



**NORTON CITY COUNCIL  
REGULAR COUNCIL MEETING  
OCTOBER 27, 2014**

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

The Regular Council Meeting convened on Monday, October 27, 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, followed by the Pledge of Allegiance and a moment of silent prayer.

**COMMITTEE OF THE WHOLE**

Mr. Tousley moved to amend the agenda to offer Res. #92-2014 for its third reading now instead of at the end of the evening since Chief Hete and his family are here in the audience, seconded by Mr. McGlone. Former Chief Hete spoke about his past service of over thirty-four (34) years and how honored and fortunate he is to have served this community. Chief Hete indicated that his retirement is bitter sweet and that over eight (8) years ago when he signed up for his retirement program, he knew this day would come. Chief Hete commented on the great community we have here in Norton and that he is honored to have served here. Mr. Tousley recognized and commented about the sacrifices that Chief Hete and his family have made in his service to this City. Mr. Pierson stated he has known Chief Hete since high school and its only fitting that after 34 years of service to this city that we do honor him and he thanked him for his service. Mr. McGlone stated he appreciated everything he has done and he will be missed. Ms. Whipkey thanked Chief Hete and that she appreciated the honesty the time he has shown to her to explain things. Ms. Whipkey stated she hoped to have the same service from the current Interim Chief. Mr. Rodgers thanked Chief Hete for his professionalism and stated that Chief Hete has been responsive to the needs of this community.

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

Motion passed 5-0.

**RES #92-2014**

Mr. Tousley offered Res. #92-2014 for its third reading and asked the Clerk to read it:

A RESOLUTION OF APPRECIATION FOR THE SERVICE OF POLICE CHIEF THAD HETE FOR HIS DEDICATED SERVICE ON THE CITY OF NORTON POLICE DEPARTMENT.

Mr. Tousley moved to adopt Res. #92-2014, seconded by Mr. Pierson.

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

Motion passed 5-0. Mr. Rodgers noted that the resolution would be signed after the meeting. Mrs. Richards indicated she could either mail it to Chief Hete or he could come in and pick it up once she has all the signatures.

Ms. Whipkey moved to amend the agenda in order to add Ord. #97-2014 for the purchase of a front end loader for the Service Dept., seconded by Mr. Rogers. We are looking at purchasing a loader with a lease. We have had numerous problems with the current one and will need this to load the salt for the season plus road repairs. Our current loader is fifteen (15) years plus old is broken and would cost over \$30,000.00 to repair, which we have been repaired at similar costs in the past. This is a lease to purchase at a monthly cost of \$2,252.00 annually for over sixty (60) months. Ms. Whipkey stated the total costs is around \$136,000.00 and we are getting \$30,000.00 for a trade in. Mr. Messner clarified the costs as being \$27,252.00 annually or \$2,271.00 per month. Ms. Whipkey stated that originally we were going to get a demo and that is no longer available, so we are actually getting a brand new one for the same price quoted. Mrs. Carr indicated that Mr. Reynolds-Service Dept. Supervisor was not able to be here tonight and perhaps she could answer any questions that may arise later on.

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

Motion passed 5-0.

**COMMUNICATIONS FROM THE PUBLIC**

Mr. Dan Karant, Summit County Public Health discussed the infant mortality issue he brought to everyone's attention some time ago. Mr. Karant provided a written information sheet (see attached) and made a statement that there isn't any reason for panic in the area from Ebola. Mr. Karant stated the flu season is upon us and encouraged everyone to get their shots, and it's not too early to get the shot. Mr. Karant stated it was a bad idea to get it any earlier than October 1, which is why those that did get it early are recommended to follow up with a six (6) month booster shot as it's not a once per year vaccination. Mr. Karant noted the Summit County Public Health has moved to a new location at 1867 West Market Street, in Akron. The Barberton location has also moved due to a restoration project. Mr. Karant noted that next week the prescription turn in program will take place. Mr. Karant discussed the septic to sewer conversion as this has been a hot topic. Mr. Karant noted two (2) important issues to the public are that #1- that there is no other option, and #2-that there are no other resources being left on the table that could help pay for this.

Mr. Karant noted we have several residents that are experts in this field that he invited them to attend this evening to provide their comments (see attached) on the two types of systems, gravity and vacuum, that are being considered for the sewer system. Mr. Tim Boley, 3919 Easton Road, Norton, is with the Summit County Engineers office. He has been with them for fifteen (15) years and has lived in Nash Heights for over six (6) years. Mr. Boley stated that he has seen only one vacuum system in his five (5) years at the County which was in Twinsburg Township that a gravity system could not be used due to ground problems. Mr. Boley stated that his concerns are the maintenance issues, as the mechanical moving parts that are subject to failure and are untested in Summit County. It's similar to a sump pump and the failures this could have and he would rather see a gravity system. We don't really know what the maintenance costs are truly going to be. In Twinsburg they are paying \$61.00 per year for maintenance expense, which is a minimum and reasonable maintenance cost, but future costs are unknown; his concern was if the costs would be put upon the property owners. Mr. Boley stated he is glad that the City Council is moving forward on this issue. Mr. Pierson asked if that Twinsburg system was installed by a private contractor, and Mr. Boley replied yes. Mr. Pierson asked about the vacuum system in Clinton and contemplating parts of Portage Lakes? Mr. Boley stated the one in Clinton is not up and running as yet; it is under construction at this time and he is unaware of anything in Portage Lakes. Mr. Boley stated the up front construction costs could be lower but the overall costs with maintenance could be more over all. Mr. Pierson stated that was an unfair statement since the County really has no long term history and that sometimes new ideas take time to formulate. Mr. Pierson stated he took offense to Mr. Boley's statement that Council needs to think about this, and discussed the financial impact to all of the elderly residents on fixed incomes. Mr. Boley did state that vacuum systems are a proven system and as Mr. Pierson earlier stated they have been around over forty-seven (47) years. Mr. Pierson stated that he respects his opinion as a professional engineer and noted that Mr. Boley would not be impacted by the first phase. Mr. Pierson discussed the fact that some of the homes in the Nash Heights area do not have failed septic systems. Mr. Pierson also noted that along Easton Road we have some properties that have raw sewage dumping directly into the ditches. Mr. Boley stated he was aware of this and could smell it too. Mr. Rodgers informed Mr. Boley that he and other Council members did tour the vacuum system in Portage County and suggested he tour them as well. Mr. Don Cunningham, 3192 Rosebay Blvd., Norton, Ohio stated he is the Service Director and a Building Inspector for the City of Hunting Valley. Mr. Cunningham thanked Council for their support and interest in other options. Mr. Cunningham stated he has also been in construction for over forty-three (43) years in both residential and commercial. Mr. Cunningham stated he has reviewed both concepts and he has discussed the two types of sewer options with Hess Engineering out of Geauga County and CW Courtney Engineering out of Cuyahoga County for their comments. Mr. Cunningham stated with gravity we will have deeper excavations and overall lower costs in his opinion. On the vacuum system it would be shallow excavation and less cost up front, but greater expense over all in his opinion. With a vacuum system you also have more moving mechanical parts and must be maintained in a negative pressure. Mr. Cunningham stated that maintenance will require backup generators and extensive training of personnel 24/7 and 365 days. Mr. Cunningham asked if this is an additional employee that is needed? Mr. Rodgers stated we are in the process of selecting a provider for this service and they would provide the property staffing. Mr. Cunningham stated up front he does see the gravity would cost more up front, but down the road questioned the costs over time with the vacuum system could end up being more.

Mrs. Mary Ann Driscoll, a civil engineer with Burgess and Niple. Mrs. Driscoll stated she has lived in Norton over eight (8) years and owned property for ten (10) years. Mrs. Driscoll stated she has seventeen (17) years of experience specifically in water and waste water and has designed both types of systems. In her experience over the years, she feels the gravity is the way to go and the least moving parts the better, and to get rid of the pump stations if you can. Mrs. Driscoll stated she has reviewed the plans for the gravity for Nash Heights. In some areas it may seem deep for excavation, however overall the average is about ten (10) feet. When you are looking at vacuum systems you are looking for areas with hard rock formations and ground conditions. When we designed a vacuum systems in Damacus, Ohio, which was a factor because of the poor soil conditions. Mrs. Driscoll stated she has looked at the plans for Clinton and that a vacuum system makes sense due to the flooding in this area and Portage Lakes makes sense as well. Mrs. Driscoll commented on the idea in the past of the City of Norton taking over the sewers from the County. Mr. Rodgers indicated it was discussed at one time and we are working on having a provider to take over the new system. Mrs. Driscoll stated if in the future the City did take over the system that it would make sense if you were to have the simplest system for your own utility department. Mrs. Driscoll commented about vacuum tanks and vacuum pumps to maintain in addition to the normal costs of maintaining the pump stations. Mrs. Driscoll stated that with a vacuum system there will be additional costs that need to be considered. Mrs. Driscoll suggested that you stay with the design you already have for the gravity and use that money towards the city's portion of the project. Mr. Rodgers asked if she were to be assessed the costs \$15,000.00 for sewer and if this Council could save you half of that with the vacuum sewer option would she be in favor of that? Mrs. Driscoll replied half would be fine, however she does not feel the difference in costs would be that much. Mr. McGlone asked if she had the cost difference for Damascus from vacuum versus gravity? Mrs. Driscoll replied it had been a lot of years, but she could find out for him. Mr. Rodgers asked since the Mahoning County system in Damascus was done some time ago, he asked if there are problems there? Mrs. Driscoll commented all in all its working fine there, she has heard of some complaints about crews going out trying to isolate leaks as it is not as easy as it sounds. Mr. Rodgers suggested everyone talk to Randolph on their experience with the vacuum system and stated the comparisons for the two is all about money and we have to do the best for the residents. We have to make a decision based on these facts going out over time. Mr. Rodgers stated that vacuum systems will not work for all areas; like in Rosebay they are so close to gravity sewers that would probably be the best solution. Mr. Rodgers reminded everyone that we've been thrust into this not by the Mayor or past Administration but by the EPA. Mr. Pierson commented about the lack of experience of experts and had hoped that Mr. Karant would have brought someone that could answer questions about septic systems, etc., for those not under sewer mandates. Mr. Karant stated what we have now to pull from are from actual residents that are in the design and mechanisms, and advised about not getting too deep into this discussion until a final decision has been made on which system. Mr. Karant stated he has heard enough negative comments on vacuum and his intention was to provide a balanced approach to both options. Ms. Whipkey commented about the money spent on the design for the vacuum, we cannot just cut this now and it's not a total loss, this information would be exchangeable between the two systems.

## **CONSIDERATION OF MINUTES**

Minutes of the Committee Work Session of October 6, 2014, approved as submitted.  
Minutes of the Regular Council Meeting of October 14, 2014, approved as submitted.  
Minutes of the Committee Work Session of October 20, 2014, approved as submitted.

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

### **PUBLIC HEARINGS-None**

## **INTRODUCTION OF NEW LEGISLATION**

**\*\*\*Added during committee of the whole**

### **ORD #97-2014**

Ms. Whipkey offered Ord. #97-2014 for its first reading and asked the Clerk to read it:  
AN ORDINANCE AUTHORIZING THE LEASE-PURCHASE OF A 2014 JOHN DEERE 544K WHEEL LOADER FROM MURPHY TRACTOR & EQUIPMENT CO., AND DECLARING AN EMERGENCY.

Ms. Whipkey stated we are having a first reading only and we would gather more information. We are up against a wall right now with the repairs and if the broken one could be fixed, she is not sure it was worth it. Mrs. Carr noted that our mechanic Mr. Larry Hitchings is now here for any technical questions. Mr. Rodgers asked if the demo is still on site and Mr. Hitchings replied yes and we were told to we could use it as long as needed. Mr. Hitchings stated the demo is a 2014 and the new one is a 2015 if he is correct. We currently have a two (2) yard bucket and the new one has a three (3) yard bucket. Mr. Hitchings noted that with the large bucket we will be able to load faster and more of the product. This loader has by far more abilities than the one we currently have and the price is also by far better than any of the other competitors. Mrs. Carr stated the legislation was prepared for a demo and it can be amended. Mr. Tousley asked if there was any limited use on the demo and Mr. Hitchings replied it is unlimited and no time limit on how long we had it. Mr. Pierson asked Mr. Messner the trade in and asked if this is the best way do to this and would we be better to do an outright purchase instead? Mr. Messner explained the price is \$155,663.00 if you purchased outright. Ms. Whipkey asked about the cab on this vehicle, and Mr. Hitchings stated the cab is falling off the vehicle. Mr. Hitchings stated the estimated \$30,000.00 for repairs does not include replacing the cab which estimated to cost an additional \$7,000.00 for a used cab. Mr. Pierson asked if we got other price quotes? Mr. Hitchings stated he received quotes from South East Equipment on a Case Model 621 loader; Caterpillar on a Model 924K loader. Case came in higher in price and less equipped and less in overall weight. Caterpillar has a hydrostatic drive which he felt would have long term problems and their parts are becoming hard to get and more expensive. Mrs. Carr stated since this is an emergency situation so we went with the State bids and all three (3) of companies have this equipment listed. Mrs. Carr stated we also called around for references and we did not get a lot of good feedback on the Case equipment. Mr. Hitchings stated he also contacted the City of Barberton and Beaver Construction on Rt. 30 on their comments of the Case unit, and they would not recommend it. Mr. Tousley asked what other tasks other than salt is this equipment is used for?

Mr. Hitchings stated we use it for moving dirt, concrete, etc.; it is used almost daily and we have been discussing replacing it for the last two years. Mrs. Carr noted we originally planned for this to be replaced in 2015 but we cannot wait. Mr. Hitchings discussed the potential safety issue with this cab coming off of the vehicle while in use. Mr. Messner added that the first payment would not be due this year, but not until next year. Ms. Whipkey asked about the insurance being covered with a lease option. Mrs. Carr noted this vehicle is a lease to purchase so this would be added to our insurance. Mr. Hitching stated with this lease option this new unit has an automatic service link that would see that we have a John Deere Link available to us for the next three (3) years. If this machine were to have a fault, the Murphy Company would automatically get a message from the loader, diagnosis it from their office. This program would automatically search and locate the proper parts so if a service call is needed they come to us with parts in hand. This is at no cost to us for three (3) years as well as the maintenance. Mr. Rodgers noted that the City has been behind the curve when it comes to replacement vehicles. Mr. Rodgers stated we are working on correcting this and that going forward he felt there would be less emergency action coming up. Mrs. Carr stressed her concerns with only a first reading and hoped that Council would adopt this at the second reading.

## **INTRODUCTION OF PRIOR LEGISLATION**

### **ORD #93-2014**

Mr. Tousley offered Ord. #93-2014 for its second reading and asked the Clerk to read it:

AN ORDINANCE TO AMEND SECTION 222.01 OF THE NORTON CODIFIED ORDINANCES TO MODIFY THE LOCATIONS FOR POSTING NOTICES AND DECLARING AN EMERGENCY.

Second reading only.

### **ORD #94-2014**

Ms. Whipkey offered Ord. #94-2014 for its second reading and asked the Clerk to read it:

AN ORDINANCE AUTHORIZING THE MAYOR OR HIS DESIGNEE TO ENTER INTO AN AGREEMENT WITH THE OHIO DEPARTMENT OF TRANSPORTATION AND DECLARING AN EMERGENCY.

Second reading only.

## **UNFINISHED BUSINESS**

Mr. McGlone asked when we could see some costs on the proposal costs for vacuum and Mrs. Carr stated she has a meeting with Mr. Demboski tomorrow and our goal is to have something to Council before the end of the year.

## **NEW BUSINESS**

Mr. Rodgers discussed Hametown and St. Rt. 261 as it was discussed in the past about doing a traffic study. Mr. Rodgers stated he still has concerns and that with the widening of 224 this would see an increase in traffic during this time as well as the Cleveland-Massillon Road construction coming up. Mrs. Carr stated in the preliminary study there was no determination for a need of improvement, however in light of the upcoming construction she could ask Mr. White to look into this again. Mrs. Carr stated the study also takes into account the number of accidents and there were not a lot that warranted any changes and that is a determining factor with the State. Ms. Whipkey asked if we are looking at a traffic light or a 4-way stop? Mr. Rodgers stated he would like to see a light. Mr. Gainer who lives in this area stated every day there is always screeching and stopping and near accidents. Mr. Pierson asked that since this is a State Route do we even have the right to do this? Mrs. Carr stated she was not sure; she would need to look into this. Ms. Whipkey asked if a stop sign would be easier and Mrs. Carr stated a study would still need to be done with the Mayor adding the cost would be less. Mr. Gainer asked Mayor Zita how long it took to get the four (4) way stop at Greenwich and Hametown? He has never seen an accident at that area, when he has seen some terrible accidents at St. Rt. 261 and Medina Line. Mr. Gainer stated he would bet that study was done way before the shopping development in Wadsworth took place. Mr. Larry Perkins stated he personally witnessed an accident at Hametown and St. Rt. 261. The problem is that people have been sitting there too long and get impatient for their turn. Mr. Pierson suggested a quick fix is to do more police ticketing and slow this down; Mrs. Carr agreed and indicated she would talk to the Police Dept. about this.

## **PUBLIC SERVICE ANNOUNCEMENTS**

Mayor Zita read a few announcements, (see attached).

Mr. Pierson stated his company is sponsoring any needy families in Norton this holiday season and if anyone has information to please contact him.

## **PUBLIC UPDATES**

Mr. Rodgers thanked Mrs. Richards & Mrs. Campbell for the changes to the agenda layout regarding where and how the public can watch the broadcasts. Mr. Rodgers announced the Town Hall Meeting coming up on November 19, 2014 from 7-9 PM and encouraged everyone to attend. Mr. Messner handed out the 2015 Budget review to all of Council.

## **ADJOURN**

There being no other business to come before the Regular Council Meeting, the meeting was adjourned at 8:15 PM.

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Rick Rodgers, 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 November 10, 2014.

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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.