



**NORTON CITY COUNCIL
REGULAR COUNCIL MEETING
MONDAY, MAY 20, 2019**

The Regular Council Meeting was convened on Monday, May 20, 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	Robert Fowler
	Dan Karant	Ron Messner
	Paul Tousley	Kerry Macomber
	Charlotte Whipkey	
	Scott Pelot	
	Joe Kernan	

COMMUNICATIONS FROM THE PUBLIC

Michael Stack – 3004 Union Street. Mr. Stack said we are here again asking for 300 feet and he read in the paper that Ms. Whipkey stated 300 feet was way too much to ask for and he does not think it is too much. He stated he was here first and you are bringing the business to me. We don't know what kind of pollution: noise, smell, sight they are going to see. He reiterated that 300 feet would be acceptable. Mr. Stack stated I would want 500 or 600, but felt 300 was a good place to start. Ms. Whipkey said that in the letter that Council received the day after the meeting, it had gone up to 350 feet. Mr. Stack said he never asked for that. And Ms. Whipkey said Ms. Vanderveen did, hence her response in the Beacon Journal. Mr. Stack responded that even 350 was not too much to ask for; anyone else living there, you would want the same thing to protect you and yours.

Ms. Vanderveen - 3004 Union Street. Last Monday, May 13th, was the Public Hearing for the rezoning of this property. Unfortunately, neither she nor Michael could be here due to family obligations. She reported that in less than 24 hours, Channel 5 ran the story that the property was being sold to the City of Norton. Mr. Fowler was on the news and stated that there were multiple businesses interested and he hoped to sell the property for \$20,000 an acre and to sell as much of the property as they could by the end of the year 2019. She said two weeks ago, both Mr. Fowler and Mayor Zita told her that there was no interest, no plans, nothing in the works. She feels coming out on the news like that was disingenuous. They have only asked for transparency because this affects them directly. For her second statement, she then discussed the letter that she gave Mr. Tousley two weeks ago and in response to the request for a 350 foot setback, it was an additional ask on her part; she indicated that was high because she knew they would never get that much. She told Ms. Whipkey that in response to what was said to Mr. Stack that they have consistently said this at every meeting they come to. She has never heard from anyone that they were asking for too much. She then shared what she remembered as Ms. Whipkey's quote from the newspaper article: "What the residents are asking in terms of 300 feet is too much of an ask that we hear you, we feel for you, but basically tough." That does not

resonate well with me as you might imagine. She began her third statement with an overview of her experience with the March 12th Planning Commission meeting that she received a letter to attend. I received two letters stating that anyone from the public could come to speak for or against and on March 21st we were told we could not speak; it was not the process. I've had individual conversations with a couple of you, outside of this forum that explained to me that is actually the process. I say that is fine; I am not questioning or bucking the process, but since the process was done incorrectly by your own people, it should have been allowed to continue so those conversations took place. Two weeks ago at the work session, I was encouraged to introduce myself to Mr. Dowling. She asked what the forum to speak with the Planning Commission is if she cannot speak at those meetings. She demands to be a part of this process. Her fourth and final request was to ask which businesses are interested. Who are they? Do we have any more details on this? What is coming to her backyard? Mr. Kernan said he will get the process to her. The other question he could not answer at this point, but it is noted and will hopefully get that answer to you too. Mr. Tousley said that Council cannot force rules on the Planning Commission. As her Councilman, he will make sure that he requests she be allowed to speak and hoped the other Council members would agree.

Karen Miller – 3306 Weber Drive – As a resident and business owner in the City of Norton, she expressed thanks and support to Council for making the hard decisions to bring the sanitary sewer and the widening of Cleveland-Massillon Road to encourage economic growth. In a perfect city, there would be 60% residential and 40% business. By making these hard decisions, it will encourage and spark interest for increased business. This will help increase our City income tax base. Please continue to make those tough decisions and move the City forward so we can be proud to say we are truly a growing community.

Joe Kazy – 3141 Monteray Drive – He said that he has two comments. First, there are some residents that are on the fringe list of the Nash Heights project having received a letter saying they had until July 15th to tap into the sewer or the process of vacating the property will begin. Mr. Fowler said the Health Department sent out letters unbeknownst to anyone here. We have been working with them to address this and they will be sending out another letter. The letters were sent in error and they are putting together the list of the assessment and fringe that should have gotten the letter. Mr. Pelot asked if the fringe were included. Mr. Fowler said the folks on the south side of Greenwich west of Brookside Court got letters and they should not have. We did not give them the list, they just sent them. We are working with the Health Department to correct this and those residents should receive a letter saying they made a mistake, they should have not gotten a letter and they are not being forced to connect. Mr. Kazy continued saying his second topic is the Metro Parks deal. He is glad that businesses are coming to Norton and doesn't have an issue with it at all. He would however like to protect the residents around it and has written up a proposal for it that he has given to Mr. McGlone, Head of the Personnel/Rules Committee. It would be satisfying to all the residents around there and hopefully he can make that happen.

Mr. Kernan invited Mr. Stack to speak again, if he wants. Mr. Stack noted he wants to be a part of the Planning Commission with the planning and zoning of this property. He has been in construction for 32 years on the commercial end and he knows how to read blueprints and do layouts; he was hoping to be a part of this somehow or some way. Ms. Whipkey said as a clarification the Planning Commission is a set board and the appointments are made so someone would have to be removed for him to be on it. He offered to volunteer and Ms. Whipkey said

the Charter will not allow for volunteers. Ms. Whipkey stated she thought she understood he wanted to be on the Board. Mr. Stack stated he just wanted to be a part of this process so that maybe he can look out for his interest and other residents' interests as well as the city of Norton. Ms. Whipkey suggested the next time there is a term opening, to send in a letter of intent to serve. Mr. Kernan encouraged all to come to the meetings. He hasn't been to a meeting since the 90's so he doesn't know what the process is but felt the more input the better. Mr. Stack responded that they were very receptive to us speaking at the first two meetings and then on the third we were shut down. Mr. Kernan stated we will figure it out.

COMMITTEE OF THE WHOLE-Reports from Standing Committees

Mr. Gainer introduced rezoning parcel from a B2 District (Neighborhood) to a B3 District (Highway) for the auto parts store and moved to add Ordinance No. 057-2019 to tonight's agenda; seconded by Mr. Karant.

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

Motion passed: 7-0

CONSIDERATION OF MINUTES

Minutes of Regular Council Meeting of May 13, 2019 were accepted as submitted.

REPORTS FROM OFFICERS, BOARDS AND COMMISSIONS

Mr. Fowler stated that the paving project has stopped temporarily and they are trying to get the concrete work done in the improved areas. He is optimistic that they will come back and pave next week. As for the comments that I said that no one was interested, he noted that since this article went in the paper, he has received no less than five calls a day from various people wanting to bring business to Norton. For the last week, he has been pretty much inundated with those requests. It has been a blessing and a curse because now we have to facilitate that. Also, just to let Council know that just because you passed the agreement, we have not taken ownership as we have a few things we are working on. We have a time period to do our due diligence before we sign it and move forward. We may sign it next week and then there will be a period of time before we take ownership.

PUBLIC HEARINGS - None

INTRODUCTION OF NEW LEGISLATION

Ord No. 057-2019

Mr. Gainer introduced Ord No. 057-2019 for its first reading and asked the Clerk to read it:

AN ORDINANCE REZONING PROPERTY DESCRIBED AS PERMANENT PARCEL NOS. 46-06218 AND 46-06219 FROM A B2 DISTRICT TO A B3 DISTRICT.
First reading only.

INTRODUCTION OF PRIOR LEGISLATION

Ord No. 058-2019

Mr. McGlone offered Ord No. 058-2019 for its second 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.

Second reading only.

Ord No. 059-2019

Mr. McGlone offered Ord No. 059-2019 for its second 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.

Second reading only.

Ord No. 060-2019

Mr. Gainer offered Ord No. 060-2019 for its second 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.

Mr. Gainer moved to waive third reading; seconded by Mr. Karant.

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

Motion passed: 7-0

Mr. Gainer moved to adopt Ord No. 060-2019; seconded by Mr. Karant. Mr. Kernan noted that this is simply to send this legislation to Planning Commission for their review and comments. It will come back to us to determine if there is a rezoning.

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

Motion passed: 7-0

Ord No. 061-2019

Mr. Gainer offered Ord No. 061-2019 for its second 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.

Second reading only.

Ord No. 062-2019

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

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

Second reading only.

Ord No. 063-2019

Ms. Whipkey offered Ord No. 063-2019 for its second 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.

Ms. Whipkey said we need to get this underway for our grants. Mr. Fowler said tonight he was at the Summit County Council Meeting and it was approved by the Committee to go to the full Summit County Council and we will have a small window to act expeditiously. Ms. Whipkey moved to waive third reading; seconded by Mr. Pelot.

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

Ms. Whipkey motioned to adopt Ord No. 063-2019; seconded by Mr. Pelot.

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

Ord No. 049-2019

Mr. Gainer offered Ord No. 049-2019 for its third 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.

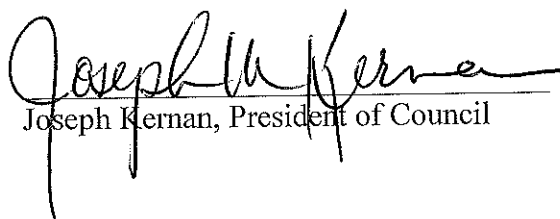
Mr. Gainer moved to adopt Ord No. 049-2019; seconded by Mr. Karant. Mr. Tousley stated that his position is that since City Council has voted to take possession and purchase this land, he will be on board and he will support it. He will vote yes tonight because it only makes sense since they own it.

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

PUBLIC SERVICE ANNOUNCEMENTS

ADJOURN

There being no further business to come before Council, the meeting was adjourned at 7:24 PM.


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 June 10, 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.

SIGN IN SHEET
COUNCIL MEETING AND COMMITTEE WORK SESSION

The following individuals were present and spoke at the Regular Council Meeting or the Committee Work Session held on _____, 2019.

PLEASE PRINT YOUR NAME CLEARLY:
PLEASE ADDRESS COUNCIL AS A WHOLE, NOT INDIVIDUALLY

(PLEASE NOTE: P.O. BOX ADDRESSES ARE NOT PERMITTED)

NAME	COMPLETE ADDRESS	WARD LOCATION	PHONE
MICHAEL STARK	3004 UNION ST		
Tanya Vanderveen	"	4	
KAEN MILLER	3306 WEBER DRIVE	4	330-310-7777
Jae Kazy	3141 Monterey Dr	1	3305731114

Approved by Council 02/02/09