



**NORTON CITY COUNCIL  
REGULAR COUNCIL MEETING  
MONDAY, APRIL 9, 2018 - 7:00 PM**

The Regular Council Meeting was convened on April 9, 2018 at 7:00 PM in the Council Chambers of the Safety Administration Building. The meeting was called to order by Mr. 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	

**COMMITTEE OF THE WHOLE-Reports from Standing Committees**

Acknowledge Council's receipt of the March 2018 Budget Reports.  
Mr. Pelot noted there will be a Public Hearing tonight at 7:15 PM or later.

**COMMUNICATIONS FROM THE PUBLIC – None**

**CONSIDERATION OF MINUTES**

Minutes of Regular Council Meeting of March 26, 2018 were approved as submitted.  
Minutes of Committee Work Session of April 2, 2018 were approved as submitted.  
Minutes of Special Council Meeting of April 2, 2018 were approved as submitted.

**REPORTS FROM OFFICERS, BOARDS AND COMMISSIONS**

Mayor Zita announced that Holly Miller, CDBG Coordinator from Summit County, met with a number of residents over the past couple of weeks. Hopefully, she was able to assist those that were eligible to receive assistance. On behalf of the city, the Mayor thanks Summit County and Holly Miller for coming out to help our residents. He also mentioned that she has agreed to come to Councilman Karant's Town Hall meeting on April 25, 2018, to provide the same assistance. It was good she was able to meet with residents before they signed contracts.

Mr. Fowler said the door hangers will be going to all residents in Phase 3 and for the most part, that project is wrapped up. There have been a lot of calls about landscaping and the company will come back and repair the lawns when weather permits. He asks that residents be patient.

**PUBLIC HEARINGS – ORD #41-2018:** An ordinance rezoning property known as Parcel #4601182 located at 3296 South Cleveland-Massillon Road and Parcel #4606294 and #4606295 located at 3078 Jackson Drive from a B2 District to a B3 District.

At 7:15 PM Mr. Pelot convened the Public Hearing for Ord #41-2018. Mr. Pelot asked the clerk to certify the Public Hearing was advertised in the Barberton Herald on March 22, 2018. Ms. Macomber replied, "I so certify." Mr. Pelot called for anyone in favor of the rezoning to come forward, noting the applicant has the right to speak first. Mr. Pelot called again for anyone to speak in favor of the rezoning. Andrew Day, owner of Advanced Quality Lawn, stated they would be purchasing the property to move the business into that location. Mr. Pelot called for a third and final time for anyone wishing to speak in favor for the rezoning. Ms. Whipkey spoke in favor of the rezoning stating this area is all businesses and it would not be bothering any of the public.

Mr. Pelot called three (3) times for anyone against the rezoning to come forward, and no one came forward.

At 7:18 PM, Mr. Pelot closed the Public Hearing for Ord #41-2018 and reconvened the Regular Council Meeting.

#### **INTRODUCTION OF NEW LEGISLATION**

##### **RES #45-2018**

Mr. Tousley offered Res #45-2018 for its first reading and asked the clerk to read it:

A RESOLUTION CONFIRMING THE APPOINTMENT OF JUSTIN MARKEY TO A TWO-YEAR TERM AS A REPRESENTATIVE ON THE LOCAL BOARD OF INCOME TAX REVIEW OF THE CITY OF NORTON AND DECLARING AN EMERGENCY.  
First reading only.

##### **ORD #46-2018**

Mr. Pelot offered Ord #46-2018 for its first reading and asked the Clerk to read it:

AN ORDINANCE AUTHORIZING THE MAYOR AND/OR CITY ADMINISTRATOR TO EXECUTE AND DELIVER A CONTRACT FOR LEGAL SERVICES IN CONNECTION WITH LEGAL ACTION RELATED TO PROPERTY DAMAGE ON HOUSTON ROAD, AND DECLARING AN EMERGENCY.

Mr. Pelot moved to waive the second and third readings, seconded by Ms. Whipkey

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

Motion passed 7-0.

Mr. Pelot moved to adopt Ord #46-2018, seconded by Ms. Whipkey. Mr. Pelot explained that this is where Houston Road was damaged and the City is trying to recover the cost from the company that caused the damage.

Roll Call:     Yes:   Pelot, Whipkey, Kernan, Gainer, McGlone, Karant, Tousley

No: None  
Motion passed 7-0.

**RES #47-2018**

Mr. Tousley offered Res #47-2018 for its first reading and asked the clerk to read it:

A RESOLUTION CONFIRMING THE APPOINTMENT OF SUZANNE BOYER TO A TWO-YEAR TERM AS A REPRESENTATIVE ON THE LOCAL BOARD OF INCOME TAX REVIEW OF THE CITY OF NORTON AND DECLARING AN EMERGENCY.  
First Reading Only.

**INTRODUCTION OF PRIOR LEGISLATION**

**ORD #28-2018**

Mr. Pelot offered Ord #28-2018 for its third reading and asked the clerk to read it:

AN ORDINANCE TO AUTHORIZE THE ADMINISTRATIVE OFFICER TO ENTER INTO AN AGREEMENT WITH ENGINEERING ASSOCIATES, INC. FOR PROFESSIONAL ENGINEERING SERVICES IN CONNECTION WITH THE DESIGN OF THE EASTERN ROAD WATERLINE EXTENSION, AND DECLARING AN EMERGENCY.

Mr. Pelot moved to adopt Ord #28-2018, seconded by Ms. Whipkey

Roll Call: Yes: Pelot, Whipkey, Kernan, Gainer, McGlone, Karant, Tousley  
No: None  
Motion passed 7-0.

**RES #31-2018**

Mr. Kernan offered Res #31-2018 for its third reading and asked the clerk to read it:

A RESOLUTION IN SUPPORT OF THE OHIO DEPARTMENT OF TRANSPORTATION UNITED STATES AND STATE BIKE ROUTE SYSTEM, AND DECLARING AN EMERGENCY.

Mr. Kernan moved to adopt Ord #31-2018, seconded by Mr. Pelot

Roll Call: Yes: Kernan, Pelot, Whipkey, Gainer, McGlone, Karant, Tousley  
No: None  
Motion passed 7-0.

**ORD #34-2018**

Mr. Tousley offered Ord #34-2018 for its third reading and asked the clerk to read it:

AN ORDINANCE APPROVING THE EDITING AND INCLUSION OF CERTAIN ORDINANCES AS PARTS OF THE VARIOUS COMPONENT CODES OF THE CODIFIED ORDINANCES; APPROVING, ADOPTING AND ENACTING NEW MATTER IN THE UPDATED AND REVISED CODIFIED ORDINANCES: REPEALING

ORDINANCES AND RESOLUTIONS IN CONFLICT THEREWITH; AND DECLARING AN EMERGENCY.

Mr. Tousley moved to adopt Ord #34-2018, seconded by Mr. Karant. Mr. Pelot noted that this is boilerplate language to update the City's Codified Ordinances.

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

Motion passed 7-0.

**ORD #37-2018**

Mr. Tousley offered Ord #37-2018 for its second reading and asked the clerk to read it:

AN ORDINANCE AUTHORIZING THE ADMINISTRATIVE OFFICER TO EXECUTE AND DELIVER A COLLECTIVE BARGAINING AGREEMENT BETWEEN THE CITY OF NORTON AND THE AFSCME SERVICE WORKERS OF THE CITY, AND DECLARING AN EMERGENCY.

Second Reading Only.

**ORD # 38 -2018**

Mr. Tousley offered Ord #38-2018 for its second reading and asked the clerk to read it:

AN ORDINANCE AUTHORIZING THE ADMINISTRATIVE OFFICER TO EXECUTE AND DELIVER A COLLECTIVE BARGAINING AGREEMENT BETWEEN THE CITY OF NORTON AND THE AFSCME OFFICE AND CLERICAL OF THE CITY, AND DECLARING AN EMERGENCY.

Second Reading Only.

**ORD # 39 -2018**

Mr. Pelot offered Ord #39-2018 for its second reading and asked the clerk to read it:

AN ORDINANCE DECLARING CERTAIN CITY PROPERTIES AS NO LONGER NEEDED FOR MUNICIPAL PURPOSES AND AUTHORIZING THE ADMINISTRATIVE OFFICER TO ADVERTISE THE PROPOSED SALE OF SAID PROPERTY, AND DECLARING AN EMERGENCY.

Mr. Kernan asked if there was a reason not to suspend third reading. It has been in the public and so far, no one has spoken against it. Mr. Kernan moved to waive third reading, seconded by Ms. Whipkey.

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

Motion passed 7-0.

Mr. Pelot moved to adopt Ord #39-2018, seconded by Mr. Kernan.

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

Motion passed 7-0.

Mr. Pelot temporarily recessed the Regular Council meeting at 7:13 PM. and noted that Council would reconvene with the Public Hearing at 7:15 PM.

Mr. Pelot reconvened the Regular Council meeting at 7:18 PM

**ORD # 41-2018      Second Reading:**

Mr. Kernan offered Ord #41-2018 for its second reading and asked the clerk to read it:

AN ORDINANCE REZONING PROPERTY LOCATED AT 3296 SOUTH CLEVELAND-  
MASSILLON ROAD AND 3078 JACKSON DRIVE FROM A B2 DISTRICT TO A B3  
DISTRICT.

Mr. Kernan moved to waive the third reading, seconded by Ms. Whipkey:

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

Motion passed 7-0.

Mr. Kernan moved to adopt Ord #41-2018, seconded by Ms. Whipkey. Mr. Kernan echoed what Ms. Whipkey had said earlier in favor of the rezoning. He stated that it is good to see a new business in Norton and wished Mr. Day good luck with his business. Mr. Pelot said that with the new City Administrator, it is apparent that Norton is business friendly and happy to attract business.

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

Motion passed 7-0.

**UNFINISHED BUSINESS - None**

**NEW BUSINESS - None**

**PUBLIC SERVICE ANNOUNCEMENTS - None**

**EXECUTIVE SESSION** – Mr. Pelot announced that there will be no business conducted after the Executive Session. Mr. Pelot reminded everyone attending that while Council is in Executive Session, the audio and video is recording live and uninterrupted and that if you do not want your conversations recorded, please exit the Council chambers.

Mr. Pelot moved to enter into the Executive Session for the purpose of preparing for, conducting, or reviewing negotiations or bargaining sessions with public employees concerning their compensation or other terms and conditions of their employment; as defined in O.R.C. § 121.22(G)(4) & Section 3.12 of the Norton City Charter. Seconded by Ms. Whipkey.

Roll Call: Yes: Pelot, Whipkey, Kernan, Gainer, McGlone, Karant, Tousley  
No: None  
Motion Passed: 7-0.

Mr. Pelot invited Mayor Zita, Mr. Fowler, Mr. Markey and Mr. Messner to attend.

At 7:57 PM, Council adjourned from Executive Session and reconvened the Regular Council meeting.

**ADJOURN**

There being no further business to come before Council, the meeting was adjourned at 7:57 PM.

  
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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 23, 2018.

  
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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.