


NORTON
NORTON CITY COUNCIL
REGULAR COUNCIL MEETING

Monday, February 2, 2026 – 7:00 p.m.

AGENDA

CALL TO ORDER, PLEDGE OF ALLEGIANCE, INVOCATION

ROLL CALL

COMMUNICATIONS FROM THE PUBLIC

NEW BUSINESS - Executive Session: To consider the appointment, employment, dismissal, discipline, demotion, or compensation of a public employee as defined in Ohio Revised Code Section 121.22(G)(1) and Section 3.12(1) of the Norton City Charter.

COMMITTEE OF THE WHOLE

Finance (Harbert, Mowery Tousley)

1. Legal Defenders Office Contract – p. 5
2. NOPEC Grant – p. 13
3. Transfers – p. 15

Personnel/Rules (Lukens, Lee, Harbert)

1. Boards & Commissions' member appointments – p. 19
2. Revise Council Rules – p. 23
3. Revised Zoning Administrator Position Description – p. 27

Safety (Eader, Tousley, DeHarpart) - Crime Scene Unit Mutual Aid Agreements - p. 29

Service (Tousley, DeHarpart, Eader) – St. Rt 21 and 585 Guardrail Repair – p. 35

MATTERS REFERRED – p. 41

CONSIDERATION OF MINUTES

Minutes of Regular Council Meeting of January 20, 2026 – p. 43

REPORTS FROM MAYOR AND OFFICERS

INTRODUCTION OF NEW LEGISLATION

Ord. No. 14-2026 **First Reading:** AN ORDINANCE AUTHORIZING AND DIRECTING THE MAYOR TO ENTER INTO CONTRACTS WITH LEGAL DEFENDERS OFFICE OF SUMMIT COUNTY, OHIO, INC.; AND DECLARING AN EMERGENCY.
(Finance – Harbert) p. 59

Ord. No. 15-2026 **First Reading:** AN ORDINANCE AUTHORIZING ALL ACTIONS NECESSARY TO ACCEPT NORTHEAST OHIO PUBLIC ENERGY COUNCIL (NOPEC) 2026 ENERGIZED COMMUNITY GRANT; AND DECLARING AN EMERGENCY. (Finance – Harbert) p. 61

Ord. No. 16-2026 **First Reading:** AN ORDINANCE AUTHORIZING A TRANSFER FROM THE GENERAL FUND FOR CALENDAR YEAR 2026; AND DECLARING AN EMERGENCY. (Finance – Harbert) p. 63

Res. No. 17-2026 **First Reading:** A RESOLUTION CONFIRMING THE APPOINTMENT AND REAPPOINTMENT OF VARIOUS INDIVIDUALS TO VARIOUS BOARDS AND COMMISSIONS IN THE CITY AND DECLARING AN EMERGENCY. (Personnel/Rules – Lukens) p. 65

Res. No. 18-2026 **First Reading:** A RESOLUTION CONFIRMING THE REVISION OF COUNCIL RULES SECTION 3 – REFERRAL; AND DECLARING AN EMERGENCY, (Personnel/Rules – Lukens) p. 67

Ord. No. 19-2026 **First Reading:** AN ORDINANCE AUTHORIZING AND DIRECTING THE MAYOR TO ENTER INTO A MUTUAL AID AGREEMENT WITH COUNTY OF SUMMIT SHERIFF’S OFFICE; AND DECLARING AN EMERGENCY. (Safety – Eader) p. 69

Ord. No. 20-2026 **First Reading:** AN ORDINANCE AUTHORIZING AN AGREEMENT WITH LAKE ERIE CONSTRUCTION COMPANY FOR THE CULVERT REPAIR ON SR 585 AND SR 21 WITHIN THE CITY IN THE AMOUNT OF \$12,215.00; AND DECLARING AN EMERGENCY. (Service – Tousley) p. 71

INTRODUCTION OF PRIOR LEGISLATION

Res. No. 5-2026 **Second Reading:** A RESOLUTION REQUESTING THE COUNTY FISCAL OFFICER TO ADVANCE TAXES FROM THE TAX YEAR 2025 COLLECTIONS PAYABLE IN 2026 PURSUANT TO SECTION 321.34 OF THE OHIO REVISED CODE; AND DECLARING AN EMERGENCY. (Finance – Harbert) p. 73

Ord. No. 6-2026 **Second Reading:** AN ORDINANCE APPROVING THE REPLAT OF LOT 59 OF THE PROPERTY LOCATED AT 3879 BROOKSIDE DRIVE (NASH HEIGHTS ESTATES SUBDIVISION) TO CREATE LOTS 59R1 AND 59R2. (Planning & Economic Development – DeHarpart) p. 75

Res. No. 7-2026 **Second Reading:** A RESOLUTION TO APPROVE THE RENEWAL FOR PLACEMENT OF FARMLAND LOCATED 3631 SOUTH MEDINA LINE ROAD IN AN AGRICULTURAL DISTRICT. (Planning & Economic Development – DeHarpart) p. 77

Res. No. 8-2026 **Second Reading:** A RESOLUTION TO APPROVE THE RENEWAL FOR PLACEMENT OF FARMLAND LOCATED 4229 GREENWICH ROAD IN AN AGRICULTURAL DISTRICT. (Planning & Economic Development – DeHarpart) p. 79

Res. No. 9-2026 **Second Reading:** A RESOLUTION TO APPROVE THE RENEWAL FOR PLACEMENT OF FARMLAND LOCATED 4379 GREENWICH ROAD IN AN AGRICULTURAL DISTRICT. (Planning & Economic Development – DeHarpart) p. 81

Ord. No. 10-2026 **Second Reading:** AN ORDINANCE AUTHORIZING THE EXECUTION AND DELIVERY OF A SIDEWALK EASEMENT WITH PPG INDUSTRIES, INC.; AND DECLARING AN EMERGENCY. (Property/Mines – Lee) p. 83

Ord. No. 11-2026 **Second Reading:** AN ORDINANCE DECLARING CERTAIN CITY PROPERTIES AS NO LONGER NEEDED FOR MUNICIPAL PURPOSES; AND DECLARING AN EMERGENCY. (Property/Mines – Lee) p. 85

Ord. No. 2-2026 **Third Reading:** AN ORDINANCE ADOPTING AN AMENDED JOB DESCRIPTION AND DUTIES FOR THE ZONING ADMINISTRATOR AND SALARY SCHEDULE FOR SUCH POSITION; AND DECLARING AN EMERGENCY. (Personnel/Rules – Lukens) p. 87

TOPICS FOR NEXT MEETING – Tuesday, February 17, 2026: Public Hearing for Agricultural District Applications

NON-AGENDA ITEMS

ADJOURN

SPONSORED BY: Administration
REFERRED TO: Committee Work Session
INTRODUCED BY: Finance Chair Harbert

CITY OF NORTON
ORDINANCE NO. ____-2026

AN ORDINANCE AUTHORIZING AND DIRECTING THE MAYOR TO ENTER INTO CONTRACTS WITH LEGAL DEFENDERS OFFICE OF SUMMIT COUNTY, OHIO, INC.; AND DECLARING AN EMERGENCY

WHEREAS, Legal Defenders Office of Summit County, Ohio, Inc. provides indigent defense services as needed for the City of Norton; and

WHEREAS, Legal Defenders Office of Summit County, Ohio, Inc. is required by the State to have contracts supported by a City Ordinance.

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

- Section 1: The Administrative Officer is authorized and directed to enter into an agreement with Legal Defenders Office of Summit County, Ohio, Inc. to provide indigent defense services for 2026 in accordance with the agreement attached hereto as **Exhibit A.**
- Section 2: The Director of Finance is hereby authorized and directed to make payment on the subject contract on presentation of proper vouchers from appropriate account(s).
- 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 Ohio Revised Code.
- Section 4: This Ordinance is hereby declared to be an emergency measure necessary for the immediate preservation for the public peace, health and safety of the City of Norton and the inhabitants thereof and for the reason that it is necessary to provide legal counsel for indigent persons; and provided it receives the approval of two-thirds of the members of Council, shall take effect and be in full force and effect immediately upon its passage and approval by the Mayor; otherwise, it shall take effect and be in force at the earliest period allowed by law.

Emergency Vote: ____Yeas ____Nays

Date passed: _____

Donald Harbert, 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 of the City of Norton, Summit and Wayne Counties, Ohio do hereby certify that the foregoing **Ordinance No. ____-2026** was duly and regularly passed by the Council of the City of Norton, Summit and Wayne Counties, Ohio at a meeting held on _____, 2025.

That this legislation was posted according to law on _____, 2025 and will become effective on _____, 2025.

Kerry Macomber, Clerk of Council

Prepared and approved as to legal form by Justin P. Markey, Solicitor, City of Norton, January 29, 2026.

AGREEMENT

This Agreement made at the CITY OF NORTON, Ohio on this 22nd day of January 2026, by and between the CITY OF NORTON, Ohio, acting by and through its Mayor (or designee) duly authorized by Ordinance No. _____, _____, passed by the Council of the CITY OF NORTON, Ohio on the _____ day of _____, _____, hereinafter referred to as the CITY, County of Summit, Ohio, herein after referred to as the COUNTY, and the Legal Defenders Office of Summit County, Ohio, Inc., a non-profit organization established per Chapter 120 of the Ohio Revised Code (ORC) and Chapter 120-1 of the Administrative Code (OAC), hereinafter referred to as the DEFENDER, collectively referred to as PARTIES.

WITNESSETH:

WHEREAS, the CITY wishes to enter into an agreement to obtain the services of the DEFENDER to provide legal counsel to indigent persons charged with loss of liberty offenses in its municipal jurisdiction for 2025; and

WHEREAS, pursuant ORC Chapter 120, specifically §§ 120.08 and .34, the state treasury maintains the indigent defense support fund to reimburse county governments for the expenses incurred by DEFENDER for the aforementioned services. Per OAC 120-1-09 it is necessary to enter into this Agreement in order for COUNTY to obtain reimbursement.

NOW, THEREFORE, in consideration of the mutual covenants, promises, conditions, and terms to be kept and performed, it is agreed between the PARTIES as follows:

Section 1. The DEFENDER shall provide counsel in the Barberton Municipal Court and the Summit County Juvenile Court to persons charged with a

violation of the Codified Ordinances of the CITY OF NORTON, Ohio for which a sentence of confinement may be imposed on such person should they be convicted, and who meet either of the following specifications:

- a. The judge has determined in accordance with Subsection D of Rule 44 of the Ohio Rules of Criminal Procedure that such person is unable to obtain legal counsel; or
- b. The DEFENDER or LDO determines that the individual is indigent in accordance with Sections 120.05 and 120.15 of the Ohio Revised Code and Section 120-1-03 of the Ohio Administrative Code.

Section 2. The fee for the services provided in Section 1 of the Agreement shall not exceed Two Hundred Fifty Dollars (\$250.00) per case. The DEFENDER shall provide a monthly list to the COUNTY and the CITY of all billable closed cases by the 15th day of the following month. The COUNTY shall pay the DEFENDER \$250.00 for each identified closed case on the monthly list. The CITY shall pay the COUNTY the unreimbursed portion of that fee in effect for each closed case on the monthly list (currently 18% of the fee or \$45 per case). The unreimbursed percentage is subject to change pursuant to the Ohio Public Defender's indigent defense reimbursement rate. Should the rate be changed by the state during the term of this Agreement, the PARTIES agree to abide by the new rate. PARTIES will cooperate to receive the maximum state reimbursement allowed by law.

Matters that have multiple CITY municipal code charges under one case number shall be counted as one case. Where a case has both a municipal code charge and an Ohio Revised Code, the case shall be billed to the CITY whenever the ordinance is the highest degree charge or ties for highest degree.

Further, in matters where the defendant is charged under one code type, but convicted of another code type, the code type in which the defendant is charged

under shall be used to determine billable status.

In the event that a defendant becomes unavailable during the pendency of the case, the DEFENDER shall keep the case open for a period of six months from the first missed hearing. At the expiration of that six months, the case shall be closed and billed accordingly. If the defendant becomes available after the matter is closed, the case will be re-opened and considered a new case for the purposes of billing at that time.

For all community control violations, show cause hearings or contempts filed six months or more after the original case has been closed, the fee shall not exceed One Hundred Twenty-Five Dollars (\$125.00) or 50% of the Two Hundred Fifty Dollars (\$250.00) per case.

All appeals of cases originally billed pursuant to this contract shall be billed at Two Hundred Fifty Dollars (\$250.00) per case. All appeals assigned to the DEFENDER for municipal code violation cases for which the DEFENDER was not trial counsel, shall be billed at Two Hundred Fifty Dollars (\$250.00). These will be billed in the same manner as the original case.

Section 3. The DEFENDER, on behalf of its attorneys and each attorney employed by the DEFENDER, individually, reserves the right to decline to advise or represent any particular person, consistent with the Ohio Rules of Professional Conduct. If a conflict is identified prior to arraignment or appointment of DEFENDER, DEFENDER shall not be appointed. The DEFENDER further reserves the right to withdraw from representation: (1) for a conflict of interest consistent with the Ohio Rules of Professional Conduct; (2) due to a finding of the client's financial ineligibility for the legal services; or (3) due to an excessive workload as determined by Section 120-1-07 of the Ohio Administrative Code. However, in the

event DEFENDER desires to withdraw due to financial ineligibility or excessive workload, the DEFENDER or the individual attorney shall continue representation previously commenced at the trial court level through all trial court proceedings, including capias and probation violation proceedings, and shall continue previously taken appeals until the appeals process is terminated by a final action on the merits by the appellate court or until alternate counsel is obtained.

Section 4. The Agreement shall expire on December 31, 2026. Billing for the aforementioned services may occur after expiration.

Section 5. In the event the CITY does not renew this Agreement, the CITY agrees to pay the COUNTY the applicable amount in Section 2 per pending case upon the completion of said case.

Section 6. The DEFENDER shall defend and hold harmless the CITY from any and all claims or liability resulting from the services performed by the DEFENDER under the contract.

Section 7. All amendments to this Agreement shall be in writing and signed by all parties.

Section 8. This contract shall be subject to the approval of the Ohio Public Defender Commission. In addition to indigency determination, all rules, standards and guidelines issued by the Office of the Ohio Public Defender and Ohio Public Defender Commission shall be followed.

IN WITNESS WHEREOF, this Agreement has been executed as of the day and year first above written.

IN THE PRESENCE OF:

CITY OF NORTON

Witness for Mayor/Designee

_____/_____
Mayor (or designee) Date

LEGAL DEFENDERS OFFICE OF
SUMMIT COUNTY, OHIO, INC.

Witness for DEFENDER

_____/_____
Andrea Whitaker, Date
Director

Approved as to form and correctness:

COUNTY OF SUMMIT, OHIO

_____/_____
Brian K. Harnak Date
Director of Law and Risk Management
County of Summit, Ohio

_____/_____
Ilene Shapiro, Date
Executive

CERTIFICATE OF DIRECTOR OF FINANCE

I hereby certify that certificates will be furnished on payment orders issued by the _____ under this contract and that sufficient money is in the treasury under this contract and that sufficient money is in the treasury or in the process of collection to the credit of the appropriate fund or division to discharge the CITY's obligation under this contract as authorized by Ordinance No. _____.

Director of Finance

SPONSORED BY: Administration
REFERRED TO: Committee of the Whole
INTRODUCED BY: Finance Chair Harbert

CITY OF NORTON

ORDINANCE NO. ____-2026

AN ORDINANCE AUTHORIZING ALL ACTIONS NECESSARY TO ACCEPT NORTHEAST OHIO PUBLIC ENERGY COUNCIL (NOPEC) 2026 ENERGIZED COMMUNITY GRANT; AND DECLARING AN EMERGENCY.

WHEREAS, the City of Norton, Ohio is a member of the Northeast Ohio Public Energy Council ("NOPEC") and is eligible for one or more NOPEC Energized Community Grant(s) for 2026 ("NEC Grant(s)") as provided for in the NEC Grant Program guidelines; and;

WHEREAS, the City of Norton wishes to enter into a Grant Agreement with NOPEC, Inc. in substantially the same form presented to this Council, attached hereto as Exhibit A, to receive one or more NEC Grant(s).

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

- Section 1: This Council finds and determines that it is in the best interest of the City of Norton to enter into the Grant Agreement to accept the NEC Grant(s) for 2026, and authorizes the Mayor, Administrative Officer, or Director of Finance to execute the Grant Agreement to accept the NEC Grant(s) funds.
- Section 2: It is found and determined that all formal actions of this Council concerning and relating to the adoption of this Ordinance were adopted in an open meeting of this Council and that 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 3: This Ordinance is hereby declared to be an emergency measure necessary for the immediate preservation for the public peace, health and safety of the City of Norton and the inhabitants thereof for the reason of accepting the aforementioned grant in a time and manner required by the grant program, and expending the same in a time and manner required by the grant program, and provided it receives the approval of two-thirds of the members of Council, this Ordinance shall take effect and be in full force and effect immediately upon its passage and approval by the Mayor; otherwise, it shall take effect and be in force at the earliest period allowed by law.

Emergency Vote: _____ Yeas _____ Nays

Date Passed: _____

Donald Harbert, 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. ____-2026** was duly and regularly passed by the Council of the City of Norton, Summit and Wayne Counties, Ohio at a meeting held on _____, 2026.

That this legislation was posted according to law on _____, 2026 and will become effective on _____, 2026.

Kerry Macomber, Clerk of Council

Prepared and approved as to legal form by Justin P. Markey, Solicitor, City of Norton, on January 28, 2026.

SPONSORED BY: Administration
REFERRED TO: Committee of the Whole
INTRODUCED BY: Finance Chair Harbert

CITY OF NORTON
ORDINANCE NO. ____-2026

AN ORDINANCE AUTHORIZING A TRANSFER FROM THE GENERAL FUND FOR CALENDAR YEAR 2026, AND DECLARING AN EMERGENCY

WHEREAS, the Director of Finance has requested authorization to transfer from Fund 001 (General Fund) to various funds of the City as set forth in Exhibit A attached hereto; and

WHEREAS, the carryover balance of the General Fund is sufficient to support said transfer.

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

- Section 1: This Council hereby authorizes the Director of Finance to transfer funds from Fund 001 (General Fund) to various funds of the City in the amounts the Director of Finance determines to be in the best financial interests of the City, which amounts and which transfers shall not exceed the amounts authorized to be transferred to the various funds of the City as set forth in Exhibit A attached hereto.
- 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 hereby declared to be an emergency measure necessary for the immediate preservation for the public peace, health and safety of the City of Norton and the inhabitants thereof and further for the reason that the approval of said transfers is necessary for the prompt resolution of City affairs and sound fiscal management of the City, and provided it receives the approval of two-thirds of the members of Council, this Ordinance shall take effect and be in full force and effect immediately upon its passage and approval by the Mayor; otherwise, it shall take effect and be in force at the earliest period allowed by law.

Emergency Vote: ____ Yeas ____ Nays

Date passed: _____

Donald Harbert, 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. ____-2026** was duly and regularly passed by the Council of the City of Norton, Summit and Wayne Counties, Ohio at a meeting held on _____, 2026.

That this legislation was posted according to law on _____, 2026 and will become effective on _____, 2026.

Kerry Macomber, Clerk of Council

Prepared and approved as to legal form by Justin P. Markey, Solicitor, City of Norton, January 23, 2026.

2026 TRANSFERS

FROM FUND	TO FUND	BUDGET AMOUNT	PURPOSE
001 General Fund	102 Service Fund	\$ 895,000	Fund Service Department Operations
001 General Fund	105 Fire/EMS Fund	\$ 760,000	Fund Fire Department Operations
001 General Fund	117 Community Center Fund	\$ 20,000	Fund Community Operations
001 General Fund	118 Historical House Fund	\$ 2,000	Fund Historical House Operations
001 General Fund	140 Police Equipment Fund	\$ 85,000	Fund Capital Projects
001 General Fund	500 Capital Projects Fund	\$ 1,634,400	Fund Capital Projects
001 General Fund	771 Debt Service Fund	\$ 600,000	Fund Debt Service Payments
001 General Fund	772 SA Debt Fund	\$ 35,000	Fund Debt Service Payments
Total		<u>\$ 4,031,400</u>	

SPONSORED BY: Mayor Zita
REFERRED TO: Committee of the Whole
INTRODUCED BY: Personnel/Rules Chair Lukens

CITY OF NORTON
RESOLUTION NO. ____-2026

A RESOLUTION CONFIRMING THE APPOINTMENT AND REAPPOINTMENT OF VARIOUS INDIVIDUALS TO VARIOUS BOARDS AND COMMISSIONS IN THE CITY AND DECLARING AN EMERGENCY.

WHEREAS, Mayor Zita has determined to appoint and/or reappoint the individuals listed on Exhibit A to the Board and Commissions set forth on Exhibit A for the term set forth in Exhibit A and this Council has determined to confirm such appointments.

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

- Section 1. The Mayor's appointment of the individuals listed on Exhibit A to the Board and Commissions set forth on Exhibit A for the term set forth in Exhibit A is hereby confirmed.
- Section 2. All formal actions of this Council related to this Resolution 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 Resolution is hereby declared to be an emergency measure necessary for the immediate preservation for the public peace, health and safety of the City of Norton and the inhabitants thereof for the reason that the subject appointment is necessary for the prompt resolution of City affairs, 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: _____

Donald Harbert, 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 **Resolution No. ____-2026** was duly and regularly passed by the Council of the City of Norton, Summit and Wayne Counties, Ohio at a meeting held on _____, 2026.

That this legislation was posted according to law on _____, 2026 and will become effective on _____, 2026.

Kerry Macomber, Clerk of Council

Prepared and approved as to legal form by Justin P. Markey, Solicitor, City of Norton, on January 15, 2026.

RESOLUTION NO. ____-2026 - EXHIBIT A

Name	Appointment or Reappointment	Board/Commission	Term
Suzanne Boyer	Reappointment	Income Tax Board of Appeals	3-1-2026 to 2-28-2027
Lorraine Kirbawy	Reappointment	Income Tax Board of Appeals	3-1-2026 to 2-28-2027
Andrew Mullins	Reappointment	Board of Building & Zoning Appeals	3-1-2026 to 2-29-2028
James Pekarek	Reappointment	Board of Building & Zoning Appeals	3-1-2026 to 2-29-2028
James Lada	Reappointment	Planning Commission	3-1-2026 to 2-29-2028
Marion Peterson	Reappointment	Planning Commission	3-1-2026 to 2-29-2028
Ralph Dowling	Reappointment	Planning Commission	3-1-2026 to 2-29-2028
James Price	Reappointment	Parks and Cemetery Board	3-1-2026 to 2-29-2028
Joseph Conte	Reappointment	Civil Service Commission	3-1-2026 to 2-28-2031

SPONSORED BY: Council President Harbert
REFERRED TO: Committee of the Whole
INTRODUCED BY: Personnel/Rules Chair Lukens

CITY OF NORTON
RESOLUTION NO. ____-2026

A RESOLUTION CONFIRMING THE REVISION OF COUNCIL RULES
SECTION 3 - REFERRAL; AND DECLARING AN EMERGENCY.

WHEREAS, Council has determined it necessary to revise Council Rules Section 3 – Referral to implement a process of notification to Administration, Boards and Commissions, etc. regarding Matters Referred from Council Committees; and

WHEREAS, Council Rule 301: Referral has been replaced in its entirety as set forth in **Exhibit A**; and

WHEREAS, Council Rule 601: Amend Rules allows Council Rules to be revised at any Regular Meeting by a two-thirds vote of the elected and appointed Council Members.

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

- Section 1. The City of Norton Council Rules Section 3 – Referral as set forth in **Exhibit A** is hereby confirmed.
- Section 2. All formal actions of this Council related to this Resolution 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 Resolution is hereby declared to be an emergency measure necessary for the immediate preservation for the public peace, health and safety of the City of Norton and the inhabitants thereof and for the reason that the Council Rule 3 revision is necessary for the prompt resolution of City affairs, 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: _____

Donald Harbert, 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 **Resolution No. ____-2026** was duly and regularly passed by the Council of the City of Norton, Summit and Wayne Counties, Ohio at a meeting held on _____, 2026.

That this legislation was posted according to law on _____, 2026 and will become effective on _____, 2026.

Kerry Macomber, Clerk of Council

Prepared and approved as to legal form by Justin P. Markey, Solicitor, City of Norton, on January 29, 2026.

SECTION 3 – REFERRAL

RULE 301: Refer Matters from Administration, Department or Council Member.

All requests from Department Directors, the Administration, or Council members shall be made in writing to the President of Council with copies to all Council members and the Clerk of Council. The date of the referral for purposes of the Council Rules will be the date of the letter. If no date appears on the letter of referral, the President of Council shall date the letter when received.

Council President may assign any matter referred to the appropriate Council Committee to actively work with City Administration, Boards and Commissions, etc. to resolve the matter. The Committee Chair may request the Clerk of Council for assistance in preparing a written request to Administration, coordinating meeting schedules, and updating the Matters Referred listing. All Committee members shall participate in the resolution of the matter referred and be prepared to update the full Council.

RULE 302: Presenting Matters to Council.

All petitions to Council must be received by and/or presented to the Clerk of Council. All other matters, which include but are not limited to ordinances and resolutions, shall be introduced by a Council member. Such matters shall be assigned a number by the Clerk of Council when presented. All ordinances and resolutions shall be known by their assigned number.

RULE 303: Ordinances/Resolution Assignment.

When an ordinance or resolution is recommended by Committee or in any other manner allowed by these Rules, it shall be assigned a number and title by the Clerk of Council. The ordinance or resolution shall also bear the name(s) of the sponsor(s). Resolutions providing for improvements shall be accompanied by the Municipal Engineer's, the Administrative Officer's and/or the Finance Director's estimate of the cost thereof.

ZONING ADMINISTRATOR**CLASSIFIED- EXEMPT**

The Mayor appoints the Zoning Administrator, subject to confirmation a majority of Council members. The Zoning Administrator reports to the Administrative Officer and/or designee and is responsible for a wide range of planning and zoning initiatives, from day-to-day operations to long term strategic projects. This position oversees inspection operations and enforcement of the zoning code both in the field and the office, ensuring compliance with structural safety regulations and requirements.

This role requires a comprehensive knowledge of codified ordinances, applicable laws, and construction and zoning regulations, along with the ability to exercise technical judgement and work effectively with the public. As head of the Zoning Department the Administrator provides leadership, modernizes processes, and collaborates with other departments to support the City's comprehensive Plan. Additional responsibilities include oversight of departmental operations, staff, and budget management, as well as close coordination with the Planning Commission and other boards. Work is performed in a combined office and field environment, with an time split of 65% office work and 35% field inspection/ enforcement duties.

Essential Duties and Responsibilities:**Planning and Zoning Manager 65%**

- Keep the City Administrator informed of major incidents and concerns related to zoning issues; maintain accurate records of survey routes, enforcement actions, and inspections from violation to resolution. Improve communication by implementing structured updates and oversight processes.
- Review all applications for zoning permits and determines compliance with Zoning Ordinance requirements. Issue permits or deny applications as appropriate and inform applicants of the appeals process.
- Coordinate with the Barberton Building Department to obtain and manage all necessary permits in compliance with the Norton Zoning Ordinances.
- Aim to conduct an annual canvassing of the city for property standard compliance
- Must be familiar with and understand the storm water phases and riparian setback requirements within City Ordinances.
- Develop and maintain an up-to-date rental use database, incorporating annual inspection data and zoning code revisions.
- Maintain the City's data base for all zoning permits.
- Meets with architects and construction engineers and provides code and ordinance interpretation, and develops resources such as FAQs or informational content for the city website.
- Provides information and assistance to developers, the business community and the public on planning and development related matters.
- Reviews newly proposed subdivisions for specific building/zoning issues related to future construction.
- Review variance requests dealing with building/zoning matters with the Planning Commission and the Board of Zoning Appeals.
- Prepares memorandums to the Planning Commission and Board of Zoning Appeals as it related to items considered for passage.
- Consults with the Law Director on changes in ordinances, zoning use changes and major subdivision developments.
- Attend Planning Commission and Building and Zoning Appeals Board meetings, provide meaningful and relevant information on related developments, and prepare written and verbal presentations on established agenda topics and related discussions.

Code Enforcement Officer 35%

- Interpret and enforce all provisions of the City of Norton's Zoning Ordinances.
- Serves as the City's code enforcement officer as deals with property maintenance.
- Respond to, evaluate, and issue violations in response to complaints.
- Make field inspections of properties to assure compliance with applicable codes and regulations of the City, County, State and Federal agencies.

- Maintains an effective and efficient record of Code Enforcement activities through the online permit portal (OpenGov).
- Prepares information, gathers files and forwards to Solicitor or prosecutor for possible legal action in reference to specific zoning code violations.
- Testifies in court cases involving code violations.
- Maintains the official copy of the Zoning Map which includes recording amendments as required.
- Maintain the City's Code Enforcement Management System.
- Works closely with the other departments on mutual problems associated with code and ordinance compliance.
- Assures that appropriate and proper interpretations are developed relative to City codes and ordinances.
- Advises various councils, boards, commissions and elected officials in planning-related issues.
- Performs other projects/tasks as assigned and may be required to perform unspecified work as deemed necessary and proper by the Administrative Officer and/or designee.
- Conduct research, analyze alternative courses of action and devise plans and strategies to address a variety of short and long-term planning and zoning related issues.
- Interpret codes for difficult or unusual possible revisions for conformance to current residential building/zoning codes
- Coordinate inspections and compliance activities with other City departments.
- Reviews and distributes residential building/zoning information on new or existing proposed additions with homeowners and/or contractors and architects.

REQUIREMENTS – The ideal candidate should possess: a valid International Code Council (ICC) Residential Combination Inspector and Property Maintenance and Housing Inspector Certificates within six months after date of employment, considerable knowledge of specific zoning ordinance codes; superior knowledge of the geography of the City; the ability to take photographs and preserve evidence; thorough knowledge of urban planning and development and local government policies and procedures; comprehensive knowledge of specializations such as housing, zoning, historic preservation, and economic development; ability to prepare written reports and correspondence, and maintain accurate records; administers written correspondence; communicate orally for problem solving during construction and review construction plans for code compliance, zoning ordinances, other City environmental codes and energy regulations; the ability to read and interpret specifications and building codes; the ability to make arithmetical computations rapidly and accurately; the ability to apply City codes and policies regarding zoning, environmental matters and other regulations to field situations; the ability to maintain cooperative working relations with builders; a thorough knowledge of pertinent federal, state and local laws; knowledge of local government procedure and practices; and the ability to work independently without supervision and enforce necessary regulations with firmness and tact.

The Zoning Administrator should possess a degree from an accredited college or university and/or an equivalent combination of education, training and experience which provides the requisite knowledge skills and abilities for this job. This should include at least five or more years of experience in related fields. An Ohio Peace Officer Training Academy Certificate is desired. A valid Ohio Class D Driver's License is required and the ability to be insured by the city for the use of a personal or City vehicle while conducting City business. Must be physically capable of operating a vehicle in a safe manner. The physical demands to successfully perform the essential job functions are as follows; frequently required to stand, walk, use hands to handle or feel, reach with hands and arms; and be able to lift up to 20 lbs. when necessary; occasionally stoop, bend, kneel, crouch, reach, and twist; lift, carry, push, and/or pull light to moderate amounts of weight. Must participate in continuing education courses in related fields of work for a Zoning Administrator.

SPONSORED BY Administration
REFERRED TO: Committee of the Whole
INTRODUCED BY: Safety Chair Eader

CITY OF NORTON ORDINANCE NO. ____-2026

AN ORDINANCE AUTHORIZING AND DIRECTING THE MAYOR TO ENTER INTO A
MUTUAL AID AGREEMENT WITH COUNTY OF SUMMIT SHERIFF'S OFFICE; AND
DECLARING AN EMERGENCY

WHEREAS, the Sheriff maintains a Major Crime Scene Investigative Unit that performs law enforcement duties in collection, preservation, packaging and documentation of physical evidence left at a crime scene; and

WHEREAS, the Sheriff provides the use of its Major Crime Scene Investigative Unit upon the request of other jurisdictions when necessary and if available as provided in this Agreement; and

WHEREAS, the Sheriff permits sworn officers from other jurisdictions to have membership on the Major Crime Scene Investigative Unit and the City of Norton has the option to provide sworn officers from its police department as team members.

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

- Section 1: In accordance with the terms of this Agreement and as authorized by Sections 302.21 through 302.24 and Section 311.07 of the Ohio Revised Code, the Sheriff shall provide the use of its Major Crime Scene Investigative Unit, if available, upon request of the City of Norton, for law enforcement services in accordance with the agreement attached hereto as **Exhibit A**.
- 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 hereby declared to be an emergency measure necessary for the immediate preservation for the public peace, health and safety of the City of Norton and the inhabitants thereof and for the further reason to immediately authorize the Mayor to execute any documents necessary for the aforesaid Mutual Aid Agreements; and provided it receives the approval of two-thirds of the members of Council, shall take effect and be in full force and effect immediately upon its passage and approval by the Mayor; otherwise, it shall take effect and be in force at the earliest period allowed by law.

Emergency Vote: ____ Yeas ____ Nays

Date passed: _____

Donald Harbert, 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 of the City of Norton, Summit and Wayne Counties, Ohio do hereby certify that the foregoing **Ordinance No. ____-2026** was duly and regularly passed by the Council of the City of Norton, Summit and Wayne Counties, Ohio at a meeting held on _____, 2025.

That this legislation was posted according to law on _____, 2025
and will become effective on _____, 2025.

Kerry Macomber, Clerk of Council

Prepared and approved as to legal form by Justin P. Markey, Solicitor, City of Norton,
January 29, 2026.

EXHIBIT A

MUTUAL AID AGREEMENT
between
CITY OF NORTON
and the
COUNTY OF SUMMIT, OHIO
for the
COUNTY OF SUMMIT SHERIFF'S OFFICE
MAJOR CRIME SCENE INVESTIGATIVE UNIT

This Mutual Aid Agreement is made and entered as of the date of the County of Summit Executive's signature, by and between the County of Summit, Ohio, an Ohio charter county, by the County Executive, with its offices located at the Ohio Building, 8th Floor, 175 South Main Street, Akron, Ohio 44308, for the Summit County Sheriff, whose office is located at 53 University Avenue, Akron, Ohio 44308 and the City of Norton, a municipal corporation, through the Norton Police Department, with its offices located at 4060 Columbia Woods Dr., Norton, Ohio 44203.

WITNESSETH:

WHEREAS, the County of Summit Council, in accordance with Section 311.29 of the Ohio Revised Code, has authorized this Agreement through Resolution No. _____ and

WHEREAS, the City of Norton, in accordance with Section 737.04 of the Ohio Revised Code, has authorized this Agreement through Ordinance No. _____ and

WHEREAS, the Sheriff maintains a Major Crime Scene Investigative Unit that performs law enforcement duties in collection, preservation, packaging and documentation of physical evidence left at a crime scene; and

WHEREAS, the Sheriff provides the use of its Major Crime Scene Investigative Unit upon the request of other jurisdictions when necessary and if available as provided in this Agreement; and

WHEREAS, the Sheriff permits sworn officers from other jurisdictions to have membership on the Major Crime Scene Investigative Unit. The City of Norton has the option to provide sworn officers from its police department as team members; and

WHEREAS, The City of Norton wishes to be able to utilize the services of the Major Crime Scene Investigative Unit as provided in this agreement; and

THEREFORE, in consideration of the covenants and promises made herein, the Participants agree as follows:

1. Mutual Assistance. In accordance with the terms of this Agreement and as authorized by Sections 302.21 through 302.24 and section 311.07 of the Ohio Revised Code, the Sheriff shall provide the use of its Major Crime Scene Investigative Unit, if available, upon request of the City of Norton, for law enforcement services.

EXHIBIT A

2- Membership. The City of Norton may provide approved Major Crime Scene Investigative Unit members, comply with Summit County Sheriff's Office Major Crime Scene Investigative Unit Policy and Procedures and comply with Summit County Sheriff's Office Major Crime Scene Investigative Unit trainings.

3. Authority.

(a) The Major Crime Scene Investigative Unit shall be under the sole direction and control the Sheriff during a deployment of the team regardless of the appointing authority of the team member.

(b) If deployed on behalf of the City of Norton, the Major Crime Scene Investigative Unit is authorized by the City of Norton to perform any police function, exercise any police power or render any police service on behalf of the City of Norton that it may perform, exercise or render pursuant to law.

3. Term. The term of this Agreement shall commence on the date signed by the County Executive and shall terminate upon mutual agreement of the parties at any time upon thirty (30) days written notice to the other party. The release provided hereunder shall survive the termination of the Agreement.

4. Payment. The City of Norton shall be responsible for payment of wages, benefits and workers compensation insurance for any Norton Police Officer when deployed with the Major Crime Scene Investigative Unit.

5. Release. Each party agrees to release the others and not hold the other parties liable for any claims, causes of action (including, but not limited to, negligence) or expenses of any kind or nature related to the Agreement. Neither party shall be required to indemnify nor to hold harmless the other party. The parties shall have all defenses and immunities available by law, including but not limited to Chapter 2744 of the Ohio Revised Code.

6. Entire Agreement. This Agreement constitutes the entire agreement amongst the parties and supersedes any prior understanding or agreement related thereto. This Agreement can only be amended or modified by the prior written consent of all the parties.

(End of text. Execution on following page.)

EXHIBIT A

IN WITNESS WHEREOF, the parties have executed this Agreement as of the date signed by the County Executive. This Agreement may be executed in counterparts. Electronic signatures shall have the same legal effect as if handwritten.

CITY OF NORTON, OHIO

COUNTY OF SUMMIT, OHIO

By: _____
Mike Zita, Mayor Date

By: _____
Ilene Shapiro, Executive Date

Approved as to form:

Approved as to form:

Justin Markey, Attorney

Brian Harnak, Director
Department of Law and Risk Management

SPONSORED BY: Administration
REFERRED TO: Committee of the Whole
INTRODUCED BY: Service Chair Tousley

CITY OF NORTON
ORDINANCE NO. ____-2026

AN ORDINANCE AUTHORIZING AN AGREEMENT WITH LAKE ERIE CONSTRUCTION COMPANY. FOR THE CULVERT REPAIR ON SR 585 AND SR 21 WITHIN THE CITY IN THE AMOUNT OF \$12,215.00, AND DECLARING AN EMERGENCY.

WHEREAS, the Council of the City of Norton ("City") recognizes that the culvert on State Routes 585 and 21 needs repair; and

WHEREAS, the City received a proposal in the form of the attached hereto as Exhibit A (the "Proposal") from Lake Erie Construction Company (the "Vendor") for the culvert repair on State Routes 585 and 21; and

WHEREAS, the City has determined that it is necessary and appropriate to approve the culvert repair by Vendor in accordance with the Proposal.

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

- Section 1: That this Council hereby authorizes the culvert repair by Vendor in accordance with the Proposal in an amount not to exceed of \$12,215.
- Section 2: This Council hereby authorizes the Director of Finance to take such actions as shall be necessary to repair the culvert in accordance with the Proposal and this Ordinance.
- 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 Ohio Revised Code.
- Section 4: This Ordinance is declared to be an emergency measure necessary for the immediate preservation for the public peace, health, safety of the City, and for the further reason to permit the timely completion of the project to enhance the vehicular safety in the City; and provided it receives the approval of two-thirds of the members of Council, this Ordinance shall take effect and be in full force and effect immediately upon its passage and approval by the Mayor; otherwise, it shall take effect and be in force at the earliest period allowed by law.

Emergency Vote: ____ Yeas ____ Nays

Date passed: _____

Donald Harbert, 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. ____-2026** was duly and regularly passed by the Council of the City of Norton, Summit and Wayne Counties, Ohio at a meeting held on _____, 2026.

That this legislation was posted according to law on _____, 2026 and will become effective on _____, 2026.

Kerry Macomber, Clerk of Council

Prepared and approved as to legal form by Justin P. Markey, Solicitor, City of Norton, January 29, 2026.

"AN EQUAL OPPORTUNITY EMPLOYER"

NORTON
DEPARTMENT

Board of Control

OH 21 and OH 585 Guardrail Repair


Dear Board Members,

I am requesting approval for the purchase and installation of guardrail that was damaged after a vehicle accident that occurred at OH 585 N and OH 21 N.

Lake Erie Construction Company has submitted the quote for \$12,215.00 which has been attached to this letter. The cost to repair will include one Type 1 impact attenuator, one Type 5 - 25 LF guardrail barrier design, and one Type 5 - 12.5 LF guardrail. This quote has also been sent to State Farm Insurance for restitution.

I appreciate your consideration and approval of this request. Please let me know if you have any further questions regarding the guardrail repair.

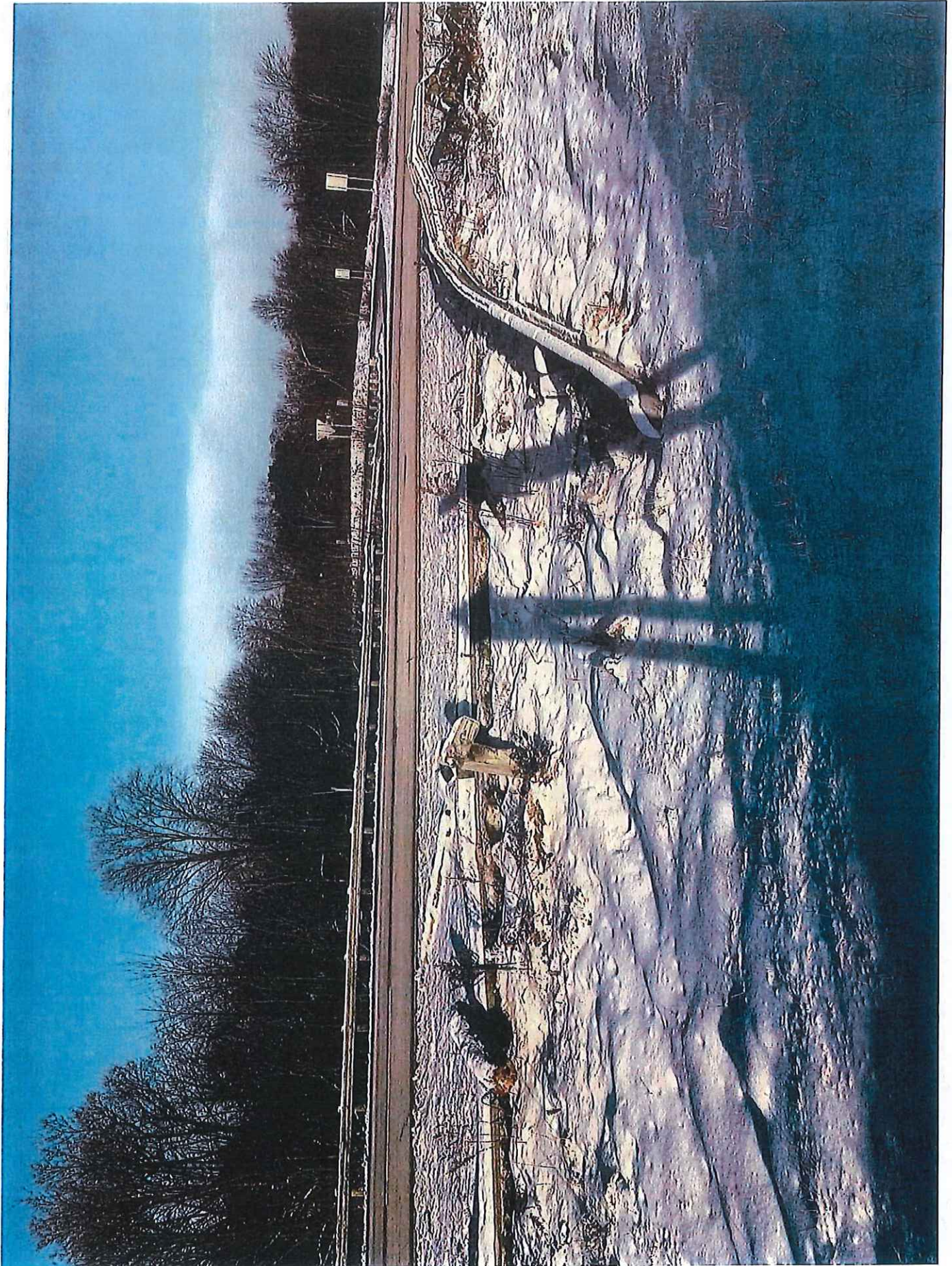
Sincerely,

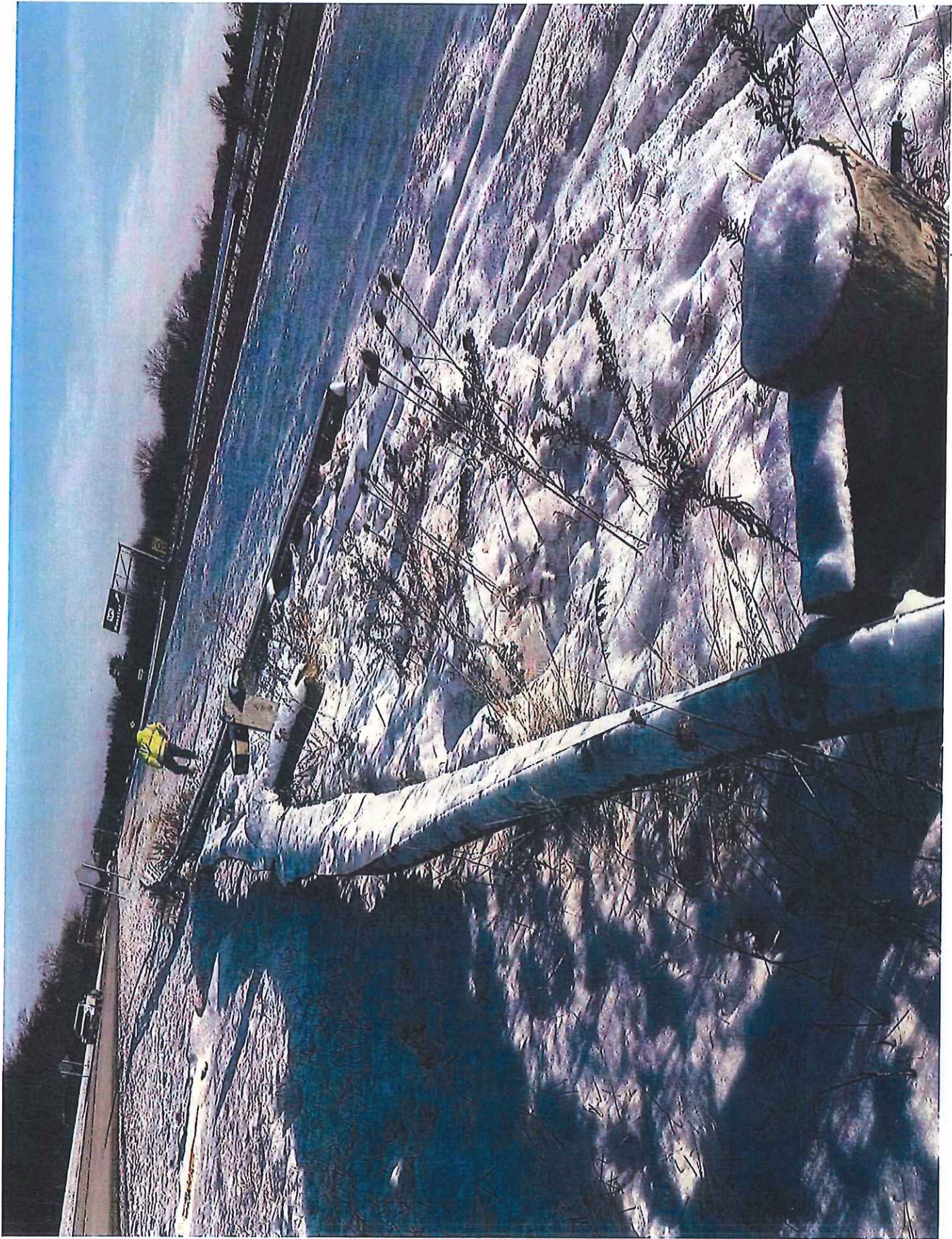

330-825-7815 x400

vmagazine@cityofnorton.org



3355 Dorothy Court
Norton, OH 44203






NORTON
NORTON CITY COUNCIL
MATTERS REFERRED/PENDING
MONDAY, FEBRUARY 2, 2026

COMMITTEE	DATE	TOPIC	ACTION
<u>Econ Dev & Plng</u>	7/7/25	Adult Use Cannabis Moratorium	Referred to Planning Commission.
	7/21/25	Six-month extension while Planning Commission and Administration review.	Ord. No. 70-2025
	1/5/26	Extension of six-month moratorium.	Ord. No. 3-2026
	1/20/26	Criminal activities related to dispensaries.	Chief McShane investigating.

Finance

<u>Personnel – Rules</u>	11/17/25	Resident requested a video be developed to explain the procedures for the Planning Commission, Board of Zoning Appeals and Council as it pertains to proposed projects in the City.	Administration to take into consideration.
	1/15/26		Mr. Braman is coordinating with Mr. Markey.

Property

Safety

Service

Utilities

City of
NORTON
NORTON CITY COUNCIL
REGULAR COUNCIL MEETING
TUESDAY, JANUARY 20, 2026

The Regular Council Meeting was called to order on Tuesday, January 20, 2026 at 7:03 p.m. by Donald Harbert, President of Council. The Pledge of Allegiance was recited by all and the invocation was offered by Mr. Lukens.

Roll Call:	Jamie Lukens	Also Present:
	Paul Tousley	Mayor Zita
	Paul Eader	Michael Rorar
	Judith Lynn Lee	Pamela Keener
	William Mowery (excused)	Kerry Macomber
	Don Harbert	
	Doug DeHarpert	

COMMUNICATIONS FROM THE PUBLIC

Susan Welch, 3108 Monterey Dr, Norton OH 44203 – Ms. Welch spoke on proposed legislation Ord. No. 2-2026 and posed clarifying questions to the position description and duties of the Zoning Administrator. She requested that Council table the legislation. A copy of the written statement is attached herewith.

Susan Ebert, 2784 Brookfield Dr, Norton OH 44203 – Ms. Ebert spoke on behalf of a group of concerned Norton residents regarding the limestone mine property and requested Council approve a one-year extension of the contract with Norton Energy Storage (NES). She requested that a Council member recuse himself from voting on matters related to this property citing a potential conflict of interest. A copy of her written statement is attached herewith.

Mr. Tousley expressed that he was the Council member in question to recuse themselves. He stated that the point of representative government is to ensure all are represented and it would be a great disservice to the Ward 4 residents, as well as the whole City, for him to recuse himself. He explained that he and his residents are not against development; however, they are not in favor of a data center being built at that location.

COMMITTEE OF THE WHOLE

Finance – Mr. Harbert explained this is an annual request to Summit County to advance the 2025 taxes owed to the City and moved to add Res. No. 5-2026 to tonight's Agenda for a first reading; seconded by Mr. Tousley.

Roll Call: Yes: Harbert, Tousley
No: None

Motion passed unanimously.

Planning & Economic Development

Planning Commission Resolution No. PC-2: Replat of Lot 59 located at 3879 Brookside Drive – Mr. DeHartpart explained that this is for a lot split to allow for the building of another home on the property and moved to add Ord. No. 6-2026 to tonight's Agenda for a first reading; seconded by Mr. Eader.

Roll Call: Yes: DeHartpart, Eader, Lukens
 No: None

Motion passed unanimously.

Renew Agricultural District Application for 3631 South Medina Line Road – Mr. DeHartpart explained that this is a renewal for Eric and Kristin Beddow Farms for 45 acres and moved to add Res. No. 7-2026 to tonight's Agenda for a first reading; seconded by Mr. Eader.

Roll Call: Yes: DeHartpart, Eader, Lukens
 No: None

Motion passed unanimously.

Renew Agricultural District Application for 4229 Greenwich Road – Mr. DeHartpart explained that this is a renewal for a Beddow property for 95 acres and moved to add Res. No. 8-2026 to tonight's Agenda for a first reading; seconded by Mr. Eader.

Roll Call: Yes: DeHartpart, Eader, Lukens
 No: None

Motion passed unanimously.

Renew Agricultural District Application for 4379 Greenwich Road – Mr. DeHartpart explained that this is a renewal for Ralph Beddow Farms for 121 acres and moved to add Res. No. 9-2026 to tonight's Agenda for a first reading; seconded by Mr. Eader.

Roll Call: Yes: DeHartpart, Eader, Lukens
 No: None

Motion passed unanimously.

Property/Mines

Sidewalk Easement with PPG Industries, Inc. – Ms. Lee explained this is for an easement for a sidewalk at Columbia Woods Park. Mr. Lukens asked for clarification as to the location. Mr. Rorar noted it is on the backside of the property. Mr. Harbert said the path that goes along the backside by the pond. Ms. Lee moved to add Ord. No. 10-2026 to tonight's Agenda for a first reading; seconded by Mr. Lukens.

Roll Call: Yes: Lee, Lukens
 No: None

Motion passed unanimously.

Disposal of Property – Ms. Lee explained this is for the disposal of items listed on Exhibit A, such as power washer, plow, skid steer, etc and all will be listed on GovDeals. Mr. DeHarpert explained that the items will be sold with the proceeds going to the Service Department. Ms. Lee moved to add Ord. No. 11-2026 to tonight's Agenda for a first reading; seconded by Mr. Lukens.

Roll Call: Yes: Lee, Lukens
 No: None

Motion passed unanimously.

Service

Purchase Road Salt – Mr. Tousley explained this is to purchase 3500 tons of road salt from CUE for a total of \$220,115, which honors our contract with CUE and provides salt for the rest of the year. Mr. Rorar said there is about 1400 tons of salt as of this morning. Mr. Tousley moved to add Ord. No. 12-2026 to tonight's Agenda for a first reading, with intent to waive readings and vote; seconded by Mr. DeHarpert. Mr. Tousley noted that he has difficulty with voting on legislation the same night it is introduced if it is an expenditure of money.

Roll Call: Yes: Tousley, DeHarpert, Eader
 No: None

Motion passed unanimously.

Culvert Replacement – Mr. Tousley explained this is for an emergency repair because all of our service vehicles use Dorothy Court. There were a couple of quotes provided with the best being \$68,363.20 from Cementech, Inc. and moved to add Ord. No. 13-2026 to tonight's Agenda for a first reading, with intent to waive readings and vote; seconded by Mr. DeHarpert. Mr. DeHarpert added that the contractor is willing to do this job on the weekend so not to interrupt City services.

Roll Call: Yes: Tousley, DeHarpert, Eader
 No: None

Motion passed unanimously.

MATTERS REFERRED – Mr. Harbert asked Mr. Lukens to reach out to Emma for the list for volunteers that may be interested in serving on an Event Committee for the Veterans Memorial. Mr. Lukens agreed noting that Memorial Day is only four months away.

CONSIDERATION OF MINUTES

Minutes of Council Organizational Meeting of January 5, 2026 were approved as submitted.
Minutes of Regular Council Meeting of January 5, 2026 were approved as submitted.

REPORTS FROM MAYOR AND OFFICERS

Mayor Zita said the Street Department has been doing a great job this winter with snow removal and many residents have expressed their appreciation, as well.

Mr. Rorar announced that the contractor will be disinfecting the Water Tower next week. He also announced the Fire Department reported record-breaking number of calls this year and noted that both the Police and Fire Departments' statistics are available on the City website.

INTRODUCTION OF NEW LEGISLATION

Res. No. 5-2026

Mr. Harbert introduced Res. No. 5-2026 for its first reading and asked the Clerk to read it:

A RESOLUTION REQUESTING THE COUNTY FISCAL OFFICER TO ADVANCE TAXES FROM THE TAX YEAR 2025 COLLECTIONS PAYABLE IN 2026 PURSUANT TO SECTION 321.34 OF THE OHIO REVISED CODE; AND DECLARING AN EMERGENCY.

First reading only.

Ord. No. 6-2026

Mr. DeHartpart introduced Ord. No. 6-2026 for its first reading and asked the Clerk to read it:

AN ORDINANCE APPROVING THE REPLAT OF LOT 59 OF THE PROPERTY LOCATED AT 3879 BROOKSIDE DRIVE (NASH HEIGHTS ESTATES SUBDIVISION) TO CREATE LOTS 59R1 AND 59R2.

First reading only.

Res. No. 7-2026

Mr. DeHartpart introduced Res. No. 7-2026 for its first reading and asked the Clerk to read it:

A RESOLUTION TO APPROVE THE RENEWAL FOR PLACEMENT OF FARMLAND LOCATED AT 3631 SOUTH MEDINA LINE ROAD IN AN AGRICULTURAL DISTRICT.

First reading only.

Res. No. 8-2026

Mr. DeHartpart introduced Res. No. 8-2026 for its first reading and asked the Clerk to read it:

A RESOLUTION TO APPROVE THE RENEWAL FOR PLACEMENT OF FARMLAND LOCATED AT 4229 GREENWICH ROAD IN AN AGRICULTURAL DISTRICT.

First reading only.

Res. No. 9-2026

Mr. DeHartpart introduced Res. No. 9-2026 for its first reading and asked the Clerk to read it:

A RESOLUTION TO APPROVE THE RENEWAL FOR PLACEMENT OF FARMLAND LOCATED AT 4379 GREENWICH ROAD IN AN AGRICULTURAL DISTRICT.

First reading only. Mr. DeHartpart noted that a Public Hearing will be held on February 17, 2026 at or about 7:15 p.m for all three of the proposed Agricultural District Applications.

Ord. No. 10-2026

Ms. Lee introduced Ord. No. 10-2026 for its first reading and asked the Clerk to read it:

AN ORDINANCE AUTHORIZING THE EXECUTION AND DELIVERY OF A
SIDEWALK EASEMENT WITH PPG INDUSTRIES, INC.; AND DECLARING AN
EMERGENCY.

First reading only.

Ord. No. 11-2026

Ms. Lee introduced Ord. No. 11-2026 for its first reading and asked the Clerk to read it:

AN ORDINANCE DECLARING CERTAIN CITY PROPERTIES AS NO LONGER
NEEDED FOR MUNICIPAL PURPOSES; AND DECLARING AN EMERGENCY.

First reading only.

Ord. No. 12-2026

Mr. Tousley introduced Ord. No. 12-2026 for its first reading and asked the Clerk to read it:

AN ORDINANCE AUTHORIZING THE PURCHASE OF ROAD SALT FROM
COMMUNITY UNIVERSITY EDUCATION PURCHASING COOPERATIVE (CUE) IN
AN AMOUNT NOT TO EXCEED \$220,115.00; AND DECLARING AN EMERGENCY.

Mr. Tousley moved to waive the second and third readings; seconded by Mr. DeHarpart.

Roll Call: Yes: Tousley, DeHarpart, Lukens, Eader, Lee, Harbert
 No: None

Motion passed: 6 - 0

Mr. Tousley moved to adopt Ord. No. 12-2026; seconded by Mr. DeHarpart.

Roll Call: Yes: Tousley, DeHarpart, Lukens, Eader, Lee, Harbert
 No: None

Motion passed: 6 - 0

Ord. No. 13-2026

Mr. Tousley introduced Ord. No. 13-2026 for its first reading and asked the Clerk to read it:

AN ORDINANCE AUTHORIZING AN AGREEMENT WITH CEMENTECH, INC. FOR
THE EMERGENCY CULVERT REPLACEMENT ON DOROTHY COURT IN AN
AMOUNT NOT TO EXCEED \$68,363.20; AND DECLARING AN EMERGENCY.

Mr. Tousley moved to waive the second and third readings; seconded by Mr. DeHarpart.

Roll Call: Yes: Tousley, DeHarpart, Lukens, Eader, Lee, Harbert
 No: None

Motion passed: 6 - 0

Mr. Tousley moved to adopt Ord. No. 13-2026; seconded by Mr. DeHarpart.

Roll Call: Yes: Tousley, DeHarpart, Lukens, Eader, Lee, Harbert
 No: None

Motion passed: 6 - 0

INTRODUCTION OF PRIOR LEGISLATION

Res. No. 1-2026

Mr. Harbert offered Res. No. 1-2026 for its second reading and asked the Clerk to read it:

A RESOLUTION DETERMINING TO PROCEED WITH THE SUBMISSION OF THE QUESTION OF THE RENEWAL OF A TAX LEVY IN EXCESS OF THE TEN-MILL LIMITATION FOR THE PURPOSE OF PROVIDING AND MAINTAINING FIRE APPARATUS, APPLIANCES, BUILDINGS AND SITES THEREFOR, SOURCES OF WATER SUPPLY AND MATERIALS THEREFOR, THE PAYMENT OF PERMANENT, PART-TIME OR VOLUNTEER FIREFIGHTING, EMERGENCY MEDICAL SERVICE, ADMINISTRATIVE AND COMMUNICATIONS PERSONNEL TO OPERATE THE SAME, INCLUDING THE PAYMENT OF ANY EMPLOYER CONTRIBUTIONS REQUIRED FOR SUCH PERSONNEL UNDER SECTION 145.48 OR 742.34 OF THE REVISED CODE, AND THE PROVISION OF AMBULANCE, PARAMEDIC AND OTHER EMERGENCY MEDICAL SERVICES OPERATED BY THE FIRE DEPARTMENT PURSUANT TO SECTION 5705.19(I) OF THE REVISED CODE, AND DECLARING AN EMERGENCY.

Mr. Harbert cited an imminent February deadline for this legislation and moved to waive the third reading; seconded by Mr. Tousley.

Roll Call: Yes: Harbert, Tousley, Lukens, Eader, Lee, DeHarpart
 No: None

Motion passed: 6 – 0

Mr. Harbert moved to adopt Res. No. 1-2026; seconded by Mr. Tousley.

Roll Call: Yes: Harbert, Tousley, Lukens, Eader, Lee, DeHarpart
 No: None

Motion passed: 6 – 0

Ord. No. 2-2026

Mr. Lukens noted that he is in agreement with many of the suggestions that Ms. Welch offered and he would like to see some of these things incorporated into the job description and duties. Mr. Harbert asked Mr. Rorar if it is possible to incorporate some of these suggestions by the next Council meeting. Mr. Rorar thanked Ms. Welch for her comments and agreed to consider her suggestions. He also said that he has met with the individual about this position and he believes some changes could be made. Mr. Tousley requested that this be added to the Committee of the Whole section of the next Regular Council meeting.

Mr. Lukens offered Ord. No. 2-2026 for its second reading and asked the Clerk to read it:

AN ORDINANCE ADOPTING AN AMENDED JOB DESCRIPTION AND DUTIES FOR THE ZONING ADMINISTRATOR AND SALARY SCHEDULE FOR SUCH POSITION; AND DECLARING AN EMERGENCY.

Second reading only.

Ord. No. 3-2026

Mr. DeHartpart offered Ord. No. 3-2026 for its second reading and asked the Clerk to read it:

AN ORDINANCE ADOPTING A MORATORIUM ON APPLICATIONS FOR, AND THE GRANTING OF, ZONING CERTIFICATES FOR ANY BUILDING, STRUCTURE, USE OR CHANGE OF USE THAT WOULD ENABLE THE CULTIVATION, PROCESSING, DISTRIBUTION OR SALE OF ADULT USE CANNABIS FOR A PERIOD NOT TO EXCEED SIX MONTHS IN ORDER TO ALLOW THE CITY TO REVIEW APPLICABLE STATE AND LOCAL LAWS, TO PLAN FOR REGULATIONS RELATING TO SUCH USES; AND DECLARING AN EMERGENCY.

Second reading.

Mr. DeHartpart opened the floor for discussion. Mr. Lukens asked if there has been interest and Ms. Keener answered in the affirmative that inquiries have been made. Mr. Lukens noted that the voters of Ohio approved this and that a moratorium in Norton has been in place since then recognizing that Norton has been waiting on state regulations. Mr. DeHartpart noted that the City of Ravenna opened a dispensary and received over \$400,000 in state revenue, which they directed to their Police Department budget. Mr. Harbert said he has asked the Planning Commission to determine a zoning location for these type of businesses and to give Council some information. Mr. Harbert reported that in the first 16 months, Akron received \$823,000 for three dispensaries; Cuyahoga Falls \$440,000; Elyria \$337,000. Mr. Harbert has asked Chief McShane to investigate criminal activities associated with these businesses. Mr. Harbert noted that he is not going to support another moratorium. Mr. Tousley expressed concerned about not passing a moratorium without a zoning code in place. Mr. DeHartpart said there are state guidelines in place. Mr. Lukens would like to hear from Chief McShane on the criminal activity and Ms. Keener shared a text from the Chief that he has reached out but has not heard back, yet. Mr. Harbert said that the Ohio State Highway Patrol has information on marijuana versus alcohol DUI, which continues to go down every year. He said that Chief McShane will give us some feedback. Mayor Zita noted that the date the application is made to the Planning Commission is when the business would have to comply with the zoning code. Mr. Rorar said at this point, the Planning Commission would defer to the State guidelines. Mr. Harbert said that the Planning Commission will review this at the January 28, 2026 meeting. Mr. Lukens suggested waiving the third reading and putting the moratorium in place tonight. Mr. Eader said that if there is a moratorium, interested business will look elsewhere.

Mr. DeHartpart moved to waive third reading; seconded by Mr. Tousley.

Roll Call: Yes: DeHarpert, Tousley, Lukens, Eader, Lee, Harbert
No: None

Motion passed: 6 – 0

Mr. DeHarpert moved to adopt Ord. No. 3-2026; seconded by Mr. Lukens.

Roll Call: Yes: DeHarpert, Lukens, Tousley
No: Eader, Lee, Harbert

Motion failed.

Ord. No. 4-2026

Mr. Tousley offered Ord. No. 4-2026 for its second reading and asked the Clerk to read it:

AN AGREEMENT WITH THE OHIO DEPARTMENT OF TRANSPORTATION
REGARDING THE PROJECT DESIGNATED AS PID 113037 (SR 261 RESURFACING);
AND DECLARING AN EMERGENCY.

Mr. Tousley cited an imminent deadline and moved to waive the third reading; seconded by Mr. DeHarpert. Mr. Tousley noted that this is a several million-dollar project, which ODOT is supporting with Norton's share just over \$570,000.

Roll Call: Yes: Tousley, DeHarpert, Lukens, Eader, Lee, Harbert
No: None

Motion passed: 6 - 0

Mr. Tousley moved to adopt Ord. No. 4-2026; seconded by Mr. DeHarpert.

Roll Call: Yes: Tousley, DeHarpert, Lukens, Eader, Lee, Harbert
No: None

Motion passed: 6 - 0

INTRODUCTION OF PRIOR LEGISLATION

Ord. No. 119-2025

Ms. Lee offered Ord. No. 119-2025 for its third reading and asked the Clerk to read it:

AN ORDINANCE AUTHORIZING THE ADMINISTRATIVE OFFICER TO EXECUTE AN
AMENDMENT TO AN AGREEMENT WITH NORTON ENERGY STORAGE LLC; AND
DECLARING AN EMERGENCY.

Mr. Tousley said he is not sure if Norton owning the mine is great but we are being asked to vote on something that is extremely consequential and he feels the only way to protect residents is for Norton to own it. He wants to know what is going on there. He said we have not been able to determine the cost of insuring the mine, but that someone has had to have been insuring it over these past years. There has been no discussion about this and he needs more information to make a decision.

Mr. Lukens said that the discussion about the Data Center was divided with some in favor and some against. Many of the residents did not understand the deal was ended by the company and not by Norton. He agreed we still do not know definitively if it includes the land over the mine and the mine. Ms. Keener said we would have to purchase the surface property, which is \$1.15 million. Mr. Lukens said the mine is still sitting in escrow but the company will agree to a one-year extension. Mr. DeHarpert expressed concern over the fiscal responsibility to the City by not knowing the condition of the mine. So far, nobody has looked at it and the extension is necessary to avoid placing a financial burden on the taxpayer. Mr. Harbert said the one-year extension will give us time to explore it and he cannot support buying something that they do not know anything about. Mr. Tousley stated that the contract, Section 11.3 says that NES shall not store anything other than condensed air, but Mr. Markey said that the language does not matter in the future. Mr. Tousley said we don't have Exhibit A, but he remembers it said that NES said they won't be held responsible for the conditions of the mine. Mr. Tousley said that the City will be responsible. Ms. Lee asked about the tax on the residents. Mr. DeHarpert said that the City will be fiscally responsible through taxpayer funds for any cleanup necessary. Mayor Zita said that any changes in the contract would have to come back to Council for approval. Mr. Harbert asked about the current application on file. Mayor Zita assumed it was submitted in July/August 2025.

Ms. Lee moved to adopt Ord. No. 119-2025; seconded by Mr. Lukens.

Roll Call: Yes: Lee, Lukens, Eader, DeHarpert, Harbert
No: Tousley

Motion passed: 5 - 1

TOPICS FOR NEXT MEETING – Monday, February 2, 2026

Planning Commission recommendations for placement of adult-use cannabis businesses in the zoning code.

Establishing an Events Committee for future Veterans Memorial events.

NON-AGENDA ITEMS

Mr. Lukens reported that there are 15 – 20 potholes on Norton Avenue in the eastbound lane. Mr. Rorar noted they will look into it but with the weather conditions, cold patching is not effective.

Mr. Tousley asked for an update on the school signage at Hametown Christian School, including a timeline from the City Engineer.

Ms. Lee asked about the hours of the warming center and the Mayor said he will extend them, if necessary.

Mayor Zita announced the upcoming Summer Concert Series schedule will be out shortly.

ADJOURN - There being no other business to come before the Regular Council Meeting, the meeting was adjourned at 8:38 p.m.

Donald Harbert, 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 February 2, 2026.

Kerry Macomber, Clerk of Council

****NOTE: These minutes are not verbatim****
Original signed and approved minutes are on file with the Clerk of Council.

NORTON RESIDENT SIGN-IN SHEET

The following individuals were present and spoke at the Regular Council Meeting on 1/20/26:

NAME ADDRESS EMAIL/PHONE

1 SUSAN WELCH 3108 MONTERAY DR. 330-573-2216
 2 SUSAN ALBERT 2784 BROOKFIELD DR. 330-607-9384

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Address to Norton City Council – January 20, 2025

Mr. Mayor, President of Council, Council Members, and Citizens of Norton,

First of all, I would like to welcome you, Mr. Rorar.

As you know, the upkeep of the City of Norton both by the city and residents is near and dear to my heart.

In 2026, I look forward to continuing progress in this matter but am concerned about how that might happen after reading the new job description for the position of Zoning Administrator.

This position of zoning administrator is critical to assure our community remains safe, healthy, prevent blight, maintain property values and therefore tax base on property values.

By assuring compliance with Norton's codes and zoning this position would be the first line of defense against neighborhood decay.

In reviewing ordinance #2-2026 for the amended job description of Zoning Administrator, it is my opinion the job description is lacking and vague in multiple ways.

For example:

1. It states: "This position is responsible for the oversight of management of inspection operations and enforcement of the zoning code in the field and within the office."

Since the words "oversight of management" are used, does this mean that the zoning administrator will manage others doing the field work in zoning and property codes? And if not, then who will be doing the inspections and enforcement of Norton's codes?

2. It states: "Will serve as City's code enforcement officer as deals with property maintenance."

This needs to be detailed since there has been continuous confusion in the past, for the zoning administrator at one time only responded to citizen complaints, I feel it is imperative that these responsibilities should be outlined crystal clear and include:

- Schedules and performs city wide systematic property maintenance inspections to maintain or achieve minimum property standards.
 - This would be in addition to responding to citizen complaints.
 - Will perform scheduled canvas of the city for violations in order to complete a review for the whole city annually.
 - Maintain accurate records of these survey routes and reports pertaining to daily activities, enforcement actions, and inspections from violation to resolution.
 - Systematic follow up on previous violations.
3. When evaluating a property for violations, the administrator will issue a complete notice of all violations outlining multiple violations if present.
 4. Consideration should be given to reorganizing the job description using an outline consistent with the job description for the City's Administrative Officer.

The above is just a few of the items I find that need attention with this job description.

The Zoning Administrator's job description is the foundation to the success of the person carrying out our zoning and code enforcement.

For the City of Norton's future, it is imperative that there is clarity.

It is not my intention to stand here tonight to tell you how this job description should be written but rather to show you through a couple of examples what has been written is in need of a rewrite.

In fairness to the individual in this position they should have clear outlined job responsibilities.

How else can an evaluation of their success or failure be measured.

Therefore, I would ask council at this evening's council meeting to **table Ordinance No 2-2026** so that the job description can be reviewed and rewritten. In addition, this will give Mr. Rorar, our new city administrator an opportunity to have input into the job description.

I would also request that council add a line item to budget funds for litigation when needed to support code and zoning enforcement for without funds available to completed this job why even have this position.

Thank You

Susan Welch
3108 Monterey Dr.
Norton

Good evening Council Members,

Thank you for the opportunity to speak this evening. I am here on behalf of a group of concerned Norton residents regarding the limestone mine property on Limestone Drive.

As you know, the property is currently owned by Norton Energy Storage, or NES. Due to an agreement with the City that is nearing expiration, ownership of the mine may soon revert to the City of Norton. We are respectfully asking Council to approve a one-year extension of the City's contract with NES through the end of this year.

Our concern is that if the City assumes control, it would own only the mine itself and not the surrounding 90 acres. This limitation would make the property extremely difficult, if not impossible, to develop for any clear commercial purpose. In that case, the City would lose a significant opportunity for future tax revenue—revenue that could support our schools, police, fire, and EMS services. Instead, the mine would likely become a long-term financial burden, requiring taxpayer dollars for insurance, security, and maintenance without providing any benefit in return.

Recently, the City had an opportunity to consider a data center project on this site. That proposal required no tax abatements and promised substantial financial benefits for Norton, including millions of dollars for our schools, along with direct contributions to both the Police and EMS departments. While opinions may differ on that specific project, it clearly demonstrated that this property has real potential to generate meaningful revenue for the community.

Many residents were disappointed that the project was dismissed amid intense public pressure. Much of that opposition appeared to be based on outdated or inaccurate information, and a significant portion of the voices involved were from outside the City of Norton. While public input is important, decisions of this scale should ultimately be guided by accurate information and by what best serves Norton residents and taxpayers.

We also believe it is important to acknowledge a potential conflict of interest. One member of Council lives adjacent to the property in question and has publicly supported the City assuming ownership of the mine as well as purchasing the surrounding land at a cost of approximately 1.2 million dollars, with the goal of preventing ANY future development. Unfortunately, when you purchase a home with open land behind it, there is always a chance that property will be developed and the buyer clearly understands that. May not be what they would prefer, but it is a fact. While we respect individual viewpoints, for the sake of transparency and public trust, we respectfully suggest that this Council member recuse himself from voting on matters related to this property.

It is also important to note that a data center is only one possible use. Extending the contract with NES would allow additional time for NES to continue exploring other viable options in cooperation with the City, rather than immediately shifting the cost and liability of the mine onto Norton taxpayers.

Each Council member has a responsibility to act in the best interest of the entire community. At this time, owning a mine that is difficult to insure and has no clear development path presents significant financial risk with little upside. A one-year extension simply preserves flexibility and keeps options open.

We are not asking Council to decide tonight what the property should ultimately become. We are only asking for time. This extension costs the City nothing, harms no one, and could provide long-term benefits for all Norton residents. We respectfully ask that you vote to approve this one-year extension. Thank you for your time, service and thoughtful consideration.

Susan Ebert
2784 Brookfield Dr. Norton

SPONSORED BY: Administration
REFERRED TO: Committee of the Whole
INTRODUCED BY: Finance Chair Harbert

CITY OF NORTON ORDINANCE NO. 14-2026

AN ORDINANCE AUTHORIZING AND DIRECTING THE MAYOR TO ENTER INTO CONTRACTS WITH LEGAL DEFENDERS OFFICE OF SUMMIT COUNTY, OHIO, INC.; AND DECLARING AN EMERGENCY

WHEREAS, Legal Defenders Office of Summit County, Ohio, Inc. provides indigent defense services as needed for the City of Norton; and

WHEREAS, Legal Defenders Office of Summit County, Ohio, Inc. is required by the State to have contracts supported by a City Ordinance.

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

- Section 1: The Administrative Officer is authorized and directed to enter into an agreement with Legal Defenders Office of Summit County, Ohio, Inc. to provide indigent defense services for 2026 in accordance with the agreement attached hereto as **Exhibit A**.
- Section 2: The Director of Finance is hereby authorized and directed to make payment on the subject contract on presentation of proper vouchers from appropriate account(s).
- 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 Ohio Revised Code.
- Section 4: This Ordinance is hereby declared to be an emergency measure necessary for the immediate preservation for the public peace, health and safety of the City of Norton and the inhabitants thereof and for the reason that it is necessary to provide legal counsel for indigent persons; and provided it receives the approval of two-thirds of the members of Council, shall take effect and be in full force and effect immediately upon its passage and approval by the Mayor; otherwise, it shall take effect and be in force at the earliest period allowed by law.

Emergency Vote: ____ Yeas ____ Nays

Date passed: _____

Donald Harbert, 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 of the City of Norton, Summit and Wayne Counties, Ohio do hereby certify that the foregoing **Ordinance No. 14-2026** was duly and regularly passed by the Council of the City of Norton, Summit and Wayne Counties, Ohio at a meeting held on _____, 2025.

That this legislation was posted according to law on _____, 2025
and will become effective on _____, 2025.

Kerry Macomber, Clerk of Council

Prepared and approved as to legal form by Justin P. Markey, Solicitor, City of Norton,
January 29, 2026.

SPONSORED BY: Administration
REFERRED TO: Committee of the Whole
INTRODUCED BY: Finance Chair Harbert

CITY OF NORTON ORDINANCE NO. 15-2026

AN ORDINANCE AUTHORIZING ALL ACTIONS NECESSARY TO ACCEPT NORTHEAST OHIO PUBLIC ENERGY COUNCIL (NOPEC) 2026 ENERGIZED COMMUNITY GRANT; AND DECLARING AN EMERGENCY.

WHEREAS, the City of Norton, Ohio is a member of the Northeast Ohio Public Energy Council ("NOPEC") and is eligible for one or more NOPEC Energized Community Grant(s) for 2026 ("NEC Grant(s)") as provided for in the NEC Grant Program guidelines; and;

WHEREAS, the City of Norton wishes to enter into a Grant Agreement with NOPEC, Inc. in substantially the same form presented to this Council, attached hereto as Exhibit A, to receive one or more NEC Grant(s).

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

- Section 1: This Council finds and determines that it is in the best interest of the City of Norton to enter into the Grant Agreement to accept the NEC Grant(s) for 2026, and authorizes the Mayor, Administrative Officer, or Director of Finance to execute the Grant Agreement to accept the NEC Grant(s) funds.
- Section 2: It is found and determined that all formal actions of this Council concerning and relating to the adoption of this Ordinance were adopted in an open meeting of this Council and that 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 3: This Ordinance is hereby declared to be an emergency measure necessary for the immediate preservation for the public peace, health and safety of the City of Norton and the inhabitants thereof for the reason of accepting the aforementioned grant in a time and manner required by the grant program, and expending the same in a time and manner required by the grant program, and provided it receives the approval of two-thirds of the members of Council, this Ordinance shall take effect and be in full force and effect immediately upon its passage and approval by the Mayor; otherwise, it shall take effect and be in force at the earliest period allowed by law.

Emergency Vote: _____ Yeas _____ Nays

Date Passed: _____

Donald Harbert, 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. 15-2026** was duly and regularly passed by the Council of the City of Norton, Summit and Wayne Counties, Ohio at a meeting held on _____, 2026.

That this legislation was posted according to law on _____, 2026 and will become effective on _____, 2026.

Kerry Macomber, Clerk of Council

Prepared and approved as to legal form by Justin P. Markey, Solicitor, City of Norton, on January 28, 2026.

SPONSORED BY: Administration
REFERRED TO: Committee of the Whole
INTRODUCED BY: Finance Chair Harbert

CITY OF NORTON ORDINANCE NO. 16-2026

AN ORDINANCE AUTHORIZING A TRANSFER FROM THE GENERAL FUND FOR CALENDAR YEAR 2026, AND DECLARING AN EMERGENCY

WHEREAS, the Director of Finance has requested authorization to transfer from Fund 001 (General Fund) to various funds of the City as set forth in Exhibit A attached hereto; and

WHEREAS, the carryover balance of the General Fund is sufficient to support said transfer.

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

- Section 1: This Council hereby authorizes the Director of Finance to transfer funds from Fund 001 (General Fund) to various funds of the City in the amounts the Director of Finance determines to be in the best financial interests of the City, which amounts and which transfers shall not exceed the amounts authorized to be transferred to the various funds of the City as set forth in Exhibit A attached hereto.
- 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 hereby declared to be an emergency measure necessary for the immediate preservation for the public peace, health and safety of the City of Norton and the inhabitants thereof and further for the reason that the approval of said transfers is necessary for the prompt resolution of City affairs and sound fiscal management of the City, and provided it receives the approval of two-thirds of the members of Council, this Ordinance shall take effect and be in full force and effect immediately upon its passage and approval by the Mayor; otherwise, it shall take effect and be in force at the earliest period allowed by law.

Emergency Vote: ____ Yeas ____ Nays

Date passed: _____

Donald Harbert, 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. 16-2026** was duly and regularly passed by the Council of the City of Norton, Summit and Wayne Counties, Ohio at a meeting held on _____, 2026.

That this legislation was posted according to law on _____, 2026 and will become effective on _____, 2026.

Kerry Macomber, Clerk of Council

Prepared and approved as to legal form by Justin P. Markey, Solicitor, City of Norton, January 23, 2026.

SPONSORED BY: Mayor Zita
REFERRED TO: Committee of the Whole
INTRODUCED BY: Personnel/Rules Chair Lukens

CITY OF NORTON
RESOLUTION NO. 17-2026

A RESOLUTION CONFIRMING THE APPOINTMENT AND REAPPOINTMENT OF VARIOUS INDIVIDUALS TO VARIOUS BOARDS AND COMMISSIONS IN THE CITY AND DECLARING AN EMERGENCY.

WHEREAS, Mayor Zita has determined to appoint and/or reappoint the individuals to the Board and Commissions for the term set forth in Exhibit A and this Council has determined to confirm such appointments.

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

- Section 1. The Mayor's appointment of the individuals to the Board and Commissions for the term set forth in Exhibit A is hereby confirmed.
- Section 2. All formal actions of this Council related to this Resolution 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 Resolution is hereby declared to be an emergency measure necessary for the immediate preservation for the public peace, health and safety of the City of Norton and the inhabitants thereof for the reason that the subject appointment is necessary for the prompt resolution of City affairs, 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: _____

Donald Harbert, 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 **Resolution No. 17-2026** was duly and regularly passed by the Council of the City of Norton, Summit and Wayne Counties, Ohio at a meeting held on _____, 2026.

That this legislation was posted according to law on _____, 2026 and will become effective on _____, 2026.

Kerry Macomber, Clerk of Council

Prepared and approved as to legal form by Justin P. Markey, Solicitor, City of Norton, on January 15, 2026.

SPONSORED BY: Council President Harbert
REFERRED TO: Committee of the Whole
INTRODUCED BY: Personnel/Rules Chair Lukens

CITY OF NORTON RESOLUTION NO. 18-2026

A RESOLUTION CONFIRMING THE REVISION OF COUNCIL RULES SECTION 3 - REFERRAL; AND DECLARING AN EMERGENCY.

WHEREAS, Council has determined it necessary to revise Council Rules Section 3 – Referral to implement a process of notification to Administration, Boards and Commissions, etc. regarding Matters Referred from Council Committees; and

WHEREAS, Council Rule 301: Referral has been replaced in its entirety as set forth in **Exhibit A**; and

WHEREAS, Council Rule 601: Amend Rules allows Council Rules to be revised at any Regular Meeting by a two-thirds vote of the elected and appointed Council Members.

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

- Section 1. The City of Norton Council Rules Section 3 – Referral as set forth in **Exhibit A** is hereby confirmed.
- Section 2. All formal actions of this Council related to this Resolution 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 Resolution is hereby declared to be an emergency measure necessary for the immediate preservation for the public peace, health and safety of the City of Norton and the inhabitants thereof and for the reason that the Council Rule 3 revision is necessary for the prompt resolution of City affairs, 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: _____

Donald Harbert, 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 **Resolution No. 18-2026** was duly and regularly passed by the Council of the City of Norton, Summit and Wayne Counties, Ohio at a meeting held on _____, 2026.

That this legislation was posted according to law on _____, 2026 and will become effective on _____, 2026.

Kerry Macomber, Clerk of Council

Prepared and approved as to legal form by Justin P. Markey, Solicitor, City of Norton, on January 29, 2026.

SPONSORED BY: Administration
REFERRED TO: Committee of the Whole
INTRODUCED BY: Safety Chair Eader

CITY OF NORTON ORDINANCE NO. 19-2026

AN ORDINANCE AUTHORIZING AND DIRECTING THE MAYOR TO ENTER INTO A
MUTUAL AID AGREEMENT WITH COUNTY OF SUMMIT SHERIFF'S OFFICE; AND
DECLARING AN EMERGENCY

WHEREAS, the Sheriff maintains a Major Crime Scene Investigative Unit that performs law enforcement duties in collection, preservation, packaging and documentation of physical evidence left at a crime scene; and

WHEREAS, the Sheriff provides the use of its Major Crime Scene Investigative Unit upon the request of other jurisdictions when necessary and if available as provided in this Agreement; and

WHEREAS, the Sheriff permits sworn officers from other jurisdictions to have membership on the Major Crime Scene Investigative Unit and the City of Norton has the option to provide sworn officers from its police department as team members.

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

- Section 1: In accordance with the terms of this Agreement and as authorized by Sections 302.21 through 302.24 and Section 311.07 of the Ohio Revised Code, the Sheriff shall provide the use of its Major Crime Scene Investigative Unit, if available, upon request of the City of Norton, for law enforcement services in accordance with the agreement attached hereto as **Exhibit A**.
- 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 hereby declared to be an emergency measure necessary for the immediate preservation for the public peace, health and safety of the City of Norton and the inhabitants thereof and for the further reason to immediately authorize the Mayor to execute any documents necessary for the aforesaid Mutual Aid Agreements; and provided it receives the approval of two-thirds of the members of Council, shall take effect and be in full force and effect immediately upon its passage and approval by the Mayor; otherwise, it shall take effect and be in force at the earliest period allowed by law.

Emergency Vote: ____ Yeas ____ Nays

Date passed: _____

Donald Harbert, 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 of the City of Norton, Summit and Wayne Counties, Ohio do hereby certify that the foregoing **Ordinance No. 19-2026** was duly and regularly passed by the Council of the City of Norton, Summit and Wayne Counties, Ohio at a meeting held on _____, 2025.

That this legislation was posted according to law on _____, 2025
and will become effective on _____, 2025.

Kerry Macomber, Clerk of Council

Prepared and approved as to legal form by Justin P. Markey, Solicitor, City of Norton,
January 29, 2026.

SPONSORED BY: Administration
REFERRED TO: Committee of the Whole
INTRODUCED BY: Service Chair Tousley

CITY OF NORTON ORDINANCE NO. 20-2026

AN ORDINANCE AUTHORIZING AN AGREEMENT WITH LAKE ERIE CONSTRUCTION COMPANY. FOR THE CULVERT REPAIR ON SR 585 AND SR 21 WITHIN THE CITY IN THE AMOUNT OF \$12,215.00, AND DECLARING AN EMERGENCY.

WHEREAS, the Council of the City of Norton ("City") recognizes that the culvert on State Routes 585 and 21 needs repair; and

WHEREAS, the City received a proposal in the form of the attached hereto as Exhibit A (the "Proposal") from Lake Erie Construction Company (the "Vendor") for the culvert repair on State Routes 585 and 21; and

WHEREAS, the City has determined that it is necessary and appropriate to approve the culvert repair by Vendor in accordance with the Proposal.

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

- Section 1: That this Council hereby authorizes the culvert repair by Vendor in accordance with the Proposal in an amount not to exceed of \$12,215.
- Section 2: This Council hereby authorizes the Director of Finance to take such actions as shall be necessary to repair the culvert in accordance with the Proposal and this Ordinance.
- 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 Ohio Revised Code.
- Section 4: This Ordinance is declared to be an emergency measure necessary for the immediate preservation for the public peace, health, safety of the City, and for the further reason to permit the timely completion of the project to enhance the vehicular safety in the City; and provided it receives the approval of two-thirds of the members of Council, this Ordinance shall take effect and be in full force and effect immediately upon its passage and approval by the Mayor; otherwise, it shall take effect and be in force at the earliest period allowed by law.

Emergency Vote: _____ Yeas _____ Nays

Date passed: _____

Donald Harbert, 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. 20-2026** was duly and regularly passed by the Council of the City of Norton, Summit and Wayne Counties, Ohio at a meeting held on _____, 2026.

That this legislation was posted according to law on _____, 2026 and will become effective on _____, 2026.

Kerry Macomber, Clerk of Council

Prepared and approved as to legal form by Justin P. Markey, Solicitor, City of Norton, January 29, 2026.

SPONSORED BY Administration
REFERRED TO: Committee Work Session
INTRODUCED BY: Finance Chair Harbert

CITY OF NORTON

RESOLUTION NO. 5-2026

A RESOLUTION REQUESTING THE COUNTY FISCAL OFFICER TO ADVANCE TAXES FROM THE TAX YEAR 2025 COLLECTIONS PAYABLE IN 2026 PURSUANT TO SECTION 321.34 OF THE OHIO REVISED CODE, AND DECLARING AN EMERGENCY

WHEREAS, Ohio Revised Code Section 321.34 provides for advance payment by the county auditor to municipal corporations whose funds are derived from taxes or other sources payable by law to the county treasurer, any money that may be in the county treasury to the account of the municipality, respectively, and lawfully applicable to the purpose of the current fiscal year in which the request is made.

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

- Section 1: The Fiscal Officer of Summit County in accordance with Ohio Revised Code Section 321.34, be requested to draw and pay to the City of Norton funds due in any settlement of 2026 derived from taxes or other sources, payable to the County Treasurer to the account of the City of Norton.
- Section 2: The Clerk of the Council is directed to forward a certified copy of this resolution to the Summit County Fiscal Officer.
- Section 3: All formal actions of this Council related to this Resolution 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 4: This Resolution is hereby declared to be an emergency measure necessary for the immediate preservation for the public peace, health and safety of the City of Norton and the inhabitants thereof for the reason that it is necessary for the prompt resolution of city affairs; and provided it receives the approval of two-thirds of the members of Council, this Resolution shall take effect and be in full force and effect immediately upon its passage and approval by the Mayor; otherwise, it shall take effect and be in force at the earliest period allowed by law.

Emergency Vote: ____ Yeas ____ Nays

Date passed: _____

Donald Harbert, 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 of the City of Norton, Summit and Wayne Counties, Ohio do hereby certify that the foregoing **Resolution No. 5-2026** was duly and regularly passed by the Council of the City of Norton, Summit and Wayne Counties, Ohio at a meeting held on _____, 2026.

That this legislation was posted according to law on _____, 2026
and will become effective on _____, 2026.

Kerry Macomber, Clerk of Council

Prepared and approved as to legal form by Justin P. Markey, Solicitor, City of Norton,
January 14, 2026.

SPONSORED BY: Administration
REFERRED TO: Committee Work Session
INTRODUCED BY: Plng & Econ Dev Chair DeHarpert

CITY OF NORTON

ORDINANCE NO. 6-2026

AN ORDINANCE APPROVING THE REPLAT OF LOT 59 OF THE PROPERTY LOCATED AT 3879 BROOKSIDE DRIVE (NASH HEIGHTS ESTATES SUBDIVISION) TO CREATE LOTS 59R1 AND 59R2.

WHEREAS, Council finds that Application PC-2 has been filed with the City Planning Commission requesting approval of a replat of lot 59 in the Nash Heights Estates Subdivision, as shown in Exhibit A, to create lots 59R1 and 59R2; and

WHEREAS, the Planning Commission, by its P.C. Resolution No. PC-2, dated January 13, 2026, recommends the approval of the replat of lot 59 to create lots 59R1 and 59R2; and

WHEREAS, pursuant to Section 1232.04(d) of the Codified Ordinances of the City, this Council shall review the Planning Commission recommendation of the approval of the replat and shall approve, approve with conditions or disapprove of the replat no later than 30 days after receipt of the recommendation by Planning Commission; and

WHEREAS, this Council has determined to approve the final plat.

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 replat of Lot 59 of the Nash Heights Estates Subdivision, together with the plans and descriptions on file with the City and incorporated by reference herein, presented by the owner Catherine George, pursuant to Planning Commission Application PC-2 is hereby approved pursuant to Section 1232.04(d).
- 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 shall take effect and be in full force from and after the earliest period allowed by law.

Vote: _____ Yeas _____ Nays

Date passed: _____

Donald Harbert, 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. 6-2026** was duly and regularly passed by the Council of the City of Norton, Summit and Wayne Counties, Ohio at a meeting held on _____, 2026.

That this legislation was posted according to law on _____, 2026 and will become effective on _____, 2026.

Kerry Macomber, Clerk of Council

Prepared and approved as to legal form, Justin P. Markey, Solicitor for the City of Norton, Ohio, on January 15, 2026.

SPONSORED BY Council
REFERRED TO: Committee Work Session
INTRODUCED BY: Planning & Econ Dev Chair DeHart

CITY OF NORTON

RESOLUTION NO. 7-2026

A RESOLUTION TO APPROVE THE RENEWAL FOR PLACEMENT OF FARMLAND LOCATED 3631 SOUTH MEDINA LINE ROAD IN AN AGRICULTURAL DISTRICT.

WHEREAS, on January 7, 2026, Eric and Kristen Beddow filed with the Clerk of Council, an application to renew the placement of farmland located at 3631 South Medina Line Road, (PPN 46-07452) in an Agricultural District; and

WHEREAS, Council held a public hearing on said application at its regular Council Meeting on the 17th day of February 2026, in accordance with Section 929.02 of the Ohio Revised Code,

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

Section 1: In accordance with Ohio Revised Code Section 929.02, Council hereby approves the renewal for placement of property located at 3631 South Medina Line Road (PPN 46-07452) in an Agricultural District, as requested in the application filed by Eric and Kristin Beddow with the Clerk of Council on January 7, 2026.

Section 2: All formal action of this Council related to this Resolution 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 Resolution shall take effect and be in full force at the earliest period allowed by law.

Vote: _____ Yeas _____ Nays

Date passed: _____

Don Harbert, President of Council

Date submitted to the Mayor _____

Attest: _____
Kerry Macomber, CMC-Clerk of Council

Mike Zita, Mayor

Date approved by the Mayor _____

I, Kerry Macomber, CMC-Clerk of Council the City of Norton, Summit and Wayne Counties, Ohio do hereby certify that the foregoing **Resolution No. 7-2026** was duly and regularly passed by the Council of the City of Norton, Summit and Wayne Counties, Ohio at a meeting held on _____, 2026.

That this legislation as posted according to law on _____, 2026
and will become effective on _____, 2026.

Kerry Macomber, CMC-Clerk of Council

Prepared and approved as to legal form by Justin P. Markey, Solicitor for the City of Norton on January 7, 2026.

SPONSORED BY Council
REFERRED TO: Committee Work Session
INTRODUCED BY: Planning & Econ Dev Chair DeHarpert

CITY OF NORTON

RESOLUTION NO. 8-2026

A RESOLUTION TO APPROVE THE RENEWAL FOR PLACEMENT OF FARMLAND LOCATED 4229 GREENWICH ROAD IN AN AGRICULTURAL DISTRICT.

WHEREAS, on January 8, 2026, Birdseye Barn filed with the Clerk of Council, an application to renew the placement of farmland located at 4229 Greenwich Road, (PPN 46-07010) in an Agricultural District; and

WHEREAS, Council held a public hearing on said application at its regular Council Meeting on the 17th day of February 2026, in accordance with Section 929.02 of the Ohio Revised Code.

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

Section 1: In accordance with Ohio Revised Code Section 929.02, Council hereby approves the renewal for placement of property located at 4229 Greenwich Road (PPN 46-07010) in an Agricultural District, as requested in the application filed by Birdseye Barn, LLC with the Clerk of Council on January 8, 2026.

Section 2: All formal action of this Council related to this Resolution 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 Resolution shall take effect and be in full force at the earliest period allowed by law.

Vote: _____ Yeas _____ Nays

Date passed: _____

Donald Harbert, President of Council

Date submitted to the Mayor _____

Attest: _____
Kerry Macomber, CMC-Clerk of Council

Mike Zita, Mayor

Date approved by the Mayor _____

I, Kerry Macomber, CMC-Clerk of Council the City of Norton, Summit and Wayne Counties, Ohio do hereby certify that the foregoing **Resolution No. 8-2026** was duly and regularly passed by the Council of the City of Norton, Summit and Wayne Counties, Ohio at a meeting held on _____, 2026.

That this legislation as posted according to law on _____, 2026 and will become effective on _____, 2026.

Kerry Macomber, CMC-Clerk of Council

Prepared and approved as to legal form by Justin P. Markey, Solicitor for the City of Norton on January 8, 2026.

SPONSORED BY Council
REFERRED TO: Committee Work Session
INTRODUCED BY: Planning & Econ Dev Chair DeHarpert

CITY OF NORTON

RESOLUTION NO. 9-2026

A RESOLUTION TO APPROVE THE RENEWAL FOR PLACEMENT OF FARMLAND LOCATED 4379 GREENWICH ROAD IN AN AGRICULTURAL DISTRICT.

WHEREAS, on January 8, 2026, Ralph Beddow filed with the Clerk of Council, an application to renew the placement of farmland located at 4379 Greenwich Road, (PPN 46-06712 and PPN 46-00381) in an Agricultural District; and

WHEREAS, Council held a public hearing on said application at its regular Council Meeting on the 17th day of February, 2026, in accordance with Section 929.02 of the Ohio Revised Code.

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

- Section 1: In accordance with Ohio Revised Code Section 929.02, Council hereby approves the renewal for placement of property located at 4379 Greenwich Road (PPN 46-06712 and PPN 46-00381) in an Agricultural District, as requested in the application filed by Ralph Beddow with the Clerk of Council on January 8, 2026.
- Section 2: All formal action of this Council related to this Resolution 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 Resolution shall take effect and be in full force at the earliest period allowed by law.

Vote: _____ Yeas _____ Nays

Date passed: _____

Donald Harbert, President of Council

Date submitted to the Mayor _____

Attest: _____
Kerry Macomber, CMC-Clerk of Council

Mike Zita, Mayor

Date approved by the Mayor _____

I, Kerry Macomber, CMC-Clerk of Council the City of Norton, Summit and Wayne Counties, Ohio do hereby certify that the foregoing **Resolution No. 9-2026** was duly and regularly passed by the Council of the City of Norton, Summit and Wayne Counties, Ohio at a meeting held on _____, 2026.

That this legislation as posted according to law on _____, 2026 and will become effective on _____, 2026.

Kerry Macomber, CMC-Clerk of Council

Prepared and approved as to legal form by Justin P. Markey, Solicitor for the City of Norton on January 8, 2026.

SPONSORED BY:
REFERRED TO:
INTRODUCED BY:

CITY OF NORTON

ORDINANCE NO. 10-2026

AN ORDINANCE AUTHORIZING THE EXECUTION AND DELIVERY OF A
SIDEWALK EASEMENT WITH PPG INDUSTRIES, INC.; AND DECLARING
AN EMERGENCY.

WHEREAS, the City has determined it is necessary to enter into a sidewalk easement with PPG Industries, Inc. (the "Grantor") in connection with the granting of easement for a public sidewalk to the City in Columbia Woods Park (the "Project"), which easement is in the form of a Sidewalk Easement attached hereto as Exhibit A (the "Easement"); and

WHEREAS, this Council finds it necessary to authorize the Administrative Officer to execute and deliver of the Easement for the benefit of the Project.

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 to execute and deliver the Easement to the Grantor in accordance with the form of the Easement attached hereto as Exhibit A.

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 immediately permit ingress and egress to Grantee, 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.

Vote: _____ Yeas _____ Nays

Date passed: _____

Donald Harbert, 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. 10-2026** was duly and regularly passed by the Council of the City of Norton, Summit and Wayne Counties, Ohio at a meeting held on _____, 2026.

That this legislation was posted according to law on _____, 2026 and will become effective on _____, 2026.

Kerry Macomber, Clerk of Council

Prepared and approved as to legal form by Justin P. Markey, Solicitor, City of Norton, January 2, 2026.

SPONSORED BY: Administration
REFERRED TO: Committee Work Session
INTRODUCED BY: Property & Mines Chair Lee

CITY OF NORTON

ORDINANCE NO. 11-2026

AN ORDINANCE DECLARING CERTAIN CITY PROPERTIES AS NO LONGER NEEDED FOR MUNICIPAL PURPOSES; AND DECLARING AN EMERGENCY.

WHEREAS, the Administration has recommended the disposal of public properties no longer needed for municipal purposes, and;

WHEREAS, the Charter of the City of Norton, Section 5.10 authorizes City Council to determine the need and the manner of disposal of said public properties no longer needed for municipal purposes.

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 Council of the City of Norton hereby determines that properties owned by the City and more fully described in in **Exhibit A** attached hereto are no longer needed for municipal purposes.
- Section 2: That the property identified on **Exhibit A**, due to wear or obsolescence, has no financial value and the Administrative Officer is hereby directed to dispose of the property in the manner determined by the Administrative Officer, that method hereby determined to be in the best interest and financial advantages of the City in accordance with Section 5.10 of the Charter of the City.
- Section 3: That this Council hereby ratifies all actions previously taken by the Administrative Officer and the Director of Finance related to the disposal of the property in **Exhibit A** described in the Ordinance.
- Section 4 It is found and determined that all formal actions of this Council concerning and relating to the adoption of this Ordinance were adopted in an open meeting of this Council and that 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 5 This Ordinance is hereby determined to be an emergency measure necessary for the immediate preservation for the public peace, health, safety, and welfare of this City and its residents, for the reason that the sale of these public properties are no longer of public need and the sale may provide proceeds that can be returned to the City; and provided it receives approval of two-thirds of

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

Emergency Vote: _____ Yeas _____ Nays

Date Passed: _____

Donald Harbert, 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. 11-2026** was duly and regularly passed by the Council of the City of Norton, Summit and Wayne Counties, Ohio at a meeting held on _____, 2026.

That this legislation was posted according to law on _____, 2026 and will become effective on _____, 2026.

Kerry Macomber, Clerk of Council

Prepared and approved as to legal form by Justin P. Markey, Solicitor, City of Norton, January 16, 2026.

SPONSORED BY: Administration
INTRODUCED BY: Committee Work Session
REFERRED TO: Personnel/Rules Chair Lukens

CITY OF NORTON
ORDINANCE NO. 2-2026

AN ORDINANCE ADOPTING AN AMENDED JOB DESCRIPTION AND DUTIES FOR THE ZONING ADMINISTRATOR AND SALARY SCHEDULE FOR SUCH POSITION, AND DECLARING AN EMERGENCY.

WHEREAS, this Council has determined to adopt an amended job description and duties and annual salary rate for the position of the Zoning Administrator as a classified, non-bargaining unit of the City.

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

Section 1. This Council hereby adopts the job description for and duties of the Zoning Administrator in the form attached hereto as Exhibit A.

Section 2. This Council hereby adopts the following unclassified, non-bargaining unit employee salary rate and wage for the position of Zoning Administrator:

<u>Position</u>	<u>2026 Salary Rate</u>
Zoning Administrator	\$87,000 - \$97,000

Section 3. It is found and determined that all formal actions of this Council concerning and relating to the adoption of this Ordinance were adopted in an open meeting of this Council and that 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 declared to be an emergency measure necessary for the immediate preservation for the public peace, health and safety of the City, and for the further reason that this Ordinance is required to be immediately effective to timely provide for the financial affairs of the City; wherefore this ordinance shall be in full force and effect immediately upon its adoption and approval by the Mayor; otherwise, it shall be in full force and effect at the earliest time permitted by law.

Emergency Vote: _____ Yeas _____ Nays

Date passed: _____

Donald Harbert, 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. 2-2026** was duly and regularly passed by the Council of the City of Norton, Summit and Wayne Counties, Ohio at a meeting held on _____, 2026.

That this legislation was posted according to law on _____, 2026 and will become effective on _____, 2026.

Kerry Macomber, Clerk of Council

Prepared and approved as to legal form by Justin P. Markey, Solicitor for the City of Norton, Ohio, on December 17, 2025.