



**NORTON CITY COUNCIL  
REGULAR COUNCIL MEETING  
APRIL 13, 2015**

Roll Call: Scott Pelot  
Dennis McGlone  
Danny Grether  
Dennis Pierson  
Paul Tousley  
Charlotte Whipkey  
Rick Rodgers

Also Present:  
Mayor Mike Zita  
Valerie Wax Carr  
Ron Messner  
Justin Markey  
Karla Richards  
Ann Campbell

The Regular Council Meeting convened on Monday, April 13, 2015 at 7: 25 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. Pastor Strickland of the Norton Baptist Church led with prayer.

**COMMITTEE OF THE WHOLE**

Mr. Rodgers acknowledged Council's receipt of the March 2015 Budget Report.

**PUBLIC HEARING-At or About 7:15 PM**

**ORD #25-2015:** A resolution to approve the renewal for placement of farmland located at 4441 Johnson Road in an agricultural district.

Mr. Rodgers asked the Clerk to certify the legal notice. Mrs. Richards stated there was a legal notice published on March 26, 2015 and a certified notice was mailed to the applicant.

Mr. Rodgers called three times for or anyone in favor of the renewal to come forward, no one came forward. Mr. Rodgers called three times for anyone against the renewal to come forward, no one came forward. Ms. Whipkey noted that she has always been in favor of these applications and supported this renewal application. Mr. Rodgers closed the Public Hearing at 7:28 PM.

**COMMITTEE OF THE WHOLE CONTINUED**

Mr. Tousley stated that during the Special Council Meeting-Executive Session earlier this evening; Council was presented with the facts, details and drafted legislation for the Fire and Police Union contracts. Mr. Tousley moved to add Ord. #26-2015 to tonight's agenda, seconded by Ms. Whipkey.

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

Motion passed 6-0.

Mr. Tousley moved to add Ord. #27-2015 to tonight's agenda, seconded by Ms. Whipkey.

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

Motion passed 6-0.

Ms. Whipkey moved to add Ord. #28-2015 for the Property & Casualty Insurance to tonight's agenda, seconded by Mr. Grether. Ms. Whipkey stated this is a renewal at the end of the month on April 28, 2015 or we will be out of insurance.

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

Motion passed 6-0.

Mr. Grether moved to add Res. #25-2015 for the renewal of an Agricultural District to tonight's agenda, seconded by Ms. Whipkey.

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

Motion passed 6-0.

### **COMMUNICATIONS FROM THE PUBLIC-Agenda and Non-Agenda Items**

Mr. Norm Kendall, 3470 Clark Mill Road, Norton, Ohio, spoke about finally being able to ride his bike on this road and felt the City is not doing their job fixing our roads. He stated that he has heard that someone was recently injured. Mr. Kendall stated he understands the City gets two (2) full loads of pot hole patch a day from Rupp Construction and questioned where does that all go? Mr. Rodgers stated in defense of our Service Department, Mr. Reynolds stated they have been working 10 hour days and on Saturdays to address the potholes. They are working as hard as they can to get this done.

Mr. McGlone questioned the process of the Public Hearing taking place prior to the Resolution being added to the agenda. Mr. Markey stated that the Public Hearing was properly listed on the agenda and normally this does not occur out of order, however he was fine with it.

### **CONSIDERATION OF MINUTES**

Minutes of the February 23, 2015 Regular Council Meeting-*Deferred*

Minutes of the March 23, 2015 Regular Council Meeting-*Deferred*

Minutes of the March 30, 2015 Annual Workshop, approved as submitted

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

Ms. Whipkey announced there is a Mosquito Abatement District Advisory Council (DAC) Meeting this Thursday at 6:30 and they will be discussing some of the bylaws and the vacancy of one seat since January and another opening in June.

**INTRODUCTION OF NEW LEGISLATION**

**\*\*Added During Committee of the Whole**

**RES #25-2015**

Mr. Grether offered resolution #25-2015 for its first reading and asked the Clerk to read it:

A RESOLUTION TO APPROVE THE RENEWAL FOR PLACEMENT OF FARMLAND LOCATED AT 4441 JOHNSON ROAD IN AN AGRICULTURAL DISTRICT.

Mr. Grether moved to waive the second and third readings, seconded by Ms. Whipkey.

Roll Call: Yeas: Grether, Whipkey, McGlone, Pierson, Tousley, Rodgers

Nays: None

Motion passed 6-0.

Mr. Grether moved to adopt Ord. #25-2015, seconded by Ms. Whipkey.

Roll Call: Yeas: Grether, Whipkey, McGlone, Pierson, Tousley, Rodgers

Nays: None

Motion passed 6-0.

**ORD #26-2015**

Mr. Tousley offered Ord. #26-2015 for its first reading and asked the Clerk to read it:

AN ORDINANCE AUTHORIZING THE ADMINISTRATIVE OFFICER TO EXECUTE AND DELIVER AN AGREEMENT BETWEEN THE CITY OF NORTON AND THE NORTON PROFESSIONAL FIREFIGHTERS, LOCAL 4219, REPRESENTATIVE OF THE BARGAINING UNITS FOR FULL-TIME FIREFIGHTERS, FULL-TIME FIREMEDICS AND FULL-TIME LIEUTENANTS OF THE CITY, AND DECLARING AN EMERGENCY.

First reading only. Mr. Tousley stated these two (2) contracts will be retroactive to Jan. 1. 2015

**ORD #27-2018**

Mr. Tousley offered Ord. #27-2015 for its first reading and asked the Clerk to read it:

AN ORDINANCE AUTHORIZING THE ADMINISTRATIVE OFFICER TO EXECUTE AND DELIVER AN AGREEMENT BETWEEN THE CITY OF NORTON AND THE OHIO PATROLMEN'S BENEVOLENT ASSOCIATION, REPRESENTATIVE OF THE BARGAINING UNITS FOR LIEUTENANTS, SERGEANTS AND PATROL OFFICERS OF THE CITY, AND DECLARING AN EMERGENCY

First reading only.

**ORD #28-2015**

Ms. Whipkey offered Ord. #28-2015 for its first reading and asked the Clerk to read it:

AN ORDINANCE AUTHORIZING AN AGREEMENT FOR PROPERTY AND CASUALTY INSURANCE, AND DECLARING AN EMERGENCY.

First reading only.

## **INTRODUCTION OF PRIOR LEGISLATION**

### **ORD #24-2015**

Mr. Pierson offered Ord. #24-2015 for its second reading and asked the Clerk to read it:

AN ORDINANCE REPEALING SECTION 1042.03 OF THE CODIFIED ORDINANCES OF THE CITY OF NORTON, OHIO.

Second reading only.

### **ORD 13-2015**

Mr. Grether offered Ord. #13-2015 for its third reading and asked the Clerk to read it:

AN ORDINANCE AUTHORIZING THE EXECUTION AND DELIVERY OF AN AGREEMENT FOR BUILDING CODE ADMINISTRATION WITH THE CITY OF BARBERTON; AND DECLARING AN EMERGENCY.

Mr. Grether moved to adopt Ord. #13-2014, seconded by Ms. Whipkey.

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

Motion passed 6-0.

## **UNFINISHED BUSINESS**

Mr. Grether stated although we are waiting for the boring samples and last Thursday that area was completely under water. Mrs. Carr stated the boring company has been hired and she thought they were out there last week during the rain. Mr. Rodgers stated he actually watched them do the drilling. Mr. Rodgers stated this Friday we are touring Barberton at 9:00 AM and then onto Randolph in the afternoon. Mr. Rodgers stated he needs to know who is attending as Randolph has requested some waivers. Mrs. Carr noted she and Mr. Messner would be attending. Mr. Rodgers invited the public to attend and Mr. Paluch stated he would like to attend. Mr. Rodgers noted that everyone should wear older clothing. Mr. Tousley asked Mrs. Carr about the City Zoning Inspector position. Mrs. Carr stated some of the information in the email going around is incorrect. Mrs. Carr stated that during the budget process it was decided to look at restructuring the department and we are looking at part time to fill this. Mrs. Carr stated she is asking for some guidance from Council as far as complaint driven as the resident in the email expects us to be out there 24/7 and we simply do not have the resources or manpower. Mr. Tousley asked for this discussion at the next Work Session. Ms. Whipkey stated that she felt Council has no authority on this part time position and Mrs. Carr noted if this goes to full time that would be a union-civil service position. Mr. Rodgers asked if we had a full time person in the past and Mrs. Carr replied yes, back about 5-8 years ago and that person was laid off, and then took employment elsewhere. Mr. Rodgers stated he would like to see this merged with the Community Development Director. Ms. Whipkey asked about the Charter requirements, and the positions and Mr. Markey stated he has not reviewed the details and we can look at this enforcement.

Mrs. Carr stated that lately she has been involved in the enforcement of the zoning department. Mr. Pierson asked if Mr. Arters was in the union and Mrs. Carr replied no and that the Zoning Director was unionized and in the past Mr. Arters was picking up the duties.

### **NEW BUSINESS**

Mr. Tousley stated he wanted to have discussion for the non-bargaining employees for the rest of the employees as we discussed this in 2013 that Council would keep up the pace with the unions. Mr. Rodgers asked to have this on the next Work Session. Mrs. Carr stated the two (2) new contracts added tonight would be a three year contract. AFSCME Clerical is due to open up next year, and because not all of the wage increases are not the same percentage and you need to be careful on how you go about this. Mrs. Carr stated that some communities do it by a weighted increased versus percentages. Mr. McGlone asked for a detailed spreadsheet showing the differences between the unions. Mrs. Carr stated she could provide a synopsis for each contract with those details.

### **PUBLIC SERVICE ANNOUNCEMENTS**

Mayor Zita read several announcements, (see attached)

### **COMMITTEE OF THE WHOLE-Continued**

Mr. Rodgers stated that Mr. Demboski and Municipal Engineer Mr. Dave White were present for the continued sewer costs discussion and turned this topic over to him for the details. Mr. Rodgers asked about the storm sewer problems we have had for Frashure and Norton Acres and if we lost out funding opportunity? Mr. White stated we did not have enough damages to quality with FEMA. Mr. Rodgers asked to have this item discussed at the next Work Session. Mr. Rodgers asked if everyone has the large spreadsheet copies that were highlighted in yellow handy for the discussion? Mr. Rodgers noted the questioned that came up recently were the number of connections going out to the year 2040 and where we are getting these connections from. Mr. Rodgers questioned the 10/10/50 and where those come from. Mr. Demboski stated we had to make certain connections out into the future for the potential of people connecting. In 2017, 2018, 2019, and 2020 would be looking at Nash Heights residents connecting. Mr. Demboski stated these numbers all started back in 2014 and would need to be scaled back a few years because the project did not get started as soon as we anticipated. Mr. Rodgers asked if we don't make these future connections will this model still work? Mr. Demboski replied you will have a deficit. If we change going out in 2021 there will be an even bigger deficit on the bottom line. As you abandon the plants that will open up more benefits, as well as extending the sewer anywhere else. Mr. Demboski noted if you decide to waive your tap in fees for the first year we will need to make more adjustments. Mrs. Carr stated she looked at the current tap in this year is at 10 and last year it was 11 and the year before we had 6. Mrs. Carr noted the improvements to Cleveland-Massillon Road and she predicted there could be some new connections there. Mrs. Carr noted even a housing complex along the lines of Columbia Woods Drive could really boost those numbers. Mr. Rodgers discussed the 1400 connections over the twenty (20) year projection and he does not see how you get those numbers unless you are impacting other residents with septic systems. Mr. Rodgers stated he is not in favor of burdening the residents to connect to sewers if they are not having a problem. Mr. Rodgers stated it appears to him that is the only way he can see you getting to that 1400 number. Mrs. Carr stated she is concerned that this issue is coming up at the 11<sup>th</sup> hour since we have talked about this since last August.

Mr. Rodgers stated regardless of the 11<sup>th</sup> hour or the 1<sup>st</sup> hour, his job is to look out for the residents. Mrs. Carr asked if this Council thinks that we will not have sewers in other areas of the community in the future? Mr. Rodgers argued that he is not going to actively go into any neighborhood to get them on sewers just to make this model work. Mr. Demboski stated this 1400 number does take into account the 304 residents in Nash Heights, so we may only be looking at 1,000 more over that twenty year period. If you put in a new dentist office, laundry mat, or hotel those all generate additional flow and could increase that number faster. Mr. Demboski stated the whole purpose of the model was to show Barberton this could work out into the future. There are many things that would generate more than one benefit per household. This analysis will need to be formatted after each package plant is abandoned, when Nash Heights, etc. are taken into effect. Mrs. Carr stated we have some projects in the work like Summit Road-Wadsworth Road may have to be delayed although we have grant funding in place. Ms Whipkey reminded everyone this is not Barberton's proposal; this is Norton's proposal to Barberton. Mr. Pierson asked if the model would still work if we don't get the funds to abandon the package plants? Mr. Demboski replied if that happens you would have to go to Barberton and asked them if they can do it and you would have to increase your debt service for that. Mr. Demboski stated his intention was to make this sustainable, not so much a matter of forcing connections, but as a need for the next subdivision that needs sewer. Mr. Demboski stated this is what he was looking at doing with his model, however if there is no pressure to do it. Mr. Pierson discussed the map from 2013 from the EPA and that this plan has increased from that map significantly. Mr. Pierson stated we need to rethink this because the money is back loaded in this and we just need to follow the EPA mandate and follow that from last September. Mr. Pierson suggested we look at Barberton taking care of the package plants as a whole. Mrs. Carr responded we are getting a few things mixed up here. We have the Nash Heights, which is mandated by the EPA and then we have the MOU which encompasses Barberton for our sewer service to be provided. Mrs. Carr stressed the EPA needs to know who is going to be the sewer provider. You cannot have Nash Heights without an MOU. Mr. Rodgers disagreed with that and added that we can be our own sewer provider just like we are currently doing with the sewer along Greenwich. Mrs. Carr stated that Barberton has been very lenient with us on those lines because the City has not turned those lines over to either entity. Mr. Markey stated there is another layer to that because those lines were to be turned over to the County and since this has been in limbo, nothing has been finalized. Mr. Pierson stated that Barberton is making out with the revenues with 9 to 12 lines. Mr. Markey stated that certain point and once we reach a flow level, the 27% surcharge goes to Norton and the 27 ½ % goes to Barberton. Mr. Pierson asked under the current JEDD how much excess are we sending to Barberton, are we at our full capacity? Would those 8-10 homes we are serving now, would that overwhelm our agreement under the JEDD with Barberton? Mr. Demboski stated he did not think so, and he felt we might be at 225,000 of the 400,000 limit right now. Mr. Demboski questioned if there was any sewer maintenance in these lines now and if there was a blockage Norton would be responsible to make those repairs. Mr. Demboski stated the reason this whole model came about is because Barberton was about ready to make a move and wanted to make sure their numbers were absolute. Mr. Demboski stated that we have made assumptions with the costs for gravity and vacuum and if that would work or not. Mrs. Carr stated she has no problem going back and reworking these numbers in the model, especially because this is still at \$8,000.00 assessment for both vacuum and gravity.

Mr. Rodgers stated that whole problem is if we are not going to be able to reach the required number of connections in the future, Barberton is not going to be able to pay the bill and it will be high costs for them to maintain the package plants. Mrs. Carr stated that neither Barberton nor Summit County would never enter into an agreement without the potential of further growth. Mrs. Carr stated she felt this discussion is that there is not going to be any future growth which is unrealistic. Mr. Rodgers stated he is not about to go out there and force sewer on anyone with a working septic just for development, we need to leave the people alone. Mrs. Carr stated that there are some residents that you would have to connect when a sewer might go by. Mrs. Carr stated that even though we have some residents that don't want sewer, you also have some that want it and you are totally ignoring them. Mrs. Carr stated there needs to be a balance for both sides. Mrs. Carr stated we have a project area to deal with and we need to agree on getting this accomplished. Mrs. Carr stated if you only go by properties that want it you could get to 2-3 properties without affecting other residents. There was discussion as to the properties near the church and the benefits involved. Mr. Grether stated if you go east of the church you have 2 properties. Mrs. Carr stated every tie in or benefit you get, it benefits the entire system. Mr. Pierson stated if it costs \$700,000.00 to run a line and you have 3 people tie in, the rest of the community pays for that. Mr. Tousley stated we are making a mistake of talking this about being the whole City instead of Nash Heights. Mr. Pierson discussed the mapping that was negotiated with the EPA and Mrs. Carr stated she would provide a history on that and the you need to stop putting out false information and this issue was fully negotiated with the attorneys and the EPA and Ms. Whipkey and Mr. McGlone were part of that process. Mr. Pierson stated we have the order in place and we need to fix that area, not the rest of the City. It's increasing the cost of the project and we need to focus on what we are mandated to do. Mrs. Carr stated we are not going to this at a loss. Mr. Pierson stated if we need to develop more at a later time then we should do that. Mr. Pierson stated these costs are just out of control and if we don't get some of the grants, then what are we going to do? Mr. Tousley stated the issue he has is the readings by Mr. Demboski and asked if all of Council had this same issue and that the 1400 figure. Mr. Tousley stated he has to make decisions for all of the thousands of residents and asked how can he do that when he does not have all of the details. Mr. Tousley stated he also has an issue with Mr. Demboski representing both cities here? Mr. Markey stated that Barberton had contracted with CT Consultants and Norton contracted with Mr. Demboski's firm. Mrs. Carr recalled the discussions and information circulated in the Executive Session in the past. Mr. Tousley also discussed another issue with the fire department when there were nine (9) employees and Council had all understood it was only eight (8). Mr. Tousley stated he felt there is a lot of mistrust here, with Council not getting all of the information here. Mrs. Carr stated that she came in here about one year ago and she came into this huge mess with the EPA mandate and we have to fix this, and we are required to have a sewer provider and we also have to show the EPA it is a sustainable system. Mrs. Carr stated she is always willing to share and provide anything Council needs; all they have to do is ask for anything they feel they need. Mrs. Carr stated that she is surprised that Council is now having a problem with the 1,000 number, since we have been talking about this since last fall. Mr. Rodgers stated again there is no way we are going to grow the 1400 without going into other areas and forcing new sewers to meet that requirement. Mr. Rodgers stated that if these are projections, that's pretty bold here. Mrs. Carr stated that it's a high likelihood there will be some areas needing sewers in the future.

Ms. Whipkey asked if the Barberton already purchased the County lines and Mr. Markey stated that is in process and there is an agreement within the MOU. Mr. Grether asked Mr. Markey about Barberton forcing connections, and Mr. Markey stated your Health Department mandates orders, Barberton checks with the process of them going in and you as Council have to comply with the orders. Mr. Rodgers if we go back in time to past Adm. Officers and Health Dept., and there have been emails dictating where to inspect how hard to inspect and perhaps that was a conspiracy theory. Mr. Rodgers stated that is why he ran for Council and most of the residents that have septic systems don't want sewers. Mr. Grether asked if this was something that could even go to the ballot? Mr. Markey noted that anything can go to the voters by petition process, etc. Mr. Grether discussed some areas he campaigned in and was invited by some to come to their front porch and smell what they have been smelling for years. Mr. Grether stated we need to get our heads out of the sand and support economic development. Mr. Pierson stated that the State of Ohio has stated where septic systems are working properly; they will assist them to keep it going. Mrs. Carr stated lets say a developer wants to come in and they have to go past 5 residents but the developer pays for all of it and the resident is not assessed, would you Mr. Pierson be in favor of this? Mr. Pierson stated probably so, but he also recounted a past history when a developer was willing to come in and pay for the sewer and water line and the past Administration told them oh no, we will do that. Mr. Pierson stated in a reasonable economic form for the resident to tap in is not a problem, he alone would like sewer; but not at those costs. Mr. Pierson stated that the former AO had directed the Health Dept to "go out and enforce with all the vigor of law. Mr. Pierson stated we need to hold this project to the letter of the law and get it done. Ms. Whipkey stated we need 1400 to tie in to be able to pay for the Nash Heights area, wherever those come from. We would need 1100 more connections after the 304 in Nash Heights work and that is at \$8,000.00. Mr. Markey stated what we really need to show is the fair numbers of \$8,000.00 for gravity and \$5,000.0 for vacuum. Mr. Demboski stated that this model would sustain itself, but you have to be careful not to take out too much early on or you would have a larger deficit. Mr. Demboski stated you have to think about, what your vision of the City is, what you think it will be. Mr. Rodgers stated the people that are paying for this whole thing and if it comes up short they will have to pay more, Barberton is not paying more. Mr. Demboski stated we can change the number of 1400 and if that is lowered you will show a deficit earlier on rather than later. Mr. Rodgers stated the County has 647 connections and we only have about 4,000 households in the City. Mr. McGlone suggested cutting that 1400 number in half and see how that changes the model. Mr. Markey stated there are no specific streets or neighborhoods targeted in this model. Ms. Whipkey stated if we are changing the projections, she would like to see the same deal for the rest of the residents, of \$8,000.00/\$5,000.00 for everyone. Mr. Rodgers asked how many sewers are in Bath and Ms. Whipkey stated she has no idea and Mr. Rodgers replied there are none in residential areas, and that is his point. Mr. Markey stated the projection of the next million dollars that would be able to sustain itself to accomplish that. Mr. Demboski stated that if you have 700 new tie ins, then this would be extended into the model and those same \$8,000.00/\$5,000.00. Mr. Demboski stated if you vision is that you will not sewer other streets, and lower the benefit connections to only 20 per year, then a new analysis needs to be done. Mr. Pierson asked if we are not legally bound to provide Barberton with the 1400; is there any number we are legally bound to provide. Mr. Markey stated Barberton has made it clear if there ends up with a shortfall, other projects would never be done.



Mr. Markey stated that Barberton agreed to take over the EPA order because they wanted to buy the system. Mrs. Carr stated the EPA wants everything on the same entity's name. Mr. Tousley stated he agreed with Mr. McGlone's suggestions of cutting the 1400 in half. Mr. Rodgers moved to allow the public to speak shortly, seconded by Ms. Whipkey. Mr. Markey clarified that you are asking for 4 total spreadsheets; 2 for the 1400 for either vacuum or gravity and 2 for the 700 for either vacuum or gravity and Council agreed.

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

Motion passed 6-0.

Mr. William Paluch, 3740 Shellhart Road, Norton, Ohio, stated that, it appears that no one did their homework here. There were no ballots sent out to the residents asking for their input. Maybe we should have got a backhoe instead of spending \$300,000.00 for engineering. You charged the residents \$65.00 to test their system, but no one did this. Mr. McGlone would probably agree with him that his water and sewer bill is over \$200.00. Mr. Paluch stated that \$3,000.00 for a permit is nothing than anybody can make. Mr. Paluch stated it concerns him that Mrs. Carr states everyone in Nash Heights wants sewer, that's not correct. We are not rich here, who do you thing is going to afford this; we are not like Fairlawn. Mr. Paluch stated he does not see any motels coming here to Norton any time soon. Mr. Paluch stated you cannot put this on the backs of the people, he wont allow it and he will put it on the ballot that you cannot charge \$3,000.00 it should be \$300.00. Mr. Jack Gainer stated it appears from the comments from Mr. Rodgers that the former Administration worked with the Health Dept, to force the issue in Nash Heights. Mr. Pierson next statement was that people should have been taking care of their septic systems all along. Mr. Pierson explained the history and Mr. Gainer stated you cannot have it both ways here. Mr. Pierson stated in 2003 Barberton Health Dept, had an educational meeting on how to maintain your septic systems. Mr. Gainer stated you either enforce the Health Dept. regulations or you do not. If you do then someone in Administration has to work with the Health Dept., and correct the issues. Mr. Pierson stated he has always advocated the citizens take care of their systems, and no one on this Council has ever said that it should not be enforced. Mr. Gainer stated 700 hook ups was supposed to come from existing County customers, and Mr. Markey stated that 1,400 was in addition to the Summit County benefits. Mr. Markey stated the 1400 would be new customers or benefits. Mr. Gainer stated we only have 12, 0000 residents to day and project only 1100 new benefits over 20 years. If we build nothing, he still sees that we would have more than this in that time. Mr. Rodgers stated he has been here 37 years and does not feel that we have had 1100 new benefits during this time. Mr. Gainer stated he would like to see how many potential customers are in the Cleve-Mass Road and Greenwich Road areas. Ms. Whipkey noted that it was projected that this point in time or two years prior that Norton would have 28,000 residents several years ago. Gregory Jones, 4725 Flesher Drive, Norton, Ohio, questioned what a sewer system is going to do that his \$14,000.00 septic system isn't doing right now. Mrs. Carr stated that the reason we are in the situation now is because there are some areas where septic systems are failing and we have EPA and Health Dept. regulations state we need to fix it. Mrs. Carr stated that are some areas where you don't have the space to build a new septic and a sewer would be required. Mr. Rodger stated under the new rules if you have a working system and can continue to maintain this you would not have to connect to sewers.

Mr. Rodgers stated the key is if your system is not working you need to get it fix now, and you better wake up. Mr. Jones asked if someone were to connect to a new sewer line, what happens to the leach bed in the pack yard? Mr. Rodgers explained the tile filed would remain. Mr. Pierson stated the tank would be filled and crushed. Mr. Jones stated he is about of all of his money, he is paying taxes to two cities, house taxes, the roads are a mess. Mr. Jones stated the side of the road on Medina Line Road is totally eroding. Mr. Jones commented about a resident here today at City hall where is wheel had fallen off due to hitting a chuck hole. Mr. Rodgers stated this year we are doing a total road analysis and we are addressing our roads and this is a top priority for this Council. Mr. Tom Petrich, 3762 Easton Road, Norton, Ohio, questioned line 15 on Exhibit 1 and the surcharge fee of 22.5% if this is Norton's fee? Mr. Markey stated that was correct, and the plan would be to repeal their ordinance for that fee and Barberton would levy the full surcharge of approximately 50%. Mr. Petrich discussed that \$700,000.00 surcharge amount and Mr. Markey stated that would be rebated back from Barberton. Mr. Demboski stated we are showing that there is no increase for those fees. Mr. Petrich asked Mr. Demboski when the survey form information was presented and Mr. Demboski stated it started in July and August and those that did not respond were sent certified letters. Mr. Petrich stated he spoke with a professional person in Southern Ohio who referred him to a top rated engineer and he discussed what is involved in getting loan nomination. Mr. Petrich stated last year it was due in September and you would have never got that done in time. Mr. Petrick stated this person stated that there is a much easier way to do that with only 4 questions. Mr. Petrich stated that he did not see that same due diligence here. Mr. Petrich stated he also wants to see Council address the cost differences at the pump station locations. You should be working on the 2015 loan nomination and save the citizens 2.5 million dollars. Mr. Petrich stated he would be more than happy to provide Council with the contact name for this person providing all of this information. This same contact person laughed at him when he said that some on Council felt if you build it they will come. Mr. Petrich stated that loan application is due on August 31, 2015 and that is what you should be working on. Mr. Petrich stated this proposal has a whole lot of holes in it. Mr. Rodgers asked if there is another nomination that we can get in on? Mrs. Carr stated that we are on a time line with the EPA because we were already to be under construction. Mrs. Carr stated that every year we have a delay we have to reapply. Mr. Demboski stated the survey process would have to be repeated by a third part like NEFCO. There is a requirement of approximately 70% of the residents responding, and there must be a specific income medium and this was about \$35,000.00. Mr. Rodgers stated if this is possible to redo this, why would we not do that? Mrs. Carr stated that right now we should already be under construction. Mrs. Carr stated if we are in the funding cycle we would re-apply and if we do so we could lose the ones we have already applied for. Mr. Demboski stated if you extend on to next year and ask for principal forgiveness. Mrs. Carr stated the problem with Issue 1 money there are a whole lot of people waiting and if we cannot even meet our timeline, they will award it somewhere else. Mr. Rodgers asked who begins the process to get another round of survey? Mr. Demboski stated the City can ask NEFCO if they can do it. Mr. Rodgers stated we are talking about 2 million dollars, then let's get it done. Mrs. Carr stated that she needs to know that the entire Council is on board with this and inform the residents to complete the survey. Mrs. Carr stated we need the people to turn in those surveys, and Mr. Rodgers argued we cannot get involved. Mrs. Carr stated that we can ask the residents if the received the survey and ask them to complete it; you just cannot be involved in the results. Mrs. Carr stated you need to review your current time line schedule before making this decision and asking the EPA about moving the schedule back.

Mrs. Carr stated this is available every funding period which is the same answer she gave over two weeks ago. The problem is that we should already be under construction and if you are saying you want another delay, which is something that we have to address. Mr. Demboski stated if you re-apply for Nash Heights East is due in June 30, 2015, and then you are competing against others. Mrs. Carr stated we have already been questioned as to why we are not already under construction for Nash Heights East. There was discussion about the points required and the various projects and cities applying. Mr. Demboski stated that this year Akron applied for \$5,000.00 and got all of it. Mrs. Carr stated that if we don't have a shovel in the ground we will have to reapply for Issue 1 in June, if we have a delay in this project. Mrs. Carr stated we could provide sceneries for all of you. Mr. Rodgers stated he wants Council to be involved in this process and wants to have at least three members involved. Mr. Markey stated that if you have a total of seven (7) members a quorum of four (4) and if three (3) people show up that is not a quorum, so they could attend. Mr. Rodgers moved to change the quorum to for the Standing Committees to four (4) members until the end of this year, seconded by Mr. Tousley. Ms. Whipkey asked about the 50% principal forgiveness and asked for more clarification and she thought this was free. Mr. Demboski stated it comes by way of a grant but they call if principal forgiveness. Mr. Demboski stated that if you qualify you have to have a high enough rate and low enough income. Ms. Whipkey stated that the 50% forgiveness that does not have to be paid for and Mr. Demboski concurred. Ms. Whipkey stated that since Mr. Pelot was excused she wants a vote of all Council and she would be voting no.

Roll Call: Yeas: Rodgers, Tousley, Pierson,  
Nays: McGlone, Whipkey, Tousley

Motion failed by a 3-3 vote. Mr. Rodgers expressed his disgust with the failure of the vote and that we are talking about saving the people possibly \$2.5 million dollars, and you still continue with this nonsense. Mr. Rodgers stated he has sat here for the last fifteen months he has watched kind of action take place.

**PUBLIC UPDATES:**

None

**ADJOURN**

There being no other business to come before the Regular Council Meeting, the meeting was adjourned at 9:57 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 April 27, 2015.

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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.