. Nicolard. Mr. Nicolard asked Mr. Ryland if a traffic control study had any recommendations? Mr. Ryland replied yes, they recommended making this one way due to the width of the street in some areas of only 16 feet. Mr. Ryland noted our ordinances required a width of 22 feet. Mr. Ryland stated this is not new construction and Council has every right to leave it the way it is. Mr. Nicolard discussed an issue of potential litigation by leaving it the way it is. Mr. Kostoff stated it is possible because it does not conform to your own standards. Mayor Koontz stated that there are traffic calming measures the city could look at. Mr. Zita stated he did not see an issue with this, it's the same width of the road to begin with, we just put a new topcoat on it. If this is what these residents want, that's fine. Mr. Mowery stated we need to realize its their road, they live there and they are the ones using it every day. Mr. Pelot reminded everyone that in the future if this road needs to be replaced it may have to be turned into a one way or loosing a lot of frontage. Mayor Koontz reminded everyone that its not "their" road, it belongs to the city and we maintain it. If they want to make it a private street, then it would truly be their road. Mr. Bergstrom asked about the traffic study regarding accidents and the width of the road being a factor. Mr. Ryland stated that the study did not produce the numbers you might expect, however speed is an issue. Mr. Ryland stated that he would see that enforcement is kicked up again in that area, but accidents are really not an issue in this area.

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

Motion passed 7-0.

Mr. Nicolard asked if we could restrict Parkway to a no thru traffic by an ordinance or something. Mr. Pelot stated that we would have to take a look at that. Mr. Ryland stated it would be difficult to prove intent. Mr. Kostoff commented that law enforcement is stretched enough in this community and there is question of enforcement. Mr. Pelot mentioned doubling the fines for speeding in this are like other allotments. Mr. Ryland stated he would do all he can to step up enforcement of speed violations in this area.

NEW BUSINESS:

None

PUBLIC SERVICE ANNOUNCEMENTS:

Mayor Koontz read several announcements (see attached). Mr. Pelot thanked all of those that helped and turned out for the Cider Festival parade last weekend.

ADJOURN:

There being no other business to come before the Regular Council Meeting, the meeting was adjourned at 7:44 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 October 11, 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.