



**NORTON CITY COUNCIL  
COMMITTEE WORK SESSION  
TUESDAY, JANUARY 22, 2019**

The Committee Work Session convened on Tuesday, January 22, 2019 at 7:00 PM in the Council Chambers of the Safety Administration Building. The meeting was called to order by Joe Kernan, President of Council, followed by the Pledge of Allegiance and a moment of silent reflection.

Roll Call:	Jack Gainer	Also Present:
	Dennis McGlone	Mayor Zita
	Dan Karant	Ron Messner
	Paul Tousley	Robert Fowler
	Charlotte Whipkey	Justin Markey
	Scott Pelot	Kerry Macomber
	Joe Kernan	

**PUBLIC COMMENT - None**

**COMMITTEE OF THE WHOLE**

Ord to amend Section 408.04 – Parking Violation Fines

Ms. Whipkey noted that we do not have any fines in the Codified at this time that she can find. Mr. Markey said that might be true and explained the reasons for the changes are that when we had Mayor’s Court, we had fines different from other jurisdictions. Now, it goes through Barberton Municipal Court. It has been two and a half years since we have written a parking ticket. It used to be a problem with the fire lanes at the shopping center. Now that the shopping center has been reconfigured there are not as many fire lanes. This is a proactive measure that will bring us in line with the other communities and it actually reduced some of the fines. This is basically if we have to use it in the future. Ms. Whipkey noted the fine schedule is \$20 if paid in first three days; \$25 after three days; then \$30 after 30 days. Mr. Markey will double check on amounts. Mr. Kernan noted these are consistent except for the handicapped offense which is by Ohio Revised Code. Ms. Whipkey noted that this references codified Chapters 452, 454 and 1640, but she does not think 454 exists. Mr. Markey will double check. Mr. Gainer asked about a couple of offenses like business in parked cars or parking on park land and Mr. Markey will confirm the intention and get back to Council. Mr. Kernan believes it means the grass area of the park. Ms. Whipkey moved to add Ord No. 005-2019 to Council’s next agenda; seconded by Mr. Pelot.

Roll Call: Yes: Whipkey, Pelot, Kernan  
No: None

Motion passed unanimously.

Budget Amendment

Ms. Whipkey noted we made several amendments for the budget from last year. One is adding a current employee to our healthcare insurance, whose situation has changed, which is an

increase of \$37,500 and Mr. Messner concurred. Ms. Whipkey asked about waterline engineering, which is a \$114,500 increase – Mr. Markey said this is the Rt 261 that has been discussed for some time. It is better to add a loop. Mr. Kernan asked if we are applying for grants and Mr. Fowler said not this particular one. Ms. Whipkey asked what the various improvements for the \$225,000 increase. Mr. Fowler explained that last year we made some transfers to the Land Improvement Fund and one of the projects is to make City Hall handicap accessible at \$75,000. Also, \$90,000 was dedicated to football field lighting, which will improve park lighting. Lastly, there was \$50,000 for Columbia Woods pathway, which is a grant match. This is money that is a one-time capital improvement that was not used in the budget from last year. There will be a policy coming soon to address how to allocate these dollars going forward like. Mr. Tousley stated he thought if there was money left over at the end of the budget year, he thought reserves it would go to the bottom line reserves. Mr. Fowler said ideally we would like 30% cash (\$2.3 million); and dollars added to Rainy Day Fund (\$300,000) and the compensated absence fund/retirement fund. Then what is left over, goes to one time capital improvement. Mr. Tousley asked if Council was aware of these transfers and Mr. Markey explained that it was passed at the year end of 2018 and included these transfers. Mr. Messner cannot pull funds without Council approval. Mr. Markey said we can pull that Ordinance and discuss it at a later meeting. Mr. Tousley asked about the Police Line Item and a lot more was budgeted for insurance than what was spent in the past. He believed the reason was if an employee was married or status changed. But now there is request for additional health insurance because of a change. Ms. Whipkey pointed out that this was for an office worker, not the Police. Why did we not do this for other Departments? Mr. Markey said this is a very small department and does not have a lot of change. Mr. Messner indicated it happened late in the year and there was not time to react to it. Mr. Tousley stated that during the budget review the difference between revenue and expenses was tight and asked where this money is coming from. Mr. Messner reported that the General Fund had money in it and Carry Over Balances all go to the bottom line. The General Fund receives the left over from other Departments so it has more cash at end of the year. Mr. Messner budgets to have a surplus. The revenue ended up coming in higher than projected and the expenses came in lower. Mr. Tousley asked where it could be seen and Mr. Messner said in the Cash Balance Report by Fund on the far right. Mr. Markey said the revenue is under-budgeted, and the expenses are budgeted high. Revenues were \$450,000 more than anticipated while the expenses were \$800,000 below so this created the surplus. You have to look at all together. Ms. Whipkey continued with Sidewalks of \$155,000. Mr. Fowler noted that the project is along Cleveland-Massillon Road and should match the sidewalks going to the School and improve walkability. Also, Easton needs sidewalk to connect the school to Greenwich and there are a lot of people that walk Easton. Mr. Pelot asked if this would be on the east side and Mr. Fowler responded it had not been determined yet. Mr. Markey said this Fund 440 is not transfers – they have been there unused for a while. Mr. Kernan asked about grants for this project. Mr. Fowler said that we are showing in good faith that the City of Norton is moving forward with our Safe Routes to school in order to hopefully get some 100% grant funds. We are developing our Travel Plan. Mr. Kernan asked about plans to go the other way towards Brentwood. Mr. Fowler said yes. Ms. Whipkey asked if this would tie with the C1 District Plan and Mr. Fowler said yes. Mr. Markey noted these are just appropriations tonight; the contracts would come back to Council. Ms. Whipkey moved to add Ord No. 006-2019 to Council's next agenda for first reading. Ms. Whipkey asked if there was a rush on this? Mr. Messner said the Health Insurance needs to be

completed by end of month. Mr. Kernan asked if Council was comfortable waiving second and third. Mr. Tousley confirmed the projects will be brought forward and voted on. Mr. Fowler said all but the Health Insurance. Ms. Whipkey withdrew original motion and moved to add this Ordinance to Council's next meeting on January 28<sup>th</sup> with emergency language, waiving second and third; seconded by Mr. Pelot.

Roll Call: Yes: Whipkey, Pelot, Kernan  
No: None

Motion passed unanimously.

#### Resolution for Sandy Chrisant

Mr. McGlone noted that Ms. Chrisant is currently on the Board of Building Zoning and Appeals for Ward 2. Mr. Kernan asked if this was her second term and Mayor Zita answered in the affirmative. Mr. Pelot clarified she completed an unexpired first term. Mr. Kernan endorsed Ms. Chrisant. Mr. McGlone moved to add Res No. 007-2019 to Council's next agenda for a first reading; seconded by Ms. Whipkey.

Roll Call: Yes: McGlone, Whipkey, Karant  
No: None

Motion passed unanimously.

#### Application(s) for Renewal of Agricultural District: (1. Windfall Reserve LLC and 2. Charles Seiberling and Dottie Dunham)

Mr. Gainer noted these come up every five years and it is just normal procedure. The application from Windfall Reserve LLC (Bessemer Farms) was unfamiliar and he looked up this farm and it is just off of Summit. Mr. Kernan said that both of these applications are renewals and confirmed they will have a Public Hearing and first reading on January 28, 2019. The Clerk answered affirmatively. Mr. Gainer moved to add Res No. 008-2019 and 009-2019 to Council's next agenda; seconded by Mr. Karant.

Roll Call: Yes: Gainer, Karant, McGlone  
No: None

Motion passed unanimously.

Property Maintenance Code Update (Kernan – Property/Mine/ Tousley; Gainer) Mr. Kernan noted that this was brought up last year and the Administration has said they are also looking at things. He wanted it on here to just start the discussion and find what it is that Council has heard from community members, the biggest complaints are uncut lawns and garbage around houses and enforcement is difficult under our current code. Those are the most urgent things. He would like to take these in pieces. Ms. Whipkey noted junk cars. Mr. Pelot asked Mr. Braman to address what he sees the most and hears the most from residents. Mr. Braman noted property maintenance issues: not maintaining property; siding; roofs; junk cars; etc. The junk vehicle is actually a Zoning Issue, along with grass. Property maintenance deals with the actual home and includes pest issues. Mr. Kernan asked does this include a lot of stuff that has been stacked up outside the house. Mr. Braman said you need both to make one good product: it is a two-fold answer. You can't zero in one particular thing and expect the entire thing solved. You

need good Property Maintenance Codes, not necessarily strict ones, to develop good Zoning Codes. Our current codes lack somewhat but there is still control. Mr. Kernan wants to know what we need to do to make it more workable in both codes, noting he hasn't read the zoning code recently through and through. Mr. Braman said problem areas are motor vehicles. An unlicensed vehicle in a clear sight from the road can be addressed. However, if there are 14 cars behind the house, he cannot enter the property unless invited. Mr. Kernan noted that he has two choices: either he can see it from the road and possibly do something with it or someone has to report it. Mr. Kernan said he wants to work with property owners first and respect their rights as property owners as opposed to coming out with guns blazing with orders. Mr. Braman agreed that minimum standards should be developed so that everyone is protected. Most property maintenance codes are for safety and protection for residents and families. The new thing is chickens and we do not have anything in place so we follow the County guidelines. So when the County guidelines are broken, who do we call? The County wants the City to police our own problems. Mr. McGlone asked what he thinks about Point of Sell position so cleaning up a problem property once it is vacant. Mr. Braman stated that is a good idea to be looked at; he said it is good to set a standard and allow people to get accustomed that. He believes we could develop a complete packet as our current code is two pages long and he is available to meet with Council. Mr. Braman stated it sounds worse than it actually is. Mr. Markey said there is no enforcement mechanism and we have adopted a few as a whole from the International Standards and therefore, it is not robust. Mr. Markey said the easiest thing would be to revamp it completely. Mr. Karant questioned if property maintenance is universal for all areas of the City or if it can be tailored for rural areas. Mr. Braman said the Zoning Code would be specific but the Property Maintenance would be for the entire City to meet minimum standards; along the lines like to get financing for buying a home, although that is general more stringent from loaners. This includes simple things like handrails, smoke alarms, etc. Mr. Kernan noted that some things are more appropriate for Zoning like chickens, which would be more appropriate in the South area where it is more rural. Mr. Markey noted this is more about use of property not Property Maintenance. Mr. Kernan proposed that we look at a couple of similar cities to review. Mr. Pelot suggested Wadsworth, Copley and New Franklin. Mr. Pelot noted the most complaint that he has heard is when the condition infringes on the property value. Mr. Kernan asked to have this information for the next Committee Work Session. Mr. Fowler said Council could make an appointment with Mr. Braman so that all questions and concerns can be addressed; we also need to solicit public input. Mr. Kernan confirmed that Zoning Codes require Public Hearings and we should also hold them for Property Maintenance Code. Mr. Gainer suggested that the public should submit written suggestions on improvements for property and zoning codes over the next couple of weeks. Mr. Kernan asked the Clerk to add this to the next Work Session along with examples of comparable city codes.

Chapter 1279 Update (Gainer – Planning and Economic Development/Karant; McGlone). Mr. Gainer noted this was developed by InSite and the Administration. It was presented to the Planning Commission in August. He suggested that this go back to the Planning Commission. Mr. Markey noted that Zoning Codes can be initiated by: 1) Property Owner; 2) Planning Commission; or 3) Council. So, this is one way. If Council would like to initiate this it will start a 60-day clock for the Planning Commission to act. Ms. Whipkey noted that 60-day is the deadline. Mr. Markey said they have up to 60 days. Ms. Whipkey asked what was different from the last time they had it. Mr. Fowler noted there were some edits that the Planning

Commission requested, but they have cancelled the past four meetings. It is a priority for the Administration. There have been situations that developments have had to go before Board of Zoning Appeals and folks have spent money because these updates were not made. Mr. Pelot asked if there was a way, which the City could hold the fees so that the city is not inadvertently charging people for something that we are working on. Mr. Fowler said that we do not have a C-1 District currently. Without adopting this policy, he does not have the ability to reject certain stores in certain locations. This will provide a balanced, planned development. Mr. Gainer noted the Planning Commission has not complied with the 60-day requirement. Mr. Markey said that it had not been sent by Council then; this will start the process at next week's Regular Council meeting upon passing where the PC will have it for up to 60 days and they could pass it on their first meeting. Mr. Gainer said there were a lot of questions that were brought up at the past Planning Commission meetings and he hopes they received answers to their questions. He said this is complicated and everyone needs to look over this carefully. Mr. Kernan agreed and suggested it needs to be added to next week's agenda. Mr. Gainer moved to add to next week's agenda with emergency language and waiving second and third readings; seconded by Mr. Karant.

Roll Call: Yes: Gainer, Karant, McGlone  
No: None

Motion passed unanimously.

Mayor Zita clarified that there were two renewal applications for the Agricultural District. The one received discussion but not the second. Mr. Kernan noted the second application was for the Seiberling Farm and asked the Clerk if the motion was for both. Ms. Macomber noted she heard Mr. Gainer motion for both but she can list the two Resolutions separately so as to be clear it is for two separate applications. Ms. Whipkey noted it was basically a Consent Agenda.

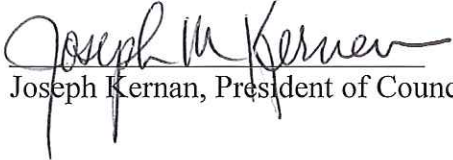
Mr. Karant noted that the City of Norton did an exceptional job with snow removal. He would like to consider part-time driver positions in the future as he did get some complaints. Mr. Gainer agreed that the Service Department did a great job and he checked all over his Ward and it was clean as it possibly could be; they did an excellent job throughout the City. Mr. Kernan said he was in Wadsworth yesterday and Norton's roads were clearer than Wadsworth and Akron is a mess. Mr. Kernan said that we clean main roads first for safety reasons and the trucks are still out clearing the side streets. Mr. Kernan pointed out that we had had a salt problem for a while. This was a lot of snowfall in a short period of time. He also thanked the Service Crew. Mr. Fowler said we have made it to the new contract period on January 7, 2019 so we are now receiving salt deliveries and that will take us through the rest of year. Mr. Gainer pointed out that we also had some vehicle problems. Mayor Zita said they went out at 10:00 on Saturday morning and did alternating 12-hour shifts. Ms. Whipkey remarked that we have 21 miles of road, which is more than most municipalities with comparative population. The Mayor said he believed it was 23 miles that may not include the Highways.

#### **TOPICS FOR NEXT WORK SESSION – Monday, February 4, 2019**

- A. Cemetery Tombstone Repair
- B. Property Maintenance Code with comparable City information

**ADJOURN:**

There being no other business to come before the Organizational Meeting, the meeting was adjourned at 8:02 PM.

  
Joseph Kernan, President of Council

I, Kerry Macomber, 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, 2019.

  
Kerry Macomber, CMC-Clerk of Council

**\*\*Note: these minutes are not verbatim\*\***  
Original signed and approved minutes are on file with Clerk of Council.