



**NORTON CITY COUNCIL  
REGULAR COUNCIL MEETING  
MONDAY, MAY 10, 2021**

The Regular Council Meeting was convened on Monday, May 10, 2021 at 7:00 PM by Dennis McGlone, President of Council, followed by the Pledge of Allegiance and a moment of silent reflection.

Roll Call:	Jack Gainer	Also Present:
	Dan Karant	Mayor Zita
	Paul Tousley	Robert Fowler
	Scott Pelot(excused)	Pamela Keener
	Charlotte Whipkey	Justin Markey
	Joe Kernan	Kerry Macomber
	Dennis McGlone	

**COMMUNICATIONS FROM THE PUBLIC - None**

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

**REPORTS FROM OFFICERS, BOARDS AND COMMISSIONS**

Mayor Zita announced there is availability for Adopt-A-Spot gardens for individuals and/or groups that want to tend to the care of a flower garden and anyone interested should contact Shannon Szittai at City Hall. Mayor Zita announced the Twinbrooks Garden Club Plant Sale on Saturday, May 15, 2021 from 9 a.m. until 12 noon at Prince of Peace Church, 1263 Shannon Avenue. Additional information can be received by calling 330.825.9656. Masks are required. Mr. Fowler announced that Barber Road has received funding \$665,000 from AMATS, which will be added to the \$650,000 grant already received. So essentially, the repaving and traffic signals will be free. This will require legislation to be passed by the end of the month, which is the authorization to apply. They allowed us to submit the application without the authorization due to the tight turnaround. Greenwich was not funded by AMATS this year under this program, but hope to get additional funding. Tonight it will be closed from 4 – 10 p.m. just west of Easton to put in new water line. Mr. Gainer asked if it was not funded, how will the road be repaired. Mr. Fowler said we are confident other grant funding will be acquired in the next two funding cycles and will apply in September for the regular cycle; so it's just a matter of when and how much over the next few years. The construction company is required to repair anywhere they cut. Shellhart will be repaired once it is done just west of Brookside. Mr. Tousley asked for update on roads that will be done and Mr. Fowler said the annual road program was delayed because the contractor went to a different job site due to tighter timeline. He stated that rather than do some of the roads partway, they are going to wait and do all of it at one time. He couldn't remember exactly which roads and didn't have a list in front of him. Plus, he was actually driving so he promised to provide a list. Also, because of weather delays and other jobs, they aren't sure when it will begin but the contract deadline is June 30. Mr. Gainer asked if we are doing the entire list and Mr. Fowler answered yes, but with minor changes. Mayor Zita noted there is a list and the extra streets are listed separately.

## **CONSIDERATION OF MINUTES**

Minutes of Regular Council Meeting of April 26, 2021 were approved as submitted.  
Minutes of Committee Work Session of May 3, 2021 were approved as submitted.

## **INTRODUCTION OF NEW LEGISLATION**

### **Res. No. 53-2021**

Ms. Whipkey introduced Res. No. 53-2021 for its first reading and asked the Clerk to read it:

A RESOLUTION AUTHORIZING A COOPERATIVE AGREEMENT WITH THE CITY OF BARBERTON TO PARTICIPATE IN AN OHIO PUBLIC WORKS COMMISSION APPLICATION TO FUND A PORTION OF THE COSTS OF THE BARBERTON RESERVOIR RECONSTRUCTION PROJECT IN THE CITY OF NORTON, AND COMMITTING TO PROVIDE FUNDING FOR THE LOCAL SHARE, AND DECLARING AN EMERGENCY.  
First reading only.

Ms. Whipkey said we did receive an explanation about what they are doing but she asked if they are doing a rebuild or rehab and Mr. Fowler said he will confirm with Mr. Weaver. Ms. Whipkey noted that the projected cost was for repair at \$9.109 million.

### **Res. No. 54-2021**

Ms. Whipkey introduced Res. No. 54-2021 for its first reading and asked the Clerk to read it:

A RESOLUTION AUTHORIZING A COOPERATIVE AGREEMENT WITH THE CITY OF BARBERTON TO PARTICIPATE IN AN OHIO PUBLIC WORKS COMMISSION APPLICATION TO FUND A PORTION OF THE COSTS OF THE TAYLOR ROAD WATERLINE PROJECT IN THE CITY OF NORTON, AND COMMITTING TO PROVIDE FUNDING FOR THE LOCAL SHARE, AND DECLARING AN EMERGENCY.  
First reading only.

Ms. Whipkey said this does include road repair and Mr. Fowler concurred.

### **Ord. No. 55-2021**

Mr. Kernan introduced Ord. No. 55-2021 for its first reading and asked the Clerk to read it:

AN ORDINANCE TO AUTHORIZE THE ADMINISTRATIVE OFFICER TO ENTER INTO AN AGREEMENT WITH GPD FOR PROFESSIONAL ENGINEERING SERVICES IN CONNECTION WITH THE DESIGN OF THE NORTON COMMERCE PARK WATER PROJECT IN AN AMOUNT NOT TO EXCEED \$58,355; AND DECLARING AN EMERGENCY.  
First reading only.

### **Ord. No. 56-2021**

Mr. Kernan introduced Ord. No. 56-2021 for its first reading and asked the Clerk to read it:

AN ORDINANCE TO AUTHORIZE THE ADMINISTRATIVE OFFICER TO ENTER INTO AN AGREEMENT WITH GPD FOR PROFESSIONAL ENGINEERING SERVICES IN CONNECTION WITH THE DESIGN OF THE GREENWICH ROAD RESURFACING

PROJECT IN AN AMOUNT NOT TO EXCEED \$18,450; AND DECLARING AN EMERGENCY.

First reading only.

**Ord. No. 57-2021**

Mr. Kernan introduced Ord. No. 57-2021 for its first reading and asked the Clerk to read it:

AN ORDINANCE TO AUTHORIZE THE ADMINISTRATIVE OFFICER TO ENTER INTO AN AGREEMENT WITH GPD FOR PROFESSIONAL ENGINEERING SERVICES IN CONNECTION WITH THE DESIGN OF THE EASTERN ROAD RECONSTRUCTION PROJECT – PHASE 1 IN AN AMOUNT NOT TO EXCEED \$29,700; AND DECLARING AN EMERGENCY.

First reading only.

**Ord. No. 58-2021**

Mr. Kernan introduced Ord. No. 58-2021 for its first reading and asked the Clerk to read it:

AN ORDINANCE TO AUTHORIZE THE ADMINISTRATIVE OFFICER TO ENTER INTO AN AGREEMENT WITH GPD FOR PROFESSIONAL ENGINEERING SERVICES IN CONNECTION WITH THE DESIGN OF THE EASTERN ROAD RECONSTRUCTION – PHASE 2 PROJECT IN AN AMOUNT NOT TO EXCEED \$220,405; AND DECLARING AN EMERGENCY.

First reading only.

**Ord. No. 59-2021**

Mr. Kernan introduced Ord. No. 59-2021 for its first reading and asked the Clerk to read it:

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 AND PARKWOOD ROAD WATERLINE IMPROVEMENTS IN THE CITY IN THE AMOUNT NOT TO EXCEED \$74,000; AND DECLARING AN EMERGENCY.

First reading only.

**Ord. No. 60-2021**

Mr. Kernan introduced Ord. No. 60-2021 for its first reading and asked the Clerk to read it:

AN ORDINANCE AUTHORIZING TO PURCHASE IT SERVICES AND EQUIPMENT FROM MGT NETWORK SERVICES IN AN AMOUNT NOT TO EXCEED \$20,652.00; AND DECLARING AN EMERGENCY.

Mr. Kernan said we need to complete the IT equipment in the Council Chambers and security equipment throughout the building and moved to waive second and third readings; seconded by Ms. Whipkey.

ROLL CALL: Yes: Kernan, Whipkey, Gainer, Karant, Tousley, McGlone  
No: None

Motion passed: 6 - 0

Mr. Kernan moved to adopt Ord. No. 60-2021; seconded by Ms. Whipkey.

ROLL CALL: Yes: Kernan, Whipkey, Gainer, Karant, Tousley, McGlone

No: None

Motion passed: 6 - 0

**Ord. No. 61-2021**

Mr. Kernan introduced Ord. No. 61-2021 for its first reading and asked the Clerk to read it:

AN ORDINANCE TO AUTHORIZE THE ADMINISTRATIVE OFFICER TO ENTER INTO AN AGREEMENT WITH ENVIRONMENTAL DESIGN GROUP FOR PROFESSIONAL ENGINEERING SERVICES IN CONNECTION WITH THE GREENWICH ROAD SANITARY SEWER REPLACEMENT PROJECT IN AN AMOUNT NOT TO EXCEED \$57,502; AND DECLARING AN EMERGENCY.

First reading only.

**Ord. No. 62-2021**

Mr. Karant introduced Ord. No. 62-2021 for its first reading and asked the Clerk to read it:

AN ORDINANCE AUTHORIZING TO PURCHASE BODY ARMOR FOR THE POLICE DEPARTMENT FROM RED DIAMOND UNIFORM POLICE SUPPLY IN AN AMOUNT NOT TO EXCEED \$10,490.90; AND DECLARING AN EMERGENCY.

Mr. Karant said this is a timely thing that needs to be done and it is a small amount and moved to waive second and third readings; seconded by Mr. Gainer. Mr. Kernan noted that some of these supplies have expired and we need to keep our officers safe.

ROLL CALL: Yes: Karant, Gainer, Tousley, Kernan, Whipkey, McGlone

No: None

Motion passed: 6 - 0

Mr. Karant moved to adopt Ord. No. 62-2021; seconded by Mr. Gainer.

ROLL CALL: Yes: Karant, Gainer, Tousley, Whipkey, Kernan, McGlone

No: None

Motion passed: 6 - 0

**Ord. No. 63-2021**

Mr. Gainer introduced Ord. No. 63-2021 for its first reading and asked the Clerk to read it:

AN ORDINANCE AUTHORIZING THE EXECUTION AND DELIVERY OF A DEVELOPMENT AND TAX INCREMENT FINANCING AGREEMENT WITH ADDISON NORTON, LLC AND ADDISON NORTON INVESTMENT COMPANY, LLC; AUTHORIZING THE EXECUTION AND DELIVERY OF A COOPERATIVE AGREEMENT IN FURTHERANCE OF SUCH DEVELOPMENT AGREEMENT; REPEALING ORDINANCE NO. 95-2020; AND DECLARING AN EMERGENCY.

Mr. Gainer stated that this is time sensitive and moved to waive readings so the asphalt repair can begin on Golf Course Drive; seconded by Mr. Kernan.

Ms. Whipkey said the last ordinance passed in November should have covered this but it was not executed. On our part, we signed everything and this should have been completed and executed; so why wasn't it executed. Mr. Markey said they decided to wait until this new one was prepared as there was the concept for a bond issuance to pay for the public infrastructure that was being worked on. Instead of amending the development agreement as there would be changes on both sides, it would be better to just sign the final one. He understands the frustration on the paving and can see how quickly it can be done. Ms. Whipkey asked if there are other ordinances that have not been executed. Mr. Markey did not think this was a common event and he said it was not like it was not communicated to us; he knew this was going to come back and he should have communicated that to Council and apologized for the oversight. Ms. Whipkey said the people should receive an apology because they thought their road was going to be fixed. Ms. Whipkey asked about the first paragraph changes and the distinction between parties and Mr. Markey explained that when the developer took title of the property, the investment company was the one that actually purchased the property and own the property currently. Norton LLC is the developer and they're the ones undertaking building all the infrastructure and making the lots ready for sale. That's why we captured both entities there that was one of the big changes we knew happened; right after they closed, the other firm took control in the early part of 2021. Ms. Whipkey asked if they are one in the same and Mr. Markey agreed they are. Ms. Whipkey asked if this has anything to do with Redwood and Mr. Markey answered no, not in the Development Agreement; it does not include any Redwood parties. Ms. Whipkey asked about the meaning of subsequent owners. Mr. Markey responded that could be anyone; it could be people buying homes or something happens and a new developer comes in. Ms. Whipkey asked if the Community Building would be for the development's use only and if the rest of the city has access to it. Mr. Markey said it will be controlled by the Homeowner's Association and the residents of the development will be paying for it. Ms. Whipkey noted that the city residents will be paying for the maintenance of their roads. Mr. Karant said this is standard with other cities for the Homeowner's Association to pay for it. Ms. Whipkey asked about the TIF changes and the assessments of the sewer that she had asked about and will it be affected by the TIF. Mr. Fowler said they are ready to present an amount the City will collect for sewer and it will not be related to the TIF. It will then be a Council decision in an ordinance to set the amount. Ms. Whipkey asked if Mr. Fowler has had discussions and he said no. Mr. Kernan said the sooner we approve the legislation; the sooner they can get the road improved. As far as the Community Center and the tax dollars that pay for roads, this is typical of how these things work where you have a Homeowner's Association. Mr. Gainer agreed stating Knollwood and other communities in Norton are no different than Brookside Development, as far as the roads and infrastructure is concerned. The Community Center is paid for from the cost of the homes and the dues of the Homeowner's Association and it is private, as it should be.

Roll Call: Yes: Gainer, Kernan, Karant, Tousley, McGlone  
No: Whipkey

Motion passed: 5 – 1



Mr. Gainer moved to adopt Ord. No. 63-2021; seconded by Mr. Kernan.

Roll Call: Yes: Gainer, Kernan, Karant, Tousley, McGlone  
No: Whipkey

Motion passed: 5 – 1

**INTRODUCTION OF PRIOR LEGISLATION - None**

**PUBLIC SERVICE ANNOUNCEMENTS - None**

**NEW BUSINESS:**

Mr. McGlone moved to enter into Executive Session at 7:33 PM 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; seconded by Mr. Kernan. Mr. McGlone invited Mayor Zita, Messrs. Fowler, Markey, Jackson, and Ms. Keener to join them. He announced that no further City business would be transacted after the Executive Session.

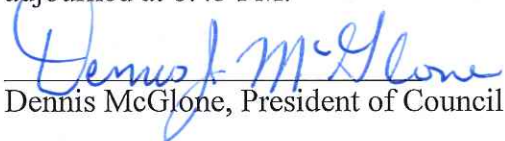
Roll Call: Yes: McGlone, Kernan, Gainer, Karant, Tousley, Whipkey  
No: None

Motion passed: 6 – 0

Mr. McGlone reconvened the Regular Council Meeting at 8:44 PM.

**ADJOURN:**

There being no other business to come before the Regular Council Meeting, the meeting was adjourned at 8:45 PM.

  
Dennis McGlone, President of Council

I, Kerry Macomber, Clerk of Council for the City of Norton, do hereby certify that the foregoing minutes were approved at a Regular Council Meeting held on May 24, 2021.

  
Kerry Macomber, Clerk of Council

**\*\*Note: these minutes are not verbatim\*\***  
Original signed and approved minutes are on file with Clerk of Council.