



**NORTON CITY COUNCIL
REGULAR COUNCIL MEETING
MONDAY, OCTOBER 22, 2012**

Roll Call: Dennis McGlone
Charlotte Whipkey
Scott Pelot
Bill Mowery-Excused
Todd Bergstrom
John Conklin
Don Nicolard

Also Present:
Mayor Mike Zita
Rick Ryland
Laura Starosta
Pete Kostoff
Karla Richards
Ann Campbell

The Regular Council Meeting convened on Monday, October 22, 2012 at 7:01 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.

COMMUNICATIONS FROM THE PUBLIC:

Karen Harley, 3432 Harper Avenue, Norton, Ohio, took issue with Mayor Zita's Letter to the Editor in a recent Norton Post about comments of the Board of Control Limits, and the statement he made about it being within Ohio Revised Code. Ms. Harley stated that we recently had the voters approve this amount of \$25,000.000 and asked what was the Ohio Revised Code amount? Mrs. Harley discussed the pending sewer issue and questioned why would we be assessed if we are not tying in right away since it was stated we would not be forced to tie in? This would be less of a burden to the residents; many of the residents cannot afford this. You will end up forcing everyone out of his or her homes. Residents should only be assessed when they are required to tie into the new sewer line. Mrs. Harley stated she does not see a need for her to tie in for another ten (10) years, their system is working fine and is pumped on a regular basis.

Richard Gardner, 4556 Roop Avenue, Norton, Ohio thanked whoever was responsible for fixing the hole at Mr. Krosnick's driveway/mailbox before he fell or got hurt.

Audrey Kornacky 3008 Dutt Road, Norton, Ohio, thanked Council for taking the time to check in with the businesses about their sewer connections and if they want it so bad, they should foot the bill. Mrs. Kornacky stated she believes there are about 60% of the residents that are retirees. Mrs. Kornacky discussed whether in fact new systems are really required. Mrs. Kornacky stated if we have other measures as far as a fix to clean up the water coming out of their sewer systems that would not be such a burden. Mrs. Kornacky urged Council to think about this before enforcing something that would make some of the residents homeless, as she would probably end up being one of them because she cannot afford to pay for it.

Mrs. Kornacky stated that her septic system is working fine, it does not dump out into an open ditch and most of her neighbors are working properly too. Mrs. Kornacky stated that we don't see the need to put this burden on our backs.

Mr. Paul Tousley also thanked whoever is responsible for fixing Mr. Krosnick hole at the end of his driveway and it was nice to see the issue was raised and it was taken care of. Mr. Tousley also thanked Council for the change in tone lately, it means a lot and things will get done this way.

Mr. Robert Copen, 2518 Sue Lane, Norton, Ohio, stated that it upsets when we put a price on our safety, fire and EMS and our health. Mr. Copen stated that response times are the utmost of importance to our citizens. Mr. Copen discussed the two church fires; the Grace Church and Our Fathers House. Mr. Copen noted that for the Grace Church we had immediate response time and there was a fire hydrant readily available. Mr. Copen noted that with Our Fathers House fire, we had delayed response times and no water was available, it had to be hauled onto the site. Mr. Copen stated one church was saved and the other one burned to the ground, same men and same type of equipment. We seem to forget when they do a great job and we sure tend to complain when they don't. Mr. Copen discussed things of the past, we can't change that and we cannot fix it. The citizens passed a levy to build the new fire station and now it is complete, so lets move on. Mr. Copen discussed issues some of the residents have with the City Administration and the Fire Chief; the men make up the Fire Department not the individuals. Our lives are more important than personal and petty differences. Regardless of what some people say, Norton is still a volunteer fire department and there is an Attorney General opinion on that. Mr. Copen noted that only full time firemen could be members of the retirement system. These volunteers must be paid or how else would they be covered by Workers Comp? They volunteer to do this work and they are volunteers. Mr. Copen discussed the various shifts and that sometimes we are not able to fill all of them but our guys do the best that they can. Mr. Copen stated that you hear all kinds of people making all kinds of statements, don't believe them. Check the facts out for yourselves and then make up your own mind.

COMMITTEE OF THE WHOLE:

None

CONSIDERATION OF THE MINUTES:

Minutes of the Regular Council Meeting of October 9, 2012, approved as submitted
Minutes of the Committee Work Session of October 15, 2012, approved as submitted

REPORTS FROM OFFICERS, BOARDS AND COMMISSIONS

Mayor Zita responded to Mrs. Harley's issues with Board of Control, replying that the State of Ohio's limit was \$25,000.00 and that is what the voters approved a year or so ago to mirror that same amount. Now is what is before the voters is a reduction of that limit which will hamper the operations of the City.

Mr. Conklin thanked Mr. Ryland for fixing the hole at the mailbox on Roop Avenue for Mr. Krosnick's home.

PUBLIC HEARINGS-None

INTRODUCTION OF NEW LEGISLATION

RES #84-2012

Mr. Pelot offered Res. #84-2012 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.

Mr. Pelot moved to waive the second and third readings, seconded by Mr. Conklin. Mrs. Starosta stated this is to comply with Ohio Revised Code 5705.34 Council is required to accept the County's amounts and rates, and is something we do annually. This is due back to the County no later than November 5, 2012.

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

Motion passed 6-0.

Mr. Pelot moved to adopt Res. #84-2012, seconded by Mr. Conklin

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

Motion passed 6-0.

INTRODUCTION OF PRIOR LEGISLATION

ORD #80-2012

Mr. Bergstrom offered Ord. #80-2012 for its third 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.

Mr. Bergstrom moved to adopt Ord. #80-2012, seconded by Mr. Conklin. Mr. Bergstrom stated this is for the annual mowing on the interstates.

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

Motion passed 6-0.

ORD #81-2012

Mr. Bergstrom offered Ord. #81-2012 for its third 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.

Mr. Bergstrom moved to adopt Ord. #81-2012, seconded by Ms. Whipkey. Mr. Bergstrom noted this is for herbicidal spraying also on the interstates.

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

Motion passed 6-0.

ORD #82-2012

Mr. Pelot offered Ord #82-2012 for its third reading and asked the Clerk to read it:

AN ORDINANCE AUTHORIZING THE MAYOR OR HIS DESIGNEE TO EXECUTE AND DELIVER AN AGREEMENT WITH THE CITY OF BARBERTON FOR CERTAIN ADMINISTRATIVE SERVICES, AND DECLARING AN EMERGENCY.

Mr. Pelot moved to adopt Ord. #82-2012, seconded by Mr. Conklin. Mr. Kostoff explained that all other communities have been contributing to these administrative costs. We have been fortunate until now and most likely was an oversight. We have paid our prosecuting services directly in the past. This will start with the 2012 Budget over several years going forward without an increase as a flat amount and he felt it was extremely reasonable and urged Council to support this.

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

Motion passed 6-0.

UNFINISHED BUSINESS:

None

NEW BUSINESS:

Mr. Pelot stated he received a phone call about a foreclosed home and this home was cleared out by the banks and scattered about the driveway and property and just walked away. Mr. Pelot stated he wanted to look at setting up legislation requiring the lenders to properly dispose of these effects. These bankers don't live here in Norton and they don't care what the property looks like. Mr. Pelot stated that if it costs the bank money to properly dispose of the effects then maybe they would take notice. Mr. Kostoff stated he would be happy to look into this, but it will come down to having an eyewitness as to who was actually removing property from the home and this would be difficult. Mr. Kostoff stated he would like to meet with Mr. Pelot to discuss the details. Ms. Whipkey suggested that the bank would most likely have a contract hiring the disposal crew. Mr. Nicolard explained the rights of eviction and what is permitted by law to take the property out of the home and set it to the curb for the evicted owner to come and get it.

Mr. Pelot stated he has not had time to go look at the property and thanked Mrs. Campbell for getting in touch with the bank and she was advised someone would be out today with a dumpster. Mr. Conklin discussed the nuisance issue and noxious weeds and questioned if we currently clean it up and then bill the owner? Mr. Ryland concurred, adding that property titles do not transfer with foreclosures. Mrs. Harley stated she was a landlord for many years and as long as the title belongs to her and after 90 days she had the right to remove contents to the curb. The banks are not required to remove it. Ms. Alice Wagner, 4168 Hawaii Avenue, Norton, Ohio, asked if there is a way to require the banks to keep electric going for sump pumps to stop mold build up in addition to heat. Mr. Kostoff stated this is a very good point. Mr. Kostoff stated that Administration came to Council asking for funds to address these types of properties and we were very limited in the amount we could afford. Mr. Ryland stated we have allotted enough for two (2) demolitions for next year. Mr. Kostoff stated he would look at Mr. Pelot's request to see if we cannot come up with something to address his concerns. Mr. Richard Gardner, 4556 Roop Avenue Norton, Ohio, stated he was a land lord and discussed the process of eviction notices and once the property is out of the home it is no longer the landlords concerns.

PUBLIC SERVICE ANNOUNCEMENTS:

Mayor Zita read several announcements (see attached)

Mr. Nicolard noted that we ha

ADJOURN:

There being no other business to come before the Regular Council Meeting, the meeting was adjourned at 7:50 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 November 12, 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.