



Norton City Council  
Regular Council Meeting  
Monday, June 29, 2020

The Regular Council Meeting was convened on Monday, June 29, 2020 at 7:00 PM via Zoom live streaming to City of Norton YouTube, pursuant to H.B. #197. The meeting was called to order by Joe Kernan, President of Council, followed by the Pledge of Allegiance and a moment of silent reflection.

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

**COMMUNICATIONS FROM THE PUBLIC**

Mr. Kernan reported that Mr. Arvay who lives in Brentwood Estates submitted comments to Council and also the Barberton Herald, but after speaking with both Ms. Whipkey and him, Mr. Arvay’s questions were answered and he requested his comments be removed from the Agenda at this time. Mr. Arvay lives on Brentwood and his main concern is the condition of the roads within that neighborhood. It was decided to look at this area again for the 2021 Road Program.

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

2021 Tax Budget - Ms. Whipkey explained this is basically a formality and we should have been looking at doing this because it provides a summary of the next year’s fiscal budget and it needs to be turned into the County.

It shows estimated revenues and expenditures and justifies the need for any tax levies. It is due no later than July 15, 2020 and Ms. Whipkey moved to approve the 2021 Alternative Tax Budget information as submitted; seconded by Mr. Pelot.

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

Motion passed: 7 – 0

Appropriations and Estimated Resources Amendment - Ms. Whipkey noted this legislation is required to clean up appropriations and estimated resources. The appropriations are for money received for COVID-19 and monies for the Ohio Public Works Commission (OPWC) projects paid for the Road Program. They pay the contractor directly, but we have to show these projects are on our books to show the funds are available. The estimated resources are being adjusted as they were actually overestimated and these are all shown on Exhibit A. This legislation needs to

be passed as soon as possible and Ms. Whipkey moved to add Ord. No. 064-2020 to tonight's Agenda with emergency language and to waive second and third readings; seconded by Mr. Pelot. Mr. Pelot asked Ms. Keener if she knows how the COVID-19 will impact our estimated income tax because it is still showing an increase over last year. Ms. Keener responded it has not been adjusted, yet. She has done a monthly analysis and will have that at a later date for Council. Mr. Pelot asked about the percentage and Ms. Keener replied it is about a 27% decrease.

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

Motion passed: 7 – 0

Accept County Coronavirus Relief Distribution Funds - Ms. Whipkey noted this legislation is for us to receive the monies from the County that is coming from the State (H.B. 481) for COVID expenses and is required immediately. Ms. Whipkey moved to add Res. No. 067-2020 to tonight's Agenda with emergency language and to waive the 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 opened the discussion on the fee forgiveness of the Skilled-Based Gaming businesses. Last week Council agreed to forgive three months of fees and the remaining fees are due tomorrow. Ms. Whipkey made a motion to extend the deadline until July 30 and she stated that Administration has suggested that fees for the first six months of this year be forgiven and move the collection date back to July 15, as a one-time event which covers July through December. This will allow the billing schedule to comply with the Codified Ordinance 856.07 (A) 11, which gives us the power to do this as well as reimbursements. Mr. Kernan agreed because many businesses have taken a hit. Ms. Whipkey moved to forgive the first six months of fees for 2020, provide a one-time extension of due date to July 15 for the period of July through December 2020 machine fees; seconded by Mr. Pelot.

Mr. Tousley asked Ms. Keener how much this impacts the City financially and asked if these businesses qualified for Federal assistance. Ms. Keener did not have the information readily available but will provide it for Council. Mr. Kernan asked Ms. Keener if Council could look at this at the next meeting. Ms. Keener replied that Mr. Braman is scheduled to meet with the businesses tomorrow to do the machine count and to explain the new process. It could wait, but we may need to move the due date back as well. Mr. Tousley expressed concern about setting precedence for other businesses complaints. Ms. Whipkey noted the skilled-based gaming operations are the only type of businesses that pay the City a fee to operate a machine every six months; there is nothing else in the City to compare to this. Mr. Karant offered that the Federal assistance was for pay roll assistance, and that is a very small portion of what we are talking about; it is an expense on the machines. These businesses would not have been covered. Mr. Gainer stated he prefers to get this going and to let Mr. Braman count the machines. Mr. Tousley remarked that he doesn't have a problem with the concept, but he could not vote for

something when he doesn't have the amount. Mr. McGlone suggested holding it until next week. Mr. Pelot asked if the establishments could be notified of Council's deliberations and if it passes, July 15 will be the due date. Ms. Keener agreed to contact each of them. Mr. Pelot removed his second to the motion.

Ms. Keener reported that based on the budget line item, fees were listed at \$110,000. Forgiving six months would equate to \$55,000 out of the General Fund. Ms. Whipkey asked if this was for seven businesses because only four are operating. Ms. Keener noted this was based on four businesses. Ms. Whipkey said there is one on the wait list to go before the BZA and then there are two remaining licenses available. From here on, if there are new ones opening, they will pay the six-months forward. Mr. Tousley agreed that if the amount was \$50,000 to \$55,000, he could support the motion. Mr. Pelot reinstated his second. Mr. Tousley remarked he was glad it was in compliance with the ordinance.

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

Motion passed: 7 – 0

#### **CONSIDERATION OF MINUTES**

Minutes of Regular Council Meeting of June 22, 2020 were accepted as submitted.

Minutes of Special Council Meeting of June 24, 2020 were accepted as submitted.

**REPORTS FROM OFFICERS, BOARDS AND COMMISSIONS - None**

**PUBLIC HEARINGS - None**

#### **INTRODUCTION OF NEW LEGISLATION**

##### **Ord. No. 064-2020**

Ms. Whipkey introduced Ord. No. 064-2020 for its first reading and asked the Clerk to read it:

AN ORDINANCE TO AMEND APPROPRIATIONS FOR THE CURRENT EXPENSES OF THE CITY OF NORTON FOR THE FISCAL YEAR ENDING DECEMBER 31, 2020, AUTHORIZING AMENDMENTS TO THE CERTIFICATE OF ESTIMATED RESOURCES OF THE CITY FOR CALENDAR YEAR 2020; AND DECLARING AN EMERGENCY.

Ms. Whipkey noted this is required immediately and moved to waive second and third readings; seconded by Mr. Pelot.

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

Motion passed: 7 – 0

Ms. Whipkey moved to adopt Ord. No. 064-2020; seconded by Mr. Pelot.

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

Motion passed: 7 – 0

**Res. No. 067-2020**

Ms. Whipkey introduced Res. No. 067-2020 for its first reading and asked the Clerk to read it:

A RESOLUTION TO ACCEPT COUNTY CORONAVIRUS RELIEF DISTRIBUTION FUNDS RECEIVED BY THE COUNTY OF SUMMIT PURSUANT TO HOUSE BILL 481 (THE “ACT”) AND TO MAKE AFFIRMATIONS PURSUANT TO THE REQUIREMENTS OF THAT LEGISLATION AND DECLARING AN EMERGENCY.

Ms. Whipkey noted this is required immediately and moved to waive second and third readings; seconded by Mr. Pelot.

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

Motion passed: 7 – 0

Ms. Whipkey moved to adopt Res. No. 067-2020; seconded by Mr. Pelot.

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

Motion passed: 7 – 0

**INTRODUCTION OF PRIOR LEGISLATION**

**Res. No. 061-2020**

Mr. Tousley offered Res. No. 061-2020 for its second reading and asked the Clerk to read it:

A RESOLUTION DETERMINING TO PROCEED WITH THE SUBMISSION OF THE QUESTION OF THE REPLACEMENT AND INCREASE OF A TAX LEVY IN EXCESS OF THE TEN-MILL LIMITATION FOR THE PURPOSE OF PROVIDING AND MAINTAINING FIRE APPARATUS, APPLIANCES, BUILDINGS AND SITES THEREFORE, SOURCES OF WATER SUPPLY AND MATERIALS THEREFORE, 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.

Second reading only.

**Amended Ord. No. 063-2020**

Mr. Tousley offered Amended Ord. No. 063-2020 for its second reading and asked the Clerk to read it:

AN ORDINANCE TO AMEND SECTION 648.13 OF THE CODIFIED ORDINANCES OF THE CITY OF NORTON, OHIO.

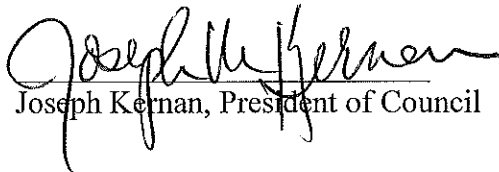
Second reading only.

**PUBLIC SERVICE ANNOUNCEMENTS - None**

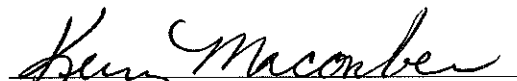
Mr. Pelot asked the Mayor if there are any COVID-19 illnesses among city employees and the Mayor replied not to his knowledge.

ADJOURN:

There being no other business to come before Council, the meeting was adjourned at 7:26 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 July 6, 2020.

  
Kerry Macomber, Clerk of Council

**\*\*Note: these minutes are not verbatim\*\***  
Original signed and approved minutes are on file with Clerk of Council.