



**NORTON CITY COUNCIL  
REGULAR COUNCIL MEETING  
MONDAY, AUGUST 26, 2019**

The Council Meeting was convened on Monday, August 26, 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	Justin Markey
	Charlotte Whipkey	Robert Fowler
	Scott Pelot	Kerry Macomber
	Joe Kernan	

**COMMUNICATIONS FROM THE PUBLIC**

Jake Altman, Ohio Auditor of State Northeast Regional Liaison, presented the “Award of Distinction” to Ron Messner, Finance Director. Mr. Altman said this is an honor as less than five percent of the 6,000 entities that they audit receive Auditor’s Award of Distinction. This speaks to the commitment of the City – the Council, Mayor and all that work for the City. He congratulated Mr. Messner on his professionalism, leadership and commitment to financial excellence. On behalf of Auditor of the State Keith Faber, Mr. Altman said congratulations. Mr. Messner said that he is gratified by this award and led a very good department. He noted that the City has won this award three of the last five years he’s been here. Mr. Messner said this is a group effort of all staff in the City Departments. He said the state audit is tough and they look, dig, and scratch. Sometimes, we bleed so he is honored to have this award, thank you.

Theresa Balogh 2883 Rich Road – Ms. Balogh noted she was here in March to request Rich Road be paved. She came to thank Council because it has been paved and it is absolutely beautiful. So, thank you for listening to me.

Craig Guappone 3816 Shellhart – Mr. Guappone stated he has been here before regarding a change of zoning of the Golf Course. He stated he understood the sale had not taken place yet and asked if Council has received any planning materials. Mr. Kernan said they have not received any information on plans. Mr. Guappone asked if they had any idea what the developer plans on building and Mr. Kernan responded in the negative. Mr. Guappone said there is all three types of residential zoning codes in this area and they all say single family housing; as far as he knows, there is nothing but single family homes from Golf Course Drive to Cleveland-Massillon Road. If this is going to be developed it should be commensurate with what is already there. The homes were purchased as much as 30 years ago for the aesthetics. So, no matter what goes in there, our property values drop because of the aesthetics and we can’t stop it. I understand that the gentleman has a right to sell his property but he is only one person. He stated that Council also has a responsibility to everyone and what goes in there should match everybody else’s home. It should

be nothing less than single family residences and he knows that we cannot control the quality of the residences. He hopes the City can. For the people on Shellhart, they don't know if they are going to look at the front or the back of the homes. He has checked out other areas and they build a mound of trees as a buffer. So he is asking for a mound as a buffer between the two sides of the street. He is making this personal request because they have no idea what is being built. He realizes there will be differences because of the era and he feels the City owes it to the taxpayers to protect the property values on those two streets.

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

Planning Commission Resolution – R10-2019 MUD District - Mr. Gainer moved to add Ord. No. 100-2019 to tonight's Agenda; seconded by Mr. Karant

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

Motion passed 7-0.

Striping Bids – Mr. Karant moved to add Ord. No. 101-2019; to tonight's Agenda; seconded by Mr. Gainer. Mr. Karant asked why we are approaching this at such a late date of the year. Mayor Zita said it may have been because of the Council break and this was the earliest we could get it to Council. Ms. Whipkey noted there has been a lot of work on roads and all of these will probably need to be striped. Ms. Whipkey understood this had to be done before October and we may need to waive readings. Mayor agreed and said there is still one more road to be completed and he believed that was Johnson.

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

Motion passed 7-0.

**CONSIDERATION OF MINUTES**

Minutes of Regular Council Meeting of July 8, 2019 are deferred until next Regular Council meeting.

Minutes of Special Council Meeting of July 11, 2019 were accepted as submitted.

Minutes of Committee Work Session of August 19, 2019 were accepted as submitted.

**REPORTS FROM OFFICERS, BOARDS AND COMMISSIONS - None**

**PUBLIC HEARINGS – None**

**INTRODUCTION OF NEW LEGISLATION**

**Ord. No. 092-2019**

Mr. Karant introduced Ord. No. 092-2019 for its first reading and asked the Clerk to read it:

AN ORDINANCE TO AMEND SECTION 440.01 OF THE CODIFIED ORDINANCES OF THE CITY OF NORTON, AND DECLARING AN EMERGENCY.

First reading only.

**Ord. No. 093-2019**

Ms. Whipkey introduced Ord. No. 093-2019 for its first reading and asked the Clerk to read it:

AN ORDINANCE TO AMEND THE APPROPRIATIONS FOR THE CURRENT EXPENSES OF THE CITY OF NORTON FOR THE FISCAL YEAR ENDING DECEMBER 31, 2019; AUTHORIZING TRANSFERS FROM THE GENERAL FUND FOR CALENDAR YEAR 2019; AND DECLARING AN EMERGENCY.

Ms. Whipkey said this is to move funds around so we can continue to work on Cleveland-Massillon Road in the Loyal Oak area, resurfacing on Wooster and Johnson, and the Hametown intersections for the western end of Johnson Road. Ms. Whipkey moved to waive second and third readings; seconded by Mr. Pelot.

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

Motion passed 7-0.

Ms. Whipkey moved to adopt Ord. No. 093-2019; seconded by Mr. Pelot. Mr. Pelot thanked the public for their understanding during all the road construction. At the end of the day, it is going to be a good thing and we will have some nice roads in the City.

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

Motion passed 7-0.

**Res. No. 094-2019**

Ms. Whipkey introduced Res. No. 094-2019 for its first reading and asked the Clerk to read it:

A RESOLUTION AUTHORIZING THE MAYOR TO APPLY FOR FEDERAL SURFACE TRANSPORTATION BLOCK GRANT (STBG) RESURFACING FUNDS PROGRAMMED BY THE AKRON METROPOLITAN AREA TRANSPORTATION STUDY (AMATS) TO IMPROVE CERTAIN STREETS, AND DECLARING AN EMERGENCY.

Ms. Whipkey said we are getting grant money to finish Johnson Road going to the Barberton limits. It needs to be done to make application by September and moved to waive second and third readings; seconded by Mr. Pelot.

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

Motion passed 7-0.

Ms. Whipkey moved to adopt Res. No. 094-2019; seconded by Mr. Pelot.

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

Motion passed 7-0.

**Ord. No. 095-2019**

Ms. Whipkey introduced Ord. No. 095-2019 for its first reading and asked the Clerk to read it:

AN ORDINANCE ACCEPTING THE BID OF SUPERIOR PAVING & MATERIALS, INC. IN AN AMOUNT NOT TO EXCEED \$229,322 FOR THE JOHNSON ROAD RECONSTRUCTION PROJECT AND DECLARING AN EMERGENCY.

Ms. Whipkey said this to work on Johnson Road. It needs to get out by September and moved to waive second and third readings; seconded by Mr. Pelot.

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

Motion passed 7-0.

Ms. Whipkey moved to adopt Ord. No. 095-2019; seconded by Mr. Pelot. Mr. Pelot asked the Mayor when they would be starting this and Mayor Zita replied he believed it would be shortly.

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

Motion passed 7-0.

**Ord. No. 096-2019**

Ms. Whipkey introduced Ord. No. 096-2019 for its first reading and asked the Clerk to read it:

AN ORDINANCE DETERMINING TO PROCEED WITH THE NEWPARK DRIVE PROJECT AND DECLARING AN EMERGENCY.

Ms. Whipkey said this is to approve the assessments for the project on Newpark. We need to get moving on it so Ms. Whipkey moved to waive second and third readings; seconded by Mr. Pelot.

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

Motion passed 7-0.

Ms. Whipkey moved to adopt Ord. No. 096-2019; seconded by Mr. Pelot.

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

Motion passed 7-0.

**Ord. No. 097-2019**

Ms. Whipkey introduced Ord. No. 097-2019 for its first reading and asked the Clerk to read it:

AN ORDINANCE ACCEPTING THE BID OF LIBERTA CONSTRUCTION COMPANY IN AN AMOUNT NOT TO EXCEED \$1,256,282 FOR THE NEWPARK DRIVE RECONSTRUCTION PROJECT AND DECLARING AN EMERGENCY.

Ms. Whipkey said this is to do the actual work and we need to get it started as soon as possible. Ms. Whipkey moved to waive second and third readings; seconded by Mr. Pelot.

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

Motion passed 7-0.

Ms. Whipkey moved to adopt Ord. No. 097-2019; seconded by Mr. Pelot. Mr. Pelot asked Administration to give the businesses as much advance notice as possible. Mr. Fowler responded we have a meeting scheduled tomorrow with the Engineer and several of the businesses. He is hopeful that their questions will be addressed before the construction gets started.

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

Motion passed 7-0.

**Ord. No. 098-2019**

Mr. Kernan introduced Ord. No. 098-2019 for its first reading and asked the Clerk to read it:

AN ORDINANCE TO AUTHORIZE THE ADMINISTRATIVE OFFICER TO ENTER INTO AN AGREEMENT WITH ORCHARD, HILTZ & MCCLIMENT, INC. FOR PROFESSIONAL ENGINEERING SERVICES IN CONNECTION WITH THE PREPARATION OF A PARKS CAPITAL IMPROVEMENT PLAN IN AN AMOUNT NOT TO EXCEED \$29,600.

First reading only.

**Ord. No. 099-2019**

Mr. Kernan introduced Ord. No. 099-2019 for its first 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 moved to waive second and third readings; seconded by Ms. Whipkey. Mr. Kernan said we want to get the equipment off the books. Mr. Fowler agreed and said there is a minimum trade-in value on some of the equipment. They are going to advertise with a minimum amount of a bid to be accepted and hope to find someone that will buy them. If no one is interested, then we will trade them in. Mr. Kernan noted that we will wait on buying some equipment to see if a trade is possible. Mr. Fowler agreed.

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

Motion passed 7-0.

Mr. Kernan moved to adopt Ord. No. 099-2019; seconded by Ms. Whipkey. Mr. Pelot asked where it will be advertised and Mr. Messner said just on the Website.

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

Motion passed 7-0.

**Ord. No. 100-2019**

Mr. Gainer introduced Ord. No. 100-2019 for its first reading and asked the Clerk to read it:

AN ORDINANCE TO AMEND THE ZONING CODE OF THE CITY BY AMENDING SECTION 1287.04.

First reading only a Public Hearing is scheduled for September 9, 2019

**Ord. No. 101-2019**

Mr. Karant introduced Ord. No. 101-2019 for its first reading and asked the Clerk to read it:

AN ORDINANCE ACCEPTING THE BID OF J.D. STRIPING & SERVICES, INC. IN AN AMOUNT NOT TO EXCEED \$16,610 FOR THE 2019 PAVEMENT MARKING PROGRAM, AND DECLARING AN EMERGENCY.

First reading only.

Mr. Pelot asked if we waived the readings, would we be able to get the striping done right now. Mr. Fowler said he did not know what their schedule was and mid-September will work. We should be doing this statutorily so there is a sense of urgency to waive the 3<sup>rd</sup> reading. Mr. McGlone asked when the last time we did this was. Mr. Fowler said there are School Zones and certain roads that have to be striped: Easton and Medina Line have to be striped. Mr. Messner said striping was three years ago.

**INTRODUCTION OF PRIOR LEGISLATION**

**Ord. No. 084-2019**

Mr. Gainer offered Ord. No. 084-2019 for its Fifth Reading and asked the Clerk to read it:

AN ORDINANCE REZONING OF PROPERTY DESCRIBED AS PERMANENT PARCEL NOS. 46-00259 AND 46-04166 IN THE CITY FROM A C-REC DISTRICT TO A MIXED USE DISTRICT.

Fifth reading only.

**PUBLIC SERVICE ANNOUNCEMENTS**

Mayor Zita announced:

- Community Days and free tickets to the Akron Zoo are September 3 – 8, 2019. Tickets are available at the front desk. A fee for parking and special events is still required.
- The first Norton High school Football game is Friday night: Battle of 44203 and there will be a canned food drive to support BACM. Also, to up the ante this year there is a side bet with Mayor Judge - the losing Mayor will have to wear the opposing City jersey and buy the other a chicken dinner.
- Touch a truck event with the Police and Fire Departments on Sunday, September 8, 2019 from 11 AM to 3 PM. Flyers going out on social media. This is a free event with lots of activities and treats. They are expecting a good crowd at the Columbia Woods Park.
- Chief Dalessandro offers coffee with a cop at the Norton McDonald's on Oct 2<sup>nd</sup> from 7 – 9 AM.
- Special thanks to all the caretakers and sponsors that helped out with the Adopt a Spot program. Flowers were planted and regular maintenance to the beds were supplied by the volunteers.

- Republic recycling dates – follow the map on the flyer that was sent out. Today was actually an “A” week; everybody that was on the “B” week were actually picked up on a one time Saturday pick up.  
North of Greenwich Road and West of Cleveland Massillon: Tuesday is an “A” week;  
South of Greenwich Road and West of Cleveland Massillon: Monday is an “A” week;  
South of Norton Avenue and East of Cleveland Massillon Road: Monday is a “B” week;  
North of Norton Avenue and East of Cleveland Massillon Road: Tuesday is a “B” week.

The Mayor explained the reason we did it this way was so the rates would not be raised due to recycling pick up. This way the trash is picked up every week and the recycling every other week. Mr. McGlone asked if the map will be on the Website and Mr. Fowler stated it would be. Mr. Tousley asked when the contract expires and the Mayor responded next year. Mr. Fowler said we will do the bi-weekly for one year and then we will rebid. Ms. Whipkey said this is mostly the result of China changing their process and it is happening all over – not just Norton with Republic. Mr. Fowler reiterated that we do not control Republic. We asked them to start at the beginning of September but they started earlier. So he apologized for the confusion. The contract will be bid early in the spring of next year. They will evaluate whether this bi-weekly recycling is working.

District 38 State Representative, Bill Roemer, – Representative Roemer stated that he made a commitment 10 years ago to go to every community in his district every year. He said it is a pleasure to be here. He noted that he is fortunate to serve on every financial related committee in the State House including one that is responsible for half of the budget. Thank you for the time and if there are any questions, encouraged all to reach out.

Mr. Kernan read a note from a resident thanking Council for the beautiful road work done on Creekside, Longwood and Butternut. They offered a special thanks to Vivian Durbin.

**NEW BUSINESS – Executive Session:** Mr. Kernan moved to enter Executive Session to consider the purchase, transfer or sale of property for public purposes as defined in ORC § 121.22(G)(2) & Section 3.12(2) of the Norton City Charter and conferences with an attorney for the City concerning disputes involving the City that are subject of pending or imminent court action as defined in ORC § 121.22(G)(3) & Section 3.12(3) of the Norton City Charter; seconded by Ms. Whipkey.

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

Motion passed: 7-0

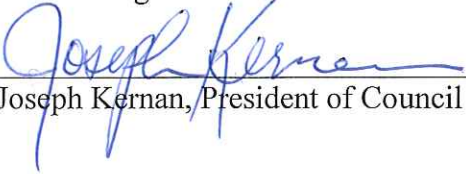
Mr. Kernan invited Mayor Zita, Mr. Fowler, Mr. Messner and Mr. Markey to join Council. He explained that no further action would be taken on legislation when they return. He also noted that while Council is in Executive Session, the audio and video is recording live and uninterrupted. If you do not want your conversation recorded, please exit the Council Chambers. Mr. Kernan adjourned the meeting to enter Executive Session at 7:35 p.m.

Mr. Kernan reconvened the Regular Council meeting at 8:37 p.m.

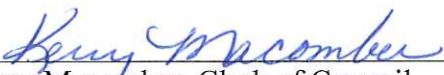


**ADJOURN**

There being no further business to come before Council, the meeting was adjourned at 8:38 PM.

  
\_\_\_\_\_  
Joseph Kernan, 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 September 23, 2019.

  
\_\_\_\_\_  
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.



**SIGN IN SHEET**  
**COUNCIL MEETING AND COMMITTEE WORK SESSION**

The following individuals were present and spoke at the Regular Council Meeting or the Committee Work Session held on Aug 26, 2019.

**PLEASE PRINT YOUR NAME CLEARLY:**  
**PLEASE ADDRESS COUNCIL AS A WHOLE, NOT INDIVIDUALLY**

**(PLEASE NOTE: P.O. BOX ADDRESSES ARE NOT PERMITTED)**

NAME	COMPLETE ADDRESS	WARD LOCATION	PHONE
✓ Jake Altman	Ohio Auditor of State		
✓ Sheri Amuske	2995 Newark Dr		
✓ Cheresa Balogh	2883 Rich Rd		
✓ Craig Guaypome	3816 Shellheart Rd		

Approved by Council 02/02/09