



**NORTON CITY COUNCIL
REGULAR COUNCIL MEETING
FEBRUARY 23, 2015**

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

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

The Regular Council Meeting convened on Monday, February 25, 2015 at 7:02 PM, in the Council Chambers of the Safety Administration Building. The meeting was called to order by Rick Rodgers President of Council, followed by the Pledge of Allegiance and a moment of silent prayer.

COMMITTEE OF THE WHOLE

Amend Chapter 1042.03 Connections to Sewers Ord. #21-2015

Mr. Pierson stated that we had discussion on this last week and Mr. Markey had prepared legislation and asked Mr. Markey for the details. Mr. Markey stated he amended the section taking out the City's requirement to tie in and continues the acknowledgement to assist with the Health Department as required by the State Health Code. The Summit County can order a connection by State code and you as a city are required to assist. Mr. Pierson asked by what is meant by assist, does that mean by an order to condemn and Mr. Markey stated he was not clear on that. Ms. Whipkey stated she did not feel we had the power to condemn a property and Mr. Markey concurred, unless it's under one of your nuisance ordinances. Mr. Markey stated you can take that sentence out if you like. Ms. Whipkey discussed Section (a)-last sentence which states: "*All costs and expenses incidental to the installation and connection to the public sewer system shall be borne by the owner, agent, lessee, tenant or occupant of the structure*". Ms. Whipkey stated that we should add something like unless other arrangements can be made. Mr. Markey stated the point is this is not the City's costs it's the homeowner's costs and suggested we defer this for another week to get the language we want. Ms. Whipkey asked about the new Ohio Health Departments sanitary sewer code and if the County has approved this? Mr. Markey stated the new law already is in effect and he thought that the County was to vote on this soon. Mrs. Carr stated she had planned on addressing this under New Business; however she announced that the Summit County Public Health will be holding a public meeting at their office on March 25, 2015 at 5:30 PM to go over the highlights of the new rules. There will be a press release coming out later this week. Mr. Pierson asked if Summit County Public Health has to adhere to the State law? Mr. Markey stated they enforce the State law. Ms. Whipkey asked if the County can make rules tougher and Mr. Markey stated that was a good point, we need to wait and see what they decide on. Mr. Markey stated as a City with Home Rule you have the power to strengthen them. Mr. Pierson suggested we hold off on this legislation until after their March 25, 2015 meeting.

Amend Res. #7-2015-Nash Heights Vacuum Sewers

Mr. Rodgers spoke regarding his hand out sheet of information (see attached). Mr. Rodgers stated that the cost shares were done in percentages in previous handouts. Mr. Rodgers stated he took the City's share and the surcharge assistance as it applies to the gravity and vacuum costs. Mr. Rodgers stated the estimates he came up with for vacuum at \$3,807.00. Mr. Rodgers questioned why is there a difference in the surcharge assistance no matter what system we build and the City's share? Mr. Markey stated the initial spreadsheet (3 pages); we show the City's portion of 26% and goes with State Law on the amount we can assess. Mr. Markey stated that what was done with this project is to look at what the City can absorb with reference to the intersections. Mr. Rodgers stated the question is can we use that amount for vacuum and gravity? Mr. Markey stated yes, it has to be based on percentages and the Resolutions of Necessity spell out the City's financial contributions or share. Ms. Whipkey stated you cannot go over the 26% and Mr. Markey stated you cannot go under the requirement of 2% plus the costs for intersections. Mrs. Carr clarified that although the percentage is the same no matter what system we go with; however the costs are different; and Mr. Markey concurred. Mr. Markey stated in any assessment project the first thing you calculate is what will be the City's share and you assess the remainder to the residents. Ms. Whipkey stated when we are talking about the City's share we mean the costs to construct the intersections, manholes, etc., and it does not mean that we cannot pay more. Mr. Pierson asked about the \$1,235,000.00 figure used for "next project" and questioned if this is for future projects? Mr. Markey stated that is a placeholder showing if there was another sewer project in the future. Mr. Markey stated the revenues are what they are; you are not increasing anything here. Mr. Pierson stated that it appears that Nash Heights is subsidizing the rest of the package plants. Mr. Pierson stated that Nash Heights is a total of 304 and somewhere you are adding another 300 or so. On lines #35, #36 and #37 in your spreadsheet is this reflecting the Brentwood customers? Mr. Markey stated no, the 1400 new customers are for future connections, and are just assumptions. Mr. Markey clarified there are currently 647 customers on package plants that will be transferred from DOES over to Barberton. Under the model there is estimated to be 1,400 new customers in the next twenty years, and 304 customers belong to the Nash Heights customers. Mr. Pierson stated we are also assuming we will be getting the grants, and if not then what? Mr. Markey stated then the plans change. Mr. Markey stated if the question here is do the dollars generated from the Nash Heights project benefit the treatment plants, his answer is no. At the end of the day this is nothing more than one big checkbook for the City of Norton. Mr. Pierson stated he gets the impression this all being generated by the residents in Nash Heights. Mr. Markey stated as he had shown Council before; the 304 customers in Nash Heights will generate \$2,700,000.00 over the twenty year period. Mr. Grether discussed the surcharge cost coming from Barberton and he thought the DOES customers were to get an 8% reduction and questioned what that equates to new customers coming to Barberton. Mr. Markey stated that would be about \$5.00 a month cheaper if you are not in a package plant. Mr. Grether noted there are nearly double the DOES customers than there are coming from Nash Heights. Mr. Rodgers stated that the reality is that no project can pay for itself. Mr. Pierson stated if we don't get the grants this is over \$2,800,000.00 to be found from somewhere. Mr. Markey stated if you don't get the grants there will be a deficit. Mrs. Carr reminded everyone that we have received grants on other projects and we have more points this time and there is a very high probability we will get these grants for this project. Mr. Markey stated if Barberton did not agree with this, they would not have agreed to the MOU. There was discussion about the rate charges Barberton will collect and their 2.5% increase per year which was approved by the Barberton Council. Mr. Rodgers stated this all goes back to the fact that every surcharge comes into one pot for sewer projects and repairs. Mrs. Carr stated the EPA had emphasized that we need to have a sustainable model to show other future projects. They will not just loan out the money for a one time deal, they want to see future planning for other projects. Mr. Markey stated they want to make sure the model works going forward. Mr. Pierson stated all along he thought this was for the Nash Heights project and within the confines of the EPA order.

Mr. Pierson stated that it's Barberton that is our sewer district it's their plant, they own it and it should be up to them to make sure it is sustainable. Mrs. Carr stated we are part of the model because its Norton customers. Mr. Rodgers asked if the 26.86% of the total cost for the project and Mr. Markey concurred, adding that your Resolution of Necessity can provide additional assistance and not mess with the City's portion or percentage of 26.86%. Mr. Rodgers asked for the calculation of 26.86% of \$6,515.00 and Mr. Markey stated it is \$1,749, 929.00. Mr. Rodgers asked for the details and Mr. Markey stated it would be \$1,499,728.00 about \$4,933.00 a person. Mr. McGlone asked about the maintenance fees and Mr. Rodgers stated we don't have those numbers. Mrs. Carr stated if there is a savings then that savings should go back into the big pot of money. Mr. Rodgers stated that's not right because no one is helping the residents in Nash Heights with their assessment, he does not buy into that. What don't you give a bigger break on gravity? Mr. Rodgers stated if he were going to help someone buy a car and give them \$500.00, he would not tell them what kind of car to buy. Mr. Rodgers stated we are just trying to get the people the lowest possible assessment. Mrs. Carr discussed the previous Charter amendment that failed at capping assessments at \$5,000.00 and Mr. Rodgers stated this has been talked about several times and this is not the same thing. Mr. Grether stated percentages of the original assessments and the current proposed numbers, and why should both be at \$8,000.00. Mayor Zita stated he feels it should be the same price and everyone should benefit from this. Whatever the savings are, it should be spread out over the project. Mr. Rodgers argued that the savings with vacuum should go back to the residents of Nash Heights, not in the general pot as Mayor Zita suggested. Mr. Grether stated that we have a model presented to Council some time ago and we all have had ample time to review this and discuss it. Now that it's time for the assessments about to go forward, everyone wants to grandstand about it. Mr. Grether stated he would prefer that we move on this tonight. Mr. Rodgers stated he is not grandstanding and we have to get this right. Mr. Grether stated what has been done with the Administration with the model and all of the detailed information is in fact grandstanding. Mayor Zita noted that Mr. Rodgers attended most of the meetings with the Engineer, Barberton & Summit County and Mr. Rodgers stated yes and how many times did he state he argued the assessments and he wanted them lowered to \$5,000.00? Mr. Tousley stated that planning sewers under the original model that Barberton was fine with there was to be a debit surcharge of \$3.8 million and vacuum system would have a debt surcharge of \$3.75 million dollars. So now all of the sudden the \$3.75 million is not going to do it? You are using an EPA order to clean up Nash Heights and now to us this to build future project. It's all on us to do everything we can to help them with these costs. Mr. Tousley stated this is the fourth week he has brought this up and he is not in favor of funding future projects. Mrs. Carr stated if you don't agree with the \$8,000.00 assessment you can change that. Her job is to provide you with the information as to the costs, revenue, savings, etc. Mrs. Carr stated this twenty year model is to show the savings going back into that large pot. Mr. Rodgers stated the people of Nash heights will be paying the same surcharge whether it is gravity or vacuum. The rest of the people will pay that as well. There was discussion as to future projects and Mr. Rodgers stated it would be another seven (7) to ten (10) years before the next project comes along. Mr. Pelot asked where will we be then and there is no money available? Mr. McGlone stated he has no problem using a portion of the **tax credit** roll back money because it was designed to be used to assist with sewers. Mr. Rodgers stated that Mr. Markey had suggested we borrow against this fund. Mr. Markey stated that would be your best option in terms of controlling your cash flow and you would be getting a lower interest rate. Basically it would be the City making a payment to Barberton to pay down the loan. Mr. McGlone asked if this would hurt our bond rating, and Mr. Markey stated they look at if you have a source of revenue to pay off the debt, but is something he has not brought up with them.

Mr. Rodgers moved to allow members of the audience to comment, seconded by Mr. Tousley.

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

Motion passed 7-0.

Mr. William Paluch, 3740 Shellhart Road, Norton, Ohio, stated that he was glad we have a Council President that understands what Nash Heights residents have been going through. Mr. Paluch asked why does the City of Norton have to make \$6 million dollars on this project? Are you not defrauding the people? If that projects cost a certain amount then that is what the people should pay, it's illegal and you should not be allowed to do this. If it's going to take another petition to correct this, then he is willing to do it.

Mr. Tom Petrich, 3762 Easton Road, Norton, Ohio, stated the \$1.6 million that the Mayor is desperately trying to hold on to is taking it out of Nash Heights. That saving is over 304 homes is over \$5,000.00 per home. However what the City is showing as their share is our money. What you are trying to do is front load this just to make it more palatable. All of this talk about gravity, your talking about taking \$4,000.00 of the project for the resident. You want to fight over the \$1.6 million in savings and fear monger us with gravity. Mr. Petrich thanked Mr. Tousley for making his points tonight and hopes he continues to make his points in the future.

Mr. Rodgers moved to amend Exhibit C of Res. #7-2015 to reduce the assessments from \$8,000.00 to \$5,000.00, seconded by Mr. Tousley. Ms. Whipkey asked if we have filed this anywhere like at the County or the EPA and Mr. Markey replied no. Mr. Markey stated Barberton should be advised of this amendment. Mr. Pelot asked where the additional money would be coming from and Mr. Rodgers stated we will need to meet with Barberton and the model will need to be changed. Mr. Markey stated lines #51 and #52 will increase because of the larger debt service and it will lower line #57 by virtue of line #59. Ms. Whipkey asked if this will also change the MOU and Mr. Markey replied no. Ms. Whipkey asked if we are also going to be looking at the tie in fees and using the roll back for those? Mr. Rodgers stated this is not part of what is before us tonight. Mr. McGlone asked if this would cause the assessments to be more for other neighborhoods if we have to do that in the future? Mr. Rodgers stated that we engage in the process with the lowest cost for the project and maybe use these percentages and whatever it comes out to be it will be. We cannot apply a fixed number for every project. We can agree to the percentage for the City's portion. Mr. Pelot asked for the corrected figures for #51, #52, #57 and #59 and what it does to the debt service and carry over balance at the end of the year. Mr. Tousley noted these are only estimates and not our final numbers for assessments. Mr. Markey stated the only problem is that you should not go above the estimate. There are stricter requirements under State Law to do this. You may have to go back and rebid if you are either 10-15% percent above the Engineers estimates. Ms. Whipkey asked who actually will get the Exhibit C and Mr. Markey stated that is what is mailed to the resident with the assessment letter. Mr. Grether stated he would be more comfortable with a figure of \$6,500.00 in case the bids come in higher, and Mr. McGlone agreed. Mr. Rodgers stated that Mrs. Richards had told him that historically the bids are lower than the estimated assessments, and Mr. Markey concurred adding that is with true numbers. Ms. Whipkey clarified if the bids come back over the Engineers estimates, then we have to start all over with the process and Mr. Markey concurred. Mr. Rodgers stated he felt we should not have to touch the roll back money to help with the assessment. Ms. Whipkey and Mr. McGlone both stated they hoped you are right on this.

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

Motion passed 7-0.

Mr. Tousley noted that Mr. Helmick was present for his reappointment to the Building & Zoning Appeals Board. Mr. Helmick thanked Council for their work and service and noted their tough decisions with the pending sewer issues. Mr. Helmick commended Council for taking the time to work through all of the discussions and decisions. Mr. Pierson asked Mr. Helmick how important does he feel the residents are in making their decisions? Mr. Helmick stated the members are serious about the decisions they make and are sure that the decisions are kind to all of the affected areas. Mr. Pierson asked Mr. Helmick if he was involved in the decisions regarding The Fathers House in Ward 1 and Mr. Helmick replied no. Mr. Rodgers suggested a change in the agenda to address all of the reappointments now. Mr. Pierson stated he would like to have Mr. Spisak present for his appointment. Mr. McGlone noted all of their terms start March 1, 2015 and Mr. Pierson noted they are all reappointments.

RES #14-2015

Mr. Tousley offered Res. #14-2015 for its first reading and asked the Clerk to read it:

A RESOLUTION OF APPRECIATION FOR THE SERVICE OF BILL COURSON FOR HIS SERVICE AS A REPRESENTATIVE OF THE CITY OF NORTON PARKS AND CEMETERY BOARD, AND DECLARING AN EMERGENCY.

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

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

Motion passed 7-0.

Mr. Tousley moved to adopt Res. #14-2015, seconded by Ms. Whipkey.

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

Motion passed 7-0.

Mr. Tousley moved to waive the second and third readings of Res. #15-2015 through Res. #20-2015, seconded by Ms. Whipkey.

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

Motion passed 7-0.

RES #15-2015

A RESOLUTION CONFIRMING THE REAPPOINTMENT OF RUTH STIMAC TO A THREE-YEAR TERM AS A REPRESENTATIVE ON THE PARKS & CEMETERY BOARD OF THE CITY OF NORTON AND DECLARING AN EMERGENCY.

Mr. Tousley moved to adopt Res. #15-2015, seconded by Ms. Whipkey.

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

Motion passed 7-0.

RES #16-2015

A RESOLUTION CONFIRMING THE REAPPOINTMENT OF NEVA GIBSON TO A THREE-YEAR TERM AS A REPRESENTATIVE ON THE PARKS & CEMETERY BOARD OF THE CITY OF NORTON AND DECLARING AN EMERGENCY.

Mr. Tousley moved to adopt Res. #16-2015, seconded by Ms. Whipkey.

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

Motion passed 7-0.

RES #17-2015

A RESOLUTION CONFIRMING THE REAPPOINTMENT OF BILL HELMICK TO A NEW THREE-YEAR TERM AS THE WARD 3 REPRESENTATIVE ON THE BOARD OF ZONING AND BUILDING APPEALS OF THE CITY OF NORTON AND DECLARING AN EMERGENCY.

Mr. Tousley moved to adopt Res. #17-2015, seconded by Ms. Whipkey.

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

Motion passed 7-0.

RES #18-2015

A RESOLUTION CONFIRMING THE APPOINTMENT OF JESSE PRATHER TO A THREE-YEAR TERM AS A REPRESENTATIVE ON THE PARKS & CEMETERY BOARD OF THE CITY OF NORTON AND DECLARING AN EMERGENCY.

Mr. Tousley moved to adopt Res. #18-2015, seconded by Ms. Whipkey.

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

Motion passed 7-0.

RES#19-2015

A RESOLUTION CONFIRMING THE REAPPOINTMENT OF MARK SPISAK TO A NEW THREE-YEAR TERM AS THE WARD 4 REPRESENTATIVE ON THE PLANNING COMMISSION OF THE CITY OF NORTON AND DECLARING AN EMERGENCY.

Mr. Tousley moved to adopt Res. #19-2015, seconded by Mr. Pelot.

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

Motion passed 6-1.

RES #20-2015

A RESOLUTION CONFIRMING THE REAPPOINTMENT OF DON WELCH TO A NEW THREE-YEAR TERM AS THE WARD 1 REPRESENTATIVE ON THE BOARD OF ZONING AND BUILDING APPEALS OF THE CITY OF NORTON AND DECLARING AN EMERGENCY.

Mr. Tousley moved to adopt Res. #20-2015, seconded by Ms. Whipkey.

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

Motion passed 7-0.

COMMUNICATIONS FROM THE PUBLIC-Agenda and Non-Agenda Items

Mr. William Paluch had signed up but waived his right to speak.

Mrs. Carr noted that Mr. Dave White, Municipal Engineer, is present for discussion regarding the Safe Walks to Schools and the Road Program. Ms. Whipkey clarified that the sidewalks will not be assessed and Mr. White concurred, this is paid a Federal program that pays 80% of the cost. Mr. White noted this is part of the expectations for the Cleveland Massillon widening project. This was recommended by the schools travel plan. Ms. Whipkey asked if this covers all projects and Mr. White replied this does cover all three phases. Mr. White stated we already budgeted our 20% within the Cleveland-Massillon Road widening project. Mrs. Carr stated we are paying \$73, 736.00 and the grant pick up is \$294,944.00 for a total project cost of \$368,680.00. Mr. Tousley stated that he thought the road widening included sidewalks, and asked if there will be sidewalks elsewhere? Mr. White replied that sidewalks are recommended elsewhere and can be addressed at a later time. Mayor Zita added that this is a two (2) mile radius of the school. Mrs. Carr stated we are only applying for the area of the school at this time. Mr. Pierson stated in the past we had many grants to cover Greenwich Road, and questioned if we lost those funds or did it just fall by the wayside? Mr. Pierson asked if the sidewalk issue had anything to do with the twenty-five (25) MPH along Greenwich? Mr. White stated that sidewalks on Greenwich involve further planning. Mr. White stated that back then we were eligible to apply for grants in this area. Mr. Rodgers briefly discussed the 2015 road paving program with the County and asked about adding roads. Mr. White stated that generally sometimes you have options and the contractor can work with us. Mrs. Carr discussed the proposed time line and the County will be advertising for bids March 7, 2014 and they intend to open those bids on March 24, 2015. Mrs. Carr stated we are already over our budget and will need to have alternate plans. Mr. Pierson stated we are paying for total mileage not specific roads. Mr. White added that we have selected specific roads to be done because that is what the contract states. Mr. White stated that we are spending so much money patching the roads, that sometimes it would be better to just to do the repair and replacement. Mr. Pierson suggested weight restrictions for commercial use, and Mrs. Carr stated we do have restrictions already. Mr. Pierson stated we apparently are not enforcing this and we need to purchase road scales. Mayor Zita noted that it's the State Highway Patrol that controls the enforcement and has the scales. Mr. White discussed the motor paver process and that this is a more flexible product and is called a 405. It has worked out very well and we have used it in the past. Mrs. Carr noted that a 448 product is used on areas that have a heavier truck traffic flow.

Mr. Rodgers commented on being over budget and Mrs. Carr stated right now we are at \$300,000.00 and are conservative estimates. Mayor Zita stated once the final number come in we can make adjustments. Ms. Whipkey discussed the load limits on certain roads like Rosebay for instance, and questioned the use of deliveries to homes? Mrs. Carr stated she would need to look at the ordinance for clarification. Mr. White clarified inspection fees with the County and they estimated \$500.00 per day and may be up to ten (10) hours a day. Mrs. Carr stated that really comes out to about \$45.00 per hour. There was discussion on the number of days and multiple jobs and the average is about two (2) days per job. There was discussion as to having supervisors on site daily for all County work. Mr. Pierson stated that in essence Mr. White would be acting as a general supervisor. Mr. Pierson asked if the County operates with a performance bond and Mrs. Carr and Mr. White both concurred. Mr. Jack Gainer discussed a large crack in the road in front of his home and it's about one (1) inch wide and very deep. Is there a plan to correct this and Mrs. Carr stated we have budgeted for crack sealing and Mr. White stated this is something that is done on a regular basis. Mr. Tousley asked about the oil prices being lower right now and if that affects the cost of materials? Mr. White stated it absolutely has a direct impact and it's a good chance the road program will come in less than anticipated. This affects our crack sealing pricing, the cost for asphalt, etc.

CONSIDERATION OF MINUTES

Minutes of the Regular Council Meeting of January 26, 2015-*Deferred*

Minutes of the Finance-Utilities Committee of February 2, 2015-*Deferred*

Minutes of the Committee of the Whole of February 2, 2015-*Deferred*

Minutes of the Committee Meeting of Finance Committee of February 9, 2015-*Deferred*

Minutes of the Council Meeting of February 9, 2015-*Deferred*

REPORTS FROM OFFICERS, BOARDS AND COMMISSIONS

Ms. Whipkey reminded everyone of the MAD meeting on February 26, 2015 at 6 PM at their facility and it is open to the public.

PUBLIC HEARINGS-None

INTRODUCTION OF NEW LEGISLATION

RES #9-2015

Mr. Grether offered Res. #9-2015 for its first reading and asked the Clerk to read it:

A RESOLUTION TO APPROVE THE RENEWAL FOR PLACEMENT OF FARMLAND LOCATED AT 3580 SOUTH HAMETOWN ROAD, IN AN AGRICULTURAL DISTRICT.

First reading only. There will be a Public hearing will occur on March 9, 2015 at or about 7:15 PM.

ORD #10-2015

Mr. Grether offered Ord. #10-2015 for its first reading and asked the Clerk to read it:

AN ORDINANCE AUTHORIZING THE CITY ADMINISTRATOR OR HER DESIGNEE TO APPLY FOR SAFE ROUTES TO SCHOOL PROJECT GRANT FUNDS FROM THE OHIO DEPARTMENT OF TRANSPORTATION; AND DECLARING AN EMERGENCY.

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

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

Motion passed 7-0.

Mr. Grether moved to adopt Ord. #10-2015, seconded by Ms. Whipkey.

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

Motion passed 7-0.

RES #11-2015

Mr. Pelot offered Res. #11-2015 for its first reading and asked the Clerk to read it:

A RESOLUTION AUTHORIZING THE ADMINISTRATIVE OFFICER TO REQUEST TO PARTICIPATE IN THE SUMMIT COUNTY ENGINEER'S OFFICE ROAD MAINTENANCE PROGRAM, AND DECLARING AN EMERGENCY.

Mr. Pelot moved to waive the second and third readings, seconded by Ms. Whipkey. Mr. Rodgers asked why this is not an ordinance since we are spending money? Mr. Markey stated that the contract would require further authorization by Council with an ordinance.

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

Motion passed 7-0.

Mr. Pelot moved to adopt Res. #11-2015, seconded by Ms. Whipkey.

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

Motion passed 7-0.

ORD #12-2015

Mr. Rodgers offered Ord. #12-2015 for its first reading and asked the Clerk to read it:

AN ORDINANCE TO ESTABLISH PETTY CASH AMOUNTS AND REPEALING ORDINANCES AND RESOLUTIONS IN CONFLICT THEREWITH, AND DECLARING AN EMERGENCY.

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

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

Motion passed 7-0.

Mr. Rodgers moved to adopt Ord. #12-2015, seconded by Mr. Grether. Mr. Tousley asked Mr. Messner if there were any other older ordinances that would be repealed? Mr. Messner stated had researched this with the Clerk of Council and she did not report anything back to him.

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

Motion passed 7-0.

INTRODUCTION OF PRIOR LEGISLATION

RES #6-2015

Mr. Pierson offered Res. #6-2015 for its third reading and asked the Clerk to read it:

A RESOLUTION DECLARING IT NECESSARY TO IMPROVE ALBERTA DRIVE, BROOKSIDE COURT, BROOKSIDE DRIVE, CLUBVIEW DRIVE, CROYDON ROAD, EASTON ROAD, EVERETT DRIVE, GREENWICH ROAD, HIGGINS DRIVE, LITTLE BOULEVARD, NASH BOULEVARD, RANGELY ROAD, SHELLHART ROAD, VALLEY DRIVE, WEYRICK DRIVE AND WOODDALE DRIVE BETWEEN CERTAIN TERMINI, BY CONSTRUCTING AND INSTALLING GRAVITY SANITARY SEWER LINES, TOGETHER WITH NECESSARY APPURTENANCES THERETO, COMPRISING THE NASH HEIGHTS GRAVITY SANITARY SEWER SYSTEM IMPROVEMENTS FOR THE EAST PHASE I, THE PUMP STATION PHASE II AND THE WEST PHASE III.

Mr. Pierson moved to adopt Res. #6-2015, seconded by Mr. Rodgers. Ms. Whipkey questioned if the assessment for gravity remained at \$8,000.00 and Mr. Pierson replied yes.

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

Motion passed 7-0.

****Amended during Committee of the Whole**

AMENDED RES #7-2015

Mr. Pierson offered Amended Res. #7-2015 for its third reading and asked the Clerk to read it:

A RESOLUTION DECLARING IT NECESSARY TO IMPROVE ABERTA DRIVE, BROOKSIDE COURT, BROOKSIDE DRIVE, CLUBVIEW DRIVE, CROYDON ROAD, EASTON ROAD, EVERETT DRIVE, GREENWICH ROAD, HIGGINS DRIVE, LITTLE BOULEVARD, NASH BOULEVARD, RANGELY ROAD, SHELLHART ROAD, VALLEY DRIVE, WEYRICK DRIVE AND WOODDALE DRIVE BETWEEN CERTAIN TERMINI, BY CONSTRUCTING AND INSTALLING VACUUM SANITARY SEWER LINES, TOGETHER WITH NECESSARY APPURTENANCES THERETO, COMPRISING THE NASH HEIGHTS VACUUM SANITARY SEWER SYSTEM IMPROVEMENTS FOR THE EAST PHASE I, THE VACUUM STATION PHASE II AND THE WEST PHASE III.

Mr. Pierson moved to adopt Amended Res. #7-2015, seconded by Mr. Rodgers.

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

Motion passed 7-0.

NEW BUSINESS

Mr. Grether stated that last week he had asked for legislation based on the InSite Group and CT Consultants presentation. Mr. Grether noted this was not listed on the agenda for tonight and will be discussed at the next Work Session for action. Mrs. Carr discussed the email she had received from Mr. Pruett regarding to their public meeting on March 25, 2015 in addition to a brochure on proper maintenance of septic systems (see attached).

UNFINISHED BUSINESS

Ms. Whipkey stated she had questions on the Building & Zoning Department services. Ms. Whipkey stated she understood that if we went with Summit County we would lose our certification and would never be able to go back to having our own Building Dept. Mrs. Carr stated that Barberton was willing for us to be a sub-department to theirs and we retain our certification, we are just subcontracting with them for their services. The County wants us to merge into their system and we would lose that certification. Ms. Whipkey stated once we went with the County that door would be closed. Mr. Rodgers noted that last week he made an incorrect statement about having to still go to the County for plumbing permits. Evidentially Barberton contracts out the plumbing inspections and would still be able to do that for us. Mr. Rodgers discussed a quote in the Beacon Journal that the fees generated would be \$17,000.00 which was not correct. Mrs. Carr stated that the reporter took the annual fee times the five (5) years. Mr. Rodgers noted in 2013 in the budget had total revenue from permits for residential and commercial at \$20,090.00 which would generate \$2,009.00. The 2014 budgeted total revenue was less than that at \$18,920.00. Mr. Rodgers cautioned throwing out numbers here because people pick up on that and we have to get this right. Mr. Tousley discussed the sewer charges in the future and that we are currently collecting 27.5% for surcharge fees and he questioned what fund does that money go to, how much is in that fund, and how does this weigh into the whole model? Mrs. Carr noted this would be brought forward for next week's discussion. Ms. Whipkey asked about the money already in that account and isn't that money still ours up until the time we go into an agreement with Barberton? Mr. Markey replied it's the City of Norton's money and is also held in the subject of the current law suit. Mr. Rodgers clarified that this money would not end up in Barberton and Mr. Markey concurred and it is not addressed in the MOU at all.

PUBLIC SERVICE ANNOUNCEMENTS

Mayor Zita made several announcements (see attached).

Mr. Rodgers commented on the large snowfall we had this past weekend and that he had received two (2) phone calls with complaints. Mr. Rodgers stated that with all of this snowfall he felt our Service Dept. employees did a wonderful job with clearing our roads.

PUBLIC UPDATES

ADJOURN

There being no other business to come before the Regular Council Meeting, the meeting was adjourned at 9:31PM.

Rick Rodgers, President of Council

I, Karla Richards, CMC-Clerk of Council for the City of Norton, do hereby certify that the foregoing minutes were approved at a Regular Council Meeting held on April 13, 2015.

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.