



**NORTON CITY COUNCIL  
REGULAR COUNCIL MEETING  
MONDAY, MAY 13, 2019**

The Regular Council Meeting was convened on Monday, May 13, 2019 at 7:00 PM in the Council Chambers of the Safety Administration Building. The meeting was called to order by Joe Kernan, President of Council, followed by the Pledge of Allegiance and a moment of silent reflection.

Roll Call:	Jack Gainer	Also Present:
	Dennis McGlone	Mayor Zita
	Dan Karant	Ron Messner
	Paul Tousley	Robert Fowler
	Charlotte Whipkey	Justin Markey
	Scott Pelot	Kerry Macomber
	Joe Kernan	

**COMMUNICATIONS FROM THE PUBLIC**

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

Mr. Kernan acknowledged receipt of the April 2019 Budget Reports

**CONSIDERATION OF MINUTES**

Minutes of Regular Council Meeting of April 22, 2019 were accepted as submitted.

Minutes of Committee Work Session of May 6, 2019 were accepted as submitted.

**REPORTS FROM OFFICERS, BOARDS AND COMMISSIONS**

Mr. Fowler noted that the paving contractor has started but has been delayed for about a week because of weather. In the meantime, they will do concrete repairs. Mr. Fowler gave an update on the Kungle Road Bridge issue, which has been discussed many times with the County. Mr. Fowler noted that the ORC is very clear and qualifies that a bridge is a span over 10 feet and this falls under the purview of the County Engineer. They consider the situation closed until repaired by the County Engineer although we did put out some concrete barriers to make it more secure. Mr. Fowler gave an update on Newpark Road, Eastern and Cleveland Massillon Road projects and the City Engineer is going to bid out the Cleveland-Massillon Road sewer project soon. He believes there will be some information for the June meeting. His goal is to award the bids by July. The Johnson Road and Medina Line Road repair will also be going out to bid. Again, these should be awarded before Council goes to break in July.

**PUBLIC HEARINGS** – Mr. Kernan explained that all people will have an opportunity to speak for five minutes. This is not a question and answer period, but it will allow all to speak either for or against. Mr. Kernan requested all questions and written statements be given to the Clerk to put with the minutes of the Public Hearing. Mr. Kernan called the Public Meeting to order at 7:16 PM. He read Ordinance Number 049-2019: An ordinance rezoning property described as Permanent Parcel

Nos. 46-02628, 46-08579, 46-08865 and 46-08866 from an R-3 RPC District to an I-1 District. Mr. Kernan asked the Clerk to certify that the legal notice was published in the Barberton Herald on April 18, 2019. Ms. Macomber so certified and stated that notices to all of the contiguous property owners were mailed on April 19, 2019. Mr. Kernan called for anyone who wishes to speak for the said rezoning. Mr. Kernan called for anyone who wishes to speak for the said rezoning twice more. Hearing none, Mr. Kernan called for anyone who wishes to speak against the said rezoning. Mr. Kernan called for anyone who wishes to speak against the said rezoning twice more. Hearing none, Mr. Kernan closed the Public Hearing at 7:17 PM

## **INTRODUCTION OF NEW LEGISLATION**

### **Ord No. 058-2019**

Mr. McGlone introduced Ord No. 058-2019 for its first reading and asked the Clerk to read it:

AN ORDINANCE TO AMEND SECTION 258.15 OF THE CODIFIED ORDINANCES OF THE CITY OF NORTON, OHIO.

First reading only.

### **Ord No. 059-2019**

Mr. McGlone introduced Ord No. 059-2019 for its first reading and asked the Clerk to read it:

AN ORDINANCE TO AMEND SECTION 276.06 OF THE CODIFIED ORDINANCES OF THE CITY OF NORTON, OHIO

First reading only.

### **Ord No. 060-2019**

Mr. Gainer introduced Ord No. 060-2019 for its first reading and asked the Clerk to read it:

AN ORDINANCE TO INITIATE THE REZONING OF PROPERTY DESCRIBED AS PERMANENT PARCEL NOS. 4600259 AND 4604166 IN THE CITY FROM A C-REC DISTRICT TO A MIXED USE DISTRICT.

First reading only.

### **Ord No. 061-2019**

Mr. Gainer introduced Ord No. 061-2019 for its first reading and asked the Clerk to read it:

AN ORDINANCE TO AMEND THE ZONING CODE OF THE CITY TO IMPLEMENT THE C-1 ZONING CLASSIFICATION.

First reading only.

### **Ord No. 062-2019**

Mr. McGlone introduced Ord No. 062-2019 for its first reading and asked the Clerk to read it:

AN ORDINANCE DETERMINING TO ESTABLISH WAGE RATES FOR SEASONAL EMPLOYEES AND COLLEGE INTERNS.

First reading only.

### **Ord No. 063-2019**

Ms. Whipkey introduced Ord No. 063-2019 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 DESIGN OF WALKING PATH IMPROVEMENTS IN COLUMBIA WOODS PARK IN AN AMOUNT NOT TO EXCEED \$27,500.

First reading only.

**Ord No. 064-2019** Ms. Whipkey said Ordinances Nos. 064-2019, 065-2019, and 066-2019 have all been corrected to include emergency language added at the end as it was overlooked and it was already in the title. Council members all have corrected copies. Ms. Whipkey introduced Ord No. 064-2019 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 IMPROVEMENTS TO BARBER ROAD IN AN AMOUNT NOT TO EXCEED \$55,000 AND DECLARING AN EMERGENCY.

Ms. Whipkey said we need to get started on this right away, if we haven't already. Ms. Whipkey moved to waive second and third readings; seconded by Mr. Pelot.

Roll Call: Yes: Whipkey, Pelot, Gainer, McGlone, Karant, Tousley, Kernan

No: None

Motion passed: 7-0

Ms. Whipkey moved to adopt Ord No. 064-2019; seconded by Mr. Pelot.

Roll Call: Yes: Whipkey, Pelot, Gainer, McGlone, Karant, Tousley, Kernan

No: None

Motion passed: 7-0

**Ord No. 065-2019**

Ms. Whipkey introduced Ord No. 065-2019 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 GROUP FOR PROFESSIONAL ENGINEERING SERVICES IN CONNECTION WITH THE CONSTRUCTION MANAGEMENT AND INSPECTION OF THE 2019 ROAD PROGRAM IN AN AMOUNT NOT TO EXCEED \$29,890 AND DECLARING AN EMERGENCY.

Ms. Whipkey said we have already started implementing this and moved to waive second and third readings; seconded by Mr. Pelot.

Roll Call: Yes: Whipkey, Pelot, Gainer, McGlone, Karant, Tousley, Kernan

No: None

Motion passed: 7-0

Ms. Whipkey moved to adopt Ord No. 065-2019; seconded by Mr. Pelot.

Roll Call: Yes: Whipkey, Pelot, Gainer, McGlone, Karant, Tousley, Kernan

No: None  
Motion passed: 7-0

**Ord No. 066-2019**

Ms. Whipkey introduced Ord No. 066-2019 for its first reading and asked the Clerk to read it:

AN ORDINANCE TO ADOPT A CREDIT CARD POLICY FOR THE CITY AND DECLARING AN EMERGENCY.

Ms. Whipkey said this should have been implemented, if we haven't already, because it was a state mandated item in November 2018. Ms. Whipkey moved to waive second and third readings; seconded by Mr. Pelot.

Roll Call: Yes: Whipkey, Pelot, Gainer, McGlone, Karant, Tousley, Kernan  
No: None  
Motion passed: 7-0

Ms. Whipkey moved to adopt Ord No. 066-2019; seconded by Mr. Pelot.

Roll Call: Yes: Whipkey, Pelot, Gainer, McGlone, Karant, Tousley, Kernan  
No: None  
Motion passed: 7-0

**INTRODUCTION OF PRIOR LEGISLATION**

**Ord No. 049-2019**

Mr. Gainer offered Ord No. 049-2019 for its second reading and asked the Clerk to read it:

AN ORDINANCE REZONING PROPERTY DESCRIBED AS PERMANENT PARCEL NOS. 46-02628, 46-08579, 46-08865 AND 46-08866 FROM AN R-3 RPC DISTRICT TO AN I-1 DISTRICT.

Second reading only.

**ORD #047-2019**

Mr. Karant offered Ord No. 047-2019 for its third reading and asked the Clerk to read it:

An ordinance providing consent to the Ohio Department of Transportation regarding the project designated as PID 107165, and declaring an emergency.

Mr. Karant moved to adopt Ord No. 047-2019; seconded by Ms. Whipkey.

Roll Call: Yes: Karant, Whipkey, Gainer, McGlone, Tousley, Pelot, Kernan  
No: None  
Motion passed: 7-0

**ORD #048-2019**

Mr. McGlone offered Ord No. 048-2019 for its third reading and asked the Clerk to read it:

AN ORDINANCE DETERMINING TO AMEND THE CERTAIN NON-BARGAINING UNIT SALARY RATES AND WAGES, AND DECLARING AN EMERGENCY.

Mr. McGlone moved to adopt Ord No. 048-2019; seconded by Ms. Whipkey. Mr. McGlone said this is three non-bargaining employees that are receiving raises retroactive to January 1, 2019, which includes Kerry Macomber, for receiving her CMC certification, Shannon Szittai, with more responsibilities with Boards and Commissions will go to \$48,000; and Larry Hess as Manager of the Service Department will go to \$61,000.

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

Motion passed: 7-0

**ORD #050-2019**

Ms. Whipkey offered Ord No. 050-2019 for its third reading and asked the Clerk to read it:

AN ORDINANCE AUTHORIZING THE PURCHASE OF REAL PROPERTY FROM THE BOARD OF PARK COMMISSIONERS OF SUMMIT METRO PARKS, AND DECLARING AN EMERGENCY.

Ms. Whipkey moved to adopt Ord No. 050-2019; seconded by Mr. Pelot.

Mr. Tousley made the statement that for the six years that he has been representing Ward 4, he has often heard residents come forward to build our tax base. On the contrary, he has also heard from other residents with the opposite. This is a hard decision for him as he sees both sides and he is concerned about spending the public's money with risk. The process requires that we cannot secure businesses before purchasing, which also adds risk. If it passes, he is all on board and believes it is a great opportunity and he will work with the Administration and work to protect residents, but he will be voting no.

Mr. Kernan said he has lived in the City for some time and has heard so many times that opportunities have been passed by. We cannot afford to do that anymore. Norton has been left behind while Wadsworth and Green have prospered. It seems every municipality around us has prospered, but we don't grasp the opportunity when we have it and we have an opportunity here. Yes, there is risk involved; there is always risk when you do something. The only time there is no risk, is when you don't do something and we have seen where that gets us. We talk about expanding the tax base and lowering the burden from the people, and the only way we can do that, is to expand the tax base. I understand the concerns of the people that live around that area and have talked to them. I am more than committed to work with them to take reasonable action to mitigate concerns. The greater good of the city of Norton needs to prevail. We need to stop saying we'll do it the next time. The time is now.

Ms. Whipkey agreed with the President of Council. It is past time and does not want to hear in the future about how Administration and Council not doing anything to invite business in or get this city moving. This is our time to do something. I am 150% behind this and believe it is a great move on Norton's part. It is Norton's turn to shine.

Mr. Karant, as past Chairman of Business Development Task Force, I am at the heart of this. I totally agree with what has been said. I have seen the property and potential development locations. When it comes to how this is organized, distributed, sold, I would like to work with the Council to

protect the interests of the residents to the best of our ability to work towards an amicable solution if at all possible.

Mr. McGlone said he has heard many times that people want to see new businesses in Norton and he is really excited to see something like this come up. He thanked the Administration for getting this done. This Administration has been great in the past couple of years to get new businesses in; it's been unbelievable and hopes it continues on.

Mr. Pelot said many elected officials platform is on increased businesses and reduced reliance on the tax payer. We have to be responsible and we have to work with the residents to do every reasonable thing to alleviate the impact on the tax payer but it is always not in my backyard. He understands that and will work with everyone that is impacted. As Mr. Kernan mentioned, everyone around us is growing. Certain growth is good. Sometimes it gets overpopulated and that is a bad thing. As long as it is planned growth, it is good. We are spending \$1 million on roads alone this year and only 12,500 people in Norton and it makes it tough to do these things year after year unless we make some changes. This is our opportunity to make one of those changes.

Mr. Gainer stated he is absolutely in favor of any development in the City of Norton and as long as it is legal and good for the City as a whole, he is behind it.

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

Motion passed: 6-1

**ORD #051-2019**

Ms. Whipkey offered Ord No. 051-2019 for its third reading and asked the Clerk to read it:

AN ORDINANCE TO PROVIDE FOR THE ISSUANCE AND SALE OF NOT TO EXCEED \$800,000 OF NOTES OF THE CITY OF NORTON IN ANTICIPATION OF THE ISSUANCE OF BONDS TO PAY COSTS OF ACQUIRING REAL PROPERTY FOR MUNICIPAL PURPOSES, AND DECLARING AN EMERGENCY.

Ms. Whipkey noted this is for the monies to purchase the properties just discussed. Ms. Whipkey moved to adopt Ord No. 051-2019; seconded by Mr. Pelot. Mr. Kernan said a portion of the purchase price will be paid for out of funds that are available, the \$800,000 is a not-to-exceed number. The interest rate is expected to be somewhere around two or three percent and Mr. Messner concurred.

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

Motion passed: 6-1

**ORD #052-2019**

Mr. Tousley offered Ord No. 052-2019 for its third reading and asked the Clerk to read it:

AN ORDINANCE AUTHORIZING THE EXECUTION AND DELIVERY OF AN AGREEMENT FOR THE BOARDING OF PRISONERS WITH THE CITY OF BARBERTON, AND DECLARING AN EMERGENCY.

Mr. Tousley moved to adopt Ord No. 052-2019; seconded by Mr. Pelot. Mr. Kernan noted that this agreement is with Barberton. Mr. Markey noted each community is entering into a separate agreement.

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

Motion passed: 7-0

**AMENDED ORD #054-2019**

Mr. McGlone offered Ord No. 054-2019 for its third reading and asked the Clerk to read it:

AN ORDINANCE TO AMEND THE NON-BARGAINING HOURLY WAGES FOR PART-TIME POLICE OFFICERS, AND DECLARING AN EMERGENCY.

Mr. McGlone moved to adopt Amended Ord No. 054-2019; seconded by Mr. Karant. Mr. McGlone noted this is to get us in line with other cities for part-time officers.

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


Motion passed: 7-0

**PUBLIC SERVICE ANNOUNCEMENTS**

Mayor Zita announced the Twinbrooks Garden Club will have a plant sale on Saturday, May 18, from 9 – 12 noon at the Columbia Woods Park pavilion. They will have perennials, herbs, hostas, etc. and most are under \$5.

**ADJOURN**

There being no further business to come before Council, the meeting was adjourned at 7:30.

  
Joseph Kernan, 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 20, 2019.

  
Kerry Macomber, 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.