

NORWALK CITY COUNCIL
MINUTES

August 1, 2017
7:30 p.m.

Municipal Court
Norwalk, Ohio

REGULAR SESSION

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

Finance Director Diane Eschen, Law Director Stu O'Hara, and Safety/Service Director Dan Wendt were also in attendance.

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

MINUTES Mr. Castle moved to approve the July 18 and July 25, 2017 minutes as presented. Mr. Schumm seconded. Mr. Castle, Mr. Schumm, Mrs. Lucal, Mr. Wallace, Mrs. Wilhelm, Mr. Mushett, and Mr. Beck voted in favor. Motion carried.

COMMUNICATIONS AND PETITIONS – none

COMMITTEE REPORTS

OFFICIAL REPORTS

MAYOR – Mr. Wendt reported on behalf of Mayor Duncan. He distributed copies of the Finance Director evaluation forms. He said Mayor Duncan requested another week for the update on the former Eagle Station. He invited Council members to attend the ribbon cutting ceremony for the Jaycee Bicentennial Park Thursday at 2pm.

SERVICE DIRECTOR – Mr. Wendt stated that there are currently eight registered taxi drivers in Norwalk. In reference to Gerri Anderson's prior complaints concerning her landlord, he said the mowing has been completed and Ms. Anderson was given the tenants rights information as requested. Next, he said the Huron County Health Department is working on a community garden which will be utilized as an outdoor classroom. In fire, he said bid openings for the new station construction have been delayed until August 11, 2017. He added that firefighter interviews are underway. Finally, he said the Park and Recreation Department is hosting a triathlon this Saturday.

FINANCE DIRECTOR – no report

LAW DIRECTOR – no report

ENGINEER – Mr. Wendt reported on behalf of Josh Snyder. He said Milan Avenue is wrapping up work in the section between Main Street and Marshall Street in the St. Paul parking lot area. He said the area is to be complete and re-opened by the start of school. He added that the segment between Marshall Street and St. Mary's Street continues to be removed and the road base is being placed and compacted. The 2017 Resurfacing Project is complete and he said they were able to add Henry Street and a segment of Old State Road among others. He said the Jefferson Street Lift Station has completed site work and only electrical and communications remain. He said the Valley Park Drive Waterline is slated to begin in September. On both the Milan Avenue Drainage project and the Wooster Marshall Sewer Separation

Phase 6, he said plans have been reviewed and they are awaiting a final plan set to bid the projects. He concluded by saying the City Hall parking lot is scheduled to be paved in 1-2 weeks.

APPOINTED OR ELECTED OFFICIALS

PERSONS APPEARING BEFORE COUNCIL

Dean Hales, 36 Old Orchard Loop was present and discussed his concerns with the dual speed limits that exist outside of his development on State Route 20. He asked if anything could be done about the speed and requested "children at play" signs be installed. Mr. Wendt explained the municipal boundaries and agreed to research the issue.

UNFINISHED BUSINESS

SECOND READINGS OF ORDINANCES

NEW ORDINANCES AND RESOLUTIONS

Item No. 17-067a

A RESOLUTION APPROVING THE HURON COUNTY SOLID WASTE MANAGEMENT DISTRICT SOLID WASTE MANAGEMENT PLAN

Mr. Mushett moved to pass the resolution. Mr. Wallace seconded. Mr. Schumm seconded. Mr. Castle, Mr. Schumm, Mrs. Lucal, Mr. Wallace, Mrs. Wilhelm, Mr. Mushett, and Mr. Beck voted in favor. Resolution No. 2017-035 passed.

Item No. 17-068

AN ORDINANCE AMENDING THE JOB CREATION GRANT PROGRAM

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

Item No. 17-069a

AN ORDINANCE AMENDING CHAPTER 721 OF THE NORWALK CODIFIED ORDINANCES PERTAINING TO THE REGULATION OF TAXICABS

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

Item No. 17-071

A RESOLUTION DECLARING THAT THE AMOUNT OF TAXES THAT MAY BE RAISED BY LEVIES ON THE CURRENT TAX DUPLICATE WITHIN THE TEN-MILL LIMITATION WILL BE INSUFFICIENT TO PROVIDE FOR THE NECESSARY REQUIREMENTS OF THE CITY OF NORWALK AND THAT IT IS NECESSARY TO LEVY AN ADDITIONAL TAX IN EXCESS OF SUCH LIMITATION FOR THE PURPOSE OF PROVIDING AND MAINTAINING A FIRE DEPARTMENT AND REPEALING RESOLUTION No. 2017-031

Mr. O'Hara explained that the language needed to be changed to match the original levy.

Mr. Mushett moved to pass the resolution. Mr. Beck seconded. Mr. Castle, Mr. Schumm, Mrs. Lucal, Mr. Wallace, Mrs. Wilhelm, Mr. Mushett, and Mr. Beck voted in favor. Resolution No. 2017-037 passed.

Mr. O'Hara pointed out that *Item No. 17-070* was inadvertently omitted from the agenda. He said Council could move to suspend the rules relative to the setting of the agenda and add *Item 17-070* to the agenda.

Mr. Mushett moved to suspend the rules relative to the setting of the agenda and add *Item 17-070* to the agenda. Mr. Wallace seconded. Mr. Castle, Mr. Schumm, Mrs. Lucal, Mr. Wallace, Mrs. Wilhelm, Mr. Mushett, and Mr. Beck voted in favor. Motion carried.

Item No. 17-070

A RESOLUTION AUTHORIZING THE CITY TO ENTER INTO A CONTRACT WITH THE OHIO BUREAU OF WORKERS' COMPENSATION FOR THE PROVISION OF WORKER'S COMPENSATION COVERAGE FOR VOLUNTEER WORKERS AT THE DISC GOLF COURSE

Mr. Mushett asked if there was any new information concerning this legislation. Mr. O'Hara said Mrs. Eschen spoke to risk management and a more general legislation to cover more volunteers could be done. In reference to Master Gardeners, he said coverage could be extended to them, but the Administration is not ready to report as to whether they are ready to extend Workers' Compensation benefits to all volunteers.

Mr. Castle said he would feel more comfortable voting on a more general, all encompassing volunteerism legislation. Mr. O'Hara said his recommendation at this time is to extend coverage to this specific program because of the nature of the program and the equipment being used. He added that coverage could be broadened later on.

Mr. Wallace asked if the coverage is for three specific volunteers. Mr. O'Hara said the volunteers in question are specific members of the Norwalk Disk Golf Association who have been named and trained. Mr. Wallace said it is a slippery slope when covering all volunteers. Mr. Schumm said he is not comfortable voting on this legislation at this time.

Mrs. Wilhelm moved to pass the resolution. Mrs. Lucal seconded. Mr. Castle, Mr. Schumm, and Mrs. Lucal voted no. Mr. Wallace, Mrs. Wilhelm, Mr. Mushett, and Mr. Beck voted yes. Resolution No. 2017-036 passed.

NEW BUSINESS – Mr. Euton discussed the schedule for August. He suggested moving the August 15th Regular Session to August 22nd there be no meeting on August 15th.

Mr. Wallace moved to change the August 15, 2017 Regular Session to August 22, 2017. Mr. Castle seconded. Mr. Wallace seconded. Mr. Castle, Mr. Schumm, Mrs. Lucal, Mr. Wallace, Mrs. Wilhelm, Mr. Mushett, and Mr. Beck voted in favor. Motion carried.

Mr. Euton recapped the schedule as follows:

August 1	Regular Session	August 22	Regular Session
August 8	Work Session	August 29	Work Session
August 15	No meeting		

ADJOURNMENT There being no further business to discuss, the Regular Session was adjourned.

WORK SESSION

Mr. Euton began the discussion concerning the hiring process for the Finance Director Position. Mr. O'Hara explained that he added a subsection (d) to 133.01. Mr. Euton questioned the use of the word "fix" when referring to the compensation of the Finance Director. Mr. O'Hara explained the legal definition of the word.

Mr. Schumm asked if copies of the performance review form were available. Mr. Wendt said they were given to Mr. Euton for distribution.

Mr. Euton began discussion of the three draft proposals distributed by Mr. O'Hara and asked if the Administration has a preference. Mr. O'Hara said that #3 most closely follows what Council just did. Mr. Wendt said the Mayor's preference is #1, followed by #2.

Mr. Castle asked about (b) of each proposal in reference to who should inform Council of the vacancy. He said he would rather hear it from the Finance Director, not the Mayor.

Mr. Mushett asked about the qualifications for the position. He asked what "political subdivision" includes. Mr. O'Hara said that includes county, township, city, village, and possibly school district.

Mr. Schumm said he doesn't like limiting the experience to five years. He said that is too long. Mr. Castle agreed, but said there needs to be some set increment of time. He suggested three years. Mrs. Eschen agreed and recommended two if not three years of experience. Mr. Wendt suggested that Council consider adding the term "or any other relevant combination of experience".

Mr. Wallace referenced (c) (2) and the term "Ohio political subdivision". He asked if it should read "another state or federal political subdivision". Mr. O'Hara explained that he worded it that way because the rules and laws in other states are different than in Ohio.

Mr. Euton suggested removing this section from the Codified Ordinances and placing it in the job posting. Mr. O'Hara said that is an option, however it is set up this way to remove politics from the position of Finance Director.

Mr. Euton asked if Council members agreed on a good number for experience. Council members agreed on a minimum of three years experience.

Mr. Euton asked if Council members had a preference for proposal #1, 2, or 3. Mr. Beck, Mr. Castle, and Mr. Euton said they prefer #3. Mrs. Wilhelm and Mr. Wallace said they prefer #1.

Mrs. Eschen said that she prefers proposal #3, but she suggested that under (b) (2), 30 days is too long.

Mrs. Wilhelm said she would like time to think about her preference. Mr. Schumm agreed and suggested that #2 be eliminated. Council members agreed to eliminate #2 from consideration.

Mr. Euton discussed the day-to-day operations between the Finance Director and the Mayor. He said it is a matter of professional courtesy for the Finance Director to inform the Mayor of the vacancy. Mr. Castle asked if supervision is defined by geographic space and time spent together. Mr. Euton said yes.

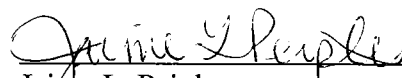
Mr. Schumm said he would like the Finance Director to inform the Mayor and Council concurrently. Mr. O'Hara said that it is a professional courtesy to inform the Mayor first.

Mr. Euton requested new performance evaluation forms that do not have Mrs. Eschen's name printed on them. Mr. Wendt agreed.

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



Stephen E. Euton
President



Jaime L. Peiples
Clerk