



**NORTON CITY COUNCIL  
REGULAR COUNCIL MEETING  
MONDAY, MARCH 23, 2014**

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

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

The Regular Council Meeting convened on Monday, March 23, 2014 at 7:01 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**

Sanitary Sewer Pump Stations Discussion

Mr. Pierson stated that this is continued discussion from last week to consider moving the pump station to Shellhart Drive versus Golf Course Drive and Greenwich Road. Mr. Grether stated that he had emailed Mr. Demboski from EDG with his questions and Mr. Demboski did respond. Mr. Grether read the detailed answers as stated: *The probable cost of the gravity sewer from Shellhart to the proposed PS on Golf Course Drive is approximately \$175,000 and the probable cost of the gravity sewer west of Golf Course is approximately \$75,000. The comparable amounts for the vacuum sewers are \$90,000 and \$50,000, respectively. The probable cost of the force main for both options is approximately \$50,000. In my opinion, the Ohio EPA wants to see continuous progress on this project and any significant delays would be a concern. However, we would need to ask Ohio EPA if the Shellhart location is acceptable. We should be able to have the soil boring logs within approximately 30 days of authorization if we get inserted into their schedule before they get too busy.* Mr. Pierson stated the overall cost of gravity should be closer to \$300,000.00 more to move that to Golf Course Drive. Mr. Rodgers noted that would include the extension west toward St. Rt. 21. Mr. Rodgers stated we have some residents that want to go closer to St. Rt. 21 beyond Golf Course Drive, and some want it to stop at Shellhart. Mr. Pierson asked if we go to Golf Course Drive, then who would be paying that additional \$300,000.00? Is this going to the Nash Heights residents or will the City absorb those costs? Ms. Whipkey stated that she understood that we have been talking about the figures being based on the pump station being located on the far side of the golf course. Mr. Pierson stated he does not see it warranted to extend it that far at such an additional cost. Mr. Pierson stated it makes more sense to keep it at Shellhart, and Mr. Pelot even alluded to this last week. Mr. Grether stated one of the costs he had asked was the potential cost for more soil testing and it's around \$5,000.00.

Mr. Grether stated there does not seem to be any interest to extend the pump station at Golf Course Drive. Mr. Grether discussed his questions to Mr. Demboski about the depth and the water issues and read the response from Mr. Demboski: *Both the wet well and the basement vault will be precast concrete with a cast in place bottom slab. The wet well for the submersible station will be 25-30' deep and the vacuum station will be 13' deep. Both will be sealed and water tight, but the vacuum station will have a sump pump that may run during wet weather. I have asked our structural engineer for their opinion. If the submersible station is located at Shellhart, the depth would be about the same and the water table should be similar, but we can't be sure until we obtain the soil borings. The vacuum station is dependent on where it is located on the side of the hill, but we should be able to locate it above the water table. Again, the soil borings will determine the stability of the soil and the elevation of the water table. The slope of the hill appears to be 12-14%, which means we need to do some re-grading of the site especially for the vacuum station.* Mr. Grether noted that this is a fairly deep structure to be constructed. Ms. Whipkey asked about the plans that we already approved by Resolution, did that go to site B-7 and Mrs. Carr stated she believed Mr. Demboski had previously answered this. Ms. Whipkey asked where did we actually take it to with plans we are currently working on? Mr. Rodgers stated that Golf Course Drive is in the plans that were submitted with the Resolution of Necessity for this project. Ms. Whipkey asked of we are going closer to St. Rt. 21 and Mr. Rodgers stated we included going a bit further toward St. Rt. 21. Mr. Rodgers stated the area of the pump station would be B-28 which is west of Golf Course Drive. Mrs. Carr clarified Mr. Demboski's email stated that B-26 and B-27 is actually at the pump station site. Mr. Rodgers argued that is not correct; and that the area listed at B-26 and B-27 is at Golf Course Drive. Mr. Rodgers stated that Golf Course Drive is between B-29 and B-28, and the pump station is situated west of Golf Course Drive. Mr. Rodgers discussed the summary and the ground water information. Mr. Rodgers stated that after the winter thaw recently, and it was very wet there. Mr. Rodgers noted all of these depths were at 15 ft borings and they found no water at B-7 at that depth, which is at Greenwich near St. Rt. 21. Mr. Grether noted that B-9 which is closer to Shellhart, it looks like it's on the Golf Course property and they are seeing water at 15 ft. Mr. Rodgers stated this just means that we really need a boring here to check these levels. If you read the recommendations from the boring company, on groundwater control on page #5 Item 6.2 that state *"It is our opinion that conventional sump pumps will adequately control groundwater during the shallow short-term excavations of 8-11 feet below the respective pavement & ground surfaces".* Mr. Rodgers stated we visited a site in Mahoning County and they had water problems and were pumping water out 24/7. Mr. Rodgers stated this is not very sound judgment without looking at this further. Ms. Whipkey stated we have some residents beyond Shellhart stating they want the sewer, and she questioned how the Golf Course owner feels about this. Ms. Whipkey stated we have some that want to be tied in and questioned that now if we are considering not doing this? Ms. Whipkey reminded everyone that there is a petition process that states 60% of the property owners can petition the City to get it. Mr. Pierson stated that he knows of two (2) residents Ms. Jan Lewis and another resident that don't want this and for these two (2) residents, he cannot see spending roughly \$300,000.00. Mr. Rodgers stated you have the church and one other homeowner that want this. Mr. Rodgers noted there are not enough property owners with the 60% of the property. Ms. Whipkey stated that she thought the requirement was total frontage. Mr. Markey noted there are different methods and processes for a citizen's petition.

Mr. Markey stated even if they did petition, what assessment level would you give those residents; because they cannot be part of this project's assessment. Mrs. Carr stated the total frontage from Shellhart to the church is 1400 feet and you would need to double that and if you add the Goff property that is another that would be well over the 60% of the frontage required for a petition process. Mr. Pierson stated he thought that we agreed to stay within the scope of this project and that this was not within the scope of the project and that is not what it appears to be now; it does not make any sense. Mrs. Carr stated that although it is not in the consent order; this was always part of the facilities plan way before she came on board. Mr. Pierson stated that may be the case; however it can be removed at any time. Mr. Pierson stated he does not see the value in this and if there seems to be an engineering problem, it just does not make sense for these two (2) parcels. If the church or the other parcel wants to be the contractor and do this themselves; that is an option. Mr. Pelot asked if the engineer gave an opinion as to where they feel is the best location, as it just makes no sense for us to locate it at a lower level where there is water present. Mr. Pelot suggested we get another soil sample and look at the borings, this way we get an expert opinion for us to look at and make a proper decision on the most cost effective location. Mr. Pierson asked if it makes sense that if it turns out that Golf Course drive is on rock solid ground, is that worth the additional \$300,000.00 burden? Mr. Pierson stated he would ask for a non-bias report from the past firms. Mr. Rodgers stated we have an offer from EGD to design the pump station at Golf Course at no fee, however we have to pay \$5,000.00 for additional boring from another company and we need to give the Administration some direction her. Mr. Rodgers noted he agreed with Mr. Pierson's concerns, adding that he did not feel this costs needs to be added to the residents. Mr. Rodgers stated regardless of what system we go with, it can be connected at another time. Mr. Pelot stated that we need to look at what is the best place to locate the pump station and look at all of the pieces of the puzzle. Ms. Whipkey stated she was confused with Mr. Pierson's number of \$300,000.00 and she is looking at more like \$175,000.00. Mr. Rodgers stated if you take Golf Course to Shellhart that is \$175,000.00, add \$70,000.00 going to St. Rt. 21, and then if you add another force main that is another \$50,000.00 which comes to \$300,000.00. Ms. Whipkey stated a force main is required no matter where we go so this is a moot point. Mr. Rodgers explained if you don't go down Golf Course you will save \$50,000.00 on the force main. Mr. Grether asked Mr. Markey to concur with the fact that if we make any changes to this plan we have to start from square one. Mr. Markey concurred; adding that if Council does another Resolution of Necessity would need to be addressed. Mr. Rodgers asked how long would this take? Mr. Markey noted that Mr. Demboski noted it would take at least 30 days for the soil sample study and then however long it takes Council to adopt. Mr. Tousley asked about requesting that the samples go farther up the hill when the order gets done. Mr. Rodgers asked Council if we agree to have Mr. Demboski move forward with the additional soil samples and borings, there was no objection. Mr. Rodgers stated that Mr. Flogge-Owner of Brookside Golf Course contacted him today and his desire was to have the line all the way up Golf Course drive. Mr. Rodgers noted Mr. Flogge had no problem on which side the pump station could be located on. Mr. Grether asked about the time line for the Resolutions of Necessity are about become a law; how would this work if we ask for the soil samples? Mr. Rodgers clarified for the record that we can authorize the soil borings, let the legislation become a law; then we can amend both the benefits and the plan after this? Mr. Markey stated the cleanest way would be to repeal it and pass it with new resolutions; which would not be a problem.

Mr. Markey stated that the new Resolutions of Necessity would have a new paragraph stating the original resolutions are repealed. Mr. Rodgers asked how many votes are need to repeal of Res. #6-2015 and Res. #7-2015 and Mr. Markey replied 4-3, and if you are passing a new Resolution of Necessity you would need 6 to pass. Mr. Rodgers moved to have Mr. Demboski prepare the additional soil testing for \$5,000.00, seconded by Mr. Pelot. Mr. Grether clarified if you make all of these changes at one time can we pass it all in one reading? Mr. Markey replied sure you can do that. Mr. Grether asked if this changes the assessment amount and Mr. Markey replied no unless Council changes them. Mr. Rodgers stated he is not concerned with the time frame; he wants to get this done right. We are only going to borrow enough to do the project, and if we end up borrowing less it would save money. Mr. Markey clarified the petition process is 60% frontage or 75% of the total area. Mr. Markey clarified that the costs of changing the locations of the pump station is part of the City share and would not be additional burden to the residents. Mr. Pierson stated its taxpayer's dollars, the people pay. Ms. Whipkey clarified that this additional costs was never part of the assessments to the residents and Mr. Markey concurred. Mr. Markey stated the cleanest way do to this is to officially repeal Res. #6 and #7 with a normal 4-3 vote. Mr. Markey noted to pass a new Resolution of Necessity you would need 6 votes. Mr. Markey noted this would all be part of the new Resolution of Necessity. Mr. Grether raised concerns with the EPA and wants to see that they are on board with these changes. Mr. Pierson stated we are not proposing to stop the project, we are looking at other areas to go along and he was sure that the EPA would be willing to go along. Mr. Pierson stated that you are all acting like the EPA is an 800 pound gorilla in the room. They don't have the right to fine us right now, they can give us recommendations.

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

Motion passed 6-0.

Mr. Rodgers moved to allow the public to comment, seconded by Mr. Tousley.

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

Motion passed 6-0.

Mr. Paul Reese, 4052 Wadsworth Road, Norton, Ohio, stated that there has been a lot of discussion about the church and he wanted to know how much they have paid into the roll back fund when the residents have been paying all along? Mr. Reese asked if the church is tax exempt, and it's something to think about. Mr. Ed Miller, 3832 Shellhart Road, Norton, Ohio, noted the corner of Shellhart & Greenwich looks like a little swamp, looks like weeds and stuff. Mr. Miller stated he would not be in favor of moving that pump station. Mr. Miller stated he heard somebody say the City funds paid for the extension of the pipe over to St. Rt. 21. and he questioned if this has anything to do with the roll back money, and Mr. Markey replied no. Mr. Tousley explained the City's share would be paid through surcharges in Nash Heights. Ms. Whipkey stated that surcharges come out from the people already tied in.

Barberton collects all of this money which goes into a general pot. That money is being used to pay for this project. Ms. Whipkey stated that what she is confused about is when Nash Heights gets tied in they will be paying surcharges and it will be added to the pot then. Ms. Whipkey stated that the surcharges we currently collect and what Nash Heights would be paying in the future, would not be enough to pay for this project. Mr. Markey clarified the question was what surcharges are being used to pay for the cost of the project. Mr. Markey noted the way it's broken down is by existing customers, DOES customers, new customers which is 1,400 total over the 20 yr. period, and that would be enough to pay for Nash Heights East, West, and all future project. Ms. Whipkey stated that is 1400 new customers not the ones currently paying the surcharges. Ms. Whipkey stated lets just say we have 1,000 people paying now going into this project, then we have these 304 new customers, then we would need 1,400 more people in the future to pay for this Nash Heights project? Mr. Markey stated if you look at the whole model it's negative up until the year 2025 or so and then it starts accumulating. If you look at the new customers all of that new customer would be the \$6-7 million after the year of 2025. Ms. Whipkey stated we will need all of the new customers to be paying their surcharges and the current ones just to pay for this project alone and the Brentwood/Frasure Park plant. Mr. Markey stated if you take all of the revenues in the model you will have negatives for some time and then eventually you will have a positive again, but there will not be much left over to take on other projects. Mr. Markey stated that until the lawsuit is determined, the surcharge money is not being spent. Mr. Rodgers clarified that the current surcharges are not paying for this; it would start from day one when this project gets started and Mr. Markey concurred. Ms. Whipkey stated her whole point is we will be paying for this Nash Heights project for the next twenty years, so then what happens when the next project comes up how are we going to pay for it then? Mr. Rodgers discussed the concept of someone paying for someone else; we cannot always look at a proper balance. Mr. Jack Gainer, 3920 Wadsworth Road, Norton, Ohio clarified that if we change the locations of the pump station, the assessments will stay the same. If it's not going to cost the citizens any more to run the pump station, the \$190,000.00 the city pays would be cut because you would be getting that back in benefits. Mr. Gainer stated he doesn't understand not running it farther and picking up those five (5) benefits. The people in Nash Heights would be paying the same no matter what, and we are not burdening anyone by going to Golf Course Drive. Mr. Gainer stated if he were to build on that lot as he plans, he would be paying the same assessments as everyone else, so why not extend the line. That pump station will be sufficient to handle further extensions going west according to the answer he received from Mr. Demboski. Mr. Rodgers stated there are five (5) homes that don't want anything to do with the sewers; there are two (2) on the south side and two (2) on Greenwich Road. Mr. Rodgers stated there is one owner that states they don't want it. Mr. Gainer stated that we are not talking about going to St. Rt. 21. Mr. Pierson discussed the residents on Golf Course Drive that don't want it and that there is a restriction on all of their deeds that the majority must approve it before they all get it. Mr. Gainer stated he would be happy to pay the assessment of \$5,000.00 or \$8,000.00 to get the sewer to the property he wants to build on. Mr. Rodgers noted there are stopping and starting points to that order and that is what we are trying to confine it to. Mr. Tousley stated the lowest number he sees it being \$190,000.00 if going to Golf Course and if you have an additional \$25,000.00 then that means the City has to pick up the difference. Mr. Gainer asked what is the percentage the City is paying and Mr. Rodgers stated its 32%.

Mr. Tom Petrick, 3762 Easton Road, Norton, Ohio, stated that the topography and all of this will be able to serve for anything more west and north, and it could be a higher elevation. Mr. Petrick stated he did the tours with Mr. Rodgers in Lima and the biggest beef with them was the water. Saving \$300,000.00 is paramount and if you don't think this project will hit \$10 million is not right. Mr. Petrich commented about the package plant customers of 647 and estimated new connections of 1400 and if you take the 304 for this project, he questioned if this falls apart, what happens to the surplus? Mr. Markey stated that surplus falls apart. Mr. Petrich commented about the way to keep that from happening, the additional projects removed now and see how it progresses. Maybe after the ten (10) years it could start showing a surplus, then the future Council could decide. If this worked perfectly and the profits could be upwards of \$6.7 million, you cannot even use the appropriations to help them and put towards the roads. Mr. Reese stated he asked Mr. Markey three (3) weeks ago about the interest rates and that Mr. Markey had stated 4-5% and questioned the figure of 1.5% and which is right? Mr. Markey stated right now it's at 1.5% and the City and the residents would pay the exact same interest rate. Mrs. Teresa Canfora, asked about going back to the mandate of the EPA and if you remove Greenwich and some of Shellhart would she still be in the assessment. Mrs. Carr stated she is at the corner of Little and Shellhart and she would stay in the project by default with the line being there. Mr. Markey clarified all of the \$6.7 million would be collected by Barberton and spent in Norton only on sewers and this cannot be used for anything else like roads. Mr. Markey clarified that Issue 1 money is free money and the other loans would be whatever the current rate is at the time as the market rates go up or down. Ms. Whipkey asked what have we spent to date on this project? Mrs. Carr stated she recalled we have spent about \$175,000.00. Mr. Markey stated in January the cost was around \$288,000.00 and there were some other costs added since. Mr. Rodgers asked about the total amount of grant money we have applied for to date. Mrs. Carr replied she could get that figure to Council tomorrow. Mr. Markey noted all of the money would be borrowed and in state loans. Mrs. Pat Reese, 4052 Wadsworth Road, Norton, Ohio asked if these loans we are talking about are only for Nash Heights or is this to extend west? You were given a certain mandate from the EPA and if the City wants to extend further that is a separate project. The only thing that is relevant here and that it was brought on because the City was at fault with the Service Garage as well as other issues. You need to stick to the EPA mandate and forget about the rest. The residents in Nash Heights are the only ones laying awake at night trying to decide if they should get a new septic, or wait for sewers. Stick to the mandate and forget the rest. Mr. Markey stated the project scope would have a state loan to pay for this, and the funding has not been approved because the project scope has not been filed. Mr. Frank Nutter, 3500 Shellhart Road, Norton, Ohio stated that he had put in a new septic system seven (7) years ago and asked if he would have to tie in and will he have to crush his system? Mr. Rodgers stated he has had conversations with the Health Dept. and there may be some leeway for newer systems. Mr. Rodgers added that regardless you would have to pay for the assessment when it comes through. Ms. Whipkey stated that the Health Dept. has some leniency on who and when someone has to connect. Mr. Nutter stated he was required to have a separate cap so they can test his system and not include his neighbor. Mr. Rodgers reminded everyone that we are looking at two (2) systems and would like to schedule another tour at Randolph for all of Council to attend. Mr. Rodgers asked Council what dates are good, or if you even have a desire to see it? Mr. Tousley and Mr. Pierson indicated they would make the tour whenever. Ms. Whipkey stated we have also never toured a gravity facility.

Mr. Grether asked Mr. Markey if we have seven (7) members visiting anywhere, how does that look as far as the Sunshine Law? Mr. Markey stated it sounds like fact finding to him and he would not be present to know what is being said. Ms. Whipkey asked who would be giving the tour and Mr. Rodgers stated the facility operators. Mr. Grether stated that any of us could even go on our own to see these facilities Mr. Grether stated this all seems premature and until we can get the total life cycle costs and other information, we cannot make such decisions. Mr. Grether stated that he would like to hear from citizens and they also should be educating themselves. Mr. Grether stated he never lost any sleep with having a gravity system, and although he does not live in your neighborhood and Council has to make this decision. At the end of the day this is going into your yards. Ms. Sherry Smith, 3497 Easton Road, Norton, Ohio, questioned the maintenance that is required and that she had read somewhere on the internet where Oklahoma had to rebuild the whole system. Mr. Rodgers replied there are maintenance costs involved with both systems and he hoped to have those costs within the next month or so. Mr. Rodgers noted that according to the engineer there is an approximate savings of \$1.6 million dollars in the project cost going with vacuum. Mr. Pierson noted on the plans for gravity there is a section along Shellhart where the dig will be 25 feet deep that has now been revised to 16 feet and this is very expensive and that he just does not believe these costs of projected \$8 million dollars. Not to mention the package plants in Brentwood and other areas, and it's all of the taxpayer's money. Ms. Whipkey asked when are we ever going to know about the maintenance costs? Mr. Markey stated when you have the bids; we anticipate having the total life cycle costs at that time, which includes the maintenance costs. When you do your Ordinance to Proceed you will have all of these costs provided to you. Mrs. Carr stated that with in the MOU agreement, if the vacuum system is chosen, there will be a maintenance fee involved. Mr. Rodgers stated that when he looks at the savings, we still have to look at the maintenance costs and it can still make the model work. Mr. Grether stated we will all be looking at this and where they may cross over and if there could be other costs added on later. Mr. Rodgers discussed the savings of approximately \$362,000.00 and when we look at maintenance costs, we should be able to offset some of the maintenance costs. It should still make that model work. Mr. Grether stated at some point the savings and maintenance costs could cross over and we just don't know that at this time. Mr. Rodgers stated we would have a grinder pump located at the bottom of Brookside Court, and we are not going to add that onto the residents. Mr. Rodgers stated that Mr. Demboski had asked AirVac way back if they felt if vacuum systems would work in Norton and initially he was told no until they looked at the depth of the digs, and there is a savings of about \$1.6 million at this point. There was discussion about the clause in the MOU with Barberton and Ms. Whipkey noted if there were to be an additional cost for the vacuum systems those costs would not be placed on residents other than Nash Heights. Mrs. Reese stated she sensed some reluctance of Council to take the tour, and that Council would rather rely on what they see on the internet. Why do you not want to take the time to make the tours? Mrs. Reese stated that Mr. Grether does not have gravity; he has a transfer pipe that takes to a package plant. You also have other residents in your ward that have septic systems. You are refusing to look at new technology here, so don't be blind and educate yourselves. Ms. Whipkey stated that going to the plants is not the question. It's what is going on at the individual homes. Ms. Reese stated you need to educate yourselves on what that system can do and what it is designed to do. You are all sitting on a time bomb here, what are you going to tell everyone else? If you are going to do something and put up a road block, what does Plum Island have to do with us or Michigan, or Florida?

It's your job as elected officials to research it and not just go on the internet to do it. Ms. Whipkey stated in order to do the research she needs to look at both systems. Ms. Whipkey stated it was discussed previously about lowering the valve pits and questioned if that has been considered in the costs? There was discussion about the locations of the candy canes and this can be all worked out with the design. Mr. Rodgers stated in our design the level of the pits are 7-9 feet deep and there will be no freezing issues. Mr. Emil Teichman, 3477 Clubview Drive, Norton, Ohio, complained about the conditions of the roads and big chuck holes. Mr. Teichman stated that they are getting really bad. Mr. Teichman stated he was told the roads would not be fixed until after the sewers were done, and Mrs. Carr stated that is totally not true.

#### Amend Chapter 1042.03 Sanitary Sewer Connections

Mr. Pierson stated this was sent to Mr. Markey for a revision. Mr. Markey stated the new ordinance removes this former requirement and it would default back to the State code. Mr. Pierson moved to add Ord. # 24-2015 to tonight's agenda for a first reading, seconded by Ms. Whipkey.

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

Motion passed 6-0.

#### **COMMUNICATIONS FROM THE PUBLIC-Agenda and Non-Agenda Items**

Dick Cramer, 2932 Clark Mill Road, Norton, Ohio, commented about the ditches on each side of his driveway and last year only one side was cleared out, the side he lives on was not cleaned out. Mr. Cramer stated that this can flood his whole front yard. Mr. Cramer asked for the City to address this and Mrs. Carr took note of this.

#### **CONSIDERATION OF MINUTES**

Minutes of the February 17, 2015 Committee Work Session, approved as submitted.

Minutes of the February 23, 2015 Regular Council Meeting-*Deferred to 4-13-15*.

Minutes of the March 2, 2015 Committee Work Session, approved as submitted.

Minutes of the March 9, 2015 Finance & Utilities Meeting, approved as submitted.

Minutes of the March 9, 2015 Regular Council Meeting, approved as submitted.

Minutes of the March 16, 2015 Committee Work Session, approved as submitted.

#### **REPORTS FROM OFFICERS, BOARDS AND COMMISSIONS**

Mayor Zita noted last Tuesday there was an incident in Norton Acres with the sanitation truck that caused damage to the roadway near Fair Oaks drive. We are working with them on a solution, (see attached).

#### **PUBLIC HEARINGS-None**

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

**ORD #24-2015** \*\*Added during Committee of the Whole

Mr. Pierson offered Ord. #24-2015 for its first reading and asked the Clerk to read it:

AN ORDINANCE TO REPEAL SECTION 1042.03 OF THE CODIFIED ORDINANCES OF THE CITY OF NORTON, OHIO.

First reading only.

**INTRODUCTION OF PRIOR LEGISLATION**

**ORD 13-2015**

Mr. Grether offered Ord. #13-2015 for its second reading and asked the Clerk to read it:

AN ORDINANCE AUTHORIZING THE EXECUTION AND DELIVERY OF AN AGREEMENT FOR BUILDING CODE ADMINISTRATION WITH THE CITY OF BARBERTON; AND DECLARING AN EMERGENCY.

Mr. Grether asked Mrs. Carr where Barberton feels we are at with our legislation. Mrs. Carr noted Barberton is voting on their legislation this evening and they realized that we do not have a full Council this evening. Mrs. Carr stated Barberton feels reluctant to making any changes in the deal since they are voting tonight. They also feel with the five year term that would be a good time for a full review.

Second reading only.

**ORD #22-2015**

Mr. Grether offered Ord. #22-2015 for its second reading and asked the Clerk to read it:

AN ORDINANCE TO AUTHORIZE THE ADMINISTRATIVE OFFICER TO ENTER INTO AN AGREEMENT WITH INSITE ADVISORY GROUP, LLC FOR ECONOMIC DEVELOPMENT CONSULTING SERVICES, AND DECLARING AN EMERGENCY.

Mr. Grether moved to waive the third reading, seconded by Mr. Rodgers. Mr. Rodgers stated we need to do something and he noted the property across from the strip plaza on Greenwich Road has now been put it up for sale instead of developing it. Ms. Whipkey asked why that owner changed their mind? Mr. Pierson stated he was told that three (3) retail businesses have declined on this location. Mrs. Carr stated she was informed just today this property was listed and they have other plans in mind for that property. Mrs. Carr noted that one of the things she has been discussing with Ms. Syx is to get our vacant commercial properties listed on the Akron Chamber of Commerce website. Ms. Whipkey asked if there would be a fee involved and Mrs. Carr replied no. Mr. Pierson asked if we need to be a member and Mrs. Carr stated we already are a member so we might as well use this benefit.

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

Motion passed 6-0.

Mr. Grether moved to adopt Ord. #22-2015, seconded by Ms. Whipkey.

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

Motion passed 6-0.

### **ORD #23-2015**

Mr. Grether offered Ord. #23-2015 for its second reading and asked the Clerk to read it:

AN ORDINANCE TO AUTHORIZE THE ADMINISTRATIVE OFFICER TO ENTER INTO AN AGREEMENT WITH DB HARTT, A DIVISION OF CT CONSULTANTS INC., FOR PLANNING SERVICES, AND DECLARING AN EMERGENCY.

Mr. Grether moved to waive the third reading, seconded by Mr. Pelot.

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

Motion passed 6-0.

Mr. Grether moved to adopt Ord. #23-2015, seconded by Mr. Pelot.

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

Motion passed 6-0.

### **UNFINISHED BUSINESS**

Mr. Grether noted the memo from Mrs. Richards regarding another agricultural district. Mr. Grether moved to add this to the next Committee Work Session, seconded by Ms. Whipkey.

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

Motion passed 6-0.

Mr. Tousley noted there was some information in his mail box about income survey and freezing and wondered who this was from. Ms. Whipkey stated the information was from her and she explained the details, (see attached) Mr. Rodgers stated he feels like we have failed the community by not putting forth more effort with this survey. Ms. Whipkey stated that in all fairness to Council and the Administration; we were limited on what we could state in the informational letter regarding this. Mr. Rodgers stated that we just failed the residents in the end because that was millions of dollars we are talking about here. Mr. Rodgers stated that on the next project we need to address this. Mr. Pierson thanked Mrs. Carr for the date of the loan request and asked for more clarification on this from Mrs. Carr.

Mrs. Carr stated this is a completed application and cannot be reopened for this round. Mr. Tousley asked for clarification for this round. Mrs. Carr stated that for Nash Heights there would not be another opportunity of funding, there could always be funding rounds on other projects. Mrs. Carr asked if all of Council even knew what was being asked for because it might be interesting to know who answered yes and no. Mr. Pierson stated from what he understands there was a trust issue with the information. Mr. Pierson stated that there was a lot of confusion as to the information that was asked for. Mrs. Carr asked is that why your household returned the survey as a no? Mr. Pierson stated yes because she is 87 years old and did not understand the questions. There was discussion about the information on the survey and the amount of details and information. Mrs. Carr stated she fails to understand if some on Council returned them; how can she inform the residents any better, is this a trust issue? Mr. Tousley stated he has to ask the question or if there is a stone that needs turned then he needs to look into it. Ms. Whipkey asked if Mr. Pierson if he went out to the residents to help get them to return them? Mr. Pierson stated no he had asked Mr. Demboski's office if they need any help he would offer and he never heard anything. Mrs. Carr stated we had people slamming doors in the surveyor's face, people hanging up on them, etc. Ms. Whipkey stated there was a clause that did prohibit us from specifically stating the need for their information.

## **NEW BUSINESS**

Ms. Whipkey stated she was approached by residents over the weekend and some of them were concerned that the City properties have not tied into the sanitary sewer. Ms. Whipkey stated she researched back into 2006 where there was a mandate to connect the Community Center to sewer, and that was done by Ordinance #16-2006 and was contracted with Bennett Construction. Ms. Whipkey stated she believes both the Community Center and the Administration Building are connected, as well as the Fire Station being tied in 2014. Mrs. Carr stated that the new fire station and the historical building are also connected.

## **PUBLIC SERVICE ANNOUNCEMENTS**

Mayor Zita made several announcements, (see attached)

## **PUBLIC UPDATES**

Annual Workshop next Monday starting at 6:00 PM.

## **ADJOURN**

There being no other business to come before the Regular Council Meeting, the meeting was adjourned at 9:41 PM.

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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.