



**NORTON CITY COUNCIL  
REGULAR COUNCIL MEETING  
MONDAY, DECEMBER 9, 2013**

Roll Call:	Dennis McGlone	Also Present:
	Charlotte Whipkey	Mayor Mike Zita
	Scott Pelot	Rick Ryland
	Bill Mowery	Laura Starosta
	John Conklin	Justin Markey
	Todd Bergstrom-Excused	Karla Richards
	Don Nicolard-Excused	Ann Campbell

The Regular Council Meeting convened on Monday, December 9, 2013 at 7:00 PM, in the Council Chambers of the Safety Administration Building. The meeting was called to order by Karla Richards, Clerk of Council, followed by the Pledge of Allegiance and a moment of silent reflection. Following Roll Call, the Clerk of Council stated that due to the fact Mr. Bergstrom and Mr. Nicolard were excused for this meeting the current Council needs to elect a President and Vice President Pro Tem for tonight's meeting only and called for nominations.

Mr. McGlone nominated Mr. Pelot as President Pro Tem. The Clerk of Council called once more for any further nominations, and there were none.

Roll Call for Mr. Pelot as President Pro Tem.

Yeas: McGlone, Whipkey, Pelot, Mowery, Conklin  
Nays: None

Motion passed 5-0.

Mr. Pelot called for called for nominations for a Vice President Pro Tem. Mr. Conklin nominated Mr. McGlone as Vice President Pro-Tem. The Clerk of Council called once more for any further nominations, and there were none.

Roll Call for Mr. McGlone as Vice President Pro Tem.

Yeas: Conklin, McGlone, Whipkey, Pelot, Mowery  
Nays: None

Motion passed 5-0.

**COMMITTEE OF THE WHOLE:**

**RES #114-2013 Solid Waste Management Plan**

Mr. McGlone discussed stated we need to do this with the Solid Waste Management which has changed names to ReWorks. Mayor Zita concurred and that this is due at Summit County by February 12, 2014 and asked for a first reading tonight. Mr. McGlone moved to add Res. #114-2013 to tonight's agenda for a first reading with emergency language seconded by Mr. Conklin. Ms. Whipkey wanted to wait on the suspension of the readings and adopting this tonight since we have time.

Roll Call: Yeas: McGlone, Conklin, Whipkey, Pelot, Mowery  
Nays: None

Motion passed 5-0.

**ORD #115-2013 Summit County Storm Water Services**

Mr. McGlone indicated that Mayor Zita had asked for the Storm Water Services this and turned this over to him for the details. Mayor Zita stated this is for the MS4 permit and is a five year plan and for the testing, sampling and screening of water fallout. This is to be in effect by Jan. 1, 2014 to December 31, 2018. This is for the testing, sampling and screening of water quality fallout within the City. Mayor Zita stated this needs to be in place before the beginning of next year and asked for waiving of readings. Ms. Whipkey clarified we have to use Summit County and no other choices? Mayor Zita replied the first time we had to do this was contracted with Cuyahoga County. Ms. Whipkey discussed the reference to Chapter 1250 Illicit Discharge and Illegal Connection Control, and that she could not find this on line and asked for a copy of this. Ms. Starosta stated this is an environmental health code for Summit County Health District. Ms. Whipkey disagreed, noting that she looked several time on their website and that code is not even listed. Ms. Whipkey stated she has a problem with this since there is nothing she can read about it. Mr. McGlone moved to add Ord. #114-2013 to tonight's agenda, with emergency language, waiving second and readings seconded if possible by Mr. Conklin. Mr. Pelot asked Mayor Zita to please look into this Chapter and provide Council copies.

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

Motion passed 4-1.

**ORD #116-2013 Amend Appropriations for SWSCOG Account**

Mr. Pelot discussed an amendment to the Budget from Mrs. Starosta and turned this discussion over to Mrs. Starosta. Mrs. Starosta stated she had discussions with the members of SWSCOG and has presented this to allow the City of Norton to pay for the first quarter of operations in the amount of \$111, 250.00. Mrs. Starosta asked Council to amend the 2014 Budget to allow for this expense. Once everything is transferred over to the SWSCOG and we would be asking for the remaining quarterly payments once all of the transitions have taken place, and would be presented later next year. Ms. Whipkey asked if we have any idea of what we will owe after this year? Mrs. Starosta indicated she would not know that until

next year and would be whatever our share of the budget would be for the year. Ms. Whipkey clarified that half of this would be coming from the General Fund and the other half would be coming from the Fire Levy Fund and Mrs. Starosta concurred. Mr. Pelot asked what is the total operating budget for the SWSCOG for 2014? Mrs. Starosta replied its \$445,000.00 which is 25% of a \$1.7 million budget. Mr. Pelot asked how many employees this would include, and Mrs. Starosta replied twenty-two (22). There are twenty (2) full time and two (2) part time employees, and is from all communities. Mr. Pelot moved to add Ord. #116-2013 to tonight's agenda, with emergency language, waiving second and third readings, seconded by Mr. Conklin.

Roll Call: Yeas: Pelot, Conklin, Whipkey, Mowery, McGlone.  
Nays: None

Motion passed 5-0.

**COMMUNICATIONS FROM THE PUBLIC:**

Jack Gainer, 3920 Wadsworth Road, Norton, Ohio read his statement, (see attached)

Ms. Audrey Kornacky, 3008 Dutt Road, Norton, Ohio, commented on Issue #1. What we as residents are stating is that we are not against sewers, we are just against the price. Since 2009 we have already been paying for the sewers and will continue to do so for the next 15 years. The new Administration needs to really look at this fund and all that has been collected so far. Look at where sewers are needed the most like Nash Heights over the 20 year period. Ms. Kornacky stated that what we have already paid into this fund should already be paying for that. Ms. Kornacky suggested the city workers notify the County when they are out there working along the ditches and drains, then the resident would be put on notice to repair their failed system. We do not need to have sewers all through Norton. She is against buying the sewers as we do not have a treatment plant. You will still have to pump to Barberton and Summit County.

Andrew Lehner, 3853 Easton Road, Norton, Ohio, spoke about watching on the webcast every single week and that you are making a laughing stock out of this City. Quit it because he is getting angry about this. Mr. Lehner stated he would be supporting this issue tomorrow and so will his father, who is on a fixed income and cannot afford this. Mr. Lehner stated he may be looking into moving out of Norton because it's safer and he is tired of all that is going on.

Mr. Tom Kornas, 3771 Brookside Drive, Norton, Ohio, commented about getting a little carried away last week and said one word he shouldn't have used. Mr. Kornas stated he should have stated we had an Administrator and a few others that were twiddling their thumbs. It's been going on for years, and they should have been out there looking for grants and whatever. It just didn't happen last week. Mr. Kornas stated he received a robocall from the Mayor stating there are about 245 homes in Nash Heights that was the cause of all this. Mr. Kornas stated there is a 20 year plan for the entire City not just Nash Heights. The Mayor agreed there is a 20 year plan. The sewer project will not break the City and you know very well it won't. Mr. Kornas asked Mr. Pelot if an injunction will be placed if Issue #1 does pass? Mr. Pelot stated he does not know.

Mayor Zita stated we will have to wait and see. Mr. Kornas asked what are the chances of that, and Mayor Zita stated he could not say. Mr. Kornas stated he noticed Mr. Nicolard was not here tonight, maybe he is on vacation and he also could use a vacation. After tomorrow when we win it will be a yes vote and you will be forced to use the roll back money for the sewers. We all know how easy it is to set something up that we can afford.

Mrs. Patricia Reese, 4052 Wadsworth Road, Norton, Ohio, stated that Ms. Kornacky really knows her stuff because Mr. Bergstrom stated last week that tax credit was to be used for trunk lines and he was wrong. Mrs. Reese stated it is to be used for paying costs of acquiring, constructing, reconstructing, rehabilitating, renovating, installing, enlarging or otherwise improving water and sewer improvements in the City, including, without limitation, water and/or sewer lines, water and/or sewage pump stations, storage tanks, manholes, hydrants, and any other facility, improvement or appurtenance related to the water and sewer improvements, and includes costs associated with planning for and engineering water and sewer improvements, as well as related financing costs. Ms. Reese noted that no one bother to correct Mr. Bergstrom which she believed means that no one understands this Ord. #48-2008, 880.15; and urged all of you to know what you are trying do here.

Mr. Rick Rodgers, 4034 Wadsworth Road, Norton, Ohio discussed the comments tonight about the school levy and most of those that voted for that also voted for the four (4) new Council members. Mr. Rodgers stated he has a problem with this surface water legislation with running this through right away with emergency language and asked if any of you are familiar with this? Ms. Whipkey stated that is what she had questioned earlier. Mr. Rodgers asked if any of you understand this program? There was no response from Council and Mr. Rodgers asked how can you vote on something when you do not understand. If you don't understand it then you are no better than those at the Federal Level of Government that vote for things they do not understand. If we don't understand it then we should not be passing this. As far as enforcement, we are going to find more bad septic systems and he questioned if we are doing this to advance and protect sewer issue and the 20 year plan? Are we truly protecting the health and welfare of this City? Mr. Rodgers stated this plan was not enforced in the Nash Heights area. Mr. Rodgers explained one resident that was here for the Assessment Board Meeting last week that took it upon himself to replace his own septic system and had now he will have a sewer line down his road and he will have to hook into it. He spent his own money and now he is going to be paying twice. Mr. Rodgers suggested you table this until you understand what it is you are passing, it's your responsibility to the people.

Mr. Paul Tousley, 4536 Garrett Drive, Norton, Ohio, expressed his concern with the Administration and that over the last 30 days this Council passed 30-35 pieces of legislation with emergency language and waiving the second and third language. Mr. Tousley stated he has a real issue with that. The first time the public sees this is the first time you are presented with it 15 minutes before the vote, so you are really eliminating the public input. We need to stop this overuse of the emergency language. It's also not fair to the Council to be asked to vote on something they just received. Mr. Tousley stated that in the future he would like to see less presented with emergency, this would go some distance in showing the public that we care what they think.

William Paluch, 3740 Shellhart Road, Norton, Ohio, stated this podium needs to be moved over so the people speaking can be seen on TV. Mr. Paluch stated he feels Issue #1 is fair and affordable, there are no hidden fees, and he will be supporting this. One resident told him he knew of two (2) home owners in Nash Heights who knew their septic systems were failed and totally disconnected their systems and were dumping raw sewage right into the ditches. How could this have occurred without the Administration not looking into this? Why the smell and why didn't someone come in with a backhoe and take care of this. The Health Department should have done this, someone not doing their job. You have a responsibility that when you see something wrong in your community you need do something about it. Mr. Paluch stated that everyone wants to lie like the Mayor who says we can do it for \$8,200.00 when you have one resident on Greenwich Road with a huge sign in their front yard that states he is being assessed \$18, 0000.00 for the next twenty (20) years in addition to the surcharge fees going up. Mr. Paluch noted that his neighbor Joseph C. Klein who wants to run against Mayor Zita because he will have signs saying No to Mayor Zita, no leadership. Sooner or later people will get televised meetings.

**CONSIDERATION OF THE MINUTES:**

Minutes of the Regular Council meeting of November 25, 2013 were approved as submitted.

**REPORTS FROM OFFICERS, BOARDS AND COMMISSIONS:**

Mayor Zita reported the search for the Administrative Officer is on its way and going rather well so far. Mayor Zita thanked everyone involved for their participation for the Christmas tree lighting ceremony at Columbia Woods. Mrs. Starosta and Mr. Markey had no reports.

**PUBLIC HEARINGS:**

None

**INTRODUCTION OF NEW LEGISLATION:**

**RES #114-2013**

Mr. McGlone offered Res. #114-2013 for its first reading and asked the Clerk to read it:

A RESOLUTION TO ADOPT THE SOLID WASTE MANAGEMENT PLAN FOR REWORKS (FORMERLY THE SUMMIT/AKRON SOLID WASTE MANAGEMENT AUTHORITY), AND DECLARING AN EMERGENCY.

First reading only.

**ORD #115-2013**

Mr. McGlone offered Ord. #115-2013 for its first reading and asked the Clerk to read it:

AN ORDINANCE TO AUTHORIZE THE MAYOR TO EXECUTE AND DELIVER AN AGREEMENT WITH THE SUMMIT COUNTY COMBINED GENERAL HEALTH DISTRICT FOR CERTAIN STORM WATER MANAGEMENT SERVICES; AND DECLARING AN EMERGENCY.

Mr. McGlone stated he wanted to hold off due to more information as requested. First reading only.

**ORD #116-2013**

Mr. Conklin offered Ord. #116-2013 for its first reading and asked the Clerk to read it:

THE ORDINANCE TO AMEND THE APPROPRIATIONS FOR THE CURRENT EXPENSES OF THE CITY OF NORTON FOR THE FISCAL YEAR ENDING DECEMBER 31, 2013 AND DECLARING AN EMERGENCY.

Mr. Conklin moved to waive the second and third readings, and adopt as an emergency seconded by Mr. McGlone.

Roll Call: Yeas: Conklin, McGlone, Whipkey, Mowery, Pelot  
Nays: None

Motion passed 5-0.

Mr. Conklin moved to adopt Ord. #116-2013, seconded by Mr. McGlone. Ms. Whipkey clarified for the public this that we need to pass this now in order to open up the new dispatch center on January 4, 2014.

Roll Call: Yeas: Conklin, McGlone, Whipkey, Mowery, Pelot.  
Nays: None

Motion passed 5-0. Mr. Pelot stated this has been long time in coming and thanked the Administration for their efforts.

**INTRODUCTION OF PRIOR LEGISLATION:**

None

**UNFINISHED BUSINESS:**

None

**NEW BUSINESS:**

Ms. Whipkey noted there is a correction to the minutes of November 18, 2013 which were previously approved. Ms. Whipkey explained that on page #3 (see attached) she noted that the maintenance cost for the cross walk should be \$3,000.00 over a five (5) year time frame not annually. Mr. Pelot noted these minutes would then be amended to correct this issue.

**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 7:46 PM.

---

Scott Pelot, President Pro Tem

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 13, 2014.

---

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.