



**NORTON CITY COUNCIL
REGULAR COUNCIL MEETING
MONDAY, MARCH 12, 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, March 12, 2012 at 7:02 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:

Mr. Mowery stated that his last Town Hall meeting was very successful, nearly every table was full, and he had residents from all four (4) wards attending. Mr. Mowery stated that he would be holding another Town Hall meeting later on this month. Mr. Bergstrom stated he has scheduled a tentative Service Committee meeting next Thursday at 9:00 AM. Mr. Braman announced a Utilities Meeting for this Thursday, March 15, 2012 at 9:30 AM.

COMMUNICATIONS FROM THE PUBLIC:

Mike Hoofman, 3766 Long Drive, Norton, Ohio, stated he is an active member of Rolling Thunder Chapter II and advised everyone we have one prisoner of war in Afghanistan and was captured on June 30, 2009. He is Sgt. Bowe Bergdahl of U.S. Army and his birthday is March 28. He'll be 26. I'm asking the city to place a happy birthday announcement and indication to show support for him. We've made up yard signs and I'd like permission to install one at Williams Peace Park. Mayor Zita indicated that request is approved.

Ms. Kathy McGonagle, 4589 Roop Avenue, Norton, Ohio, spoke about her concerns of the Fire Dept., not being fully staffed after 10:00 PM. Ms. McGonagle stated she felt it was possible to reschedule the shifts to accommodate that. Ms. McGonagle asked if this also was the same for Fire calls too? Ms. McGonagle asked what about the money we are being taxed from 2007 levy, will we be getting a refund due to lack of service after 10:00 PM?

Ms. Gayle Brenner, 4041 Harper Avenue, Norton, Ohio, read a statement about the Fire levy, (see attached).

Mr. Dale Nelson, 3144 Rosebay Drive, Norton, Ohio, agreed with Ms. McGonagle and asked what happened to the money from the 2007 levy, and why don't we have a third shift.

Mrs. Elaine Tompkins, 3848 Cleve-Massillon Road, Norton, Ohio, raised issues with Res. #23-2012 to increase the budget to cover that \$37,816.00 as was presented to Council. However, in the pack there is an exhibit that now reflects a total increase of \$44,635.45.

CONSIDERATION OF THE MINUTES:

Minutes of the Regular Council meeting of February 27, 2012 were sent to the next Council meeting for approval due to corrections being added late. Minutes of the Committee Work Session of March 5, 2012 were sent to the next Council meeting for approval due to corrections being added late. Mr. Nicolard asked the Clerk of Council to read Council Rules Section #503, which state: *All corrections to the minutes shall be directed to the Clerk of Council prior to the meeting for approval. The Clerk of Council shall adopt any correction, which in the opinion of the Clerk of Council improves the accuracy of the record. The Clerk of Council shall advise the President of Council of all corrections requested but not adopted by the Clerk of Council. The President of Council shall have the authority to instruct the Clerk of Council to make any corrections, which the President deems to improve the accuracy of the record. Any Councilperson who has submitted corrections that are not adopted by the Clerk of Council may raise the matter at the consideration of Minutes for discussion by Council.*

REPORTS FROM OFFICERS, BOARDS AND COMMISSIONS:

Mr. Moss addressed Mrs. Tompkins' concerns relating to Res. #23-2012 and that there is no reference at all to an exhibit in the body of the legislation. The exhibit that appears in the packet does not go along with Res. #23-2012, and should be disregarded.

PUBLIC HEARINGS:

None

INTRODUCTION OF NEW LEGISLATION:

ORD #21-2012

Mr. Bergstrom offered Ord. #21-2012 for its first 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 FOR THE RESURFACING OF EASTERN ROAD AND DECLARING AN EMERGENCY.

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

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

Motion passed 7-0.

Mr. Bergstrom moved to adopt Ord. #21-2012, seconded by Mr. Pelot. Mr. Bergstrom discussed the various details and asked if w would be paying more or less? Mr. Moss stated this is just the Engineers estimate. Ms. Whipkey stated that the local share is \$148,000.00 and our cost is \$84,000.00. Ms. Whipkey stated this comes out of the 2012 Road Program Fund, which was allocated for a total of \$112,000.00 so there will be some left over.

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

Motion passed 7-0

ORD #22-2012

Mr. Bergstrom offered Ord. #22-2012 for its first 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 waive the second and third readings, seconded by Mr. Pelot.

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

Motion passed 7-0

Mr. Bergstrom moved to adopt Ord. #22-2012, seconded by Mr. Pelot. Mr. Bergstrom noted there is absolutely no cost to the City of Norton for these culvert replacements along St. Rt. 21.

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

Motion passed 7-0.

ORD #23-2012

Mr. Pelot offered Ord. #23-2012 for its first reading and asked the Clerk to read it:

AN ORDINANCE TO AMEND THE BUDGET FOR THE FISCAL YEAR ENDING DECEMBER 31, 2012 TO REFLECT AN INCREASE IN THE GENERAL FUND BUDGETED EXPENSES; AND DECLARING AN EMERGENCY.

First reading only.

ORD #24-2012

Mr. Braman offered Ord. #24-2012 for its first reading and asked the Clerk to read it:

AN ORDINANCE AMENDING ORDINANCE #95-2011; THE ORDINANCE TO AMEND CHAPTER 1478 TO THE CODIFIED ORDINANCES OF THE CITY OF NORTON, OHIO, AND DECLARING AN EMERGENCY.

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

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

Motion passed 7-0.

Mr. Braman moved to adopt Res. #24-2012, seconded by Mr. Pelot. Mr. Braman noted that this would now require the property owner to be responsible for the clean up.

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

Motion passed 7-0.

ORD #25-2012

Mr. Pelot offered Ord. #25-2012 for its first reading and asked the Clerk to read it:

AN ORDINANCE TO CONFIRM THE APPOINTMENT OF JOHN MOSS AS THE DIRECTOR OF COMMUNITY DEVELOPMENT OF THE CITY, AND DECLARING AN EMERGENCY.

First reading only.

ORD #26-2012

Mr. Mowery offered Ord. #26-2012 for its first reading, and asked the Clerk to read it:

AN ORDINANCE APPROVING THE EDITING AND INCLUSION OF CERTAIN ORDINANCES AS PARTS OF THE VARIOUS COMPONENT CODES OF THE CODIFIED ORDINANCES; APPROVING, ADOPTING AND ENACTING NEW MATTER IN THE UPDATED AND REVISED CODIFIED ORDINANCES; REPEALING ORDINANCES AND RESOLUTIONS IN CONFLICT THEREWITH; AND DECLARING AN EMERGENCY.

First reading only.

INTRODUCTION OF PRIOR LEGISLATION

ORD #5-2012

Mr. Mowery offered Ord. #5-2012 for its third 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.

Mr. Mowery moved to adopt Ord. #5-2012, seconded by Mr. Pelot.

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

Motion passed 7-0. Mr. Pelot noted that some of the residents voting poll location may change because of this and the Board of Elections will notify those residents. Mr. Pelot also noted this is not to take effect until 2012.

UNFINISHED BUSINESS:

None

NEW BUSINESS:

Ms. Whipkey stated she has received several complaints from residents after reading newspaper articles about lack of coverage at the Fire Station, and they are scared. Ms. Whipkey stated they are also not happy with the dates and times of various Committee Meetings being held at 9:00 AM. The residents cannot be there to hear what is being discussed. Mr. Bergstrom stated that he is the one that brought this forward, many other communities have morning meetings, and Cuyahoga County does it too. Mr. Bergstrom stated his goal is to be able to have all the experts' comments if necessary and gather all information and facts and then he would bring all of that to a Committee Work Session. Mr. Bergstrom stated as with all meetings, they are open to the public, and he felt this was another way to be able to keep Council informed. Mr. Nicolard stated that he also is not pleased with holding 9:00 AM meetings.

At 7:32 PM Mr. Pelot moved to temporarily adjourn the Regular Council Meeting for the purpose of an Executive Session, to discuss a personnel issue as permitted by ORC121.22(G)(2) and Norton City Charter Section 3.12 (A) (1), seconded by Bergstrom. Mr. Nicolard stated there would not be any legislative action as a result of the Executive Session and Council would only reconvene the Regular Council Meeting for the purpose to adjourn.

At 9:06 PM Council reconvened the meeting in order to adjourn.

PUBLIC SERVICE ANNOUNCEMENTS:

None

ADJOURN:

There being no other business to come before the Regular Council Meeting, the meeting was adjourned at 9:06 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.