



**NORTON CITY COUNCIL
SPECIAL COUNCIL MEETING
MONDAY, DECEMBER 5, 2016**

Roll Call	Rick Rodgers-Excused	Also Present:
	Dennis McGlone	Mayor Mike Zita
	Joe Kernan	Valerie Wax Carr
	Dennis Pierson	Ron Messner
	Paul Tousley	Justin Markey
	Scott Pelot	Karla Richards
	Charlotte Whipkey	

The Special Council Meeting convened on Monday, December 5, 2016 at 7:13 PM in the Council Chambers of the Safety Administration Building. The meeting was called to order by Ms. Whipkey, President of Council, followed by the Pledge of Allegiance and a moment of silent prayer.

INTRODUCTIONS OF PRIOR LEGISLATION:

AMENDED ORD #94-2016

Ms. Whipkey offered Amended Ord. #94-2016 for its first reading and asked the Clerk to read it:

THE ANNUAL APPROPRIATION ORDINANCE FOR CURRENT EXPENSES AND OTHER EXPENDITURES OF THE CITY OF NORTON FOR THE FISCAL YEAR ENDING DECEMBER 31, 2017, AND DECLARING AN EMERGENCY.

First reading only.

ORD #95-2016

Mr. Pelot offered Ord #95-2016 for its first reading and asked the clerk to read it:

AN ORDINANCE ACCEPTING THE BID OF HSH CONSTRUCTION & EXCAVATION INC., IN AN AMOUNT NOT TO EXCEED \$83,850.00 FOR THE NEWPARK DRIVE STORM SEWER PROJECT, AND DECLARING AN EMERGENCY.

First reading only. Mr. Pelot stated he will be looking to waive the third reading at the next Council meeting so if anyone on Council has questions or concerns to email Karla or the Administration. Ms. Whipkey said the same applies to Ord. #94-2016.

ORD #96-2016

Ms. Whipkey offered Ord. #96-2016 for its first reading and asked the Clerk to read it:

AN ORDINANCE AUTHORIZING THE ISSUANCE OF THEN AND NOW CERTIFICATES PURSUANT TO SECTION 5705.41(D) OF THE OHIO REVISED CODE, AND DECLARING AN EMERGENCY.

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

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

Motion passed 6-0.

Ms. Whipkey moved to adopt Ord. #96-2016, seconded by Mr. Pelot.

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

Motion passed 6-0

Mr. Charlie Zenner asked to speak, although at a Special Council there is no format for public comment. Mr. Tousley moved to allow for public comment at this time, seconded by Mr. Pierson.

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

Motion passed 6-0.

Mr. Charlie Zenner, 3853 Valley Drive, Norton, Ohio, asked what is going on with Nash Heights project, he understood it was supposed to start in November and has not started and wants to know why. Mr. Zenner also asked what is going on with the roads in this area, they are a real mess. Mr. Pelot stated the roads there will not be addressed until after the sewer is complete. Ms. Whipkey stated the project was supposed to start on November 28, 2016 but did not get started because we could not get the loans in time in order to start. The process now goes to Barberton to get those loans in place and get things started. Mr. Zenner asked if Norton is now out of this sewer business and if it all falls to Barberton now? Mr. Pierson stated that the loans had to be sent to Barberton because we are not doing the project so the loans in our name had nothing to do with it. Ms. Whipkey noted that when Norton was going to do the project we were going to put in for the loans as being ours. Mr. Pierson stated you voted to give it to Barberton and that became null and void. Mr. Markey stated the owner of the system has to be the recipient of the loans which is Barberton; so those loans will be under the City of Barberton. Mrs. Carr clarified that we did not lose the loans they were in the application process until the referendum came about. The EPA funding agency –DEFA became concerned with that and the loans have to be awarded to whoever is going to be the owner, and it was unclear who it was going to be at that deadline time for the application. That process is now delayed; however she felt that everything will fall into place at the correct time. We do know that Barberton will be the owner of the system and Barberton will apply for the loans and receive receipt of the funds at the appropriate time. We know that the petitions did not pass or were not certified and all will be back on track. We are still very much still in the picture to make sure the project gets done. Barberton will be in control of the project; however we will be a part of that. Mrs. Carr discussed the findings and orders from the EPA and that they know we were delayed because of that referendum petition.

We are still waiting notification from the EPA if they will accept our new time line. Once that gets accepted then probably all of the loan information will get processed. Mr. Zenner stated that so all of the scare tactics about getting the EPA fines were all untrue? Mrs. Carr stated that we don't know that yet because we still have not received notification from the EPA advising of us #1 if they will be fining the City or #2 if they will accept our new time line. Mr. Zenner asked about the assessment of \$11,200.00 will be going to Barberton now? Mrs. Carr replied no. The assessment stays the same and is paid to Summit County through the assessment process. Mayor Zita added that when the project is finished in the month of September all of the assessment information will be certified to the County and the County will do the assessing. Mr. Markey stated the assessment process is controlled by Norton City Council. Mr. Markey stated the Council set the assessments at \$11,200.00 and once the project is finished and gets certified, the County will collect that on your taxes over time and it eventually gets paid back to the City of Norton, not the City of Barberton. This will pay off that loan because a portion of that loan is paid through the assessments. Mr. Markey stated that the assessment procedures will not change. Mr. Pierson stated that the \$11,200.00 figure will not increase and it could possibly decrease, but you will see no higher price than the \$11,200.00. At the time the project is finished and if the final costs are lower than anticipated, this Council could lower that figure. Mr. Tousley asked what is the new time line as far as the start date? Mr. Markey stated we had talked about March, 2017 and he did not have that time line with him. Mr. Markey stated that we asked for between March 1st, 2017 start time to September 1st, 2018; however he would confirm that. Mr. Zenner stated so they (Summit County) won't start to take money out in his taxes until 2018? Mr. Markey replied no, it would not start until 2019. Mr. Pierson stated he just received a text that the people in TV land cannot hear who is speaking at the podium and asked if that microphone was on? Mrs. Richards replied no it's not on because no one had signed in to speak and this is a Special Council meeting.

ADJOURN:

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

Charlotte Whipkey, President of Council

I, Karla Richards, CMC-Clerk of Council for the City of Norton, do hereby certify that the foregoing minutes were approved at a Regular Council Meeting held on December 12, 2016.

Karla Richards, CMC-Clerk of Council

NOTE: THESE MINUTES ARE NOT VERBATIM
****ORIGINAL SIGNED AND APPROVED MINUTES ARE ON FILE WITH THE CLERK OF COUNCIL****

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