



COMMITTEE WORK SESSION OCTOBER 6, 2014

Committee Members Present: Scott Pelot-Excused
 Dennis McGlone
 Danny Grether-Excused
 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, October 6, 2014 at 7:00 PM, 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. Mr. Rodgers asked everyone to remember the family of Carl Boon in their prayers.

General Topics of Discussion:

Amend Section 222.01 Posting Locations

Mr. Tousley noted that our posting location will change in Ward 4 effective December 31, 2014 and we have secured Sherman Provision and due to their limited hours we have also selected the Circle K at Eastern Road & Rt.21. Mr. Tousley stated that Circle K was so excited to participate they decided to install a community bulletin board in their two Norton locations. Mr. Tousley moved to place this on Council's next agenda for a first reading only, seconded by Mr. Rodgers.

Roll Call: Yeas: Tousley, Rodgers, McGlone, Pierson, Whipkey
 Nays: None

Motion passed 5-0.

ODOT Consent-Widening of I-76

Ms. Whipkey stated this is an ODOT project to widen I-76 from State Street to the Wadsworth border, will increase both sides to three lanes, and is slated for construction in 2017 and is 100% paid by ODOT with any damages to be paid by ODOT. Ms. Whipkey asked about the work on the drainage issues and our bridge repairs and Mrs. Carr noted we have met to discuss the drainage issues with ODOT, specifically with Barber Road. Mrs. Carr indicated that ODOT has stated that sound walls will be installed in the area. Mrs. Carr noted there were some residents that attended the public meeting with ODOT and most were excited about those noise barriers. Mrs. Carr noted that she has a copy of the map and the public meeting agenda if anyone would like to see it, let her know. Ms. Whipkey stated she has tried to see this information on the ODOT web site as far as the numbers of resident that attended and questions and answers responses. Mrs. Carr indicated she would look into getting this information. Mrs. Carr stated the construction is fiscal year 2017 which means it will start in July of 2016 and will take about 2 to 2 ½ years to complete. Mr. Tousley asked about Section 3 where it talks about the right of ways and asked if there would be any required? Mrs. Carr stated that there may be some temporary takes and would be arranged through ODOT. Ms. Whipkey moved to place this on Councils next agenda for a first reading only, and for all three readings, seconded by Mr. McGlone.

Mr. Larry Perkins, 3844 S. Neitz Drive, Norton, Ohio, stated he received a letter stated that he would need to remove some bushes and shrubbery along his property for purposes of surveying and he assumed this has something to do with this project

Roll Call: Yeas: Whipkey, McGlone, Pierson, Tousley, Rodgers
Nays: None

Motion passed 5-0.

Mr. Rodgers moved to add Item C-Accept the amounts and rates by Summit County, to the next Council agenda, seconded by Ms. Whipkey. Mr. Rodgers stated that we need to accept these amounts and rates that are to be paid to us by the County. Mr. Messner indicated that about a month ago he presented to Council the Alternative Tax Budget for your approval. That was submitted to the County and this is actually their response back accepting his numbers and they need your formal acceptance and approval. Mr. Messner asked that Council waive the second and third readings in order to get to the County by November 8, 2014. Ms. Whipkey asked about the amounts not being correct possibly changing due to the proper taxes. Mr. Messner explained these numbers did come from the Alternative Tax Budget and some of those did go up and a lot stayed the same. The face page is certifying the levy amounts, and the actual amount that changed from last year was about \$44,000.00 so there was little change from 2013 to 2014. Ms. Whipkey asked if that was \$44,000.00 less and Mr. Messner replied, no it was actually \$44,000.00 more.

Roll Call: Yeas: Rodgers, Whipkey, McGlone, Pierson, Tousley
Nays: None

Motion passed 5-0.

Unfinished Business

Mr. Tousley expressed his condolences to the family of Carl Boon and respected his integrity in reporting the actions of this Council.

New Business:

Mrs. Carr stated she has already spoken with Ms. Whipkey about this but she has been informed that we can apply for an additional program Summit County Land Bank to demolish homes and we need to have this submitted by this Friday. Mrs. Carr stated this program is totally different from the Move Ohio Forward and any funds received would be taken into consideration. Mr. Rodgers asked if the Land Bank program once the house is demolished do they get the property? Mrs. Carr stated she would look into that and noted that Mr. Rodgers sister is a Member on the Board and he could ask her. Mr. Markey stated that with the Land Bank Program can acquire property via a truncated tax foreclosure procedure to get the property quicker; they could not just tie it to the demolition property. Mr. Pierson stated if there are delinquent taxes owed to the County does the Land Bank reimburse us back? Mr. Markey noted that they would pay out for them. Mrs. Carr indicated she would get all of those answers, we just received this packet on Friday and we need to get this back to them this Friday.

Topics for the next Work Session:

RV Parking Legislation
Zip Code Issue
Heritage Homes Program for 2015
Attorney General Unpaid Fines Collections

Mr. Messner stated he and Mr. Rodgers both had a packet on the Heritage Homes Program and it was his intent to also apply for CBDG funds at the appropriate time for any one that would qualify with the sewer project.

Public Comment-Agenda and Non Agenda Items:

Mr. Richard Easterling, 2996 Givens Drive, Norton, Ohio, spoke regarding the zoning code and that it has setbacks in all districts and this is important in residential areas for aesthetics, safety, etc. and for those same reasons larger vehicles are to be behind those setback lines. It's ok for a vehicle to be temporarily available in the driveway or in front of the setback line to be cleaned, unloaded, etc. However, he does not want to have his neighborhood turn into a RV park. Mr. Easterling stated his concerns with when this moratorium ends; some residents that have a vehicle parked would just claim it's a non-conforming issue which means it could stay there. Mr. Easterling stated the moratorium is in fact a defacto change in the zoning code and felt that a Judge would rule that way. Mr. Easterling stated that he believed this is not legitimate legislation because there was no public hearing held and that the Charter dictates that a public hearing is to take place with any zoning change. The Charter also does not give Council the authority to deny the Administration the enforcement of the zoning law.

Mr. Easterling discussed the fact that this legislation came about because Committee Meetings are not currently being held where issues are discussed in depth for all of the pros and cons. Mr. Easterling stated he does not believe this Council is giving this issue their best efforts as they are not having Committee Meetings.

Public Updates:

Ms. Whipkey asked about the Attorney General's collection process and wondered how that is moving along. Mrs. Carr stated she would have to check into this and they were reviewing this process and she felt that all we could collect was for fines in the Mayor's Court. Mrs. Carr stated she understood that we do issue bench warrants for unpaid fines. Mr. Pierson stated until the individual is stopped for some traffic violation, we don't collect anything. Mrs. Carr stated she does not believe that was correct. Just last week there was a lady here at City hall crying and would not leave until she paid her fines because there was a warrant out for her arrest. There was discussion as to what types of fines we could collect, and Mr. Rodgers indicated we did have a listing from the Mayors Court Clerk with a calculation of the fines owned, and he understand we would be able to collect these fines and court costs. Mr. Markey stated the legislation had a form agreement attached and the Attorney General's Office asked that we complete that form and return it. They would do the first draft and we need to identify the specific accounts we wished to be collected and then we could move forward.

Mr. Rodgers stated we would be having a Special Council meeting immediately following the Work Session.

Adjourn

There being no other business to come before the Committee Work Session, the meeting was adjourned at 7:27 PM.

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.