



**NORTON CITY COUNCIL
REGULAR COUNCIL MEETING
MONDAY, MARCH 25, 2019**

The Regular Council Meeting was convened on Monday, March 25, 2019 at 7:00 PM in the Council Chambers of the Safety Administration Building. The meeting was called to order by Joe Kernan, President of Council, followed by the Pledge of Allegiance and a moment of silent reflection.

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

COMMUNICATIONS FROM THE PUBLIC - None

COMMITTEE OF THE WHOLE-

Johnson Road Repair Invoices for Materials – Ms. Whipkey moved to add Ord Numbers 040-2019 and 041-2019 to tonight’s agenda as a consent agenda with emergency language and the intention to waive second and third readings; seconded by Mr. Pelot. Ms. Whipkey stated that we have already used most of these materials so the bills need to be paid as soon as possible. The invoices are for road materials used in the repair and restoration of Johnson Road and various other roads.

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

Motion passed: 7-0

SR 261 Waterline Loop – Ms. Whipkey explained that this was originally for \$88,000 but is now the increased amount not to exceed \$154,800 to put in a booster station which was included in part one and now it is going into part two. Mr. Fowler explained we need a booster due to the elevation of the land essentially for Easton Road west and it has been recommended that it go on the south side because of land availability. So now the cost will be added to the south side as opposed to the north. Ms. Whipkey noted that this cost was originally reflected in Ord No. 011-2019 for \$83,000 but now the cost is in Ord No. 013-2019. Mr. Fowler noted the price changes have been noted for both ordinances. Ms. Whipkey noted these two ordinances are intertwined on the same project. Ms. Whipkey noted this was tabled on March 11, 2019 because of this change. Ms. Whipkey moved to take amended Ord No. 013-2019 off the table and add it to tonight’s agenda for a third reading; seconded by Mr. Pelot.

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

Barberton Jail Agreement – Mr. Tousley noted that we have the agreement with Barberton, but we don't have legislation. Mr. Fowler said this is a draft agreement we just got on Thursday or Friday and he wanted Council to have it. There will be some monetary and some minor language changes. We do not have an ordinance yet and expect to have it next week. Mr. Kernan said if the ordinance is ready to go next week, we can have a Special Meeting after the Committee Work Session.

Small Cell Facilities – Mr. Pelot said this will put regulations in place to handle small cell facilities and this will be held over to next week's Committee of the Whole to discuss it in more detail so we have more control.

Ms. Whipkey noted on March 11, 2019 a citizen came forward to question some equipment purchased in 2007 for the Service Department. There have been some rumors being spread concerning an allegedly missing or non-used piece of equipment as well as comments that the city spent \$400,000 to \$500,000 on the piece of equipment. Ord. #19-2007 was approved in March 2007 for the piece of machinery also known as the durapatcher. The true cost was not to exceed \$56,200 and was expected to have a life of around five years. I believe it being unusable twelve years later should not come as a big surprise. Anyone interested in the expensive piece of equipment all you need do is look through the gate at the end of Dorothy Court. Ord. #75-2007 was approved in December of 2007 for \$475,000 and the big building and land it sits on is the "missing Piece of Equipment" also known as the service garage or department. Ms. Whipkey noted she saw the durapatcher used on her road years ago and it was a pull along device that went behind a truck and not very impressive.

CONSIDERATION OF MINUTES

Minutes of Regular Council Meeting of March 11, 2019 were accepted as submitted.

REPORTS FROM OFFICERS, BOARDS AND COMMISSIONS

Mayor Zita wanted Council to know that Ohio Municipal League will have a Legislative Day on Wednesday in Columbus. They plan to spend the day in Columbus, knocking on doors and looking for money to come our way.

Mr. Fowler said there are two city signs one on Wadsworth Road by Medina Line Road and one at the northern side of Cleveland-Massillon Road. These are brick with inlays of the Kiwanis and Lions Club installed today. They add aesthetic appearance to the City entrances and hope to have two more next year; they are to help give us some identity. Last week the Mayor and he attended the ESID Board meeting and the ESID agreement will be modified. Hopefully, it will be complete by August. He will provide the information shortly to Council. It is significant for some of the residents and encouraged Council to send any concerns or questions they have. There was a sewer line collapse on Cleveland Massillon and Greenwich right in front of Wendy's. They are trying to do a Change Order from the old fire station lot to Cleveland-Massillon Road because it was already bid ready to be mobilized. Barberton did pay for this repair; we had no cost for repair of that line. Legislation will be coming regarding the State Route 585 and Eastern Road R Cut, which is moving forward. Mr. Tousley was

present at that meeting; they are looking for our consent to perform that R Cut. While he thinks it may not be the best solution, Mr. Fowler believes this is good for the city because there is no cost to the City. Legislation will be forthcoming as we just got the email this afternoon.

PUBLIC HEARINGS - None

INTRODUCTION OF NEW LEGISLATION

Ord No. 040-2019

Ms. Whipkey offered Ord No. 040-2019 for its first reading and asked the Clerk to read it:

AN ORDINANCE AUTHORIZING THE PURCHASE OF ROAD REPAIR MATERIALS AT A COST NOT TO EXCEED \$10,495, AND DECLARING AN EMERGENCY.

Ms. Whipkey noted this street repair will come from Fund 102 Service Garage, which was explained during Committee of the Whole. Ms. Whipkey moved to waive second and third readings; seconded by Mr. Pelot.

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

Motion passed: 7-0

Ms. Whipkey moved to adopt Ord No. 040-2019; seconded by Mr. Pelot. Mr. Tousley asked that one of these has to do with Johnson Road and asked the Administration to clarify that we are not done with the repairs. Mr. Fowler said this was a temporary fix and the goal is to have a more permanent fix. Our crews dug out soft and worn spots and put in significant levels of asphalt. In July, they will do more work. Mr. Kernan said this comes as an emergency and it really was an emergency to get this road back in passable shape. It is not perfect, but much better.

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

Motion passed: 7-0

Ord No. 041-2019

Ms. Whipkey offered Ord No. 041-2019 for its first reading and asked the Clerk to read it:

AN ORDINANCE AUTHORIZING THE PURCHASE OF ROAD REPAIR MATERIALS AT A COST NOT TO EXCEED \$11,210, AND DECLARING AN EMERGENCY.

Ms. Whipkey said this was completely for Johnson Road repair and others. As pointed out, it is not completely fixed but better. We have already received the materials so we need to pay for it. Ms. Whipkey moved to waive second and third readings; seconded by Mr. Pelot.

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

Motion passed: 7-0

Ms. Whipkey moved to adopt Ord No. 041-2019; seconded by Mr. Pelot.

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

Motion passed: 7-0

INTRODUCTION OF PRIOR LEGISLATION

Ord No. 036-2019

Mr. Karant offered Ord No. 036-2019 for its second reading and asked the Clerk to read it:

AN ORDINANCE ACCEPTING THE BID OF SUPERIOR PAVING & MATERIALS, INC. IN AN AMOUNT NOT TO EXCEED \$1,111,000 FOR THE 2019 STREET RESURFACING PROGRAM, AND DECLARING AN EMERGENCY.

Second reading only.

Mr. Fowler said we have 30 days to award publically bid contracts and the 30 days is coming up so in order to meet the Ohio Revised Code deadline, we will need to waive the third reading.

Mr. Karant moved to waive the third reading, Mr. Pelot seconded.

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

Motion passed: 7-0

Mr. Karant moved to adopt Ord 036-2019; Mr. Pelot seconded. Mr. Pelot asked if there was something in the contract to protect us from what happened on Johnson. He was looking for some enforcement. Mr. Fowler said there will be an inspector on site and watch over the quantity of materials and ensure correct construction. He could not guarantee that happened on Johnson, but it will happen now. Also, if there are any soft spots, the Service Personnel will be able to fix it. There will also be a warranty. Mr. McGlone asked if they can coordinate it with the trash service so the trucks don't come right in and ruin the edges of the road. Mr. Fowler said he will work with them.

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

Motion passed: 7-0

Ord No. 037-2019

Mr. Karant offered Ord No. 037-2019 for its second reading and asked the Clerk to read it:

AN ORDINANCE ACCEPTING THE BID OF PERRIN ASPHALT CO. IN AN AMOUNT NOT TO EXCEED \$44,000 FOR THE 2019 CONCRETE REPAIR PROGRAM, AND DECLARING AN EMERGENCY.

Second reading only.

Mr. Fowler said we have the same 30-day deadline. Mr. Karant moved to waive the third reading, Mr. Pelot seconded.

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

Mr. Karant moved to adopt Ord No. 037-2019; seconded by Mr. Pelot.

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

Ord No. 038-2019

Ms. Whipkey offered Ord No. 038-2019 for its second reading and asked the Clerk to read it:

AN ORDINANCE AUTHORIZING THE PURCHASE OF A 2019 DODGE DURANGO FOR THE POLICE DEPARTMENT AT A COST NOT TO EXCEED \$21,379, AND DECLARING AN EMERGENCY.

Second reading only.

Ord No. 039-2019

Ms. Whipkey offered Ord No. 039-2019 for its second reading and asked the Clerk to read it:

AN ORDINANCE AUTHORIZING THE PURCHASE OF A 2019 DODGE DURANGO FOR THE POLICE DEPARTMENT AT A COST NOT TO EXCEED \$25,879, AND DECLARING AN EMERGENCY.

Second reading only.

Amended Ord No. 013-2019

Ms. Whipkey offered amended Ord No. 013-2019 for its third reading and asked the Clerk to read it:

AN ORDINANCE TO AUTHORIZE THE ADMINISTRATIVE OFFICER TO ENTER INTO AN AGREEMENT WITH ENGINEERING ASSOCIATES, INC. FOR PROFESSIONAL ENGINEERING SERVICES IN CONNECTION WITH THE DESIGN OF SR 261 WATERLINE LOOP IN THE CITY.

Ms. Whipkey moved to adopt amended Ord No. 013-2019; seconded by Mr. Pelot.

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

Res No. 028-2019

Ms. Whipkey offered Res No. 028-2019 for its third reading and asked the Clerk to read it:

A RESOLUTION AUTHORIZING THE SUBMISSION OF AN APPLICATION TO THE OHIO PUBLIC WORKS COMMISSION FOR FINANCIAL ASSISTANCE THROUGH THE STATE CAPITAL IMPROVEMENT PROGRAM AND THE LOCAL

TRANSPORTATION IMPROVEMENT PROGRAM FOR THREE PROJECTS IN THE CITY OF NORTON, AND COMMITTING TO PROVIDE FUNDING FOR THE LOCAL SHARE OF EACH PROJECT, AND DECLARING AN EMERGENCY.

Ms. Whipkey said this was for applying for grants on three water projects. There will be no assessments to residents unless they would decide to tie in. Ms. Whipkey moved to adopt Res No. 028-2019; seconded by Mr. Pelot.

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

Ord No. 029-2019

Ms. Whipkey offered Ord No. 029-2019 for its third reading and asked the Clerk to read it:

AN ORDINANCE AUTHORIZING THE PURCHASE OF A 2019 DODGE DURANGO FOR THE ZONING DEPARTMENT AT A COST NOT TO EXCEED \$28,100.

Ms. Whipkey moved to adopt Ord No. 029-2019; seconded by Mr. Pelot.

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

Ord No. 030-2019

Ms. Whipkey offered Ord No. 030-2019 for its third reading and asked the Clerk to read it:

AN ORDINANCE AUTHORIZING THE PURCHASE OF A 2019 FORD F-150 TRUCK FOR THE SERVICE DEPARTMENT AT A COST NOT TO EXCEED \$24,412.67.

Ms. Whipkey moved to adopt Ord No. 030-2019; seconded by Mr. Pelot.

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

Ord No. 031-2019

Ms. Whipkey offered Ord No. 031-2019 for its third reading and asked the Clerk to read it:

AN ORDINANCE AUTHORIZING THE PURCHASE OF A 2019 FORD F-250 TRUCK FOR THE SERVICE DEPARTMENT AT A COST NOT TO EXCEED \$27,251.30.

Ms. Whipkey moved to adopt Ord No. 031-2019; seconded by Mr. Pelot.

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

Ord No. 032-2019

Mr. Gainer offered Ord No. 032-2019 for its third reading and asked the Clerk to read it:

AN ORDINANCE TENTATIVELY APPROVING THE PRELIMINARY /FINAL PLAT OF THE SITE PLAN FOR DOLLAR GENERAL STORE AT 3296 CLEVELAND-MASSILLON ROAD.

Mr. Gainer moved to adopt Ord No. 032-2019; seconded by Mr. Karant. Ms. Whipkey said the title reads preliminary/final plat but it is actually a final so can we change it. Mr. Fowler stated we are working towards revamping how things are handled in office - it is actually both so for this project, it needs to stay this way. In the future, they will change that process so it is more streamlined. Ms. Whipkey said is there a way to indicate it. Mr. Fowler said technically it is both because there was only one submission.

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

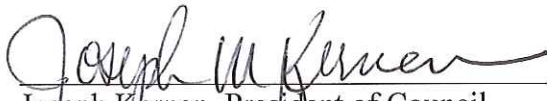
Motion passed: 7-0

PUBLIC SERVICE ANNOUNCEMENTS –

Mr. Kernan noted that we have had an anonymous donation of Easter Baskets and he thanked them for their generosity.

ADJOURN

There being no further business to come before Council, the meeting was adjourned at 7:32 PM.



Joseph Kernan, President of Council

I, Kerry Macomber, Clerk of Council for the City of Norton, do hereby certify that the foregoing minutes were approved at a Regular Council Meeting held on April 8, 2019.



Kerry Macomber, Clerk of Council

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

All Council & Committee Meetings will be held at the Norton Safety Administration Building unless otherwise noted.