

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

January 9, 2018  
7:30 p.m.

Municipal Court  
Norwalk, Ohio

**WORK SESSION**

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Council President Steve Euton called the meeting to order. The following Council members were present: Steve Euton, Steve Schumm, Dave Wallace, Chris Castle, Jordy Horowitz, Bryan Lamb, and Deb Lucal. Samantha Wilhelm was absent due to business travel.

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

**NEW LEGISLATION**

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

Mr. Castle spoke about *Item No. 18-010* and *Item No. 18-012* and explained that other cities the size of Norwalk have more customized zones in place. He said the goal is to make it easier for future City planners to have additional zones in place. He added that the additional zones would also protect other zones already in existence.

Mr. Horowitz asked if this legislation only applies to properties annexing into the City or will it apply to current zones. Mr. Loughton said the current zoning in the City is good as it is. He said the difference is that the new zones would not be cascading like the current zones are. He said there are also noise regulations included for each new zone.

Mr. Wallace asked if there are current zones that would allow for these uses to take place as it is. Mr. Loughton said there is currently no zone to allow for the most of the permitted uses listed. He added that the Administration is looking forward future expansion of the City and attraction of potential businesses.

Mr. Euton said that some of the items listed under permitted uses currently exist within the City. Mr. Castle explained the cascading principle. He said the purpose is to encourage developers and to keep similar businesses located together. Mr. Snyder added that the legislation provides protection and separation to existing zones. Mr. Horowitz suggested finding a way for the school districts to benefit.

Mr. Euton asked for clarification as to why certain permitted uses are allowed in other existing zones. Mr. O'Hara explained the layering and said they bring in every use from the more restrictive districts before it. He said the proposed new zones only allow for the permitted uses listed. He said if there is a use that is allowed in a more restrictive district, it can still be done there, but also in the new zone. Mr. Castle explained it to be comparable to a covenant.

Council members agreed to place this item on the agenda.

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

Council members agreed to place this item on the agenda.

Item No. 18-013

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

Mayor Duncan said this is the same legislation that was presented in 2017. The Administration has received more information and is confident this is in the best interest of the City.

Mr. Euton asked if there have been any changes. Mayor Duncan said no, it is the same contract that was presented previously. The Mayor asked Erich Metzger, President and CEO of ABS Communications to speak in favor of the legislation. Mr. Metzger explained the way in which the use of towers is heading. He said that with the upcoming launch of the 5G network most of the need for towers will be eliminated. He said that maintenance costs of the towers far exceeds the profit.

Mr. Lamb asked why the legislation failed previously. Mr. Euton explained that if the lease is sold the City will get \$150,000 which would go in the General Fund. He said if the lease is kept the City could profit \$795,000 in 40 years if STC Towers is still in business. Mr. Castle said that one side suggested that technology is changing quickly and the lease should be sold while the opportunity exists and the other side was hesitant to sell the lease with the possibility of more money over the span of 40 years.

Mr. Snyder said that the contract is for 35 years which leaves five years on the back side of the lease. Mrs. Reeder said that will amount to around \$30,000/year if STC Towers is still in business then.

Mr. Horowitz asked if there is a plan to invest or use the money for a certain purpose. Mr. Euton said that if the money is invested properly it could be valued at the same amount as if the lease was kept. Mr. O'Hara explained that the present value of the income stream is about \$250,000.

Mr. Schumm said he is not in favor of selling the lease. Mr. Castle reminded Council that two months ago Council was concerned about the \$807,000 deficit in the General Fund, so adding a \$150,000 pad to the deficit is the fiscally responsible way to go.

Council members agreed to place this item on the agenda.

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

Council members agreed to place this item on the agenda.

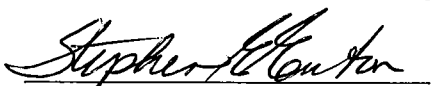
**UNFINISHED BUSINESS** – Mr. Wendt nominated Tonia Maxwell to be the citizen representative of the City in the selection of Chief of Police. Mr. Euton said the Safety Committee will schedule a meeting to consider the nomination.

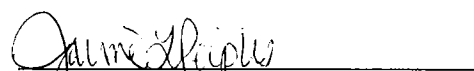
**NEW BUSINESS** – Mr. Euton discussed the need for the Charter Review Commission to meet in 2018. He asked the Clerk to contact former members of the Commission to see if they are interested in volunteering again. The Clerk agreed to do so.

Mr. O'Hara distributed City Council Training packets to all Council members. He asked everyone to read through the information and contact him with any questions.

Mr. Euton asked where Council stands with Sunshine Law training. Mr. O'Hara said there have been some changes and agreed to look into it.

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

  
Stephen E. Euton, President of Council

  
Jaime L. Peiples, Council Clerk