



**NORTON CITY COUNCIL
REGULAR COUNCIL MEETING
MONDAY, MAY 27, 2014**

Roll Call: Scott Pelot-Excused
Dennis McGlone
Danny Grether
Dennis Pierson
Paul Tousley
Charlotte Whipkey
Rick Rodgers

Also Present:
Mayor Mike Zita
Valerie Wax Carr
Laura Starosta
Justin Markey
Karla Richards
Ann Campbell

The Regular Council Meeting convened on Monday, May 27, 2014 at 7:00 PM, in the Council Chambers of the Safety Administration Building. The meeting was called to order by Rick Rodgers, President of Council, followed by the Pledge of Allegiance and a moment of silent prayer.

COMMITTEE OF THE WHOLE:

There were no comments.

COMMUNICATIONS FROM THE PUBLIC:

Ms. Anita Ondreyka, 4266 S. Medina Line Road, Norton, a Wadsworth Twp resident spoke about a proposal in 1990 about the hydro electric plant and had several different phases. One issue was where they were getting the water from and we carefully looked at this and felt it was not only economically unfeasible, but it was a travesty to the community land. They originally proposed a self contained, 300 acre lake with a dam which would be asphalt lined and have a 17.5 ft in diameter pipe running 8,000 ft to where it would drop in the mine. During the day, the water level would drop into the mine in order to turn the turbines and during the night it would be pumped back up. Ms. Ondreyka stated she is well aware of the effects of this endeavor, and discussed not only the impact to the residents, but the church located on Greenwich Road would be in proximity to a 100 ft vent pipe with a beginning 17 ft diameter that expands to 30 ft in diameter spewing exhaust 24 hours a day, 7 days a week. That exhaust would bring warm air from the mine to the cool air at the top creating fog. Ms. Ondreyka discussed the effects of the fog, and how it would be mitigated with airport lights. The second impact is the numerous mines all over the City of Norton and Barberton, and the possibility of these walls collapsing due to the pressure. Ms. Ondreyka described a tour of the mine and described the rusted equipment, earth movers, electrical parts, and lots of dust they found which made her question what could be coming to the surface with the water. Ms. Ondreyka expressed concerns with this new application and had turned in some information to Ms. Whipkey and asked the City to respond to the permit before June 1, 2014.

Ms. Ondreyka explained that in 1990 they were late in starting their opposition to the project and once an initial permit is granted, they can get money, the license process is on its way and it's much harder to stop at this point. Ms. Ondreyka noted she also spoke with Mayor Judge, and dropped off paper to work to him as the company would need a water supply. Ms. Ondreyka stated she is someone that would disappear into the woodwork, until something else comes to light, but thanked Council for being willing to listen. Ms. Whipkey stated she had discussed this issue with Mr. Markey and that back in 2010 the City sent a letter addressing this with a different company, and asked Mr. Markey to explain as he had during their conversation and if we are to respond. Mr. Markey stated the City had no prior notification until FERC had sent the city a letter on April 23, 2014 and we have 60 day window to respond and letter is being drafted now. Mrs. Carr added that all of City Council would be copied on the letter once it was finished for submission. Mr. Markey noted the company is asking for various rights which they currently do not have, such as surface rights, air, mine, water, etc. so they are basically fishing at this point. Ms. Whipkey noted the City has no intention of not responding and letting this slip by us and they also have to deal with First Energy. Mr. Rodgers asked if the City owned the rights to the mine and Mr. Markey stated there are number of agreements that are in place with Norton Energy Storage that govern the development. Mr. Rodgers then asked if the City would have to give up or sell those rights in order for something to happen and Mr. Markey concurred. Mr. Pierson asked if there are any funds left in that fund that was for legal fees that was established about ten years ago for about \$879,000 and Mrs. Starosta replied she did not know of any fund.

CONSIDERATION OF THE MINUTES:

Minutes of the Regular Council Meeting of May 12, 2014 were approved as submitted
Minutes of the Special Council Meeting of May 19, 2014 were approved as submitted.
Minutes of the Committee Work Session of May 19, 2014 were deferred to the next Council Meeting due to late revisions.

REPORTS FROM OFFICERS, BOARDS AND COMMISSIONS:

There were no reports.

Ms. Whipkey noted the City has received the 2014 Mosquito Spraying Schedule that would commence May 29th in Norton and Mayor Zita indicated he would elaborate on that during the Public Service Announcements section.

PUBLIC HEARINGS-None

INTRODUCTION OF NEW LEGISLATION:

ORD #66-2014

Ms. Whipkey offered Ord. #66-2014 for its first reading and asked the Clerk to read it:

AN ORDINANCE TO REPEAL ORDINANCE NO. 34-1999 AND THE CORRESPONDING SECTION 208.04 OF THE CODIFIED ORDINANCES OF THE CITY OF NORTON, OHIO.

First reading only.

RES #67-2014

Mr. Rodgers offered Res. #67-2014 for its first reading and asked the Clerk to read it:

A RESOLUTION OF SUPPORT FOR THE GOOD DEEDS PROGRAM, AND
DECLARING AN EMERGENCY.

First reading only

INTRODUCTION OF PRIOR LEGISLATION:

ORD#62-2014

Mr. Tousley offered Ord. #62-2014 for its third reading and asked the Clerk to read it:

AN ORDINANCE ADOPTING A SUCCESSOR COLLECTIVE BARGAINING
AGREEMENT BETWEEN THE CITY OF NORTON AND THE INTERNATIONAL
ASSOCIATION OF EMT'S AND PARAMEDICS R7-26, AND DECLARING AN
EMERGENCY.

Mr. Tousley moved to adopt Ord. #62-2014, seconded by Mr. Grether. Mr. Tousley stated this is a 1.5 % raise for this year and 1% raise for next year. Also included is a .75¢ market adjustment for past years. Mrs. Carr noted that the previously stated percentages were not correct. Mrs. Starosta stated that it's a 75¢ market adjustment to begin with, a .5 % and then a 1%. Ms. Whipkey also noted they also got a uniform allowance, longevity pay and a \$500.00 signing bonus just for ratifying and signing the contract. Mrs. Carr clarified that uniform allowance was already there, all they did was take the two (2) numbers there and add them together. The longevity was made equal to the other contract. Mrs. Starosta stated the uniform allowance of \$1,000.00 was combined with \$100 boot allowance for \$1,100.00 total. Ms. Whipkey was correct as there was a \$500.00 signing bonus and Mrs. Carr noted that the dollar amount did not change. Ms. Whipkey asked about the longevity and that had not changed and Mrs. Starosta stated the longevity is new to this contract and the part timers get half of the full time rate.

Roll Call: Yeas: Tousley, Grether, McGlone, Pierson, Whipkey, Rodgers
Nays: None

Motion passed 6-0.

ORD #64-2014

Mr. Rodgers offered Ord. #64-2014 for its second reading and asked the Clerk to read it:

AN ORDINANCE TO AUTHORIZE THE ADMINISTRATIVE OFFICER TO ENTER INTO
AN AGREEMENT WITH ENVIRONMENTAL DESIGN GROUP FOR PROFESSIONAL
ENGINEERING SERVICES FOR THE DESIGN OF A VACUUM SEWER SYSTEM FOR
THE NASH HEIGHTS EAST PHASE AND NASH HEIGHTS WEST PHASE, AND
DECLARING AN EMERGENCY.

Second reading only. Mr. Rodgers stated we are still negotiating with the County and have time to wait for the next reading.

Mr. Grether asked if we have reached out to the EPA and if they were aware of our position? Mr. Rodgers stated Mr. Markey is looking into this and he believed a meeting with the EPA was being set up. Mrs. Carr noted that we are working on setting some key dates.

UNFINISHED BUSINESS:

Ms. Whipkey asked Mrs. Carr for a status on the tear down in Carillion. Mrs. Carr stated we have received response and we have about two weeks in the waiting period, and as soon as we are legally able to move on that we will get right on it. We are waiting on the schedule from the contractor, but she figured it would be in about two (2) weeks. Mrs. Carr discussed the one on Cleve-Massillon Road, we have received their response on our notice and they have offered to tear that house down themselves. Ms. Whipkey stated then we have saved a little bit of money here and Mrs. Carr stated we have a few more that we will be working on. The other properties that we have sent notices to and had no response now require a posting for thirty (30) days with a placard staked in the yard. Once that thirty (30) days passes, we can move on those. However, that will need some up front money to do that. We are ok with the Carillion property because we had some money left over in that budget. We will need to talk about another funding source for these once we get through that process. Ms. Whipkey asked Mayor Zita if there is anything new on the Watershed Conservancy District meetings, and Mayor Zita replied no. Ms. Whipkey asked if there have been any Administrative head meetings on this either and Mayor Zita replied no.

NEW BUSINESS:

Ms. Whipkey noted that Mrs. Richards is kind enough to copy all of us on various newspaper articles and the recent statement in the Norton Post it was reported that she stated that the gravity system should not be abandoned until we have a better understanding of the alternative. That is not quite what she had stated. Actually she had wanted to use any funds we have left over from doing the gravity thing over to looking at a vacuum system. Ms. Whipkey stated that she has never stated that she was in favor of one system or the other because she does not know enough yet. Ms. Whipkey stated she has not and she is not now advocating for a gravity system or a vacuum system. Ms. Whipkey stated that we just need to look at them.

PUBLIC SERVICE ANNOUNCEMENTS:

Mayor Zita made several announcements, (see attached)

PUBLIC UPDATES:

Mr. Rodgers stated last Wednesday we had a town hall meeting titled "Fix It Before It Fails" with about 75 people attending. There was information passed on that he felt was extremely helpful. We had a few different septic system companies to also share their knowledge. Mr. Rodgers thanked Pat & Paul Reese and other Council members for their help in getting this going. We will continue to report to all of you on the reports of the developments on the sewers.

Ms. Whipkey discussed the several complaints residents have raised with the Albrecht available lease sign at the north side of Greenwich Road, which is obstructing the sight for drivers and is a safety issue. Mayor Zita stated this is the first he has heard about this. Mrs. Carr stated she had not been notified about any obstruction there.

Ms. Whipkey stated she had received an email earlier today and a gentleman had come in prior to the Board of Control meeting looking to lodge a complaint with the police department. Mr. Pierson added that the sign is large and obstructs vision down towards the junction. Mayor Zita stated he would look into that.

Ms. Whipkey noted that as Mrs. Starosta is leaving us soon she questioned if the 2013 CAFR is done and Mrs. Starosta replied that her plan is to have that all ready before she leaves.

Mr. Grether stated that from an Economic Development Chair standpoint, he wanted to let the folks down at the Plaza know we appreciate the fact that they were looking to fill those vacancies up.

At 7:29 PM, Mr. Rodgers moved to temporarily adjourn the Regular Council Meeting to convene into Executive Session to discuss the appointment of a public employee under ORC 121.22 (1) and Section 3.12 of the City Charter, seconded by Mr. Grether. Mr. Rodgers invited Mayor Zita, Mr. Markey, and Mrs. Carr to attend. Mr. Rodgers noted there would be no legislative action resulting from this meeting and Council would return to adjourn the Regular Council Meeting.

Roll Call: Yeas: Rodgers, Grether, McGlone, Pierson, Tousley, Whipkey
Nays: None

Motion passed 6-0.

At 8:42 PM, Council adjourned from Executive Session and reconvened the Regular Council meeting.

ADJOURN:

There being no other business to come before the Regular Council Meeting, the meeting was adjourned at 8:42 PM.

Rick Rodgers, 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 9, 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.

2014

Mosquito Spraying Schedule

Spraying will be conducted in accordance with all applicable laws, rules and proposed EPA regulations, specifically when:

Weather is absent of rain

*Winds are less than 10 mph and temperature is above 55**

IF SURVEILLANCE LIGHT TRAPS CONTAIN LESS THAN 10 MOSQUITOES, SPRAYING *MAY* BE CANCELLED FOR THAT WARD

SPRAYS ARE CONDUCTED THURSDAYS ON THE DATES BELOW UNLESS NOTED

NORTON

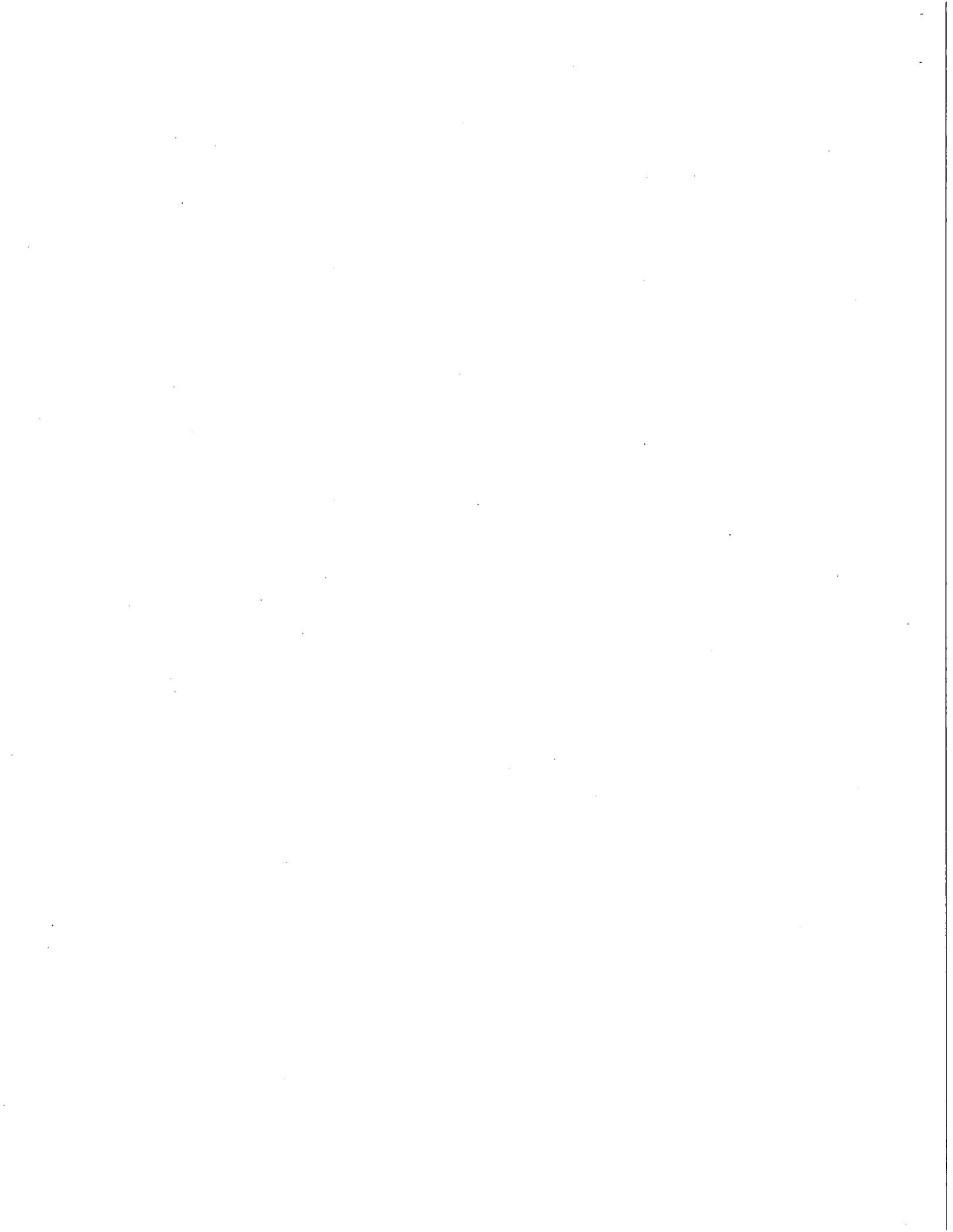
Barberton

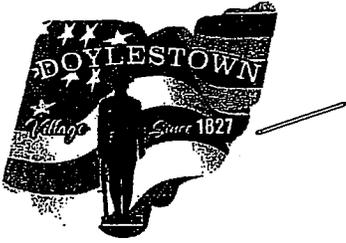
May 29 -----	Start time - 8:30 pm	-----	June 05
June 12 -----	Start time - 8:30 pm	-----	June 19
June 26 -----	Start time - 8:30 pm	-----	July 03
July 10 -----	Start time - 8:15 pm	-----	July 17
July 24 -----	Start time - 8:15 pm	-----	July 31
August 07 -----	Start time - 7:30 pm	-----	August 14
August 21 -----	Start time - 7:30 pm	-----	August 28
September 04-----	Start time - 7:30 pm	-----	September 11
September 18-----	Start time - 7:30 pm	-----	September 25

If unable to spray on the scheduled date, makeup spray will be on the following Monday if weather permits.

05.27.2014

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Office of the Mayor

The Village of Doylestown
24 South Portage Street
Doylestown OH 44230



A VILLAGE WITH VALUES

A TOWN OF TRADITIONS

May 17, 2014

Honorable Mike Zita
4060 Columbia Woods Drive
Norton OH, 44203

Personnel File
CC: Vince Shoemaker
Rian Glaser
Travis Krieger

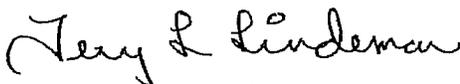
Dear Mayor Zita:

I would like to express my gratitude for the excellent response time and unparalleled professionalism displayed by the Norton Fire Department in the early hours of May 13th, 2014. The crews showed mastery of skills and exemplary teamwork as they battled to contain the fire alongside eight other departments. Had it not been for their crucial support efforts, a major portion of our historic downtown business area could have been completely lost.

As a witness to the events of the evening, I can personally attest to the speed and efficiency displayed by your department as they offered mutual aid to the Chippewa Fire Department personnel. Although the fire did result in the partial loss of the Dannemiller Building, the quick response of the Norton Fire Department prevented further catastrophic damage to surrounding commercial and residential structures.

Once again, I would like to extend my most heartfelt thanks to your department.

Sincerely,


Mayor Terry L. Lindeman



TREE CITY USA

Phone: 330-658-2181 ext. 1101

Web: www.doylestown.com

Fax: 330-658-3838

We Are An Equal Opportunity Provider and Employer

Anthony's Angels Cowboy Carnival
Sunday, June 1
noon - 5:00 PM
St. Andrew's Church