



## COMMITTEE WORK SESSION SEPTEMBER 15, 2014

Committee Members Present:        Scott Pelot  
   Dennis McGlone  
   Danny Grether  
   Dennis Pierson  
   Paul Tousley  
   Charlotte Whipkey  
   Rick Rodgers

Also Present:                                Mayor Mike Zita  
   Valerie Wax Carr  
   Ron Messner  
   Justin Markey  
   Karla Richards  
   Ann Campbell

The Committee Work Session convened on Monday, September 15, 2014 at 7:01 M, in the Council Chambers of the Safety Administration Building. The meeting was called to order by Rick Rodgers, President of Council. Following a salute to the flag and the Pledge of Allegiance, there was a moment of silent prayer.

### **General Topics of Discussion:**

#### **Chapter 1296.07-Recreational Vehicle Parking**

Mr. Grether stated that is relating to Chapter 1296.07 RV parking Section A as it pertains to parking in residential areas and asked for general comments from Council. Mr. Pelot indicated he has asked some residents what they thought. Some think if its summer time residents should be allowed to have their RV's, boats, etc., at the household. Maybe for the six (6) month summer time period would work. Mr. Tousley added that many residents in his ward are hunters and hunting season does run into late December and he would not want to exclude these residents and Ms. Whipkey agreed with Mr. Tousley's comments. Mr. Rodgers urged the press to make note of the fact that we did ask for the residents to give us their feedback, and asked for those interested to submit their concerns either in writing for the record, or attend a meeting if they would like to speak. Mr. Pierson noted some residents may live on a corner lot so we need to be clear that the rear of the property is actually the back of the yard facing the roadway, so we need to make an adjustment made here. Mr. Grether noted one challenge for allotment type parcels is that a 30 ft camper would nearly extend from their driveway almost to the street.

Mr. Grether stated that one resident commented to him that they are not asking for the restrictions to be lifted, just to allow us more time than 24 hours like up to 5 days or something. Mr. Grether stated he had a problem with the moratorium's length and noted since we extended the moratorium he has noticed more and more campers coming into Norton. Ms. Whipkey stated she could appreciate these longer campers being a safety issue in some areas for visibility, but felt we already have something on the books to address this safety issue. Mr. Grether stated he agreed we do have something relating to a site clearance issue. Mr. Rodgers stated that what is unappealing to one neighbor may not be the same for another neighbor and that could be for another item as well. We have to be careful to respect people's rights, and if they are not a sight issue, then he does not see this as an issue. Mr. Pierson noted there have also been issues with one property having seven (7) on the lot at one time and multiple recreational vehicles needs addressed at one property.

Mr. Robert Copen, 2518 Sue Lane, Norton, Ohio, stated Mr. Grether may be seeing a lot of these vehicles coming home due to the season coming to an end and people are bringing them home to winterize them and get emptied out and ready for storage. Mr. Copen stated these vehicles are licensed by the State of Ohio and felt they were legal to be there if properly plated and asked Mr. Markey about that. Mr. Markey stated they are considered special vehicles, and have more restrictions. Mr. Copen offered for Council to consider how many people owned a boat or motor home in the City, how many people were in the City, and the amount of complaints that actually come in as there were only 7-9 warnings issued. Mr. Copen stated he just spent 1,361 miles in a motor home and it took him two (2) days to unload and two (2) more days to clean and restock linens, etc. with the help of his family. The closer the motor home is to his home the quicker he can get it emptied out and cleaned out. Mr. Copen noted many of the people owning these vehicle were older and don't move as fast as they used to do; these are your constituents you need to address here and listen to.

Ms. Karen Harley, 3432 Harper Avenue, Norton, Ohio, stated she has no issue if anyone wants to park on their property as long as they have the space and are not a sight hazard to anybody else. Ms. Harley asked about the hunting times and Mr. Tousley noted for certain weapons there are different times for hunting and perhaps they could notify the City when they would be in use. Mrs. Harley commented that if you spend so much to buy these campers and boats, you would want to have it close to home so you can use it more often. Ms. Harley stated these are your constituents like Mr. Copen stated earlier.

Kevin Cunningham, 3173 Monteray Drive, Norton, Ohio, stated the comment of having 5 days would be a great idea and go over well with everyone. This way you are not rushing to get this all done in that short time frame, maybe even one (1) or two (2) weeks would be better. Mr. Cunningham pointed out that he has been using a camper as a family event since he was two years old and they have never had this issue before.

Mr. Cunningham discussed a resident who spoke in the past about being a bass fisherman and using his boat every weekend; if he had the five days he would be able to use his boat, come home, and leave again with his time period restarting when he came back allowing his need for more time. Mr. Cunningham suggested not going with 6 months during the summer, because it would cause you more headaches and harder to control.

Mrs. Pat Reese, stated she does not own any of these vehicles, but feels that she should have the right to use it if she did. We do not need to be messing with Council on this issue, it's a waste of time; if everyone just used a little common sense we would not be blocking views and do not need to address this now cause someone doesn't like something. We will always have someone that does not agree with each and every ordinance. Common sense tells you to think about your neighbor and where you are storing these vehicles. There does not need to be another ordinance or rule governing my rights.

Mr. Grether stated this is an issue that was brought to Council and there is a current ordinance and he will not rush this through. He will not haphazardly pass something onto the people, he wants to go through the proposal, and to hear from the residents as far as those that do own RV's and boats. Mr. Grether stated if pressure is placed on him to rush this through, he would be willing to make a motion to just leave it as it is and get back to other business. Mr. Grether stated there were nine (9) warnings issued from complaints that were issued, and he will take his time to go through this properly. Mr. Pierson commented about the term of non-functional and we have had some vehicles and campers sitting on lots for 10 years or more. Mr. Pierson stated that one resident was actually living in one on the property. Ms. Whipkey stated we have people that are on the verge of being cited and this is causing an issue as it is on the books; we are just trying to fix what is already code. We already have a code on the books for addressing junk vehicles and should be able to be used to enforce what needs to be done. Ms. Whipkey pointed out there were laws on the books to address living in a camper, these are different laws. Mrs. Carr asked if this situation of the person living in a Winnebago if a complaint was ever brought forward to the Administration? There were laws in place for that and she would be happy to file on it if she had an address. Mr. Pierson suggested Mrs. Carr speak with him after the meeting about the details on this issue. Mr. Rodgers commented about the issue of someone being forced to live in a camper or a garage. We could do better to help them instead of citing them and lead more with our heart and not an ordinance. Ms. Whipkey agreed, and commented on the help the City had recently from Judge McKenney to help the residents save money on our deeds and transfers. We should all be able to follow Judge McKenney's lead more and look to help our neighbors instead of harassing them. Mr. Tousley stated he strongly wants to hear from the residents and yes the comment was made we have better things to do, however it's important to listen to the constituents and we do represent their concerns. Mr. Tousley pointed out that in the time he had sat here this year he could not remember this much participation from the audience. Mr. McGlone stated he agreed with Mrs. Reese and we do have more important issues to be addressing as we have worked on this for about three weeks. Let's just extend the time and we have talked about this enough, so let's see how this works out.

### Greenwich Road Sanitary Sewer General Discussion

Mr. McGlone stated Mrs. Carr had provided a lot of information in her memo that everyone has received and felt if there are still questions, Mrs. Carr should be able to answer them. Mr. Rodgers asked if there have been any calls from the residents and Mrs. Carr noted she had one phone call, in addition to the lady that spoke at the last Committee Work Session. Ms. Whipkey asked about the citizen that wanted the total breakdown for Greenwich and Mrs. Carr stated she had called. Ms. Whipkey asked about the three (3) city properties that were assessed on the list, and did the entire group of residents pick up the costs? Mr. Markey replied no, and that the City had its portion of the construction costs plus the assessment costs for the three (3) parcels is all considered in the total of the City's portion. Mrs. Carr noted that this can be seen on the spreadsheet relating to the three (3) City properties. Mr. Pierson asked how was that assessed, by division or department through their budgets, or the General Fund? Mrs. Carr stated she would have to research that and get back to Council on that. Ms. Whipkey asked what is this \$55,000.00 figure for City's portion, and Mr. Markey stated this is the City's share of the entire cost for the project. Ms. Whipkey stated so then you add the three (3) parcels for the total of around \$90,000.00 that the City has paid and Mr. Markey concurred. Mr. McGlone asked about the resident's comment a few weeks back about the number of properties she could find on Zillow and the difference with the City's count. Mr. Markey stated in all fairness he was unable to know what the resident was looking at when referring to the properties she had counted and he can only go with the engineer's specifications on record and not a resident's interpretation. Mrs. Carr read a portion of the line in her memo which states: *"The Greenwich Road Sewer Project comprised of 23 properties in total (3 of these properties are owned by the City). Five property owners paid the cost off immediately and 18 properties were assessed"*. Mr. Rodgers stated he feels the people that were here last week came away with the impression of what's done is done and we cannot help them with what they have been charged. Mr. Rodgers took issue with what the City picked up as their share or costs versus what the residents are paying in the past projects of Greenwich Road and Oak Street. Mr. Rodgers stated he felt the City's share was minimal and we need to develop a standard that we as a City can live by when we go to other neighborhoods. It's just not fair to charge one neighborhood one fee and another neighborhood something else. We as a Council need to direct the Administration on what that share is going to be moving forward. We have something proposed for Nash Heights and if that's the standard then we need to come to agreement on that. Ms. Whipkey asked why are the interest rates all over the board through the years? Mr. Markey discussed the bonds that are sold earlier in the years have a lower interest rate compared to the bonds sold up to the twenty year time frame. The bond holders want more compensation for the longer terms. It does change year to year because of that structure. Mr. Tousley asked if there is any option of paying this off early and Mr. Markey not until the ten (10) years have passed from when they were issued. Mr. Pierson asked if we chose to retire that debt prior to ten years, what price would we have to pay? Mr. Markey stated you have no legal right to retire the debt prior to the ten years.

Ms. Whipkey asked if the residents were to pay their assessment off early they would not get any reprieve either and Mr. Markey concurred. Mr. Pierson asked if the three (3) City lots are tied and Mrs. Carr indicated she believed so, but wanted to double check this for certain. Mr. Pierson asked if the City took advantage of the reduced tap in fees? Mrs. Carr stated she would check those parcels about that as well. Mr. Grether asked about the one (1) parcel that was adjusted and questioned how many other objections were received. Mr. Rodgers asked Mrs. Richards to provide the details. Mrs. Richards stated she believed there were a total of five (5) objection letters filed and only one parcel was adjusted. The Assessment Board decided that was appropriate because when the Albrecht Medical Plaza was built a sewer line was brought in partially to the front of this parcel and was paid for back then. The Board reduced this person's assessment to approximately \$10,000.00.

#### Amend Council Rules-Standing Committee

Mr. Tousley stated a few weeks ago Ms. Whipkey had made a motion to amend the Rules and due to a member missing, this was continued to tonight. Ms. Whipkey stated she feels that all of Council believes we need to be involved and sitting in when discussions are taking place that involve the citizens and the City. We should not be barred from these meetings; we should be allowed to give our input. It was brought up to get rid of the Standing Committees and we would have that availability. We need the Standing Committees to remain in place to protect the citizen's rights under the Sunshine Law and not allow three of us to meet anytime and anywhere. If there are only five (5) of us here and we have no Standing Committees, you would already have a majority of three (3). If we were to change the Committees to four (4) this would allow up to two (2) members of Council to attend anything, regardless of what Committee we are on, allowing the flexibility to be able to report back to the rest of Council and do a more thorough job for the citizens. Ms. Whipkey noted if we are successful with changing Rule 109 we will also need to Change Rule 113-Quorum would also change from two (2) to three (3) Mr. Rodgers pointed out in the discussion on the City's share of costs for sanitary sewers, and this is his point and he agrees we need to be involved. Mr. Rodgers questioned what is the difference from two (2) to three (3), when he goes to meetings now there are three or four from each group and he is there by himself. Numbers are important when you are negotiating. We need to have 3-3-3 and we need these three (3) members in these meetings so you have equality and a strong point to negotiate from; you need to be on board so we don't miss things. If we have this mindset to be engaged and involved back then, the people on Oak Street and Greenwich might have received a better assessment. It's all just numbers, and no one is trying to circumvent the Sunshine Laws. We are just trying to get the best deal for the people of Norton. Mr. Rodgers stated that we need three (3) people at these meetings, and everyone thinks Mr. Pierson and himself are like clones. Ms. Whipkey stated she understands why Mr. Rodgers wants three (3) but he is speaking of going to a meeting with other government entities, but by doing that you then open up the door, where three (3) of us can go anyplace and anywhere not just for government meetings. Three (3) cannot make any decisions, they have to come back to Council. Mr. Rodgers stated we can do that with a stipulation and limit it to negotiations concerning the City and other entities. Ms. Whipkey stated that could just be changed too easily and possibly challenged in Court.

Ms. Whipkey stated you can still have the two (2) this way and allow our input, but these two (2) cannot go and make decisions; they have to bring it back to all of us. Ms. Whipkey moved to amend Council Rule 109 to change the number of the Standing Committee Members from three (3) to four (4), seconded by Mr. Pelot. Mr. Tousley asked about placing an expiration to the new year and Ms. Whipkey replied that in January Council has to review and approve the rules anyway.

Roll Call: Yeas: Whipkey, Pelot, McGlone, Pierson, Tousley  
Nays: Grether, Rodgers

Motion passed 5-2.

There was discussion on whether a vote was needed to invoke Council Rule 6.02 to make the actual change. It was decided there was a motion to amend the rule and it passed and we needed to make the motion to change Council Rule 113.

Ms. Whipkey moved to amend Council Rule 113-Quorum of Standing Committees from two (2) members to three (3), seconded by Mr. Pelot.

Roll Call: Yeas: Whipkey, Pelot, McGlone, Pierson, Tousley  
Nays: Grether, Rodgers

Motion passed 5-2.

**Unfinished Business:**

None

**New Business:**

Mayor Zita announced the City's Natural Gas Rate is locked in at \$4.19 and that other communities locked in at higher rates. We locked in for two (2) yrs this time instead of one (1) yr. Ms. Whipkey asked what was the rate currently and Mayor Zita replied \$4.77 for 2013 and 2014 with IGS. Mr. Pelot asked if the residents are required to do anything to get this rate? Mrs. Carr replied if they were in the previous program they will automatically be enrolled, and they still have an option to opt. If they were not previously enrolled and are in good standing with Dominion they will automatically be enrolled.

**Topics for the next Work Session:**

Amend Posting Locations  
Continued RV Parking Discussion  
2015 Road Program-Continue discussion into October  
Zip Code Issue

**Public Comment-Agenda and Non Agenda Items:**

No one had signed in to speak this evening

**Public Updates:**

None

**Adjourn**

There being no other business to come before the Committee Work Session, the meeting was adjourned at 7:55 PM.

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Rick Rodgers, President of Council

**\*NOTE: THESE MINUTES ARE NOT VERBATIM\***

**\*\*ORIGINAL SIGNED AND APPROVED MINUTES ARE ON FILE WITH THE CLERK OF COUNCIL.\*\***

**All Committee Meetings will be held at the Norton Safety Administration Building, unless otherwise noted.**