



**COMMITTEE WORK SESSION
APRIL 2, 2018**

The Committee Work Session convened on Monday, April 2, 2018 at 7:00 p.m. in the Council Chambers of the Safety Administration Building. The meeting was called to order by Scott Pelot, President of Council, followed by the Pledge of Allegiance, and a moment of silent prayer.

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

General Topics of Discussion:

Board of Tax Review Appointment - Mr. Tousley requested an explanation of the duties of the members of the Board of Tax Review. Mr. Markey explained this Board would hear a challenge from a resident or a business as to an income tax determination. There is a third party administrator who really administers the taxes, but if there is a challenge they have a right to an administrative appeal. This would go to Mr. Messner as the tax administrator to make a decision. If they want to appeal Mr. Messner's decision, then it goes to the Board of Tax Review. Mr. Pelot stated that this Board has never convened and Mr. Markey agreed adding it was very infrequent. Mr. Tousley acknowledged that this is a Mayoral appointment, but he is hesitant to appoint Mr. Markey because he works closely with the Administration. If the citizen has an argument with Administration, are they going to feel they are getting a fair view from the Board? Mr. McGlone asked if there was a previous representative. Mr. Markey said there was a Board under the old version of the tax code prior to 2016 but he does not know if it was filled. Ms. Whipkey stated she did not remember ever making such an appointment and asked if the member has to be an employee of the city. Mr. Markey said they may be, but does not have to be. Mr. Pelot inquired into the requirements. Mr. Markey believed that the members could be residents, but that is not required. Mr. Markey said he is willing to step aside if there is someone from the community that wants the position. He also noted there are still a couple of seats to fill. Mr. Karant asked what other cities do and Mr. Markey replied that in the City of Stow, he was a volunteer Board member and was not employed by the City. In fact, there were five residents that also volunteered. This Board meets as needed. Mr. Pelot said he has talked to Suzanne Boyer and she has agreed to serve on this board. Ms. Whipkey remembered that Mr. Kernan had brought a name forward at one point. Mr. Kernan said he did for another board, not this one, but he has not talked with him recently about the boards. He will contact him to verify his continued interest. Mr. Pelot said it may be helpful to have both an attorney and accountant. He also offered his support of Mr. Markey as an ethical person who will

represent the Board based on the facts presented and nothing personal. Mr. Messner said that in the four years he has been Director of Finance, several times a year residents will write that they want a release of tax or abatement. There has not been any time that my decision was debated and there have been times he has waived the penalties. I may cite the law and they understand, pay the bill and move on. There is not a huge problem. Mr. Markey read from the Section that identifies who should be appointed by the Mayor and it reads they may live in the city and may be an employee but it cannot be the Finance Director. Ms. Whipkey agrees that Mr. Markey should be trusted in this position. No matter who we put in, there is always someone that they are going to have something negative to say. This is the Mayor's appointment and he should be able to select someone he trusts. Mr. Markey is held to a legal obligation to do what needs to be done. Mr. Gainer agreed that Mr. Markey is a good choice. If it goes past Ron's office, it needs someone with a legal background. As far as he is concerned, Mr. Markey is an excellent choice. He is imminently qualified with a legal background in taxes and he would prefer someone with a legal background. Ms. Whipkey asked if the title of the Resolution could be amended to read Income Tax Review Board. Mr. Markey said the Codified Ordinance states Board of Tax Review. Ms. Whipkey said that if we add "Income" it would help clarify the Board and separate it from Incentive Tax Review. Mr. Pelot agreed. Mr. Tousley moved to add the amended version of Resolution. #45-2018 to the next Council Session, with emergency language, Mr. Karant seconded.

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

Motion passed unanimously.

City of Norton vs. Orville Trucking & Grading Company – Mr. Pelot asked Mr. Fowler to explain this item. He said that the concrete delivery truck on Houston Road in October of last year did significant damage to the road. We filed a claim with their insurance which was denied so we have been left without any further move than to file against the driver, Tow Truck Company and the Concrete Company. Mr. Pelot explained that when they pulled out, the truck caught the side of the road and peeled the road back and we are looking for funding to replace the road. Mr. Pelot moved to add Ord. #46-2017 with emergency language to the next Council session, Ms. Whipkey seconded.

Mr. Kernan asked if it was going for three readings. Mr. Fowler said he would appreciate waving the reading because we are limited as to what action we can take and we are having another repair and that would help further it along.

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

Motion passed unanimously.

UNFINISHED BUSINESS Mr. Pelot introduced another candidate for the Income Tax Review Board stating that we have been trying to find members of the community and no one has volunteered. Mr. Pelot contacted Susan Boyer and she has expressed interest. She is a Director of Regional Sales, married with one child and has been in the community for seven to ten years. Mr. Pelot can get more information, if wanted. Mr. Pelot moved to add this item for a first reading at the next council meeting. There was discussion about the appropriate time to

add it to the Council's agenda and Mr. Markey said this item could be added tonight or at the next week's meeting under Committee of the Whole. Mr. Tousley seconded the motion and asked Mr. Pelot to provide some background information on the candidate. Mr. Pelot agreed to email a letter of intent to Council.

Roll Call: Yes: Pelot, Tousley, Gainer, McGlone, Kernan, Whipkey, Karant
No: None

Motion Passed: 7 - 0

NEW BUSINESS – Mr. Gainer discussed the Western Star Cemetery situation stating there were suggestions made, passed on and kicked back and forth. He got a quote. After our Service Department repairs the corner of the fence, the company would paint both sides black after pressure washing. Mr. Gainer was in favor of wrought iron fence but the expense for the remaining three sides would be cost prohibitive – minimum of \$20,000 to \$30,000. Repairing the section of fence and then painting it, will be less than \$2000 even if the company supplies the paint. We could approach businesses in the area and might be able to get donations. For less than \$2000 it can be repaired and the people on the Parks and Cemetery Committee are happy with that and think it is the way to go. He does not want to see it torn down. Mr. Pelot asked how many gallons – Mr. Gainer thought it was estimated at 10 - 15, but that won't be known until the painter starts painting it. The painter had indicated that when the temperature got to 50 degrees for a couple of days, he could start the work and hopefully we could get this done before Memorial Day. Mr. Gainer acknowledged that he has heard some would like to first see the Norton Center Cemetery repaired as well and it should be done first as Western Star was rehabilitated in 2009, but it has deteriorated since then. There are 70 stones that need repaired and replaced and he got a price from Summit Memorial to do all of the work. We discussed volunteers, which could still be done. The quote of about \$8750 is to reset all the stones that need reset that actually may be closer to 75. Some are broke in half and they have a special epoxy and clamp them, dig a foundation, and pour concrete or grout and reset those. We talked about the ones that are for veterans and there are 16 known for a fact. Some have places for a flag, some have bronze markers. We could go through the Veterans Service Commission and we might be able to get a stone provided but that takes about six to eight months even if you know all of the information. Mr. Gainer wants to get the Western Star Cemetery looking presentable before Memorial Day. If we award the contract to get the stones done, he believed they could start soon and they could have those done for Memorial Day or at least part of them. He has some information on the Norton Center Cemetery but doesn't want to get started on both at the same time. People want the Norton Center Cemetery done due to the bicentennial coming up, but he didn't believe that many people would be coming by that cemetery to have it be the first done and didn't believe it was that bad. That cemetery is not as visible as Western Star, which is very visible along Medina County Line and the work needed is very viewable. Mr. Pelot asked who sits on the Parks and Cemetery Board and Mr. Gainer said he has been working with Neva Gibson. Mr. Pelot said we could invite her in to meet with Council. Mr. Gainer said Mrs. Gibson would be willing to ask the Board if they would consider passing a Resolution asking the City to complete this work and he asked Ms. Gibson to call a meeting as soon as possible. No one that Mr. Gainer has talked to is in favor of tearing the fence down because it will be gone. He did not believe the wrought iron fence would be put in as the cost of a

wrought iron is too expensive. He thinks we should go with the quote and have it painted black and have the Service Department do the repair.

Denise Mullins, 2886 Wilbanks Drive, Norton OH stated that at the Parks and Cemetery Board Meeting several weeks ago, Mr. Gainer expressed his interest in fixing up the Western Star Cemetery. The Board had a very lengthy discussion and said that a significant section of the fence looks to be totally destroyed by a tree falling on it. It was also discussed that a hurricane fence going around the side and back area was totally inappropriate for the cemetery. They were going to look at getting quotes for the wrought iron. If it is so cost prohibitive, perhaps there are other ways to go, but there was nobody on the Board that night that wanted that fence type reinstalled. Mrs. Mullins indicated that she does not recall anyone on the Board wanting to see it repaired or painted. She has not had further contact with Mr. Gainer or other Board members since that meeting and it seems there has been a lot going on that she is not aware of on the fence. Mr. Gainer agreed that he would much rather have a wrought iron if we had the money to pay for it. Mrs. Mullins noted that the quotes that Mr. Gainer has gotten for repairing and painting were never discussed at the meeting. Mr. Gainer agreed and indicated the discussion stopped when Mr. Fowler suggested the wrought iron option. Mrs. Gibson and Mr. Gainer have been out there three times and had Summit Memorial out to look at the stones. There are nine partially destroyed sections of fence.

Mr. Pelot asked Mr. Fowler to meet with the Parks and Cemetery Board and determine what they want. Mr. Fowler reported that he has asked Mr. Hess to get some prices on quality looking fence for the cemetery. He has not received those as of yet, but he will follow up. He also reported that our initial theory was going to get some donations to get some help to pay for fence. Mr. Fowler said this is a great civic project. They are hoping to engage more people like Mr. Gainer, who wants to see the facility the way it should be. He understands the importance of Memorial Day. Mr. Tousley asked if the city insurance pays for tree damage if it is on city property or could it be looked at and Mr. Fowler agreed. Mr. Pelot thanked Mr. Gainer for his passion and we will start working on this. Mr. Kernan said that his understanding is that the Administration gives information to Parks and Cemetery Board and the Board should have a meeting and make a recommendation to the Council. Council then acts on that and if it is not acceptable, sends it back to the Board. Mr. Kernan thanked Mr. Gainer for working with the Board. Mr. Pelot is asking that the Board let us know.

Mr. Fowler notified Council that First Energy Solutions has claimed bankruptcy stating that we signed a contract regarding electrical aggregation and our consultant is not concerned with it affecting the agreement. The information provided from them has been sent out to Council. Mr. Kernan said this has to do with the closing of the nuclear plants.

Mr. Fowler reported that Administration is submitting the New Park Drive for a Transportation Improvement District (TID) Grant for \$250,000 with the deadline being on May 31, 2018. We are one of two projects in Summit County that are being submitted.

Mr. Fowler gave a Nash Heights update stating that Phase III is going to be connected – and all houses will get a door hanger saying they are eligible to connect. Ms. Whipkey asked if Mrs. Miller is coming tomorrow. The Mayor noted she was here last week and yes, she will be here

again tomorrow from 5:00 to 7:00 PM. Mr. Fowler reiterated that the letters with the CDBG information have all been sent out and the door hangers are an additional notice. Mr. Karant reported that Mrs. Miller will also be here on April 25 at 6:30 p.m. at the Ward 3 Town Hall Meeting in the Community Center. She will be able to assist people and explain terms. He wants to make sure people are not signing contracts before filling out the paperwork for assistance, which would make them ineligible. Mr. Messner said that there were seven people that met with Ms. Miller with an eighth that came too late. Ms. Whipkey asked if we had a sign we could put out as a notification sign so the public can see announcements. Like the ones that roll around and we could get notice out for the Town Hall meeting. Mr. Karant said the Norton Kiwanis are looking at coming to the City with cooperative funds to do an electronic sign much like Barberton's notification sign that can be programmed remotely and that will have two facings. Ms. Whipkey said that the sign would give us one more way to reach people and should not cost much. Mr. Pelot asked Administration to check into it.

TOPICS FOR NEXT WORK SESSION – Monday, April 16, 2018

PUBLIC COMMENT

ADJOURN - Mr. Pelot noted that there will be a Special Meeting immediately following this meeting with one item to be discussed. There being no other business to come before the Committee Work Session, the meeting was adjourned at 7:50 p.m.



Scott Pelot, 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 April 9, 2018.



Kerry Macomber, 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.