



**NORTON CITY COUNCIL  
REGULAR COUNCIL MEETING  
MONDAY, JUNE 10, 2013**

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

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

The Regular Council Meeting convened on Monday, June 10, 2013 at 7:00 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:**

There were no reports.

**COMMUNICATIONS FROM THE PUBLIC:**

Jason Sams, 3782 Long Drive, Norton, Ohio, stated that he was back to discuss the Charter Amendment and that he noticed this will be on the ballot according to the Board of Election's website. Mr. Sams questioned once again how are we going to fund this? Mr. Sams stated that although he can appreciate the peoples efforts and standing for what they believe in, however he is very concerned that moving forward we will have financial cuts, and where are those cuts going to come from? Mr. Sams noted that he has been employed by the City for thirteen (13) years, he is here tonight speaking as a resident. Mr. Sams stated that it seems every time the Police Dept., is always the first one under scrutiny and the first one to lose budgeted dollars. Mr. Sams stated that he does not want this to be the Citizens4Norton or the Charter amendment against the Norton Police Department. Mr. Sams stated that the Police Dept. does a wonderful job in this community and the majority of Council were supporters of us with Issue 45 in the past. Mr. Sams stated he would like to know where each Council member stands regarding this amendment. It concerns him that we will have another fight on our hands. Mr. Sams noted that there are four (4) of you up for election and that also causes him concerns. Where are we going to get the dollars to fund you? Internet cafes have been an issue, we lost thousands there; state funding is down; and there's the school levy which we do need a good, safe school system. He has sewer and water and knows what his bill is; it is alarming to see people will be paying \$35, where will we get the money. Mr. Sams stated he hoped this fight between the Administration/Council and the Citizens4Norton does not end up eliminating the Norton Police Department.

**CONSIDERATION OF THE MINUTES:**

Minutes of the May 20, 2013 Committee Work Session were approved as submitted.  
Minutes of the May 28, 2013 Regular Council Meeting, were approved as submitted.  
Minutes of the June 3, 2013 Committee Work Session, were approved as submitted.  
Minutes of the June 3, 2013 Special Council Meeting, were approved as submitted.

**REPORTS FROM OFFICERS, BOARDS AND COMMISSIONS**

Mayor Zita replied to Mr. Sams' comments and that he now and has always supported the Norton Police Department, and will continue to do so. However if this Charter amendment passes in August, cuts will be made and not only the Police Department, but anything that comes out of the General Fund will be looked at in order to do what we have to do. Mayor Zita reminded everyone that the Service Department and Clerical Department also come out of the General Fund. Mr. Ryland reported that he received notification today from the Ohio Public Works that we are eligible for a \$1.25 million dollar grant for the Nash Heights East project at zero percent interest. Mr. Ryland noted that since we have opted not to move forward with that he will need instructions on denying this money and sending this money back to OPWC. Mr. Kostoff reported that we have filed a reply brief in support of a summary judgement relating to the Paluch lawsuit. All of the documents and pleadings relating to that case have been filed with the 9<sup>th</sup> District Court and we await the court's action.

**INTRODUCTION OF NEW LEGISLATION-None**

(\*\*Note the order of business was adjusted slightly to accommodate the timing of the Public Hearing).

**INTRODUCTION OF PRIOR LEGISLATION:**

**ORD #37-2013**

Ms. Whipkey offered Ord. #37-2013 for its second reading and asked the Clerk to read it:

AN ORDINANCE DECLARING CERTAIN CITY PROPERTY AS NO LONGER NEEDED FOR MUNICIPAL PURPOSES AND AUTHORIZING THE ADMINISTRATIVE OFFICER TO ADVERTISE THE PROPOSED SALE OF SAID PROPERTY AND DECLARING AN EMERGENCY.

Second reading only.

**UNFINISHED BUSINESS:**

Mr. Bergstrom asked Mr. Ryland how he is coming along with the spreadsheet on capital improvements, and Mr. Ryland replied he is still working on it.

**PUBLIC SERVICE ANNOUNCEMENTS:**

Mayor Zita read several announcements, (see attached).

**NEW BUSINESS**

Ms. Whipkey announced that Mr. Perkins of Perkins Communication would be making a presentation at next Monday's Committee Work Session. This will allow the public and Council to be able to hear what he has to say about putting the Council meetings on Time Warner channel. As she stated before, this is an avenue we really need to look at as the best possible medium to see and hear the Council meetings.

**PUBLIC HEARING-ORD # 36-2013 at or about 7:15 PM**

**AN ORDINANCE REZONING PROPERTY LOCATED AT 3888 LONG DRIVE, FROM AN R-1 DISTRICT TO AN R-5 DISTRICT, AND DECLARING AN EMERGENCY.**

At 7:15 PM Mr. Nicolard temporarily adjourned the Regular Council Meeting in order to convene the Public Hearing for Ord. #36-2013. Mr. Nicolard asked the Clerk to certify the legal notice for this public hearing. Mrs. Richards certified that a legal notice was published in the Barberton Herald on May 23, 2013 and that notices were mailed to the contiguous property owners on May 24, 2013. Mr. Nicolard called for anyone in favor of this rezoning to come forward, noting that the applicant has the right to speak first. Mr. Nicolard called twice more for anyone in favor of this rezoning to come forward. Mr. Danny Grether, 2831 Brookfield Drive, Norton, Ohio and a member of the Planning Commission, commented that this is an R1 to R5 proposal that was sent from the Planning Commission on to Council. It was stated that these are the same as what is across the street, and he wanted to clarify that these new units are to be a single story structure, not the two (2) story as located on the other side. Mr. Grether stated that he is in favor and supports this rezoning. Mr. Joseph Andrews, 2768 Brookfield Drive, Norton, Ohio, (the agent for the property) concurred with the comments made by Mr. Grether, adding that each of the two (2) units will have handicapped accessible ramps according to code. Mr. Andrews added that the units would look just like the ones as you enter into Mt. Vernon allotments. Mr. Andrews noted that Seal Properties does take care of their properties. Mr. Nicolard called three times for anyone against the rezoning to come forward, no one came forward. At 7:18 PM, Mr. Nicolard closed the Public Hearing and reconvened the meeting.

**INTRODUCTION OF PRIOR LEGISLATION CONTINUED:**

**ORD #36-2013**

Mr. McGlone offered Ord. #36-2013 for its second reading and asked the Clerk to read it:

**AN ORDINANCE REZONING PROPERTY LOCATED AT 3888 LONG DRIVE, FROM AN R-1 DISTRICT TO AN R-5 DISTRICT, AND DECLARING AN EMERGENCY.**

Mr. McGlone moved to waive the third reading, Since there was no one that spoke against this rezoning, seconded by Mr. Bergstrom. Mr. McGlone reminded everyone this is to rezone from R1 to R5. Mr. Nicolard commented that he had spoken with one neighbor that has a pool in this area, and he would be glad to know that these units are to be one level and not two as he thought. Mr. Bergstrom reminded everyone this is to approve the zoning change, not approving the building or type of structure.

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

Motion passed 6-0.

Mr. McGlone moved to adopt Ord. #36-2013, seconded by Mr. Conklin.

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

Motion passed 6-0.

**ADJOURN:**

There being no other business to come before the Regular Council Meeting, the meeting was adjourned at 7:21 PM.

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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 June 24, 2013.

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Karla Richards, CMC-Clerk of Council

**\*NOTE: THESE MINUTES ARE NOT VERBATIM\***  
**\*\*ORIGINAL SIGNED AND APPROVED MINUTES ARE ON FILE WITH THE CLERK OF COUNCIL\*\***

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