



**NORTON CITY COUNCIL
REGULAR COUNCIL MEETING
MONDAY, JANUARY 23, 2012**

Roll Call: Charlotte Whipkey
Dennis McGlone
Scott Pelot
Bill Mowery
Todd Bergstrom
Ken Braman
Don Nicolard

Also Present:
Mayor Mike Zita
Rick Ryland
John Moss
Pete Kostoff
Karla Richards
Ann Campbell

The Regular Council Meeting convened on Monday, January 23, 2012 at 7:00 PM, in the Council Chambers of the Safety Administration Building. The meeting was called to order by Don Nicolard, President of Council, followed by the Pledge of Allegiance and a moment of silent reflection.

COMMITTEE OF THE WHOLE:

2012 Meeting Schedule & Council Rules

Mr. Mowery discussed the 2012 Meeting Schedule, and Mr. Nicolard asked to switch to the Council Rules discussion first before discussing this item. Mr. Mowery explained this is reviewed each year and asked for comments. Mr. Nicolard asked Mrs. Richards to review the suggested changes. Ms. Whipkey questioned all of the changes to Rule #102 and why all of this extra work with a senior member and two (2) tellers, where would we get these people from? Ms. Whipkey stated that it seemed like a great deal to go through and everyone would still know and how we voted, unless there was more than one nomination for the same seat. Mr. Nicolard agreed but how we have been doing this in the past is grossly unfair. Ms. Whipkey suggested we leave this alone and if we have two (2) nominees then we will have the second vote. Mr. Nicolard deferred this issue to Mr. Kostoff for his comments. Mr. Kostoff stated that he would be happy to review this again and get back to Council if they wished to have something less formal here. Ms. Whipkey suggested we could add something later on and we could address all of the other changes now. All other changes were reviewed, discussed and approved. Mr. Bergstrom questioned Rule #106 and asked for clarification here. Mr. Nicolard explained that on a meeting day after a holiday it may not be necessary to hold the meeting and would be at the Council Presidents discretion unless Council voted to have a meeting, or a Special Meeting was decided upon. Mr. Mowery moved to accept all changes except for Rule 102, until Council hears back from Mr. Kostoff, and approve the 2012 Meeting Schedule, seconded by Mr. Pelot.

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

Motion passed 7-0.

Resolution of Discontent-Closing of Norton Post Office.

Mr. Pelot stated that with the potential of our Norton Post Office closing, perhaps a Resolution from Council would help. Mr. Pelot moved to place a Resolution of Discontent to tonight's agenda, seconded by Mr. McGlone.

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

Motion passed 7-0.

Food Ordinance:

Mr. Pelot noted that this is something Council passes each year and is basically a boiler plate piece of legislation for refreshments that might be served throughout the year. Mr. Pelot moved to add this to tonight's agenda, waiving the second and third readings and as an emergency, seconded by Mr. McGlone.

Roll Call: Yeas: Pelot, McGlone, Whipkey, Pelot, Mowery, Bergstrom, Nicolard
Nays: None

Motion passed 7-0.

Mr. McGlone announced that the applicant for the charter schools has pulled her request for rezoning and asked Mr. Kostoff what was needed from Council at this point? Mr. Kostoff read the letter received by the applicant (see attached). Mr. Kostoff stated that since this request came from the Mayors office, he would need to formally request that Council withdraw Ord #93-2011. Mayor Zita officially requested that Council withdraw Ord. #93-2011. Mr. McGlone moved to place Ord #93-2011 under Old Business on the agenda tonight, seconded by Mr. Bergstrom.

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

Motion passed 7-0.

COMMUNICATIONS FROM THE PUBLIC:

Mrs. Elaine Tompkins, 3848 Cleveland-Massillon Road, Norton, Ohio, notified the Administration that the lights are out at the public notification sign at the center of town near the car wash. Mrs. Tompkins stated that the light at the flagpole is also out. Mrs. Tompkins commended Mr. Moss for the 2010 Audit and CAFR although it was only 215 days late. Mrs. Tompkins stated that just this morning she received the 2011 final closing reports and although she has not had time to review, she will be commenting on this next week, in addition to the final costs of the new fire station.

Mr. Danny Grether, 2831 Brookfield Drive, Norton, Ohio, spoke against the charter school rezoning, he still feels the same about this, its really all about the children. Mr. Grether briefly commented on the potential closing of the Norton Post Office and that we are teetering on losing this and we cannot let this happen.

CONSIDERATION OF THE MINUTES:

Minutes of the Special Committee of the Whole Meeting of December 12, 2011, approved as submitted.

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

Minutes of the Special Committee of the Whole Meeting of December 19, 2011; Ms. Whipkey discussed a comment left out on page #2 regarding the televised council meetings. Ms. Whipkey stated she would like Mr. Pelot's comments added where he suggested that later on we could revisit this with some other type of medium. Ms. Whipkey stated she checked with the Clerk and Mrs. Richards concurred this was stated and it was on the audiotape. These minutes were approved as corrected.

Minutes of the Special Council Meeting of December 19, 2011, approved as submitted.

Minutes of the Organizational Meeting of January 3, 2012, approved as submitted.

Minutes of the Committee Work Session of January 3, 2012, approved as submitted.

Minutes of the Regular Council Meeting of January 9, 2012, approved as submitted.

REPORTS FROM OFFICERS, BOARDS AND COMMISSIONS:

Mayor Zita announced a tentative agreement with the City and the OPBA for a three (3) year contract and that this should be coming to Council shortly for approval. Mayor Zita announced that the city web page now has updated information on the Save Our Post Office contact information for Congresswoman Sutton, Senators Portman, Brown, etc. Also there are form letters you can download and send via email as well. An online petition would be available in the very near future. Mr. Nicolard reminded everyone that our deadline for comments is February 16, 2011, and it's imperative that we contribute. Mr. Moss addressed a question earlier about the final costs for the new fire station and advised everyone that not all of the figures are in, however he calculates \$2,600,000.00 for construction costs and \$2,900,000.00 for building costs and that's not final. Mr. Kostoff stated he is working on the drafts of the legislation for repealing the four (4) older Fire/EMS levies should the new levy pass in March, and hoped to have this ready for the next committee. Mr. Nicolard asked if this would have emergency language and Mr. Kostoff replied yes.

PUBLIC HEARINGS:

None

INTRODUCTION OF NEW LEGISLATION:

Mr. Pelot offered Res. #3-2012 for its first reading and asked the Clerk to read it:

A RESOLUTION OBJECTING TO THE PROPOSED CLOSURE OF THE NORTON BRANCH OF THE UNITED STATES POSTAL SERVICE AND DECLARING AN EMERGENCY.

Mr. Pelot moved amend Res. #3-2012 to add the emergency language, seconded by Mr. McGlone.

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

Motion passed 7-0

Mr. Pelot moved to waive the second and third readings, seconded by Mr. McGlone.

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

Motion passed 7-0.

Mr. Pelot moved to adopt Res. #3-2012, seconded by Mr. McGlone. Mr. Pelot discussed the impact of not only the employee's lives, but also the impact of revenue to the city. Mr. Pelot discussed the inability to track revenue without our own zip code and the economic impact if this office closes. This is our only means of keeping our identity and if we lose this we will never get it back. Ms. Whipkey stated that she fully supports this and has researched those offices that did close have been harmed economically. Ms. Whipkey expressed concerns with handicapped access and parking problems in Barberton. Its in all of our interests to keep this office here where we can continue to grow and move forward with getting our own zip code. Mr. Robert Copen, 2518 Sue Lane, Norton, Ohio, stated he is all for keeping out Norton Post Office open, however he is even more in favor of getting our own zip code established. Mr. Copen noted that when city hall mails him a letter it takes five (5) days for him to get it because of all of the routing and sorting it has to go through. Mr. Kostoff agreed on the importance and significance to the city's own identity and that he and Mayor Zita will be meeting this Thursday to discuss this in detail. Mr. Kostoff commented about when he was Mayor in Fairlawn and this was the same problem for them and they eventually got their own zip code. It's invaluable in terms of marketing for your community, its not an easy process and he thanked then Congressman Tom Sawyer for his assistance in getting that accomplished for Fairlawn. Ms. Alice Wagner, 4168 Hawaii Avenue, Norton, Ohio stated she would cry if we lose our post office, she does not have a computer and is still old fashioned and uses stamps and she supports the post office 100%. Ms. Sue Torok, 9935 Silver Creek Road, Wadsworth, a Norton Post Office employee spoke regarding the lack of parking at the Barberton Post Office and that they have already purchased land across the street for \$1.00 for employees and vehicles to park. Ms. Torok stated that their so-called handicapped access is not even an option unless you have someone with you to assist you. Ms. Torok offered her assistance any way she could help with a committee or getting petitions out to the community, door to door or what ever it takes. Mr. Mowery discussed the closing of the Maple Valley Post Office in the past and how hard those residents fought against it, but it did get closed after all. Ms. Torok stated that OSHA needs to get to Barberton and inspect that facility, she understands that there has been no hot water in that building for over a year now. Mr. Kostoff stated that we need a plan to get with the business community quickly for them to step up and get involved and let the elected officials know how deeply a closing would impact their businesses. Mr. Nicolard stated that the Norton Business Development Task Force (NBDTF) will be meeting on January 29, 2012 and we do have an extensive mailing list available to help with that. Mr. Danny Grether stated that he fully supports the mail carriers, our safety forces and our schools. Mr. Grether also discussed the potential closing of the Norton Post Office and their claim of loss of revenue due to loss of local foot traffic. Mr. Grether expressed his concerns with still obtaining our own zip code and is willing to take the fight for both issues. Mr. Joe Kaisk, 3237 Driftwood Road, Norton, Ohio, a Barberton business owner and he is fifteen blocks from the Barberton Post office, but prefers to use the Norton Post Office ultimately because it's quicker and easier to get to, and has better service. Mr. Nicolard stated that the Postmaster let the cat out of the bag last week at their recent meeting when he stated that the Norton zip code would be 44204. Ms. Torok stated we do have same finance number attached as Barberton and we will not get fair revenue here in Norton until we do get our own zip code.

Mr. Greg Smith, 3954 Mt. Vernon Blvd., Norton, Ohio, stated he attended the recent meeting about the Norton Post Office and he had questioned their stated total savings if closed would be approximately \$457,000.00 over ten (10) years, that's only \$45,000.00 a year. Mr. Smith briefly discussed the postal reform legislation currently pending.

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

Motion passed 7-0.

ORD #4-2012

Mr. Pelot offered Ord. #4-2012 for its first reading and asked the Clerk to read it:

AN ORDINANCE TO AUTHORIZE NOMINAL EXPENDITURES FOR REFRESHMENTS OR MEALS TO BE SERVED AT VARIOUS EVENTS.

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

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

Motion passed 7-0.

Mr. Pelot moved to adopt Ord. #4-2012, seconded by Mr. Nicolard.

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

Motion passed 7-0.

INTRODUCTION OF PRIOR LEGISLATION:

RES #1-2012

Mr. Mowery offered Res. #1-2012 for its second reading and asked the Clerk to read it:

A RESOLUTION OF APPRECIATION FOR THE SERVICE OF CYNTHIA L. MAZEY AS A MEMBER OF THE HEALTH ADVISORY BOARD OF THE CITY OF NORTON.

Mr. Mowery noted that Ms. Mazey was in the audience this evening to receive her Resolution and moved to waive the third reading, seconded by Mr. Pelot. Mr. Pelot thanked Ms. Mazey for her service this past year.

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

Motion passed 7-0.

Mr. Mowery moved to adopt Res. #1-2012, seconded by Mr. Pelot.

Roll Call: Yeas: Mowery, Pelot, McGlone, Whipkey, Bergstrom, Braman, Nicolard

Nays: None

Motion passed 7-0

ORD #2-2012

Mr. Mowery offered Ord. #2-2012 for its second reading and asked the Clerk to read it:

AN ORDINANCE AUTHORIZING THE MAYOR OR HIS DESIGNEE TO ENTER INTO AN AGREEMENT WITH THE OHIO DEPARTMENT OF TRANSPORTATION AND DECLARING AN EMERGENCY.

UNFINISHED BUSINESS:

Mr. Mowery discussed the upcoming Council-Administration Workshop next week and that some residents have asked if there would be public comments allowed at this meeting. Mr. Nicolard advised that all meetings are open to the public, however since this meeting is limited to a two-hour time frame there is no format for public comment, this is a brainstorming session for Administration and Council.

NEW BUSINESS:

None

PUBLIC SERVICE ANNOUNCEMENTS:

Mayor Zita announced that J & J Refuse Company is going back to its original family name of Kimble, all services and pricing will remain the same and residents should see no change other than the name on the containers. Mayor Zita read several press releases (See attached).

Mr. Bussey, 3302 Cherrywood Drive, Norton, Ohio, asked to comment on the Council Rule 102, and Mr. Nicolard granted the privilege with no objections from Council. Mr. Bussey reminded everyone that the Charter states you are bound by the Roberts Rules of Order unless your Council Rules state otherwise. Mr. Bussey read the latest version of Roberts Rules for everyone and explained the reason for paper ballots. Mr. Kostoff reiterated that is exactly how his drafted suggestions were prepared, and they comply with Robert's Rules.

ADJOURN:

There being no other business to come before the Regular Council Meeting, the meeting was adjourned at 8:40 PM.

Don Nicolard, 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 February 13, 2012.

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.