

City of
NORTON

NORTON CITY COUNCIL

NOTICE: SPECIAL COUNCIL MEETING
MONDAY, JUNE 7, 2021
7:00 PM

AGENDA

NOTE: The June 7, 2021 Special Council meeting of the Norton City Council will be conducted as a remote meeting, pursuant to H.B. #197 and #404. The meeting will be streamed live on the City of Norton YouTube. It will also be recorded and available at a later date on the City Website.

CALL TO ORDER, PLEDGE OF ALLEGIANCE, MOMENT OF REFLECTION

ROLL CALL

NEW BUSINESS- COMMITTEE OF THE WHOLE

- A. Norton Avenue Resurfacing (Kernan – Finance)
- B. Emergency Storm Sewer Repair on Gardner Blvd (Kernan – Finance)
- C. Norton Ave engineering observations (Kernan – Finance)
- D. Change Order #1 Wooster Road waterline (Kernan – Finance)
- E. Police Department Concept Design (McGlone – Property & Mines)
- F. Dell Server Contract (Kernan – Finance)

INTRODUCTION OF NEW LEGISLATION

INTRODUCTION OF PRIOR LEGISLATION

Ord. No. 68-2021 **Second Reading:** An ordinance to amend Section 848.15 of the Codified Ordinances and Repealing Section 848.14 of the Codified Ordinances of the City of Norton, Ohio. (McGlone – Property)

Ord. No. 69-2021 **Second Reading:** An ordinance establishing a tap-in benefit charge for the Clark Mill sanitary sewer extension, and declaring an emergency. (Whipkey – Utilities)

Ord. No. 70-2021 **Second Reading:** An ordinance approving the final site plan for property located at 3727 Golf Course Drive; and declaring an emergency. (Gainer – Plng & Econ Dev)

Amended Ord. No. 59-2021 **Third Reading:** An ordinance to authorize the Administrative Officer to enter into an agreement with Engineering Associates, Inc. for professional engineering services in connection with the construction observation of Johnson Road waterline improvements in the city in the amount not to exceed \$74,000; and declaring an emergency. (Kernan – Finance)

NEW BUSINESS: Executive Session: To consider the purchase of property for public purposes, or for the sale of property at competitive bidding, if premature disclosure of information would give an unfair competitive or bargaining advantage to a person whose personal, private interest is adverse to the general public interest per ORC §121.22(G)(2) and Section 3.12(2) of the Norton City Charter and preparing for, conducting, or reviewing negotiations or bargaining sessions with public employees concerning their compensation or other terms and conditions of their employment per ORC §121.22(G)(4) and Section 3.12(4) of the Norton City Charter

ADJOURN

****NOTE: During a meeting a live video stream can be accessed by going to www.cityofnorton.org and clicking on the icon below for instructions ****



*Emailed to Media on 6/4/21
Posted & Distributed on 6/4/21*

Sponsored By: Administration
Referred To: Committee Work Session
Introduced By: Property Chair McGlone

CITY OF NORTON
ORDINANCE NO. 68-2021

AN ORDINANCE TO AMEND SECTION 848.15 OF THE CODIFIED ORDINANCES AND REPEALING SECTION 848.14 OF THE CODIFIED ORDINANCES OF THE CITY OF NORTON, OHIO.

BE IT ORDAINED by the Council of the City of Norton, Summit and Wayne Counties, State of Ohio, that:

- Section 1: Section 848.15 is hereby added to the Codified Ordinances of the City in the form attached hereto as **Exhibit A**.
- Section 2: Section 848.14 of the Codified Ordinances of the City is hereby repealed in its entirety and shall be of no further force or effect.
- Section 3: All formal actions of this Council related to this Ordinance and all deliberations of the Council and of any of its committees that resulted in such formal action were in meetings open to the public in compliance with all legal requirements, including Section 121.22 of the Revised Code.
- Section 4: This Ordinance shall take effect and be in force at the earliest period allowed by law.

Vote: _____Yeas _____Nays

Date passed: _____

Dennis McGlone, President of Council

Date submitted to the Mayor _____

Attest: _____
Kerry Macomber, Clerk of Council

Mike Zita, Mayor

Date approved by the Mayor _____

I, Kerry Macomber, Clerk of Council for the City of Norton, Summit and Wayne Counties, Ohio do hereby certify that the foregoing **Ordinance No. 68-2021** was duly and regularly passed by the Council of the City of Norton, Summit and Wayne Counties, Ohio at a meeting held on _____, 2021.

That this legislation was posted according to law on _____,
2021 and will become effective on _____, 2021.

Kerry Macomber, Clerk of Council

Prepared and approved as to legal form by Justin P. Markey, Solicitor, City of Norton, May
13, 2021.

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Sponsored By: Administration
Referred To: Committee Work Session
Introduced By: Utilities Chair Whipkey

CITY OF NORTON

ORDINANCE NO. 69-2021

AN ORDINANCE ESTABLISHING A TAP-IN BENEFIT CHARGE FOR THE CLARK MILL SANITARY SEWER EXTENSION, AND DECLARING AN EMERGENCY.

WHEREAS, the City has caused the construction of the Clark Mill Sanitary Sewer Extension in the City (the "Improvement") in accordance with and as further described in the plans and specifications for the Improvement now on file with the City Engineer; and

WHEREAS, the Improvement is now complete and this Council has now determined to establish a tap-in benefit charge to be paid by owners of properties determining to tap-in into the Improvement.

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Norton, Counties of Summit and Wayne, Ohio, that:

SECTION 1. There is hereby established a tap-in benefit charge in the amount of \$950 per benefit. A single "benefit" for purposes herein is defined as 400 gallons or less of wastewater emitted from the site per day. The number of benefits per property owner shall be based on the number of gallons of wastewater anticipated, as determined by standard gallon per day flow rates established by the Environmental Protection Agency. No charge will be for less than one full benefit.

SECTION 2. It is hereby further determined that the owners of any property determining to connect to the Improvement shall be required to pay such tap-in benefit charge in full to the Director of Finance of the City prior to connecting such parcel to and receiving sanitary sewer service from the Improvement.

SECTION 3. Any owner of real property connecting to the Improvement in accordance with this Section 1 shall be responsible to restore street surface damaged by such connection as provided by Section 1020.12 of the Codified Ordinances of the City. Such restoration shall be made to at least the grading and pavement specifications applicable to such street in Section 1022.01 of the Codified Ordinances of the City.

SECTION 4: This Council finds and determines that all formal actions of this Council concerning and relating to the adoption of this ordinance were taken in an open meeting of this Council, and that all deliberations of this Council and of any committees that resulted in those formal actions were in meetings open to the public, in compliance with the law.

SECTION 5. This ordinance is declared to be an emergency measure necessary for the immediate preservation of the public peace, health and safety of the City, and for the further reason that this resolution must be immediately effective to provide for the Improvement which is necessary to provide to provide sanitary sewerage services to the properties benefited by the Improvement; and provided that it receives the approval of two-thirds of the members of Council, wherefore, this ordinance shall be in full force and effect immediately upon its adoption and approval by the Mayor.

EMERGENCY VOTE: YEAS _____ NAYS _____

DATE PASSED: _____

Dennis McGlone, President of Council

ATTEST: _____
Kerry Macomber, Clerk of Council

Mike Zita, Mayor

Dated filed with Mayor _____

I, Kerry Macomber, Clerk of Council for the City of Norton, Summit and Wayne Counties, Ohio do hereby certify that the foregoing **Ordinance No. 69-2021** was duly and regularly passed by the Council of the City of Norton, Summit and Wayne Counties, Ohio at a meeting held on _____, 2021.

That this legislation was posted according to law on _____, 2021 and will become effective on _____, 2021.

Clerk of Council

Prepared and approved as to legal form by Justin P. Markey, Solicitor, City of Norton on May 13, 2021.

CITY OF NORTON ORDINANCE NO. 70-2021

AN ORDINANCE APPROVING THE FINAL SITE PLAN FOR PROPERTY LOCATED AT 3727 GOLF COURSE DRIVE; AND DECLARING AN EMERGENCY

WHEREAS, Council finds that Application SPR8-2021 (the "Application") has been filed with the City of Norton Planning Commission requesting approval of a final site plan of land located at 3727 Golf Course Drive and described as PPN 4600259 and 4604166 as further described in the Application (the "Property"); and

WHEREAS, the Planning Commission, by its P.C. Resolution No. 8-2021 dated May 11, 2021, recommends the approval of the final site plan as presented in the Application; and

WHEREAS, pursuant to Section 1279.16(c) of the Codified Ordinances of the City, this Council shall review the Planning Commission recommendation of the approval of the final site plan and shall approve, approve with conditions or disapprove of the final site plan no later than 30 days after receipt of the recommendation by Planning Commission; and

WHEREAS, this Council has determined to approve the final site plan.

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Norton, Counties of Summit and Wayne, State of Ohio:

- Section 1: That the final site plan presented to the Planning Commission by Addison Norton Investment Co. as owner and Redwood USA LLC as contractor, pursuant to the Application, is hereby approved pursuant to Section 1297.16(c).
- Section 2: All formal actions of this Council related to this Ordinance and all deliberations of the Council and of any of its Committees that resulted in such formal action were in meetings open to the public in compliance with all legal requirements, including section 121.22 of the Ohio Revised Code.
- Section 3: This Ordinance is an emergency measure necessary for the preservation of the public peace, health, safety, convenience, and welfare of the City of Norton and the inhabitants thereof, and to permit the timely development of the Property in furtherance of the economic development purposes of the City, and provided it receives the approval of two-thirds of the members of Council, shall be in full force and effect from and after its passage and approval by the Mayor, or otherwise take effect and be in full force from and after the earliest period allowed by law.

Emergency Vote: _____ Yeas _____ Nays

Date passed: _____

Dennis McGlone, President of Council

Date submitted to the Mayor _____

Attest: _____
Kerry Macomber, Clerk of Council

Mike Zita, Mayor

Date approved by the Mayor _____

I, Kerry Macomber, Clerk of Council for the City of Norton, Summit and Wayne Counties, Ohio do hereby certify that the foregoing **Ordinance No. 70-2021** was duly and regularly passed by the Council of the City of Norton, Summit and Wayne Counties, Ohio at a meeting held on _____, 2021.

That this legislation was posted according to law on _____, 2021 and will become effective on _____, 2021.

Kerry Macomber, Clerk of Council

Prepared and approved as to legal form, Justin P. Markey, Solicitor for the City of Norton, Ohio, on May 13, 2021.

CITY OF NORTON
AMENDED ORDINANCE NO. 59-2021

AN ORDINANCE TO AUTHORIZE THE ADMINISTRATIVE OFFICER TO ENTER INTO AN AGREEMENT WITH ENGINEERING ASSOCIATES, INC. FOR PROFESSIONAL ENGINEERING SERVICES IN CONNECTION WITH THE CONSTRUCTION OBSERVATION OF THE JOHNSON ROAD WATERLINE IMPROVEMENTS IN THE CITY IN THE AMOUNT NOT TO EXCEED \$74,000; AND DECLARING AN EMERGENCY.

WHEREAS, the Administration has determined to engage a professional engineer to perform construction observation and other engineering services in connection with the Johnson Road Waterline Improvements project in the City (the "Project"); and

WHEREAS, Engineering Associates, Inc. (the "Engineer") has provided a proposal to provide engineering services for the Project in an amount not to exceed \$74,000, which proposal is attached hereto as Exhibit A (the "Proposal"); and

WHEREAS, this Council desires to authorize the Administrative Officer to execute and deliver an agreement with the Engineer to provide engineering services for the Project on the basis of the Proposal.

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Norton, Counties of Summit and Wayne, State of Ohio, that:

- Section 1. The Administrative Officer is authorized and directed to execute and deliver an agreement with the Engineer to provide engineering services for the Project, which agreement shall be consistent with the terms of the engineering services set forth in the Proposal.
- Section 2. The Administrative Officer is hereby authorized to take all further actions as shall be necessary to complete the work described in the Proposal.
- Section 3. All formal actions of this Council related to this Ordinance and all deliberations of this Council and of any of its Committees that resulted in such formal action were in meetings open to the public in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.
- Section 4. This Ordinance is an emergency measure necessary for the preservation of the public peace, health, safety, convenience, and welfare of the City of Norton and the inhabitants thereof, and to permit the timely completion of the Project to enhance the health, safety and welfare of the residents of the City, and provided it receives

the approval of two-thirds of the members of Council, shall be in full force and effect from and after its passage and approval by the Mayor, or otherwise take effect and be in full force from and after the earliest period allowed by law.

Emergency Vote: _____Yeas _____Nays

Date passed: _____

Dennis McGlone, President of Council

Date submitted to the Mayor _____

Attest: _____
Kerry Macomber, Clerk of Council

Mike Zita, Mayor

Date approved by the Mayor _____

I, Kerry Macomber, Clerk of Council for the City of Norton, Summit and Wayne Counties, Ohio do hereby certify that the foregoing Ordinance No. 59-2021 was duly and regularly passed by the Council of the City of Norton, Summit and Wayne Counties, Ohio at a meeting held on _____, 2021.

That this legislation was posted according to law on _____, 2021 and will become effective on _____, 2021.

Kerry Macomber, Clerk of Council

Prepared and approved as to legal form by Justin P. Markey, Solicitor, City of Norton, April 29, 2021.