



**NORTON CITY COUNCIL  
COMMITTEE WORK SESSION  
MONDAY, FEBRUARY 1, 2021**

The Committee Work Session convened on Monday, February 1, 2021 at 7:00 PM. The meeting was called to order by Dennis McGlone, President of Council, followed by the Pledge of Allegiance and a moment of silent reflection.

Roll Call:	Jack Gainer	Also Present:
	Dan Karant	Mayor Zita
	Paul Tousley	Robert Fowler
	Scott Pelot	Pam Keener
	Charlotte Whipkey	Bill Braman
	Joe Kernan	Kerry Macomber
	Dennis McGlone	

**COMMUNICATIONS FROM THE PUBLIC - None**

**COMMITTEE OF THE WHOLE**

- A. Housing Council – Mr. Pelot explained that because the City has a Community Reinvestment Area (CRA), they are required to have a Housing Council to review businesses receiving tax credits. Mr. Pelot and Mr. Fowler discussed the membership, terms and duties of the Council. Mr. Gainer clarified that there are a total of seven members: City Council will appoint two members, the Mayor will appoint two members, the Planning Commission will appoint one member, and those five members will then appoint two members from the CRA. Mr. Fowler noted the entire City is in the CRA. There was discussion pertaining to the duties of the Housing Council and Mr. Gainer suggested it would be helpful to have someone from the Administration on the Council to do the inspections and ensure the information received from the companies was accurate. Mr. Pelot agreed that part of the investigation will be examining and verifying tax records and other pertinent information. Mr. Tousley noted that when the CRA was created in 2015, it was intended that Council would appoint two people and not serve on the Housing Council themselves. Mr. Fowler noted the two appointees from the Council members and the two from the Mayor do not have to be residents but they have to represent the CRA, but the two appointed from the Housing Council must be residents. He also stated that the Housing Officer will be responsible for taking pictures and gathering financial information for the inspection report which will be presented to the Housing Council. Mr. Gainer noted that this report needs to be submitted annually to the Director, Ohio Development Services Agency by March 31. Mr. Fowler agreed stating the Housing Council needs to meet the first week of March to appoint their two members and then meet again to confirm the information, which creates an urgency. Mr. Kernan suggested that two members of Council serve initially until other interested parties come forward. Ms. Whipkey suggested someone from the Planning and Economic Development Committee. Mr. Pelot suggested someone from the Planning and Economic Development Committee and the Finance Committee. Mr. Gainer volunteered to serve, as did Mr. Kernan. Mr. Fowler informed Council the Planning Commission is aware of the need to appoint a member and the Mayor will have his

appointments by the end of the week. Mr. Pelot moved Res. No. 22-2021 to Council's next agenda with emergency language; seconded by Mr. Kernan.

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

Motion passed unanimously.

- B. Property Maintenance Code – Mr. Pelot opened the conversation by reading the proposed Property Maintenance Ordinance title. Ms. Whipkey expressed concern that the City was giving up its sovereignty by adopting the International Property Maintenance Code (IPMC). She recognized that we are currently using these standards for electrical and plumbing, but noted that the Property Maintenance Code has always been specific to Norton. She inquired about the ability to reverse this decision in the future. Mr. Karant reviewed this with an architect and noted that this is a standardization that Ohio Building Association supports. He identified two concerns with not adopting it: liability and enforceability. Many times it is neighbors' complaining and they look to the City to mediate. He noted that he has studied these standards and it seems to be balanced. He has also conferred with both architects and builders and found that these professionals support this standardized code. Mr. Kernan addressed Ms. Whipkey's concern about reversing the decision to adopt this code by stating this is not a contract. Rather, this is a code that the City is adopting, and as such, can always be repealed or amended in the City code. Mr. Gainer said these standards are reviewed and updated annually and in fact, the 2021 Code is already on line. He said these standards also gives Norton the enforcement mechanisms to get things done and referenced three properties that could be addressed immediately. He pointed out that there are provisions that would allow the Zoning Officer to enter a property and inspect for fire hazards. Mr. Gainer also questioned the wording in the proposed ordinance title because he felt the entire Chapter 1496 was being repealed rather than amended and restated. Ms. Whipkey reiterated that we are giving up sovereign powers that we have as a Charter City and in the past, financial concerns prevented actions from being taken. Mr. Gainer responded that these standards identify where the financial responsibility lies and how monies could be recouped. The standards also specify that the property cannot change ownership until infractions are resolved. Mr. Karant said we are not relinquishing a lot and adopting this code will allow the Zoning Inspector to work more effectively. He referenced successful community programs in Lakewood and Medina that helped citizens in need of help. He noted that an updated property maintenance code for Norton may offset concerns expressed over the pending Ryan Homes development. Mr. Karant also suggested that we apply for Community Development Block Grants to address property concerns. Mr. Pelot noted that the Summit County has grants available for low-income homeowners for new windows, paint, porch work, etc. Ms. Whipkey noted that we signed up for low interest home assessment loans last year. Mayor Zita reminded Council that Holly Miller, Summit County Community Development, shared information about the programs at a Council meeting last year. Mr. Tousley stated the overall basis is a good start but he has concerns with a bureaucrat in another city changing Norton's codes without Norton having input. Mr. Pelot said we can add a clause that requires Norton approval before it is adopted and we are doing this to ensure we are up-to-date. Mr. Gainer would like to see it update each year automatically as he believed it would be a nightmare each year reading through it to look at the changes. If there was an issue, Council could always address that and strike it out. Ms. Whipkey expressed concern because this meant an automatic update for the City code but after reviewing the proposed ordinance and not finding that language, removed her concern.

Mr. Kernan concurred stating that we are adopting the 2018 version and future IPMC versions do not need to be adopted, if Council does not want to or could change it. We are considering updating this particular code right now for adoption from here on out.

C.

Mr. Pelot invited Mr. Bill Braman to address the proposed adoption of the International Property Maintenance Code (2018). Mr. Braman thanked Council for the opportunity to talk about this and stated that Council will remain the deciding factor on how we move forward on actual property maintenance. The process will remain complaint driven and we will continue to work with our residents with respect. This is another tool in the tool box. He explained that this is a minimum standard and Norton currently has parts of it already in the exterior maintenance code. This would complete the chapter. Mr. Pelot complimented Mr. Braman on his diplomacy in carrying out his duties. Mr. Braman acknowledged that many residents are not in a financial position to fix everything that they would like to. Mr. McGlone asked if the 2018 edition is the latest version and Mr. Braman noted there is an updated version adopted every three years. The 2018 edition has been challenged and as a result, some of the language has been modified. The context doesn't really change. As a member, all proposed changes to future versions will be sent to Mr. Braman so he will be aware. Mr. Kernan noted that there is a black line in the margin along the text of the document where changes have been made and they seem to be minor other than the section on Fire Safety Maintenance. Mr. Braman concurred and added that most of the changes occur in the plumbing, ventilation and fire code far more than the maintenance. Mr. Gainer reiterated that the 2021 version is available online and noticed very few changes. Mr. Kernan stated we wouldn't have to be in any hurry to update our maintenance code anyway. Mr. Gainer asked for clarification on whether he was recommending not updating as they do. Mr. Kernan responded he was only saying we wouldn't have to look at it every year necessarily. Mr. Tousley asked about the Scope and Administration and specifically, Section A104.3 Right of Entry and the authority involved; he does not want to give permission to enter a residency. Mr. Braman said this may happen if there was a danger to a structure but you would have to follow all of the appropriate steps: notices, sometimes search warrants, etc. prior to entering. Mr. Kernan read aloud the procedures as written in the document which outlines the specific reasons and process. Anyone entering without the due process should not longer be a zoning official. Mr. Tousley referenced Chapter 3 General Requirements and specifically, section 302.8 Motor Vehicles and he noted that this is more restrictive than Norton's zoning code and asked which one would be used. Mr. Braman said this basic language in the IPMC is the same as for parking restrictions, unlicensed, junk vehicles, etc. that is in our code under General Offenses. Our Code says all this, just in different places. So, there would be no changes. Mr. Tousley asked about Section 304.14 Insect Screens. Mr. Braman explained this applies more to landlord responsibility and tenant rights. Mr. Pelot interpreted this language to apply more to food service areas. Mr. Karant concurred that this is more likely the need for landlords to provide for tenant's safety. Mr. Gainer referenced the occurrence of high-rise apartment safety and if nothing is in the code, then there is no case. Ms. Whipkey questioned existing laws for landlord/tenant disputes and Mr. Kernan agreed there is but the tenant may not have the resources to access them. Mr. Braman assured Council that there is a thorough appeals process and it addresses protection for the violator. Ms. Whipkey acknowledged that Mr. Braman goes above and beyond to assist Norton residents. Mr. Pelot stated that the ordinances addressing electrical and plumbing are standardized. He reminded everyone that if they had any questions or concerns to contact the administration. He requested that this

proposed ordinance regarding property maintenance be added to the next Committee Work Session for continued discussion.

**TOPICS FOR NEXT WORK SESSION – Tuesday, February 16, 2021**

A. Property Maintenance Code

**ADJOURN**

There being no other business to come before the Committee Work Session, the meeting was adjourned at 8:10 PM.

 2/9/21  
Dennis McGlone, President of Council

I, Kerry Macomber, Clerk of Council for the City of Norton, do hereby certify that the foregoing minutes were approved at a Regular Council Meeting held on February 8, 2021.

  
Kerry Macomber, Clerk of Council

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