

**NORWALK CITY COUNCIL**  
**MINUTES**

February 21, 2017  
7:30 p.m.

Municipal Court  
Norwalk, Ohio

**REGULAR SESSION**

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Council President Steve Euton called the meeting to order. Council member Dave Wallace offered the prayer which was followed by the Pledge of Allegiance. The following Council members were present: Steve Euton, Chris Mushett, Samantha Wilhelm, Chris Castle, Steve Schumm, Kelly Beck, Deb Lucal, and Dave Wallace.

Law Director Stu O'Hara, Safety/Service Director Dan Wendt, Finance Director Diane Eschen, Police Chief Dave Light, and Public Works Director Josh Snyder were also in attendance.

**APPROVAL OF AGENDA** Mr. Mushett moved to approve the agenda as presented. Mr. Wallace seconded. Mr. Beck, Mr. Mushett, Mr. Wallace, Mrs. Wilhelm, Mrs. Lucal, Mr. Castle, and Mr. Schumm voted in favor. Motion carried.

**MINUTES** Mr. Castle moved to approve the February 7, 2017 and February 14, 2017 minutes as presented. Mrs. Lucal seconded. Mr. Beck, Mr. Mushett, Mr. Wallace, Mrs. Wilhelm, Mrs. Lucal, Mr. Castle, and Mr. Schumm voted in favor. Motion carried.

**COMMUNICATIONS AND PETITIONS** – The clerk stated that the Planning Commission unanimously recommended approval for *Item No. 17-011*.

**COMMITTEE REPORTS** – Mrs. Wilhelm reported that the Safety Committee met previous to the work session and decided to leave *Item No. 17-010* tabled.

**OFFICIAL REPORTS**

**MAYOR** – no report

**SERVICE DIRECTOR** – Mr. Wendt said that the Police Department dispatchers will be taking APCO (Association of Public-Safety Communications Officials) training. He said this training will qualify the department to provide emergency medical dispatching. He said the cost for this training is approximately \$2,300 compared to the estimated \$3.4 million it would cost for consolidated dispatch. He added that the City still needs a technical expert who can act as a 911 coordinator. In fire, he said there was a controlled burn in Monroeville recently which is valuable training for the firefighters.

**FINANCE DIRECTOR** – no report

**LAW DIRECTOR** – no report

**ENGINEER** – Mr. Snyder said both the Milan Avenue Reconstruction Project and the Jefferson Street Lift Station Project are out to bid. He said the Fire Station design is moving along and he will have a detailed design estimate soon.

**APPOINTED OR ELECTED OFFICIALS**

## **PERSONS APPEARING BEFORE COUNCIL**

Terry Trumpower, 19 Grand Avenue was present and asked what the current plan is for mosquito control. Mr. Wendt said the City will be purchasing mosquito dunks and larvicide. Mr. Snyder added that the Huron County Health Department has a mosquito monitoring station near Sofios Park and to his knowledge they have not found any strains of the Asian Tiger mosquito.

Robert Perry, Grand Avenue said there is a house on Grand Avenue with standing water in the basement and asked if the City can treat that for mosquitos. Mr. Wendt said he is aware of the house and the safety hazard it presents. He added that the house is on private property which limits the City's ability to act. He said he is aware of trespassing and possible drug use on the property.

Derek Pigman, Norwalk High School government teacher was present and thanked Council for their hospitality to his students who attend the meetings. He invited Council members to attend his classes and bring community issues for the students to consider.

## **UNFINISHED BUSINESS**

### **SECOND READINGS OF ORDINANCES**

### **NEW ORDINANCES AND RESOLUTIONS**

#### Item No. 17-015

A RESOLUTION APPROVING AN AMENDMENT TO A FIRE PROTECTION SERVICES AGREEMENT WITH THE TRUSTEES OF BRONSON TOWNSHIP, HURON COUNTY, OHIO

Mr. Schumm asked for the duration of the agreement. Mr. O'Hara said the original agreement was for 10 years and ends December, 2022.

Mr. Beck moved to pass the resolution. Mrs. Wilhelm seconded. Mr. Beck, Mr. Mushett, Mr. Wallace, Mrs. Wilhelm, Mrs. Lucal, Mr. Castle, and Mr. Schumm voted in favor. Resolution No. 2017-009 passed.

#### Item No. 17-016

A RESOLUTION APPROVING AN AMENDMENT TO A FIRE PROTECTION SERVICES AGREEMENT WITH THE TRUSTEES OF NORWALK TOWNSHIP, HURON COUNTY, OHIO

Mr. Wallace moved to pass the resolution. Mrs. Lucal seconded. Mr. Beck, Mr. Mushett, Mr. Wallace, Mrs. Wilhelm, Mrs. Lucal, Mr. Castle, and Mr. Schumm voted in favor. Resolution No. 2017-010 passed.

#### Item No. 17-017

AN ORDINANCE TO APPROVE, ADOPT AND ENACT THE 2017 REPLACEMENT PAGES TO THE NORWALK CODIFIED ORDINANCES AND DECLARING AN EMERGENCY

Mr. Mushett moved to waive the rules requiring a first reading of an ordinance. Mrs. Wilhelm seconded. Mr. Beck, Mr. Mushett, Mr. Wallace, Mrs. Wilhelm, Mrs. Lucal, Mr. Castle, and Mr. Schumm voted in favor. Motion carried.

Mrs. Wilhelm moved to suspend the rules requiring the second reading of an ordinance. Mrs. Lucal seconded. Mr. Beck, Mr. Mushett, Mr. Wallace, Mrs. Wilhelm, Mrs. Lucal, Mr. Castle, and Mr. Schumm voted in favor. Motion carried.

Mr. Mushett moved to accept the declaration of emergency as outlined in Section 3. Mr. Beck seconded. Mr. Beck, Mr. Mushett, Mr. Wallace, Mrs. Wilhelm, Mrs. Lucal, Mr. Castle, and Mr. Schumm voted in favor. Motion carried.

Mrs. Wilhelm moved to adopt the ordinance. Mr. Beck seconded. Mr. Beck, Mr. Mushett, Mr. Wallace, Mrs. Wilhelm, Mrs. Lucal, Mr. Castle, and Mr. Schumm voted in favor. Ordinance No. 2017-005 adopted.

Item No. 17-018

AN ORDINANCE LEVYING AN ANNUAL LICENSE TAX UPON THE OPERATION OF MOTOR VEHICLES ON THE PUBLIC ROADS OR HIGHWAYS OF THE CITY IN ACCORDANCE WITH REVISED CODE SECTION 4504.17

Mr. Beck moved that the clerk be instructed to read the ordinance. Mrs. Lucal seconded. Mr. Beck, Mr. Mushett, Mr. Wallace, Mrs. Wilhelm, Mrs. Lucal, Mr. Castle, and Mr. Schumm voted in favor. Motion carried.

Item No. 17-019

AN ORDINANCE LEVYING AN ANNUAL LICENSE TAX UPON THE OPERATION OF MOTOR VEHICLES ON THE PUBLIC ROADS OR HIGHWAYS OF THE CITY IN ACCORDANCE WITH REVISED CODE SECTION 4504.171

Mrs. Wilhelm moved that the clerk be instructed to read the ordinance. Mr. Beck seconded. Mr. Beck, Mr. Mushett, Mr. Wallace, Mrs. Wilhelm, Mrs. Lucal, Mr. Castle, and Mr. Schumm voted in favor. Motion carried.

Item No. 17-020

A RESOLUTION STRONGLY OPPOSING THE STATE OF OHIO GOVERNOR'S PROPOSED 2017-2018 BUDGET, WHICH PROPOSES CENTRALIZED COLLECTION OF NET PROFIT TAX RETURNS AND OTHER PROVISIONS RELATED TO THE MUNICIPAL INCOME TAX WHICH WILL CAUSE A SUBSTANTIAL LOSS OF REVENUE NEEDED TO SUPPORT THE HEALTH, SAFETY, WELFARE AND ECONOMIC DEVELOPMENT EFFORTS OF OHIO MUNICIPALITIES

Mr. Schumm asked how the passing of the proposed budget would affect the current personnel of the City. Mrs. Eschen said that the City has retained one full time employee in the tax department. She explained that this resolution is the City banding together with other communities to express the belief that individual entities currently administer their income tax well without the help of the State. She said these communities are not confident the State could adequately audit and correctly administer the income tax and report back to the communities. In addition, she said this involves business net profits, which she thinks is the first step they are

taking towards the State taking control of all municipal income tax collections. She said this resolution is an attempt to maintain local control over income tax.

Mr. Castle said this is a situation of the City attempting to maintain local control over one of the most sizeable revenue streams rather than allow the State to collect the money and trust them to do the right thing.

Mr. Wallace asked how the Finance Department would be affected if the proposed budget passes. Mrs. Eschen said they will lose the ability for the City to take the responsibility of administering income tax back. She said with RITA they still have that option.

Mr. Mushett pointed out that the State taking control would likely result in a delay for the cities to receive the funds.

Mr. Castle said Council made a conscious decision to move to RITA. He said now the State would like to strong-arm the City into going with them.

Mr. Schumm said he is in favor of the resolution and he is concerned about the delay with fund distribution.

Mrs. Wilhelm moved to pass the resolution. Mr. Beck seconded. Mr. Beck, Mr. Mushett, Mr. Wallace, Mrs. Wilhelm, Mrs. Lucal, Mr. Castle, and Mr. Schumm voted in favor. Resolution No. 2017-011 passed.

Item No. 17-021

AN ORDINANCE AMENDING PORTIONS OF CHAPTER 529 OF THE NORWALK CODIFIED ORDINANCES PERTAINING TO THE CONSUMPTION OF ALCOHOL ON CITY PROPERTY

Mr. Mushett pointed out a clerical error in Exhibit B, Section (c) 2. Mr. O'Hara said the document could be amended when the time comes for passage.

Mrs. Wilhelm moved that the clerk be instructed to read the legislation. Mrs. Lucal seconded. Mr. Beck, Mr. Mushett, Mr. Wallace, Mrs. Wilhelm, Mrs. Lucal, Mr. Castle, and Mr. Schumm voted in favor. Motion carried.

Item No. 17-022

AN ORDINANCE AUTHORIZING THE MAYOR AND PUBLIC WORKS DIRECTOR TO ADVERTISE AND RECEIVE BIDS FOR THE 2017 SAFE ROUTES TO SCHOOL PROJECT AND AUTHORIZING A CONTRACT AFTER BIDDING

Mr. Beck moved that the clerk be instructed to read the legislation. Mr. Wallace seconded. Mr. Beck, Mr. Mushett, Mr. Wallace, Mrs. Wilhelm, Mrs. Lucal, Mr. Castle, and Mr. Schumm voted in favor. Motion carried.

Item No. 17-023


AN ORDINANCE GRANTING A TAXICAB FRANCHISE TO DANIEL GOHLKE dba GT CAB AND AUTHORIZING THE MAYOR TO ENTER INTO A FRANCHISE AND LICENSE AGREEMENT THEREFOR

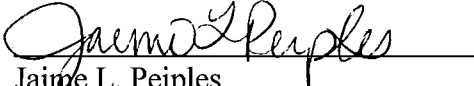
Mr. Wallace moved that the clerk be instructed to read the legislation. Mrs. Lucal seconded. Mr. Beck, Mr. Mushett, Mr. Wallace, Mrs. Wilhelm, Mrs. Lucal, Mr. Castle, and Mr. Schumm voted in favor. Motion carried.

**NEW BUSINESS** – Mr. Euton said the next meeting will be a Safety Committee meeting followed by a Work Session at 7:30pm on February 28, 2017.

Mr. Euton set a public hearing for *Item No. 17-011* on March 28, 2017 at 7:30pm.

**ADJOURNMENT** There being no further business to discuss, the meeting was adjourned.

  
Christopher mushett  
President Pro Tempore

  
Jaime L. Peiples  
Clerk