

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

January 16, 2018  
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 Deb Lucal offered the prayer which was followed by the Pledge of Allegiance. The following Council members were present: Stephen Euton, Samantha Wilhelm, Chris Castle, Deb Lucal, Dave Wallace, Steve Schumm, Jordy Horowitz, and Bryan Lamb.

Mayor Rob Duncan, Finance Director Michelle Reeder, Law Director Stu O'Hara, Safety/Service Director Dan Wendt, and Public Works Director Josh Snyder were also in attendance.

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

**MINUTES** Mr. Castle moved to approve the January 2, 2018 and January 9, 2018 minutes as presented. Mrs. Lucal seconded. Mr. Schumm, Mr. Lamb, Mr. Horowitz, Mrs. Wilhelm, Mr. Castle, Mr. Wallace, and Mrs. Lucal voted in favor. Motion carried.

**COMMUNICATIONS AND PETITIONS** – The Clerk stated that she received a liquor license transfer request from Sakura Norwalk Inc. to Suki Asian Cuisine Inc. She added that Chief Light reported that he has had no problems with this establishment.

**COMMITTEE REPORTS** – Mrs. Wilhelm stated that the Safety Committee unanimously recommends approval for Tonia Maxwell as the Citizen Representative on the Police Chief Selection Committee.

**OFFICIAL REPORTS**

**MAYOR** – no report

**SERVICE DIRECTOR** – Mr. Wendt began by listing the 2018 Sanitation collection dates. In Park and Recreation, he discussed the upcoming 24-hour access, corporate visits, member retention program and branding ideas. He also distributed graphs depicting the division of property taxes and the average property tax effective rate. A copy of the report is on file with the Clerk.

**FINANCE DIRECTOR** – Mrs. Reeder announced that the Finance Department has new software. She said each Council member will be issued a password allowing them to view financial information.

Mr. Schumm said he turned in a check from the K of C to support the crossing guard program. He said he is still seeking funds from other organizations.

**LAW DIRECTOR** – Mr. O'Hara requested an executive session following regular business to discuss pending litigation with no business after.

**ENGINEER** – Mr. Snyder advised Council members to encourage citizens to report potholes by calling either General Services or City Hall, or to complete an action line request on the City website. He said there are currently three projects out to bid and there has been much interest. Last, he said with the weather improving, the plan for the new fire station is to enclose the north end of the building and set trusses.

**APPOINTED OR ELECTED OFFICIALS** - none

**PERSONS APPEARING BEFORE COUNCIL** - none

**UNFINISHED BUSINESS** - none

**SECOND READINGS OF ORDINANCES**

Item No. 18-006

AN ORDINANCE AUTHORIZING THE MAYOR AND PUBLIC WORKS DIRECTOR TO ADVERTISE AND RECEIVE BIDS FOR THE 2018 OLD STATE ROAD WIDENING PROJECT PHASE II AND AUTHORIZING A CONTRACT AFTER BIDDING

Mrs. Wilhelm moved to adopt the ordinance. Mr. Wallace seconded. Mr. Schumm, Mr. Lamb, Mr. Horowitz, Mrs. Wilhelm, Mr. Castle, Mr. Wallace, and Mrs. Lucal voted in favor. Ordinance No. 2018-001 adopted.

Item No. 18-007

AN ORDINANCE AMENDING SECTION 123.04 OF THE NORWALK CODIFIED ORDINANCES PERTAINING TO SALE OR DISPOSAL OF PERSONAL PROPERTY NOT NEEDED FOR MUNICIPAL PURPOSES

Mr. Castle moved to adopt the ordinance. Mrs. Wilhelm seconded. Mr. Schumm, Mr. Lamb, Mr. Horowitz, Mrs. Wilhelm, Mr. Castle, Mr. Wallace, and Mrs. Lucal voted in favor. Ordinance No. 2018-002 adopted.

Item No. 18-008

AN ORDINANCE ENACTING CHAPTER 719 OF THE NORWALK CODIFIED ORDINANCES PERTAINING TO TEMPORARY SALES AND DIRECT SOLICITATIONS AND REPEALLING CHAPTER 713 OF THE NORWALK CODIFIED ORDINANCES

Mr. Wallace moved to adopt the ordinance. Mrs. Lucal seconded. Mr. Schumm, Mr. Lamb, Mr. Horowitz, Mrs. Wilhelm, Mr. Castle, Mr. Wallace, and Mrs. Lucal voted in favor. Ordinance No. 2018-003 adopted.

Item No. 18-009

AN ORDINANCE AMENDING SECTION 531.03 OF THE NORWALK CODIFIED ORDINANCES PERTAINING TO PARKING IN THE VICINITY OF A PUBLIC OR PRIVATE DRIVEWAY

Mrs. Wilhelm moved to table the legislation and refer it to the Planning and Zoning Committee of Council. Mr. Castle seconded. Mr. Schumm, Mr. Lamb, Mr. Horowitz, Mrs. Wilhelm, Mr. Castle, Mr. Wallace, and Mrs. Lucal voted in favor. Motion carried.

**NEW ORDINANCES AND RESOLUTIONS**

Item No. 18-010

AN ORDINANCE AMENDING THE ZONING ORDINANCE BY ENACTING CHAPTER 1168 OF THE NORWALK CODIFIED ORDINANCES PERTAINING TO THE CREATION OF A TRANSPORTATION BUSINESS DISTRICT

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

Mrs. Wilhelm moved to table the legislation and refer it to the Planning Commission. Mrs. Lucal seconded. Mr. Schumm, Mr. Lamb, Mr. Horowitz, Mrs. Wilhelm, Mr. Castle, Mr. Wallace, and Mrs. Lucal voted in favor. Motion carried.

Item No. 18-012

AN ORDINANCE AMENDING THE ZONING ORDINANCE BY ENACTING CHAPTER 1169 OF THE NORWALK CODIFIED ORDINANCES PERTAINING TO THE CREATION OF A COMMERCIAL AMUSEMENT BUSINESS DISTRICT

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

Mrs. Wilhelm moved to table the legislation and refer it to the Planning Commission. Mr. Wallace seconded. Mr. Schumm, Mr. Lamb, Mr. Horowitz, Mrs. Wilhelm, Mr. Castle, Mr. Wallace, and Mrs. Lucal voted in favor. Motion carried.

Item No. 18-013

A RESOLUTION AUTHORIZING THE SALE OF THE CITY'S INTEREST IN A CERTAIN LEASE AGREEMENT

Mr. Schumm asked Erich Metzger, CEO of ABS Communications if it is possible for the City to add or delete carriers on the tower. Mr. Metzger said the tower has the capability, but the City doesn't have the authorization to do so. Mr. Schumm asked if the City's income would change if carriers were added. Mr. Metzger said that is not likely because the FCC does not require the lease holder to tell the City which carriers are using the tower. Mr. Schumm said he views this as a short term fix and he would like to see the financial plan for 2018.

Mr. Wallace asked Mr. Metzger's opinion as to what is in the best interest of the City. Mr. Metzger recommended that the City sell the lease. He added that there is a 36 month shelf life on the actual tower before it is obsolete.

Mr. Wallace asked how many years it would be to the break even point on the \$150,000. Mr. Snyder said 14 years of rental would amount to \$150,000.

Mr. Castle said that with 5G advancing as quickly as it is the City will never see that \$150,000 14 years from now.

Mr. Horowitz asked how long it will take for 5G to make its way to Norwalk. Mr. Metzger replied that there is a 24 month period to fully launch a new service. Mr. Euton added that the old technology will not be turned off after that 24 month period.

Mr. Wallace asked Mr. Euton if he has a position due to his experience. Mr. Euton said he has no expertise or conflict.

Mr. Castle asked how long it took to phase out 3G. Mr. Metzger said that took three or four years.

Mr. Lamb asked why the 5G network won't require a tower. Mr. Metzger said the new technology runs off of smaller substations. He said eventually mobile data devices will act as mini towers.

Mr. Castle moved to pass the resolution. Mrs. Lucal seconded. Mr. Lamb, Mr. Horowitz, Mrs. Wilhelm, Mr. Castle, Mr. Wallace, and Mrs. Lucal voted in favor. Mr. Schumm voted no. Resolution No. 2018-006 passed.

Item No. 18-014

A RESOLUTION TO ACCEPT AND APPROVE THE WRITTEN PLAN OF THE TREE BOARD AS THE 2018 COMPREHENSIVE TREE PLAN OF THE CITY OF NORWALK

Mr. Wallace said he received a call from a resident concerned about some of the approved pear trees that drop their leaves late in the season. Mr. Wendt said he will present that concern to the Tree Board for their consideration and report back.

Mrs. Wilhelm moved to pass the resolution. Mr. Castle seconded. Mr. Schumm, Mr. Lamb, Mr. Horowitz, Mrs. Wilhelm, Mr. Castle, Mr. Wallace, and Mrs. Lucal voted in favor. Resolution No. 2018-007 passed.

**NEW BUSINESS** – Mr. Euton said there will be no meeting January 23<sup>rd</sup> which makes the next meeting a Work Session on January 30<sup>th</sup>. He said the first Police Chief Selection Committee meeting will be scheduled for January 23<sup>rd</sup> at 6 or 7pm.

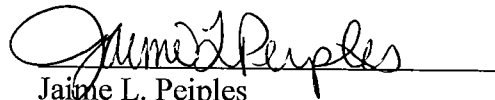
Mr. Wallace scheduled a Planning and Zoning Committee meeting for January 30<sup>th</sup> at 7pm in the Municipal Courtroom.

Mr. Schumm moved that the meeting be moved into Executive Session to discuss pending litigation with no business after. Mrs. Lucal seconded. Mr. Schumm, Mr. Lamb, Mr. Horowitz, Mrs. Wilhelm, Mr. Castle, Mr. Wallace, and Mrs. Lucal voted in favor. Motion carried.

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



Stephen E. Euton  
Council President



Jaime L. Peiples  
Council Clerk