



**NORTON CITY COUNCIL
REGULAR COUNCIL MEETING
MONDAY, FEBRUARY 27, 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-Excused
Justin Markey-Attorney Roetzel & Address
Karla Richards
Ann Campbell

The Regular Council Meeting convened on Monday, February 27, 2012 at 7:00PM, 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:

Mr. Bergstrom commented about his recent Service Committee and that the end result is that the Administration would be coming up with a few alternates for this year, like crack and seal, minor resurfacing and minor reconstruction. Mr. Bergstrom stated that the Administration expected to have this completed within the next week or two.

COMMUNICATIONS FROM THE PUBLIC:

Ms. Judy Valatka, 3317 Cherrywood Drive, Norton, Ohio, spoke again about the roads in Brentwood Estates and the 2012 Road Program. Ms. Valatka stated that its apparent there is either a lack of or a total non-existence of a maintenance program. Ms. Valatka mentioned again about Summit County's program involving several other communities to get better pricing and stated she was told by Mr. McGlone that Norton was not notified about this for 2011 and its too late for 2012. Mrs. Valatka hoped we get our act together to get on board for 2013. Ms. Valatka discussed grants the City of Akron and the Valley Fire department received from Homeland Security and asked if anyone in Administration knew these grants were out there, and questioned if we are doing everything we can to apply? Ms. Valatka reminded everyone about a comment made at the swearing in ceremony about this Council being more proactive and not reactive.

CONSIDERATION OF THE MINUTES:

Minutes of the Annual Workshop of January 30, 2012 were approved as submitted.

Minutes of the Regular Council meeting of February 13, 2012; Ms. Whipkey noted the following additions to page #6 at the top of the page: *Ms. Whipkey stated if Barberton is discussing it tonight, we cannot be sure that they are coming on board. Mayor Zita stated our legislation states that they are on board, and we have it verbally that they are.*

Also on page #6 under Unfinished Business: *Mr. Moss stated if he could get for the same amount of money, more service he would try.* The minutes were approved as amended.

Minutes of the Service Committee meeting of February 16, 2012: Ms. Whipkey noted the following addition on page #3 about two thirds of the way down; *Mr. Bussey asked about the cost to do a complete full depth replacement on Cherrywood with proper curbs and gutters? Mr. Weinsheimer estimated the cost would be \$250,000.00 to \$300,000.00 just on that road.* The minutes were approved as amended.

REPORTS FROM OFFICERS, BOARDS AND COMMISSIONS:

Mayor Zita announced that this Thursday morning at the Community center, the Norton Kiwanis will have Mr. Tom Dayton presenting information on rain gardens. Ms. Whipkey briefly reported on the recent Norton Health Advisory Board meeting held on February 16, 2012. Ms. Whipkey stated that Mr. Hasenyager from the Summit County Dept. of Health was present and informed everyone that there are funds available for septic system repairs. Ms. Whipkey stated that you could contact Holly Miller-Summit County Dep. of Development at 330-643-8013 for more information. Ms. Whipkey stated that Mr. Hasenyager had stated if your initial costs for a new septic were \$10,000.00 and you met the requirements for funding assistance, your final costs could be as low as \$1,000.00. Mr. Dan Karant, Norton Business Development Task Force Chairman, read his report, (see attached).

PUBLIC HEARINGS:

None

INTRODUCTION OF NEW LEGISLATION:

RES #10-2012

Mr. Mowery offered Res. #10-2012 for its first reading and asked the Clerk to read it:

A RESOLUTION CONFIRMING THE APPOINTMENT OF NEVA GIBSON TO A THREE-YEAR TERM AS A REPRESENTATIVE ON THE PARKS & CEMETERY BOARD OF THE CITY OF NORTON AND DECLARING AN EMERGENCY.

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

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

Motion passed 7-0.

Mr. Mowery moved to adopt Res. #10-2012, seconded by Mr. Pelot. Mr. Mowery stated that Ms. Gibson is very involved in our Tree City program and she is also a Norton graduate.

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

Motion passed 7-0.

RES #11-2012

Mr. Mowery offered res. #11-2012 for its first reading and asked the Clerk to read it:

A RESOLUTION CONFIRMING THE REAPPOINTMENT OF JANET JACOBS TO A NEW THREE-YEAR TERM AS THE WARD 2 REPRESENTATIVE ON THE PLANNING COMMISSION OF THE CITY OF NORTON AND DECLARING AN EMERGENCY.

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

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

Motion passed 7-0.

Mr. Mowery moved to adopt Res. #11-2012, seconded by Mr. Pelot. Mr. Mowery stated that Ms. Jacobs is very community minded and we have a very strong Planning Commission here.

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

Motion passed 7-0

RES #12-2012

Mr. Mowery offered Res. #12-2012 for its first reading and asked the Clerk to read it:

A RESOLUTION CONFIRMING THE REAPPOINTMENT OF MICHAEL SAFRON TO A NEW FOUR-YEAR TERM AS A REPRESENTATIVE ON THE CITY OF NORTON HEALTH ADVISORY BOARD AND DECLARING AN EMERGENCY.

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

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

Motion passed 7-0.

Mr. Mowery moved to adopt Res. #12-2012, seconded by Mr. Pelot.

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

Motion passed 7-0

RES #13-2012

Mr. Mowery offered Res. #13-2012 for its first reading and asked the Clerk to read it:

A RESOLUTION CONFIRMING THE REAPPOINTMENT OF BILL HELMICK TO A NEW THREE-YEAR TERM AS THE WARD 3 REPRESENTATIVE ON THE BOARD OF ZONING AND BUILDING APPEALS OF THE CITY OF NORTON AND DECLARING AN EMERGENCY.

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

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

Motion passed 7-0.

Mr. Mowery moved to adopt Res. #13-2012, seconded by Mr. Pelot. Mr. Mowery stated that Mr. Helmick is one of the hardest working residents volunteering to serve.

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

Motion passed 7-0

RES #14-2012

Mr. Mowery offered Res. #14-2012 for its first reading and asked the Clerk to read it:

A RESOLUTION CONFIRMING THE REAPPOINTMENT OF JOHN CONKLIN TO A NEW TERM AS A REPRESENTATIVE ON THE PARKS & CEMETERY BOARD OF THE CITY OF NORTON AND DECLARING AN EMERGENCY.

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

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

Motion passed 7-0.

Mr. Mowery moved to adopt Res. #14-2012, seconded by Mr. Pelot. Mr. Mowery noted that although Mr. Conklin was not present, he did serve with him on Council in the past and that Mr. Conklin is very committed.

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

Motion passed 7-0

RES #15-2012

Mr. Mowery offered Res. #15-2012 for its first reading and asked the Clerk to read it:

A RESOLUTION CONFIRMING THE APPOINTMENT OF CYNTHIA MAZEY TO A FOUR-YEAR TERM AS A REPRESENTATIVE ON THE CITY OF NORTON HEALTH ADVISORY BOARD AND DECLARING AN EMERGENCY.

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

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

Motion passed 7-0.

Mr. Mowery moved to adopt Res. #15-2012, seconded by Mr. Pelot.

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

Motion passed 7-0

RES #16-2012

Mr. Mowery offered Res. #16-2012 for its first reading and asked the Clerk to read it:

A RESOLUTION CONFIRMING THE REAPPOINTMENT OF MARK SPISAK TO A NEW THREE-YEAR TERM AS THE WARD 4 REPRESENTATIVE ON THE PLANNING COMMISSION OF THE CITY OF NORTON AND DECLARING AN EMERGENCY.

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

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

Motion passed 7-0.

Mr. Mowery moved to adopt Res. #16-2012, seconded by Mr. Pelot.

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

Motion passed 7-0

RES #17-2012

Mr. Mowery offered Res. #17-2012 for its first reading and asked the Clerk to read it:

A RESOLUTION CONFIRMING THE REAPPOINTMENT OF ANGELA BECK TO A NEW SIX-YEAR TERM AS A REPRESENTATIVE ON THE CIVIL SERVICE COMMISSION OF THE CITY OF NORTON AND DECLARING AN EMERGENCY

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

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

Motion passed 7-0.

Mr. Mowery moved to adopt Res. #17-2012, seconded by Mr. Pelot.

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

Motion passed 7-0

RES #18-2012

Mr. Mowery offered Res. #18-2012 for its first reading and asked the Clerk to read it:

A RESOLUTION CONFIRMING THE REAPPOINTMENT OF DON WELCH TO A NEW THREE-YEAR TERM AS THE WARD 1 REPRESENTATIVE ON THE BOARD OF ZONING AND BUILDING APPEALS OF THE CITY OF NORTON AND DECLARING AN EMERGENCY.

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

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

Motion passed 7-0.

Mr. Mowery moved to adopt Res. #18-2012, seconded by Mr. Pelot.

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

Motion passed 7-0

RES #19-2012

Mr. Mowery offered Res. #19-2012 for its first reading and asked the Clerk to read it:

A RESOLUTION CONFIRMING THE REAPPOINTMENT OF SCOTT TESTA TO A NEW TERM AS A REPRESENTATIVE ON THE PARKS & CEMETERY BOARD OF THE CITY OF NORTON AND DECLARING AN EMERGENCY.

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

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

Motion passed 7-0.

Mr. Mowery moved to adopt Res. #19-2012, seconded by Mr. Pelot.

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

Motion passed 7-0

RES #20-2012

Mr. Mowery offered Res. #20-2012 for its first reading and asked the Clerk to read it:

A RESOLUTION OF APPRECIATION FOR THE SERVICE OF PAM DIXON FOR HER SERVICE ON THE NORTON PARKS AND CEMETERY BOARD, AND DECLARING AN EMERGENCY.

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

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

Motion passed 7-0.

Mr. Mowery moved to adopt Res. #20-2012, seconded by Mr. Pelot.

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

Motion passed 7-0.

Mr. Nicolard thanked all of those for their service in the past, those that continue to come forward and volunteer to help the city out.

INTRODUCTION OF PRIOR LEGISLATION:

ORD #5-2012

Mr. Mowery offered Ord. #5-2012 for its second reading and asked the Clerk to read it:

AN ORDINANCE AMENDING ORDINANCE #62-2011; THE ORDINANCE ADOPTING NEW WARD BOUNDARIES FOR THE CITY OF NORTON, AND DECLARING AN EMERGENCY.

Second reading only.

RES #8-2012

Mr. Pelot offered Res. #8-2012 for its second reading and asked the Clerk to read it:

A RESOLUTION DETERMINING CERTAIN EXISTING LEVIES TO BE UNNECESSARY AND SHOULD BE TERMINATED UPON THE CERTIFICATION BY THE SUMMIT COUNTY BOARD OF ELECTIONS OF THE APPROVAL BY THE ELECTORS OF THE CITY OF A 4.6 MILL LEVY FOR PURPOSES SET FORTH IN SECTION 5705.19(I) OF THE REVISED CODE, AND DECLARING AN EMERGENCY.

Mr. Pelot moved to waive the third reading, seconded by Mr. Braman. Mr. Pelot stated that the reason for waiving the third reading is to have this adopted before the March 6, 2012 election.

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

Motion passed 7-0.

Mr. Pelot moved to adopt Res. #8-2012, seconded by Mr. Braman.

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

Motion passed 7-0.

UNFINISHED BUSINESS:

Mr. Nicolard stated that the Council Rules are in need of their final approval specifically relating to Rule 102 Nominations and Elections of President & Vice-President. Mr. Nicolard noted the author of that revised section Mr. Markey is present if there are any questions. Mr. Markey explained the difference on the existing rule and the new rule proposed. This provision would govern the entire procedure for the election of officers. Mr. Markey stated that this follows what other communities are doing and is a default to Roberts Rules, which is why this has been suggested. Mr. Nicolard noted that our current rules are not clear on procedure with multiple candidates and this revision addresses it. Mr. Nicolard stated that it was done the same way as other communities have been doing it and it is also according to Roberts Rules. Mr. Nicolard stated that this would be on the next Committee Work Session agenda for action.

NEW BUSINESS:

Mr. Moss asked for discussion at the next Committee Work Session on the Internet Café' legislation due to the fact we have several businesses that want to come into Norton and the current legislation prohibits this. Mr. Nicolard gave a brief rundown of the potential items for the next Committee Work Session agenda: Council Rules, Internet Café's, ODOT Consent legislation for culverts and Eastern Road paving, Tax Refund, Meth Labs, Director of Economic Development position.

PUBLIC SERVICE ANNOUNCEMENTS:

Mayor Zita read several announcements (see attached).

ADJOURN:

There being no other business to come before the Regular Council Meeting, the meeting was adjourned at 7:47 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 March 26, 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.