



**NORTON CITY COUNCIL
SPECIAL COUNCIL MEETING
WEDNESDAY, JANUARY 16, 2013**

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

Also Present:
Mayor Mike Zita
Rick Ryland
Laura Starosta
Pete Kostoff
Attorney Finn-Roetzel & Address
Karla Richards
Ann Campbell

The Special Council Meeting convened on Wednesday, January 16, 2013 at 7:04 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.

EXECUTIVE SESSION

At 7:05 PM Mr. Nicolard moved to adjourn the Special Council meeting to enter into Executive Session for the reasons of pending or imminent litigation as provided in O.R.C. § 121.22 (G) (3) & Section 3.12 of the City of Norton Charter, seconded by Mr. Bergstrom. Mr. Nicolard invited Mayor Zita, Mr. Kostoff, Mr. Ryland, and Mrs. Starosta to attend and asked the remaining attendees to exit the Council Chambers. Mr. Nicolard noted that Council would reconvene the Special Council meeting when finished with Executive Session in order to address New Business.

Executive Session ended at 7:56 PM and Mr. Nicolard reconvened the Special Council Meeting back into session.

NEW BUSINESS

Motion of 7-2-12 Tabling Future Sewer Projects

Mr. Bergstrom moved to repeal the motion presented by Mr. Mowery on 7-2-12, seconded by Pelot. Ms. Whipkey asked to have clarification that this is to remove from the table any sewer projects, discussions, communications in order to open up a platform with the EPA and Mr. Bergstrom concurred. Ms. Whipkey stated this strictly for communications and it's not saying we are going to start putting in sewers immediately, this is just a gathering of information. Mr. Bergstrom stated that sounded appropriate to him. Mr. Mowery stated this was his original motion, and he does not totally agree with Ms. Whipkey's statement.

Mr. Mowery stated his reason for tabling was so that we did not blindside the residents, knew the costs, and he wanted to see everything done to keep that from happening under his

watch. We did not say the Administration couldn't negotiate, or talk to whomever they wanted to, which they did. Mr. Mowery stated he couldn't go along with this because not enough has been done for an argument for the people.

Roll Call: Yeas: Bergstrom, Pelot, McGlone, Conklin, Nicolard
Nays: Mowery Whipkey.

Motion passed 5-2

Authorize the Mayor/Administrative Officer to negotiate a schedule with Ohio EPA

Mr. Bergstrom moved to authorize Administration to negotiate a schedule with the EPA to make the City of Norton compliant with the illicit discharge situation, seconded by Mr. Pelot. Mr. Mowery stated that he hoped the Administration and the Mayor strongly give a firm accountability of the people who have septic systems and what is facing the residents. Mr. Pelot stated that believed the Administration would negotiate within the best interests of all citizens in making certain the City does not get sued. If you don't think that's the case then you need to go look at Akron and see what is happening there. Akron thought they could just keep pushing this off and look what is happening there now. Once they (EPA) starts levying fines then everyone will say why didn't the City do something to stop this? That is why you are authorizing the Administration to negotiate now, it does not mean anything else other than that and how we are going to get out of the mess we are in. Mr. Conklin stated that by acting what is on the floor this makes us able to respond with the EPA's request to reply by January 22, 2013. Mr. Conklin asked how long would we have to vote on legislation for a plan and Mr. Ryland replied that is up to the negotiations with the EPA. Ms. Whipkey stated that anything negotiated would have to come back to us for a vote and this is just to allow jaw music with the EPA and putting this off before they come back on us like a pack of jackals. Mr. Bergstrom stated that is what we are hoping for. We are trying to mitigate that issue by allowing the Administration to do that. Ms. Whipkey stated that she doesn't support this agency at all, or its tactics.

Roll Call: Yeas: Bergstrom, Pelot, McGlone, Conklin,
Nays: Mowery, Whipkey

Motion passed 5-2.

ADJOURN:

There being no other business to come before the Special Council Meeting, the meeting was adjourned at 8:04 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 January 28, 2013.

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.