



**COMMITTEE WORK SESSION  
MONDAY, JUNE 18, 2018 @ 7:00 PM**

The Committee Work Session convened on Monday, June 18, 2018 at 7:02 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  
Dennis McGlone  
Dan Karant  
Paul Tousley  
Charlotte Whipkey  
Joe Kernan  
Scott Pelot

**Also Present:**

Mayor Mike Zita  
Robert Fowler  
Ron Messner  
Justin Markey  
Kerry Macomber

**GENERAL TOPICS OF DISCUSSION**

Unmarked Police Cars

Mr. McGlone noted that this vehicle was included in the 2018 budget from Fund 140 and the quotes are attached. Chief Dalessandro stated that he requested the purchase of three vehicles, two marked and one unmarked. The two marked 2018 Dodge Chargers have been ordered but have not been received so he is down to six marked vehicles for now. He is requesting to purchase an additional unmarked vehicle. They currently have 2008 Ford Taurus with over 100,000 miles and they intend to keep the vehicle for officers to use to travel to training, etc. It is currently worth around \$2400 and the mechanic has said that it is a good vehicle with a couple more years of use left. Mr. Karant asked why Grand Cherokee Laredo and the Chief said they said they used to drive Jeep Cherokee and they have had good luck with them, and they are given a good price. Plus, they need a SUV to accommodate the necessary equipment. These can also be used as a command vehicle, which is how they are using the 2017 Jeep Cherokee now. Mr. Pelot asked what equipment. The Chief says it needs radio, unmarked visor lights, lights in the front and a light bar in back and a siren. The lights are separate cost. Mr. McGlone asked if a regular squad car requires more and the Chief agreed. Mr. Tousley asked about the number of vehicles and the Chief said he currently has six marked, two unmarked, with two marked to come so there are will be a total of ten vehicles not counting this one. There is one Dodge Charger that is a K9 vehicle and can only be used by the one officer. Mr. Tousley confirmed there are 16 full-time officers and four part-time officers. Mr. Pelot asked the Chief to submit a semi-annual report that includes year of vehicle, mileage, accident reports etc or when something changes due to accidents or whatever. The Chief shared the following list of current vehicles:

1. Car #62 2017 Dodge Charger 49,000+ miles;
2. Car #63 2017 Dodge Charger 43,864 miles;
3. Car #65 2017 Dodge Charger 43,156;
4. Car #66 2016 Dodge Ram DARE Vehicle, which is replaced every other year by Fred Martin has 22,503 miles and they like to keep under 25,000 miles for the lease;
5. Car #67 2015 Dodge Charger K9 vehicle with 103,000 miles;
6. Car #68 2013 Dodge RAM Truck, which we purchased after it was a DARE Vehicle has 111,000 miles;
7. unmarked 2008 Ford Taurus 100,000 miles;
8. unmarked 2017 Jeep Cherokee 12,000

Mr. McGlone asked about the typical life of the vehicles. The chief responded the Dodge Chargers get about 80,000 miles. The K9 vehicle is over 100,000 so it is next for replacement and they have had to put some work into it. Mr. McGlone asked if it was in the budget for next year and the Chief responded affirmatively. Mr. Tousley asked the Chief to explain the procedure for scheduling cars and the Chief explained the marked cruisers are used by two or three officers and they try not to run them in all three shifts 24/7 because that is when problems happen. Unmarked cars are used by two detectives to deliver evidence, investigative work, follow-up work, and meetings, etc. Mr. McGlone asked about the timeline and if there was a problem with the upcoming break. The Chief did not indicate there would be a problem. It was discussed there are only two more regular Council meetings before break, but Council would address it at the last meeting.

Mr. McGlone moved to add Ord #76-2018 to the next Council agenda, seconded by Mr. Pelot.

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

Motion passed unanimously.

#### Petition for Utilities

Ms. Whipkey asked for clarification on the two petitions. One is for Clark Mill that encompasses 108 homes in the plans and where is it actually going to go. Mr. Fowler noted that 108 were proposed, but it would be closer to 100 and Barberton is currently working on the package plant abandonment with plans to take the line across Clark Mill. There was an easement granted in 2017. Clark Mill will be extended 960' towards the Sand and Gravel plant. There is a stream that Barberton is going to follow and is on the west side of Clark Mill. It will extend sewer from the driveway to the mainline from former Norton Acres Plant to the driveway of the new allotment. There is a farm drive off to the left and that is where this will be next to the church. Mr. Fowler clarified it is sewer only because the water is already there. Mr. Fowler stated he believed the cost was roughly a \$100,000.00 which will not be on us. Ms. Whipkey asked if the JLP Developers are a conglomeration of the property owners as the prices on the deeds were reflecting \$1.00 and \$10.00. Mr. Fowler was not sure. Ms. Whipkey asked if it was going to be assessed yearly on the property. Mr. Markey noted yes, it is normal if the developer is asking the city to design a water or sewer line extension because this allows us to recoup our money if the development does not go forward. Ms. Whipkey asked about the verbiage that reports that no other property will receive special benefits and asked if this meant

that no one else can tie into the sewer. Ms. Markey said no, this is normal language and means that no other properties are benefitting so there won't be any other assessments as no one else is asking for it. It will be a dedicated, public line so others can tap in based on a development agreement. Ms. Whipkey would like to see laterals installed at this time. Mr. Markey again said that could also be added to a development agreement if the City agreed to pay for it. Mr. Markey did not think there would be any disagreement to installing laterals. The City will design it with that in mind for the laterals to be able to serve those properties along the way. Ms. Whipkey asked about how this will impact the Speedway and here comes another development that will generate complaints on the noise. Mr. Markey said the Noise Ordinance was passed by Council and it has the right to revisit and revise. Mr. Gainer stated the developer is paying for this and asked if someone taps in, can the developer charge whatever they want. Mr. Markey said the city will advance the money to design the sewer line from the 128 Fund or another fund. How it actually gets paid back has not been determined as yet so there could be a loan. Once they get costs, it will be figured out who pays first. Mr. Tousley said he is hearing two things here; he understands the City is not going to be on the hook but may have to recoup. Mr. Markey said we are going to pay the cost for the design up front for the design and if the development does not occur, the city has the right to assess the developer so the city can recover the cost of design. Mr. Tousley asked if there was a timeline and Mr. Markey responded in the negative and again, specifics would be in a subsequent agreement. Ms. Whipkey referenced the upcoming topic on the agenda dealing with the Cleveland-Massillon Road Engineering and Mr. Markey explained yes, that is an example of the City agreeing to advance \$75,000 to pay for the Engineering design and then we they have the right to assess the property owners if the development does not occur.

Ms. Whipkey then went on to the second petition and explained the project area is starting from the school, as far as the water line goes, and on across Wadsworth Road. Mr. Fowler said this is Mike Meden's properties just past Rick's Auto and includes three homes before you get to Reimer. Ms. Whipkey asked if he sold it, then why is Mr. Meden applying. Mr. Fowler said because it has not transferred yet. Mr. Fowler explained two people will be on the agreement, the developer and Mr. Meden. Mr. Fowler then explained the planned sewer layout going from the line heading east on Wadsworth to cross Wadsworth and go up to the Meden property. He also explained that Rick's Auto may also be interested in a connection to the sewer off of Cleve-Mass. Ms. Whipkey asked about the timeframe. Mr. Fowler said the developers will take ownership on June 25<sup>th</sup> or 26<sup>th</sup> so if the petitions are acceptable to Council, he would need to move this forward at the next Council meeting if Council approves of the petitions and we can get the petitions signed. Ms. Whipkey asked for clarification on the two projects and the requests for funding upfront. Mr. Fowler said Cleveland-Massillon is \$75,000 and the Clark Mill Project is about \$10,000 - \$12,000 because it is a short run (700') and a lot of the engineering and surveying was already completed done by Barberton when working on the Norton Acres abandonment. There was further discussion about the existence of any sewer on Clark Mill Road currently. Ms. Whipkey stated she was concerned with having a piece of the road without sewer when we could tie it all in while doing this project. Mr. Pelot asked Mr. Fowler to provide this information. Mr. Fowler wanted to make sure Council was okay with the petitions as written and once they are executed, to provide an Ordinance to enter into the Petitions. Mr. Fowler noted only the preliminary plat for Clark Mill has been approved by the Planning Commission. Ms. Whipkey says she hates to see vacant land turned to waste, so to

she can't argue that it is coming and long as others can tie in if they desire she won't stop it. Mr. Fowler said they will control the costs so the city can encourage people to connect. Ms. Whipkey said that would save the City some wear and tear on the roads if they can make sure there are laterals available. Mr. Gainer asked about the line from Norton to Clark Mill Road running from Norton Avenue. Mr. Fowler said no, it is going to start at the farm lane and head north to the Sand and Gravel. Mr. Gainer said we are going to pick up 100 new customers for Barberton and maybe Barberton would be willing to help us pay for the line or the cost of this project since they will reap all of the revenue.

Mr. Gainer asked if the Cleveland Massillon Road line has an easement from Cleveland Massillon road going across to the park of about 300 feet. Mr. Fowler thinks it is a paper street. Mr. Gainer said if we were going to run sewer and water line there, couldn't this area be used to run to the park if we didn't have to purchase property. Mr. Fowler said you could run a 2" service line. Mr. Gainer asked Mr. Fowler to look at it. This would also benefit the others along that road that could be looking to sell their land.

Mr. Kernan said there is no reason for us to share the cost with Barberton because the developer is paying 100% for the line. Mr. Fowler agreed but it is true that Barberton will receive all of the revenue. Mr. Fowler said they have discussed this with Barberton and they are not interested in paying for any of the project, sharing the revenue, or sharing the tap in fees. Mr. Kernan said that when you buy into a development, you pay for the water and sewer access. Mr. Pelot thought this was addressed in the contract for infrastructure development and asked that Administration look at the contract. Ms. Whipkey suggested the developer go directly to Barberton to discuss sharing the cost. Ms. Whipkey pointed out that even by accepting the petitions tonight, we had another chance to turn it down later through the ordinance and Mr. Fowler agreed. She wanted everyone to know that this was not the end of the story. Ms. Whipkey moved to accept both of the Petitions and to request that an Ordinance stating so be added to the next Council meeting, seconded by Mr. Kernan.

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

Motion passed unanimously.

#### Cleveland-Massillon Road Engineering

Ms. Whipkey said this is to enter into an agreement to design the water and sewer lines on Cleveland-Massillon that is costing \$75,000. Mr. Fowler said, yes, but we will assess the property. Mr. Pelot asked about a timeframe for recouping the money and Mr. Markey said we have the ability to do it quickly but it will depend on negotiations. Ms. Whipkey questioned which Fund would be used and Mr. Fowler said the Water Fund or Fund 128 or a combination of both. Mr. Fowler said he is not ready to move this forward until the Petitions are signed and passed. Mr. Markey agreed and said that the Clark Mill Development will need an Ordinance similar to this one; it would make better sense to wait until the petitions are signed and passed. This could happen next week or at a later date. Mr. Fowler said he would move this forward after Council approves the Ordinance accepting the Petitions. Ms. Whipkey asked if this was actually bid out and Mr. Fowler said he asked firms that received a Request for Qualifications (RFQ) and this was the best firm for this project and the price was negotiated. Mr. Pelot asked

Council to look this over because if everything moves along, it could come to the Committee of the Whole next week and be added to the agenda meeting. If there are any questions, make sure you contact Administration.

**UNFINISHED BUSINESS** Blue Line Solutions - Mr. McGlone said there was a first reading last week and there has been questions raised regarding civil penalties. Mr. McGlone noted that there was public comment made about a law suit in another city. Mr. Markey said that they have already discussed this with Blue Line Solutions in the first meeting. One of his questions was dealing with quotas, which was in the contract with the city in the law suit. This provision has been removed from our contract and it is very different situation. This is for safety reasons and not for revenue. Mr. Kernan said that he looked up the case and that it was an unmanned camera so there were some due process problems. That won't occur here because we will have manned cameras, and it is not for revenue and there is no quota. Ms. Whipkey said that the \$3 million lawsuit was against a different company, Optotraffic, not Blue Line Solutions. In 2015 or 2016 New Miami went with Blue Line Solutions plus it was 100 hours, which we do not have and it had nothing to do with construction. Also, Girard had an issue with this and it was Blue Line Solutions used; however it was set up in a construction zone and when construction ended, they failed to take down the 55 mph sign and were ticketing in a zone what should have been 65 mph. This is an ongoing issue as Girard is fighting it although ODOT said the speed limit should have been changed. Mr. Markey stated they had discussed Girard as well in their meeting. Mr. Tousley said part of the concern was that city set up legislation that they can do civil fines without insurance companies knowing and not putting points on the license. Mr. Markey said that is the state law that allows that, but it can be reviewed. Mr. Pelot does not see this has a contract length. Mr. Markey said the contract is limited to two years and he thought he revised it. Ms. Whipkey said Ord #71 was not changed only Ord #72. Mr. Markey can make those changes. Ms. Whipkey would also like to have a letter sent to Blue Line Solutions so they are aware that when construction ends, the 30-day notice will begin. Mr. Markey said you can stop enforcing and using the equipment. Ms. Whipkey wants to make it clear that when construction is done we are done. Mr. McGlone noted that the allocations were changed as requested. Ms. Whipkey would like to see more go into the roads. Mr. Pelot wants to be sure these are off-duty police officers, and if they are on-duty, there will be pension, retirement, etc. attached to their hourly pay and he wants to make sure that the entire cost is reimbursed to the city. Mr. Tousley agreed with Ms. Whipkey in wanting more to go into roads. Mr. Pelot noted they would review it. Mr. Markey noted he had sent out the revisions to Council but didn't think Council had in front of them right now.

**NEW BUSINESS** - None

**TOPICS FOR NEXT WORK SESSION – Monday, July 2, 2018**

July 1, 2018 is the last day for Nash Heights discount for the connection. Ms. Whipkey asked if we put it out on the signs and the website. Mr. McGlone asked how many have pulled permits. Mr. Fowler said 131 permits have been issued out of 300 as of a couple weeks ago according to Barberton, but he would check. Mr. Pelot asked the Administration to do a press release and put it on the website.



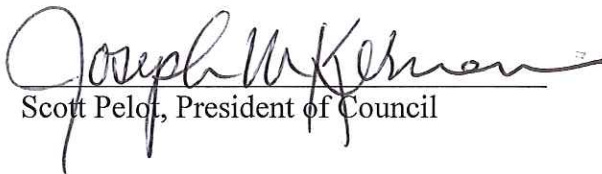
Mr. Karant said there is a difference in a single property having water problems which could be their responsibility versus an area wide problem. For example, conditions on St. Rt. 261 may have changed because of the weather shifts and questioned if this is something our residents need some relief from. Mr. Markey said there is a difference between the city doing changes for storm water infrastructure for many people versus doing private improvements; it's a matter of funding and where you draw the line, particularly without a funding mechanism . Mr. Karant would like to get some information so he better understands the magnitude of the problem on 261. Mr. Pelot said that problem has been going on for ten years and part of it is a result of activity on private property that the City doesn't have access to. Mr. Gainer asked for the specific location and Mr. Karant said this is on 261 running south behind Affordable Decking and the Thrift Shop. Mr. Pelot asked the City Engineer to look at it.

Mr. Karant mentioned a complaint from the Nash Heights neighborhood on Easton Road where the road was not dropped into the apron but rather just gravel. Mr. Pelot asked someone to look at it. Mr. Fowler said they get a lot of phone calls and they have not finished their final check list with a lot of time left yet and there is also a one -year warranty on the work. He is confident it will be handled.

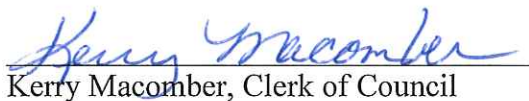
Mr. Pelot announced the July 2, 2018 Committee Work Session will be cancelled unless something critical comes up. The July 9, 2018 Regular Council Meeting will be the final meeting before Council break and there is a Special immediately following this meeting.

**PUBLIC COMMENT** - None

**ADJOURN** - There being no other business to come before the Committee Work Session, the meeting was adjourned at 8:05 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 June 25, 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.