



**NORTON CITY COUNCIL  
REGULAR COUNCIL MEETING  
JANUARY 25, 2016**

Roll Call	Rick Rodgers-Excused	Also Present:
	Joe Kernan	Mayor Mike Zita
	Dennis Pierson	Valerie Wax Carr
	Paul Tousley	Ron Messner
	Scott Pelot	Justin Markey-Excused
	Charlotte Whipkey	Karla Richards

The Regular Council Meeting convened on Monday, January 25, 2016 at 7:01 PM, in the Council Chambers of the Safety Administration Building. The meeting was called to order by Charlotte Whipkey, President of Council, followed by the Pledge of Allegiance and a moment of silent prayer. Ms. Whipkey asked if Mr. Markey would be joining us or is he still stuck in New York? Mrs. Carr noted he is still there and is trying to get a flight out.

Ms. Whipkey stated that last week she had stated incorrectly that the public could speak on whatever they want for five minutes. That was incorrect as the Public Comment section is limited to non-agenda items for Committee Work Sessions.

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

Ms. Whipkey stated that she understood the Brentwood Water Plant property should be advertised in the Post this week; run for two weeks, and sealed bids are to be opened February 10, 2016. Mrs. Carr stated that she needs to double check to see that this made the deadline in the papers. The opening bid, which is open to the public, is February 10, 2016 at 12:00 PM here in Council Chambers Mrs. Carr stated this will be a sealed bid and that the minimum bid is \$13,000.00 and Mr. Messner clarified the minimum bid reserve is \$13,500.00. Mr. Pierson asked what was this bid was based on and does the City pay taxes on municipal property? Mrs. Carr replied it's based on tax value and that is the \$13,500.00. Mrs. Carr stated that the City does not pay tax on City owned property. Mr. Pierson asked where do we go from here if we do not get a minimum bid? Mrs. Carr stated she was not sure, however she was confident we would get at least the minimum bid. We have been told there are at least two (2) parties interested in this parcel. Mr. Pelot noticed the article regarding the salt over the weekend and asked if we have only one salt dome and Mrs. Carr concurred. Mr. Pelot asked if the City has any storage rights at the NES plant and Mrs. Carr replied we have no rights within the mine. Mrs. Carr noted we are really in good shape with our salt and storage. Mayor Zita noted we actually have two storage domes and the smaller one is to hold the dura patch mix materials.

**COMMUNICATIONS FROM THE PUBLIC-Agenda and Non-Agenda Items**

Mr. Bill Roemer, 3616 Southern Road, Richfield, Ohio. Mr. Rohmer stated he believed in sixteen months he was here seven times representing Summit County as a Council At-Large.

Mr. Roemer said he now represents Norton and all of Summit County as a member of the Summit County Educational Service Center Board of Governors, which provides sheriff services to the local school districts. Mr. Roemer announced that he is running as a candidate for Summit County Executive and will be on the November's ballot.

### **CONSIDERATION OF MINUTES**

Consideration of the December 14, 2015 Regular Council Meeting, approved as submitted.  
Consideration of the January 11, 2016 Regular Council Meeting, approved as submitted.  
Consideration of the January 19, 2016 Committee Work Session, approved as submitted.  
Consideration of the January 19, 2016 Special Council Meeting, approved as submitted.

### **REPORTS FROM OFFICERS, BOARDS AND COMMISSIONS**

Mayor Zita announced that we have posted for the Charter Review positions and today was the deadline. We have more than enough of interested parties and he plans to have the entire list to all of Council later this week. Ms. Whipkey asked Mayor Zita to elaborate on the structure of the candidates. Mayor Zita stated he has some from each ward, male, female, some young and old.

### **PUBLIC HEARINGS-None**

### **INTRODUCTION OF NEW LEGISLATION**

#### **ORD #5-2016**

Ms. Whipkey offered Ord. #5-2016 for its first reading and asked the Clerk to read it:

AN ORDINANCE TO AUTHORIZE THE ADMINISTRATIVE OFFICER TO ENTER INTO AN AGREEMENT WITH INSITE ADVISORY GROUP, LLC FOR ECONOMIC DEVELOPMENT CONSULTING SERVICES, AND DECLARING AN EMERGENCY.

First reading only.

#### **RES #6-2016**

Mr. Pelot offered Res. #6-2016 for its first reading and asked the Clerk to read it:

A RESOLUTION AUTHORIZING THE ADMINISTRATIVE OFFICER TO REQUEST TO PARTICIPATE IN THE SUMMIT COUNTY ENGINEER'S OFFICE ROAD MAINTENANCE PROGRAM, AND DECLARING AN EMERGENCY.

First reading only. Mr. Pelot asked Mrs. Carr if we have a timeline or do we need to let the County know of our intentions. Mrs. Carr stated they are aware and the sooner we could pass this the better. Mrs. Carr noted her memo she sent to Council today for clarification (see attached). Her original listing was just an overview of the roads; this listing is a better breakdown of what would be bid by Summit County. Silver Springs will be a separate project and obviously Cleveland-Massillon road is separate as well. Mr. Tousley asked if this list is the same other than the Silver Springs and Cleveland Massillon Road, and Mrs. Carr concurred.

Mrs. Carr stated Cleveland-Massillon Road should be ready for bid by ODOT in early March. Silver Springs design and engineering is just about completed and hopefully ready for bid in February or March as well. Mr. Pelot asked about the process for repairs to Silver Springs and Mrs. Carr stated that we had a local company, PS Fabrics, that came and they do a nice stabilization material and she could get a brochure to hand out to Council.

**RES #7-2016**

Ms. Whipkey offered Res. #7-2016 for its first reading and asked the Clerk to read it:

A RESOLUTION TO APPROVE THE RENEWAL FOR PLACEMENT OF FARMLAND LOCATED AT 4379 GREENWICH ROAD IN AN AGRICULTURAL DISTRICT.

First reading only. Ms. Whipkey noted that this is for the Ralph Beddow farm.

**ORD #8-2016**

Mr. Kernan offered Ord. #8-2016 for its first reading and asked the Clerk to read it

AN ORDINANCE AUTHORIZING THE PURCHASE OF TWO 2016 DODGE CHARGER POLICE CRUISERS FOR THE POLICE DEPARTMENT AT A COST NOT TO EXCEED \$38,266.00, AND DECLARING AN EMERGENCY.

First reading only.

**INTRODUCTION OF PRIOR LEGISLATION**

**RES #2-2016**

Mr. Pierson asked about the numbers that were supposed to be revised for the gravity and asked if they were revised? Mrs. Carr replied that nothing changed in the engineering. The only change was for the total number of properties involved because some were removed. Mrs. Carr noted that the final numbers were in your packet last week.

Mr. Pierson offered Res. #2-2016 for its second reading and asked the Clerk to read it:

A RESOLUTION DECLARING IT NECESSARY TO IMPROVE ALBERTA DRIVE, BROOKSIDE COURT, BROOKSIDE DRIVE, CLUBVIEW DRIVE, CROYDON ROAD, EASTON ROAD, EVERETT DRIVE, GREENWICH ROAD, HIGGINS DRIVE, LITTLE BOULEVARD, NASH BOULEVARD, RANGELEY ROAD, SHELLHART ROAD, VALLEY DRIVE, WEYRICK DRIVE AND WOODDALE DRIVE BETWEEN CERTAIN TERMINI, BY CONSTRUCTING AND INSTALLING GRAVITY SANITARY SEWER LINES, TOGETHER WITH NECESSARY APPURTENANCES THERETO, COMPRISING THE NASH HEIGHTS GRAVITY SANITARY SEWER SYSTEM IMPROVEMENTS FOR THE EAST PHASE I, THE PUMP STATION PHASE II AND THE WEST PHASE III AND DECLARING AN EMERGENCY.

Second reading only.

**RES #3-2016**

Mr. Pierson offered Res. #3-2016 for its second reading and asked the Clerk to read it:

A RESOLUTION DECLARING IT NECESSARY TO IMPROVE ALBERTA DRIVE, BROOKSIDE COURT, BROOKSIDE DRIVE, CLUBVIEW DRIVE, CROYDON ROAD, EASTON ROAD, EVERETT DRIVE, GREENWICH ROAD, HIGGINS DRIVE, LITTLE BOULEVARD, NASH BOULEVARD, RANGELEY ROAD, SHELLHART ROAD, VALLEY DRIVE, WEYRICK DRIVE AND WOODDALE DRIVE BETWEEN CERTAIN TERMINI, BY CONSTRUCTING AND INSTALLING VACUUM SANITARY SEWER LINES, TOGETHER WITH NECESSARY APPURTENANCES THERETO, COMPRISING THE NASH HEIGHTS VACUUM SANITARY SEWER SYSTEM IMPROVEMENTS FOR THE EAST PHASE I, THE VACUUM STATION PHASE II AND THE WEST PHASE III; AND DECLARING AN EMERGENCY.

Second reading only.

**ORD #4-2016**

Mr. Pierson offered Ord. #4-2016 for its second reading and asked the Clerk to read it

AN ORDINANCE AUTHORIZING CITY OFFICIALS TO APPLY FOR, ACCEPT AND ENTER INTO A WATER POLLUTION CONTROL LOAN FUND AGREEMENT WITH THE OHIO ENVIRONMENTAL PROTECTION AGENCY AND THE OHIO WATER DEVELOPMENT AUTHORITY FOR THE NASH HEIGHTS SANITARY SEWER PROJECT.

Second reading only.

**UNFINISHED BUSINESS**

Mr. Pierson asked if the EPA has contacted us yet? Mrs. Carr replied no. Mr. Pierson stated he was surprised that with all of the rush to get our reply that we have not heard anything back. Ms. Whipkey stated she hoped the Committee has met or will be meeting this week. Mr. Pelot asked Chief Dalessandro about the timing on the purchase of the cruisers and Chief Dalessandro stated it's normally within thirty (30) days. Mr. Pelot asked if the two (2) police cruisers being replaced are still in service? Chief Dalessandro stated he has taken one out of service because he does not want to put any more money in it. Mr. Pelot stated that he would like to either tonight or next week waive some of the readings to get these ordered. Ms. Whipkey inquired on the any extra costs that Mr. Pierson had asked about the week before. Chief Dalessandro stated Car #70, which is a 2009 and is the one we purchased from Hiram, was taken out. B & C Communications has inspected these two (2) vehicles and they found the light bar and sirens are not working properly on car #70 and it was suggested we replace that because it's fifteen (15) years old. In addition the separation cage bars also need replaced due to age. The center counsels, shot gun mount, and assault rifle mount we can re-use. Mr. Kernan stated he would be willing to suspend the second and third readings tonight and he does understand Mr. Tousley's and Mr. Pierson's concerns with suspending the readings.

Mr. Kernan stated that this is important because of the safety of the community and because we have one car not in service. Mr. Kernan stated if everyone was willing to support that he would so move. Mr. Tousley asked Chief Dalessandro if he concurred with Mr. Kernan's comments, and Chief Dalessandro concurred. Mr. Tousley stated he would go along with this. Mr. Pierson stated he does not see putting money into the one vehicle and asked if this has transmission issues? Chief Dalessandro replied he assumes this vehicle will need a transmission. Mr. Kernan moved to suspend the second and third readings on Ord. #8-2016, seconded by Mr. Pelot.

Roll Call: Yeas: Kernan, Pelot, Pierson, Tousley, Whipkey  
Nays: None

Motion passed 5-0.

Mr. Kernan moved to adopt Ord. #8-2016, seconded by Mr. Pelot.

Roll Call: Yeas: Kernan, Pelot, Pierson, Tousley, Whipkey  
Nays: None

Chief Dalessandro thanked Council on behalf of his department, the officers will be happy to move forward. Mr. Pelot asked to have a formal listing of the rotation process and vehicles, and Chief Dalessandro stated he and Mr. Messner have been working on that would like to have that completed by the end of this month, and it would be for the next five years.

## **NEW BUSINESS**

Ms. Whipkey asked Mrs. Carr to clarify where we are with the sewer lines in connection with the Cleveland Massillon Road widening project. Mrs. Carr noted that she has just spoken with the Engineer today to clarify the process Mrs. Carr stated that the sewer lines are to start Phase I running from I-76 south and stopping at Pleasant Drive. Mrs. Carr stated that next phase is from Pleasant Drive to about Weber. The third phase has not been funded yet, but that would take it from about Weber south to the Barberton corporation line. Mrs. Carr stated that we have unofficially that everything is on track for Phase I. For Phase II, there has been some funding issues and it will be delayed a year. Originally it was to be construction in 2016 for Phase I and construction for Phase II in 2017, but may be moved back to 2018. Ms. Whipkey clarified that we are still on for 2016 then for Phase I and Mrs. Carr concurred.

Mr. Tousley discussed the rollback funds and the number of homes affected was approximately 287 and he is asking Council to put into perspective of \$5,000.00 for each benefit in Nash Heights for a total of \$1,435,000.00. To put that into perspective since the beginning of this we have been collecting about \$525,000.00 a year and over twenty-five (25) years that would be \$13,125,000.00 that would be collected. This year we have collected approximately \$630,000.00, and Mr. Messner concurred it was \$624,000.00. Mr. Tousley stated with eighteen (18) years left at collection rate of \$600,000.00 annually that would 10,800,000 more that we would still be collecting.

Asking to put \$1,435,000.00 is not an unfair amount and that is 10-15% of the total to go to these benefits. Mr. Tousley asked Council to consider this over the next week or so. Mr. Pierson stated the people in Nash Heights have already paid in to the Fund 128 and have a right to use some of that money, unless Council wants to go through that account and see one by one who has paid. Ms. Whipkey clarified that Mr. Tousley wants to discuss putting in \$5,000.00 per assessment and Mr. Tousley concurred. Ms. Whipkey stated last week she was in meeting with Mrs. Carr, Mr. Messner, and Mr. Markey last week and as Nash Heights has been declared a nuisance there is an avenue being looked at that would allow residents in that area to put their hook up costs onto property assessments. That would alleviate the need for acquiring a loan or tapping into savings or retirement funds. Ms. Whipkey stated that as she understands it; those assessments could be extended out to the time limit of the sewer project assessments. Mr. Markey is looking into it and also if those with lower income would still be eligible for any financial aid that may be available through the County even with using the thirty (30) year property assessment. The City would need to contract with specific contractors to do so. Mr. Pierson stated so you are saying they can pay interest on their costs for thirty (30) yrs instead of twenty (20) that's really a great deal. Ms. Whipkey stated that interest rate could be less than what they could get from their bank. Mr. Pierson stated as he has stated in the past which seems to fall on deaf ears, by diminishing property values in the Nash Heights area the property values in this entire community are going to suffer and is already happening. Mr. Kernan noted this discussion is really more appropriate at a Committee Work session; and Ms. Whipkey so noted. Ms. Whipkey noted there would be a Special Council meeting next Monday after the Work Session to address the Resolutions 2-2016, 3-2016 and Ord. 4-2016 relating to Nash Heights.

#### **PUBLIC SERVICE ANNOUNCEMENTS**

Mayor Zita made several announcements, (see attached)

Mr. Tousley noted we had received an email regarding lead concerns in the water. The Barberton water system was recently tested in late summer and there is no lead in the waters in our communities. Mrs. Carr stated she would be happy to post the report from Barberton on the City website. Mr. Kernan noted this email stated there was also a place you can take your water to be tested and asked to have this included. Mr. Pelot discussed the recent shooting of a police K-9 dog in Canton and the penalty for that was only three (3) years. Mr. Pelot stated that's just atrocious especially when you have to consider the financial impact of replacing such a K-9 unit, and it's like a part of your family. Mr. Pelot asked if we can enforce stiffer penalties within our City? Chief Dalessandro stated that the current penalty is a felony and that request would have to go to the Common Pleas Court level and follows Ohio Revised Code. Chief Dalessandro stated that you could contact your local State Representatives.

**PUBLIC UPDATES-** A public hearing for Res # 7-2016 will take place at the next Council Meeting on February 8, 2016 at or about 7:15 PM for the Beddow property.

**ADJOURN**

There being no other business to come before the Regular Council Meeting, the meeting was adjourned at 7:40 PM.

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Charlotte Whipkey, President of Council

I, Karla Richards, CMC-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, 2016.

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Karla Richards, CMC-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.