



COMMITTEE WORK SESSION SEPTEMBER 4, 2012

Committee Members Present: Charlotte Whipkey
Dennis McGlone
Scott Pelot-Excused
Bill Mowery
Todd Bergstrom
Don Nicolard

Also Present: Mayor Mike Zita
Rick Ryland-Excused
Laura Starosta
John Moss
Justin Markey
Karla Richards
Ann Campbell

The Committee Work Session convened on Tuesday, September 4, 2012 at 6:00 PM, in the Council Chambers of the Safety Administration Building. The meeting was called to order by Don Nicolard, President of Council. Following a salute to the flag and the Pledge of Allegiance, there was a moment of silent reflection.

General Topics of Discussion:

Appoint Council Vacancy-Ord #74-2012

Mr. Mowery advised everyone that we have a list of five (5) basic questions to ask the candidates, adding that Council may ask any other questions they may have. Mr. Nicolard asked the residents to please give the respect due to all candidates.

Mr. Mowery asked Mr. Spisak for his interest in getting on Council. Mr. Spisak stated he was thinking of running next fall as Mr. Braman indicated he might not be running in the future. Mr. Spisak stated this was a sound reason he decided to submit interest. Mr. Bergstrom read the 5 questions. (See attached) and Mr. Spisak responded he is looking for short and long terms to grow this City. Mr. Spisak indicated it was numbing to him to see how bad our tax base is in this community. Mr. Spisak hoped to develop this in the future. Mr. Bergstrom asked about growth, and Mr. Spisak replied, employment and getting businesses into this city. Mr. Spisak commented on business growth and better roads, widening of Cleveland-Massillon Road. Once this happens this city will change whether we like this or not. Mr. Spisak stated he does have the time to devote to this property and is very flexible due to his home based business.

Mr. Spisak stated that we would see a lot of change, including actions of the school board. Our center of town will look different and if we don't grab onto that brass ring we will miss it. We have the means to do it right, by starting from a new. Mr. Bergstrom asked how would he handle issues that will come up from time to time and come to hard decisions? Mr. Spisak replied communication with the public is the number one thing to find common ground. Shouting and rolling your eyes does not get things accomplished. Our web page is very informative, and he suggested setting up a monthly newsletter that the residents sign up for. This would generate feedback as he feels the residents will reply to the newsletters. Ms. Whipkey asked what is his responsibility to the citizens, what do you owe them? How much public speaking would you allow? How do you relate with the majority of the residents in Ward 4 as opposed to looking at this as an administrative agency seat? Mr. Spisak stated when he states "the city" that means residents not Administration. When he talked about communicating, being on Council would achieve that goal.

Gerald Wise:

Ms. Whipkey asked Mr. Wise how relates with Ward 4 residents? Mr. Wise replied he relates pretty well, gets along with his residents and those at his church. Ms. Whipkey asked how he feels about public input, and how you would be receptive, what does their input mean to you? Mr. Wise was not clear about this question. Mr. Wise said he has been in public service since 1972 and knows how to respond to people. He was with the Summit County Sheriff's Department from 1972 to 2000 and has been in all types of situations. Ms. Whipkey asked are you a representative who fights for the people or a legislator? Mr. Wise stated he felt Council is elected to do what you feel is best for the people, not just what you think is best. Mr. Wise stated he is not someone to be pushed around. He has lived here since 1940 and is not a stranger to the area or responsibility. Mr. McGlone asked about short term and long term goals? Mr. Wise stated that we need to develop more businesses, better development of existing commercial property. Mr. Wise stated the widening of Cleveland-Mass. Road is a good idea. Mr. Bergstrom asked for more detail on what he thinks attracts more business to come or stay? Mr. Wise replied you need city water and utilities. If you want residents to locate here you need a good school system. Mr. Wise indicated he wants to see the City move ahead with more businesses in the area. Mr. Bergstrom asked about the dedication of time, and Mr. Wise stated he has plenty of free time to devote to this. Mr. Bergstrom asked about controversial issues and how he processes this to make a decision. Mr. Wise stated everyone has to deal with the City as a whole, not a small amount of residents and not just Ward 4. Mr. Mowery asked what sticks out in his mind that has helped him out in all the years he has lived here? Mr. Wise stated the township educated him, provided him with work when he was younger.

Mr. John Conklin

Mr. Mowery asked what are we going to do different this time around? Mr. Conklin stated that he wants to pry the lid off of the water and sewer agreement and get something better that works for us and not for them. Mr. Conklin stated this was put into place before he came on Council and has been barely touched since he left. This agreement has slowed our development and has not helped us.

Mr. Conklin noted most of 4th ward residents are on septic systems and most systems are quite old. Mr. Mowery discussed the assessments for sewers and the hardships it will cause. Mr. Conklin recalled a situation in the Rockcut Road area where we worked with the Barberton Health District at that time to get it resolved. Mr. McGlone asked why he decided not to run the last time? Mr. Conklin replied that he made a mistake with that. Mr. Conklin stated he is not into going door to door, kissing babies and that he did a poor job of running for re-election because he was more focused on the issues on Council at that time, which cost him his seat. Mr. Conklin stated he is all about the job. Ms. Whipkey asked her same questions about public comment, and if he would be more of a legislator or administrator? Are you open to the people's views or are you more interested in other ideas? Mr. Conklin stated as the City is set up by wards, and it's your responsibility to listen and know what those residents in the your ward feel and bring that to Council. Everyone may have a different technique to do that. You must also understand the needs of the City and to communicate that on both sides. Mr. Conklin commented on the public's right to speak and anytime you go against that you will have problems. Mr. Conklin discussed the frustration trying to reach our State Representatives in Columbus; you cannot get to them unless you have a big checkbook. Mr. Bergstrom questioned what he would like to see for the City in Ward 4? Mr. Conklin stated Ward 4 does not currently have the same issues as Nash Heights, but it could affect Ward 4 in the future, and we need to be watching out for that. Mr. Bergstrom asked if he is more with the majority of the residents, and Mr. Conklin stated he believes Ward 4 would not be interested in doing sewers due to the expense. Mr. Conklin stated the question really is do you win the battle or lose the war? Will the City be able to avoid the EPA aspect by their decision not to move forward? Mr. Bergstrom asked if he would like to see sewers move forward, and Mr. Conklin replied yes. Mr. Bergstrom asked about long-term goals, and Mr. Conklin agreed with prior statements that growth is important, and we lack the proper tax base. We hurt ourselves in the long run by not addressing this. Mr. Conklin stated he just heard about FOMO Products moving their production up to Romig Road. Mr. Bergstrom discussed the controversial issues and hard and unpopular decisions, and asked how he would process this? Mr. Conklin stated we have to listen and there is a point when we may need to take two (2) steps back and revisit that if it's not compatible for the City or residents. Mr. Nicolard asked how many years he served on Council, and Mr. Conklin replied six (6) in addition to the eight (8) years on Planning & Parks before being appointed on Council and has been serving ever since he lost his seat on Council so about twenty (20) years total.

Paul Tousley:

Mr. Mowery noted Mr. Tousley has been at some of the town hall meetings, and asked his opinion on sewers. Mr. Tousley stated he is a big fan of responsibility and not everyone has a failed system, it's like sharing the wealth on the reverse side. Mr. Tousley stated we should be able to work with the EPA on this. Mr. Tousley stated there has got to be a way to look at the personal responsibility and leaving this up to the individual. Mr. Bergstrom did agree with the responsibility issues, but asked what happens when it's a bigger problem that affects the entire City, how do you resolve this? Mr. Tousley asked do you mean because of affordability or the rules say they must comply with?

Mr. Bergstrom replied both. Mr. Tousley said to replace your septic system is more affordable. Mr. Tousley discussed the rules, adding that he feels this needs more attention, and every option needs to be on the table before he will take someone's money. Mr. Bergstrom asked how would he initiate the investigative process? Mr. Tousley replied the first thing is to ask Mr. Ryland to do his job. Mr. Tousley stated he would call all State Representatives and get their input. Mr. McGlone gave a scenario of a new business wanting to come in but we have to run a sewer line to get it to them. Mr. Tousley stated he feels the residents come first, businesses are not looking for sewers, and they are looking at any way to cut regulations and save thousands of dollars. Mr. Tousley stated it is the people's opinion that counts. Mr. McGlone asked if he would be able to work with the Administration and Mr. Tousley replied yes as long as they understand they work for the people, not themselves. The residents are so disgusted with the City and upset and we need to work on that image. Mr. Bergstrom asked how he feels about the Ward 4 residents, and Mr. Tousley stated he has not met one person in his ward that is for the sewers. He is an average person, gets along good with his residents. Mr. Bergstrom asked about long term goals ten (10) years from now and Mr. Tousley wants to see this whole sewer issue in our past, and the people being more involved in our city government. Mr. Bergstrom asked if he was willing to work with us the best we can if it is clear that we don't really have a choice? Mr. Tousley stated until he gets the word directly, and he would like to see someone from the EPA. Mr. Bergstrom discussed the time he has to dedicate and Mr. Tousley stated he would have the time, its important to his kids that live in this community. Mr. Bergstrom asked about the controversial decisions and how he would address this. Mr. Tousley stated his opinion comes second to the residents, and he is very open in listening to the people. Mr. Bergstrom commented on the bedroom community the residents want to continue to have, but we cannot have that and be able to take care of issues. Mr. Tousley disagreed; it's not his job to take care of services for the people. Mr. Tousley stated he would like to see the roads in better condition, his taxes have gone up three (3) times since he lived here. Mr. Tousley stated he would like to see the tax credit repealed and take that revenue and put into the roads. Mr. Bergstrom discussed the costs of roads and services going up and revenue does not change. Mr. Tousley stated he has a hard time understanding the taxes coming in and income is supposed to go up so we should have the funds to do roads. Mr. Tousley stated this is why he is suspicious of the spending in this City. Ms. Whipkey asked are you telling us that you are more representative than legislative, and Mr. Tousley concurred.

Mr. Bergstrom thanked the candidates for the time and input for tonight. Mr. Mowery noted that Mr. Pekarek was running late tonight and Council decided not to have a recess, and move forward. Ms. Whipkey asked about public comment, and we should listen and it seems this Council is looking more at this as agenda driven as opposed to what the people want. Ms. Whipkey stated that we need to listen to the people's input this is their representative, and we do have several good candidates that can do that. Mr. Mowery stated he wanted to see some sort of overhaul in the people's direction, and someone to represent the citizens. Mr. Mowery stated the bottom line is the people and they are 12,000 strong. Mr. Mowery stated you have to have a Councilperson that can represent you.

Mr. Pekarek arrived at 6:57 PM and apologized for working late and the short notice in time change. Mr. Mowery asked about representing the residents, Mr. Pekarek stated he ran the last time against Mr. Braman, and at large. Mr. Pekarek understands the residents do not want sewers and he has been quoted as being a “tax hike” person. Mr. Pekarek stated he does sympathize with the residents, and wants to come up with a compromise and a solution. He is willing to listen to members of Council and work with the residents. Mr. Bergstrom asked if while campaigning did he get a sense of the people and what they wanted? Mr. Pekarek stated the majority felt they wanted sewers and some were angry about having just put money into their system. Mr. Pekarek stated he has spoken to and argued with Mr. Ryland on this very subject. Mr. Bergstrom asked about long term-short term goals, and Mr. Pekarek stated he believed in long term goals, communication, is crucial. He wants to give it his all and make it happen. Mr. Pekarek stated he would go door to door and talk to the residents, and he does have a plan to go forward, and no one wants to be punished or pay taxes. Mr. Pekarek stated there has to be a solution to make it work for the people. Mr. Bergstrom asked about devoting the required time and Mr. Pekarek stated yes he does have the time and has recently stepped down from a position at Akron U. Mr. Bergstrom asked about diverse issues and how he would handle that decision process. Mr. Pekarek stated he is willing to sit and listen, research the issue, and work in a way that benefits the City. Mr. Bergstrom asked about the costs of continuing providing services to the residents, and the revenue source we have to deal with. Mr. Pekarek stated that he would sit down with the Planning Commission/Planning Director to see where and how to bring in businesses to increase the revenue. It’s not his money here, its all of our money and he hates waste. We may have to make some unpopular decisions and cuts and will have to explain why. You want to be able to give what you can without cutting your throat. That means bringing in utilities, sewers, etc. Ms. Whipkey questioned his comments about residents expressing they would like to sewer and water and asked if they were aware it would come at a high costs? Ms. Whipkey asked if he has sewer and water and if he was assessed for that? Mr. Pekarek stated he does have sewer and not sure of the total costs. Ms. Whipkey asked about his assessment and Mr. Pekarek stated he was assessed for the tap in fee. Ms. Whipkey stated that the assessment and a tap in fee are two (2) different things. Ms. Whipkey asked if he would be representative or legislative and allow the people their right to speak? Mr. Pekarek stated there is nothing wrong with that and if they come to Council they should have a right to speak. Ms. Whipkey stated the Charter Review Commission which he chaired did not allow public comment and asked why? Mr. Pekarek stated that no one asked me why? There was a reason to that, it’s to have the public comment or concerns in writing to relate to the Commission and ask for input. He would have been able to respond to them in writing and this and he would have proven that all across the board on that issue. Mr. Pekarek discussed the pubic attacks on a certain website stating that he has a criminal background which he does not. Mr. Pekarek stated he is no relation to a James W. Pekarek and does not even know who that person is. Mr. Pekarek stated that all of the Charter issues the Commission brought forward passed by voters.

Mr. Mowery stated that he has no problem with the public commenting on this issue if Council decides. Mr. Bergstrom asked about the process in the Charter on appointing this vacancy.

Mr. Nicolard stated that the process goes with Res. #74-2012 on tonight's agenda to be added to Committee of the Whole. Mr. Nicolard stated the Law Director indicated we could vote in the same manner as the Organizational Meeting. After nominations he would appoint two (2) tellers and we would write down who we wanted and the tellers would record the vote or we can do a voice vote. It does require four (4) votes to approve the candidate and we have one member excused tonight. Mr. Nicolard stated that if we do not have the four (4) votes, then we revisit this again on September 10, 2012 which only leaves us with five (5) days before the Mayor gets to appoint. Members present confirmed they wanted to elect by a voice vote. Mr. Mowery moved to allow for public comment regarding the candidates, seconded by Ms. Whipkey.

Roll Call: Yeas: Mowery, Whipkey, McGlone
Nays: Bergstrom, Nicolard

Motion failed 3-2 no public comment will be permitted.

Mr. Nicolard called for nominations and Ms. Whipkey nominated Mr. Tousley. Mr. Bergstrom nominated Mr. Pekarek, and Mr. Nicolard nominated Mr. Spisak.

Mr. Bergstrom requested a short recess to review comparisons of the candidates nominated. Mr. Nicolard called for a five (5) minute recess. Upon return from recess Mr. Nicolard closed the floor for candidates and instructed the Clerk of Council to call the roll.

The Clerk announced the three (3) candidates and called for a voice vote from each Council member as to their choice of candidate:

Mr. McGlone voted for Paul Tousley
Ms. Whipkey voted for Paul Tousley
Mr. Mowery voted for Paul Tousley
Mr. Bergstrom voted for Mark Spisak
Mr. Nicolard voted for Mark Spisak

Vote of 3-2 failed needs four (4) affirmative votes; this will take place again on September 10, 2012.

Proposed Charter Amendments

Mr. Mowery moved to place all four (4) charter amendments Ord #76-2012, Ord #77-2012, Ord. #78-2012 and Ord. #79-2012 on tonight's special agenda, seconded by Ms. Whipkey.

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

Motion passed 5-0.

Mr. Bergstrom moved to add Res. #75-2012 to tonight's special agenda, seconded by Mr. Nicolard.

Roll Call: Yeas: Bergstrom, Nicolard, McGlone
Nays: Whipkey, Mowery

Motion failed by 3-2 vote, 5 years are required.

Unfinished Business:

Ms. Whipkey asked for public discussion on each of the Charter issues since they were just added to agenda. Mr. Nicolard stated he has never held people to the agenda or non-agenda items, if they wish to comment they may. Ms. Whipkey stated she thought we would be reading each of the Charter amendments now. Mrs. Richards clarified that Council just moved to add them to the Special Council Meeting agenda and they would all be read at that meeting. Mr. Nicolard noted that because there is no public comment at a Special Council Meeting, discussion would be addressed now. Mr. Mowery asked the Clerk to Ord #76-2012.

ORD #76-2012- AN ORDINANCE SUBMITTING TO THE ELECTORS OF THE CITY OF NORTON A PROPOSAL TO AMEND ARTICLE III, SECTION 3.06 OF THE CHARTER OF THE CITY; AND DECLARING AN EMERGENCY.

Mr. Mowery read the proposed amendment changes, as follows:

and the unexpired term of office of the vacant Councilperson shall be greater than or equal to nine calendar months, the vacancy shall be filled for the remainder of the term by a special municipal election. The special election required under this section shall be called for by the Council and otherwise administered at the nearest available time. The Council shall remain vacant until the result of the special election shall be certified by the Summit County Board of Elections.

Whenever the office of a Councilperson shall become vacant for any reason, and the unexpired term of office of the vacant Councilperson shall be less than nine calendar months, the vacancy shall be filled for the remainder of the term by a majority vote of the members elected and appointed to Council of all remaining members of the Council after the effective date of the vacancy. If the vacancy is in an office of a Councilperson representing a ward, such vacancy must be filled from that ward. If the vacancy occurs in the office of a Council-at-large, such vacancy can be filled from any ward within the Municipality.

Mr. Bergstrom asked if we are permitted to make suggested edits to this? Mr. Markey replied no.

Mr. Bergstrom asked if we are permitted to discuss the actual cost for a special election because it could fall when there is no General Election. Mr. Bergstrom asked what is there then to really discuss?

Ms. Karen Harley, 3232 Harper Avenue, Norton, Ohio, asked for clarification that if there is more than nine (9) months and should go the route as we did tonight? Mr. Bergstrom stated the only impact he sees with this change and it should be required that the candidate run for that position. Ms. Harley stated she wants the term filled for the remainder over nine-months by a vote of those residents, not Council.

Mr. Nicolard noted that he would have the Clerk of Council read all of the proposed Charter Amendments and that we are bound by the Charter to send these all to the Board of Elections for the voters to decide.

Bonnie Gardner, 4556 Roop Avenue, Norton, Ohio, stated that it sounds good and it saves us money, but if we have no voice in this current vacancy. She feels that even if we have only one (1) month remaining on a term, she wants a special election. They are our representative not yours, we are the ones that should be commenting on who we want, not you telling us who you want.

Tracy Burley, 3847 S. Hametown, Norton, Ohio, supports the amendment as it stands, and what Council currently doing is not representative of the people. It should be up to the people to say whom they want, that's what this process is all about. It seems every move is to stifle the comments, we should be left with an election.

Dennis Pierson, 3793 Easton Road, Norton, Ohio, spoke about the costs of a special election, and the costs of frivolous spending like \$18, 000.00 on a scale, \$12,000.00 on a basketball court and \$19,995.00 on a parking lot. Mr. Pierson noted that we do not have Council members resigning all that often. Even if we have to have a special election it is deserving to the people. Mr. Pierson stated that if you don't do something with these Charter Amendments tonight to push these through, there would be a special election. Mr. Pierson noted that the legislation must be filed with the Board of Elections by the September 7, 2012 deadline. Mr. Pierson discussed the costs to hold a potential special election as being in excess of \$10,000.00 and it's up to you to make the decisions, and you will be the ones that cost the people this money. The residents made their wishes known do what is right and urged Council to stop playing games sand screwing around like you did tonight with the Council vacancy appointment.

ORD #77-2012: AN ORDINANCE SUBMITTING TO THE ELECTORS OF THE CITY OF NORTON A PROPOSAL TO AMEND THE CHARTER OF THE CITY BY ADDING ARTICLE III, SECTION 3.20; AND DECLARING AN EMERGENCY.

Mrs. Richards read the proposed amendment, which reads as follows: Effective upon passage by the electors, the Administration and Council shall have up to sixty days to arrange for and commence public airings of all Council meetings, work sessions, and workshops. All aforementioned Council meetings shall be televised "live", in their

entirety, without censorship and/or editing. Such televised broadcasts shall further be offered twice weekly during repeat airings for public accessibility. Additionally, Council shall arrange for copies of the recorded Council meetings to be available at minimum cost to the public upon request or at no cost to citizens supplying their own suitable medium for recording.

ORD #78-2012: AN ORDINANCE SUBMITTING TO THE ELECTORS OF THE CITY OF NORTON A PROPOSAL TO AMEND ARTICLE V, SECTION 5.03 OF THE CHARTER OF THE CITY; AND DECLARING AN EMERGENCY.

Mrs. Richards read the proposed amendment, which reads as follows:

APPROVAL OF CONTRACTS.

No contract involving an expenditure in excess of the amount set by the Ohio Revised Code above which competitive bidding is required fifteen thousand dollars shall be awarded without the approval of the Board of Control. (Amended November 8, 2011) and the approval of not less than two thirds of the elected and appointed members of Council.

Mr. Markey noted that this change would also require a two-thirds approval by Council for anything over the \$15,000.00 threshold.

ORD #79-2012: AN ORDINANCE SUBMITTING TO THE ELECTORS OF THE CITY OF NORTON A PROPOSAL TO AMEND ARTICLE V, SECTION 5.09 OF THE CHARTER OF THE CITY; AND DECLARING AN EMERGENCY.

Mrs. Richards read the proposed amend, which reads as follows:

or by a motion and vote of the majority of members elected and appointed to Council in favor of the removal. ...This request shall be made within ten days after the Mayor's decision to remove or the Council's decision to remove.

Mr. Mowery added that the Council removal from office is a final decision.

Mr. Paul Tousley stated he did go to several homes with the petitions, 100 percent of the residents he spoke to stated that they wanted this. Mayor Zita questioned the issues Ms. Whipkey's concerns if the public wanted the changes, and the cost involved with sanitary sewers. Mayor Zita stated that with each and every Charter Amendment would come at a cost and he hopes you all understand this and it is a cost the entire City will bear. Mr. Nicolard asked Mr. Markey for clarification about the decision of the Council shall be final, and if this takes away the Mayors right to veto and Mr. Markey replied yes. Mr. Markey indicated that with the proposed removals, it will now require two processes; one for the Mayor to remove and another for Council to remove.

Mr. Markey stated once Council acts there is no option for the Mayor to veto the decision of Council, however anyone can challenge a removal in Court. Mr. Markey stated the Charter supercedes any ordinances. Mr. Mowery discussed a removal of the Finance Director by a former Mayor and there was discussion about section 9.04 and the due process involved. Ms. Whipkey stated she feels due process still remains because the employee can still come to Council. Mr. Markey stated that the due process goes to the enumerated reasons as indicated in Section 9.04 and they would have to be in violation of all sections of 9.04 of the Charter. Mayor Zita stated he sees this is currently an appeal process, and by removing that then Council has the right to fire. This proposed amendment would then allow the administrative person to come back and appeal to Council. Talk about a fox watching the hen house, he can see legal issues coming out of this.

Mr. Jack Gainer 3920 Wadsworth Road, Norton, Ohio, asked about the Administrative Officer or Finance Director currently serves at the Mayor's pleasure, and now if this Charter Amendment would pull the administrative authority away from the Mayor and turn that over to Council? Mayor Zita concurred that would be the case. Mr. Gainer asked how in the world do you think that Council would appoint that replacement when Council cannot even appoint the Ward 4 vacancy position? Mr. Gainer stated the Mayor is elected to administrate the City, and now you want to take his power away? Mr. Gainer stated Council would not have any idea on the qualifications of an administrative position. This is a bad idea to allow Council to hire and fire our administrative positions.

Mr. Steven Fannin, 2811 Shellhart Road, Norton, Ohio, stated that he drafted these Charter Amendments. Mr. Fannin stated that if you want save the City money, or consolidate Admin Departments, then begin by firing Mr. Ryland. Begin by taking steps to initiate the steps to the changes we have brought forward. Respond to the changes we have brought because you won't proceed with these changes yourselves. We are proposing to a change to our government because you won't do this yourselves. We are not encouraging that Council take the power away from the Mayor, we are empowering Council. We do not like the procedures you have put into place with the Charter amendments that run around the people. We would like to make the Charter more like the Ohio Revised Code. Mr. Fannin strongly urged Council to move forward with these and to see that there is no defect in their submission.

Danny Grether, 2831 Brookfield Drive, Norton, Ohio, stated an up or down vote is definite because you are bound by law to do so. If you are truly speaking for the people then let us know the real costs, televised meetings are costs, special elections are costs. We have asked you to cut the budget and save money. Mr. Grether stated he would like to know during their petition process if it was clear to the voters that there would be costs associated with these amendments. If it's coming out of his pocket he wants to know the true costs. Mr. Grether cautioned the idea of leaning more to the Ohio Revised Code, and by doing so that puts back to a statutory City. Mr. Grether stated that Mayor Zita won this election by 2700 votes of the people, and to take away his powers is not right. Mr. Grether stated that you are asking for trouble to give Council the power to hire and fire people.

Tracy Burley, Hametown Road, Norton, Ohio, stated that she read the amendments and supports them, we are not asking for anything to be passed tonight, we are asking for you to give the citizens the opportunity to do the same thing. Put them on the website for everyone to read. Everything is in order and has been done right; we are just asking you to finish it the rest of the way. Ms. Burley discussed the televised meeting and we do have a lot of elderly residents that cannot get here and the last posted MP3 on the website is from with May or June. Ms. Burley discussed Council having a rash decision to fire someone. Ms. Burley stated she is not concerned with the Council saying something like they don't like someone's hair cut and fire them, that's not going to happen.

Sharon Fannin, 2811 Shellhart, Norton, Ohio, stated that there is one thing she will spend money on is to have her voice be heard.

Mayor Zita read a letter to former Mayor Koontz from Time Warner relating to the terminating of televised meetings and with all of the public records requests out there he was confident several resident have a copy as well (see attached). Mayor Zita commented of feedback on costs associated with televised meetings received in an email (see attached). Mayor Zits recalled the history of the process of airing the tapes in the past. This was a free process and the quality of the taping and sound was very poor. Mayor Zita quoted construction costs from 2010 was over \$18,000 and additional costs of \$8,000 for delivering to the hub. None of these cost include upgrades to the equipment required to offer live service. We will have to hire a TV camera crew on site, at various nights and to say there is no cost is not correct. Mayor Zita stated he hoped that whoever was out there circulating these petitions was informing the residents properly.

Rick Rodgers, 3044 Wadsworth Road, Norton, Ohio, asked for the costs of the sewer project for each homeowner, and Mayor Zita estimated \$12,000-\$15,000. Mr. Rodgers stated that he knows of a resident who has paid almost \$20,000.00 for an easy hook up. Mr. Rodgers stated he would have to pay more as well. This process for vacancy tonight was a shame with your interviews. Mr. Rodgers stated that if you cannot sell your ideas to the people then the people wont vote for you.

Mr. Pierson, 3796 Easton Road, Norton, Ohio, asked if the city gets a license fee from every resident that is a Time Warner customer and what was that amount collected from last year and Mayor Zita stated that he did not have those figures tonight. Mr. Pierson stated that he knew that number it was \$80,000.00 last year and \$125,000.00 so far this year. Mr. Pierson discussed the \$35,000.00 spent last year for gazebos at Columbia Woods Park. It's not your money it's the people's money and if they vote for this then that is their decision. Mr. Pierson discussed the lessons in government ethics, and the three (3) branches of government. We should have the ability to remove people that do not do their jobs; you need to be responsible to the people and their money. They are not beating you down, they are just asking you to make decision on the people's behalf and you do represent us. Mr. Pierson discussed the comments at the end of the July 2, 2012 meeting, you had over 200 residents at that meeting and that most of you would be embarrassed about your comments at the end of the meeting that the audiotape did not pick up.

Unfinished Business:

None

New Business:

None

Topics for the next Work Session:

2012 ODOT Agreements for mowing & spraying
Prosecutors Agreement for Barberton Court
Solar Energy Agreement
Transfer Funds-Cable Franchise Agreement
John Street TIF Agreement

Public Comment-Agenda and Non Agenda Items:

Richard Gardner, 4556 Roop Avenue, Norton, Ohio, commented about a certain Council member using stalling tactics and was sure that next week you would have more members and your cronies to take a vote. We proposed a person we wanted to see fill this position. Mr. Gardner stated he couldn't believe the previous comments about residents wanting to have sewers. Mr. Gardner stated he talked to a lot of people and could only come up with two residents that want sewer. Mr. Gardner stated he has no issues with these Charter amendments and hopes you will come up with actual figures on the costs involved, and the people have the right to vote for it or not. Mr. Gardner stated you couldn't tell him we couldn't have more businesses in Norton without having sewer and water first. Mr. Gardner stated he knew of three (3) people on Council he would not vote for and four (4) people that he would vote for.

Karen Harley, 3432 Harper Avenue, Norton, Ohio, stated there is a lot talk about growth in Norton and agrees with some of this, however she asked what area are we talking about? We have three (3) main roads that would be best for this. This sewer project is for sewer everywhere, and questioned how far west does the City boundary go on Wooster Road West? If you want to have growth, it needs to be near the on and off ramps, you need to look here for commercial sewers. Ms. Harley discussed the comments from Mr. Nicolard on public comments. It tells her that you really don't care what we think before the vote. All that matters to you is what you deem important and that is not right. We pay all of you and without our taxes you don't exist or have jobs. It's like a slap in the face to move the talking to the end of the program. You need to put that back at the beginning or it can really disrupt the entire city.

Danny Grether, 2831 Brookfield Drive, Norton, Ohio, stated he could not agree more with the last speaker and the amount of highway miles that should be developed, not the town center. We need to protect that downtown feel. Mr. Grether stated its ok to protect your downtown center, but develop out further near the highways. Mr. Grether discussed the pending zoning issue and that he would not support anything more than a B-2. Do you realize we have the most undeveloped highway miles in Summit County and we are getting laughed at because we do not know how to develop it?

The caveat is to get water and sewers out there, and it has to start in someone's neighborhood. Mr. Grether discussed the passion of the residents, however if the Charter Amendment for televised meetings were to pass by the voters, we need to be more civilized with our comments.

Mr. Fannin, 2011 Shellhart Road, Norton, Ohio, encouraged all of the Council for the proper vote on the amendments as they have been proposed. They are a valuable thing for the citizens.

Adjourn

There being no other business to come before the Committee Work Session, the meeting was adjourned at 8:34 PM.

Don Nicolard, President of Council

****NOTE: THESE MINUTES ARE NOT VERBATIM****

All Committee Meetings will be held at the Norton Safety Administration Building, unless otherwise noted.