

MINUTES FROM COUNCIL MEETING
CITY OF NORTH CANTON
MONDAY, JANUARY 22, 2018

1. Call to Order

COUNCIL PRESIDENT PETERS: Okay, I'd like to call to order the Council Meeting Monday, January 22, 2018, 7:00 p.m.

2. Opening Prayer - Councilman Cerreta gave the opening prayer.

3. Pledge of Allegiance

4. Roll Call

COUNCIL PRESIDENT PETERS: Clerk, please call the roll.

Roll call found the following Council members in attendance: Cerreta, Foltz, Fonte, Peters, Revoldt and Werren.

Thus having 6 in attendance.

COUNCIL PRESIDENT PETERS: Thank you, motion and a second to excuse Member Kiesling.

COUNCILMAN FOLTZ: Motion to excuse Member Kiesling.

COUNCILMAN CERRETA: Second.

Roll call vote of 6 yes to excuse Member Kiesling.

***Councilwoman Kiesling joined the meeting at 7:37 p.m.

Also present: Mayor Held, Director DeOrio, Law Director Fox, Engineer Graham and Finance Director Brown.

5. Consideration

COUNCIL PRESIDENT PETERS: Thank you. For your consideration may I have a motion and a second to approve as presented:

Committee of the Whole Meeting Minutes: December 4, 2017

Council Meeting Minutes: January 8, 2018

Financial Reports: December 2017

COUNCILMAN FOLTZ: Motion to approve as presented.

COUNCILMAN CERRETA: Second.

Unanimous voice vote of 6 to approve the above minutes and reports.

6. Recognition of Visitors:

COUNCIL PRESIDENT PETERS: Alright, very good. At this time, if you wish to address Council please step forward, state your name and address.

CHUCK OSBORNE: (read from a prepared statement) 307 Fairview Street SE, North Canton, Ohio. I know I'm probably going to sound like a broken record on this, but I am not going to give up this issue. And this is the Water Board decision. Let me just start with this, medical students when they start out to become doctor's they take an oath. Its call the Hippocratic Oath, in Latin it's called primum non nocere. I think that's the correct pronunciation. Means: first do no harm. This is exactly what that decision is doing to this City. You are harming this City forevermore. I've talked to others, who are quite respected in the area, trying to get them to work behind the scenes. I won't mention the people's names, because they probably would prefer it that way. But one gentleman summed it up, you're setting a pattern of business. And this is what I said in my cumbersome way, once you do this, everybody, everybody knows that just hang tough, North Canton will cave. It's kind of like the little commercial; give it to Mikey, Mikey will eat it. It's a foregone conclusion. Mayor, Mr. DeOrio, you are leading this City, guiding this City, we all hope for economic growth, economic development. This is not going to do it for you. No way. I find it interesting that Mrs. Kiesling, almost to the point of screaming, and pounding on her desk, I don't know what that was all about two weeks ago. She's a nurse, nurse practitioner, I have to tip my hat to her. She's worked hard, and worked her way up the ladder. She too, has to take that oath as part of a first principle in nursing ethics. As the people's representative, for her to take a position that our borders as you see them today, basically will be that forevermore. I'm just stunned, and I am stunned furthermore that each one of you would sit there and let her make this pronouncement. You each run for office, as an individual person. With individual ideas. But I never see any individuality up here at all. One person makes a pronouncement, and we all fall in line. Mrs. Kiesling mentioned that toward the end of her six minute presentation. If this doesn't work, we'll rescind it. Is this the kind of medical

treatment you want when you go to see a doctor, or the hospital? “We’re going to try something, and see if it works.” I don’t think so. This is not going to work people, I’m begging you, I’m pleading with you. Now there seems to be a pattern going on. Mr. DeHoff got a million dollar abatement here, four years ago. Mayor, I’ve had a former Councilmember say on the record, you knew about it. And you never spoke up. I can’t believe nobody else on this Council knew nothing of it, for three and a half years. And you supported letting him keep half of it. Mrs. Kiesling and this Council were fighting tooth and nail to extend these tax abatements to Mr. DeHoff. We all know they were angling to get the Sanctuary brought in. And now you have this. I would almost call this a pattern of corruption. What in the world is going on? As we all drive down the streets, we know when we’re in North Canton, and when we leave North Canton. To drive west on Portage, and realize that we could have had our boundaries farther westward. I just don’t see how you can just sit there and just live with that in your conscious. Mrs. Kiesling...

COUNCILWOMAN WERREN: Jeff, times up, and Mrs. Kiesling’s not even here.

COUNCIL PRESIDENT PETERS: Thank you, Chuck. We understand your point.

Mr. Osborne continued to speak.

CHUCK OSBORNE: Well, we all know the rail tracks form a barrier now, we can’t go farther west.

COUNCIL PRESIDENT PETERS: We understand that, Chuck. Thank you.

Mr. Osborne continued to speak.

CHUCK OSBORNE: You allow this to stand, you’re creating a barrier further closer to the City.

COUNCIL PRESIDENT PETERS: Thank you, Chuck. We understand. Thank you.

Mr. Osborne continued to speak.

CHUCK OSBORNE: Please stop this.

COUNCIL PRESIDENT PETERS: Thank you. Anyone else wishing to address Council?

Mr. Osborne shouted from the gallery.

COUNCIL PRESIDENT PETERS: Mr. Osborne, please, please, come on. You know better than that.

Mr. Osborne shouted from the gallery.

COUNCIL PRESIDENT PETERS: Moving on. Okay, we will move onto old business. May I have a motion and a second to read by title only, the third reading of Ordinance No. 103 – 2017?

COUNCILMAN FOLTZ: So moved.

COUNCILMAN CERRETA: Second.

Unanimous voice vote of 6 to read by title only the third reading of Ordinance No. 103 – 2017.

7. Old Business

8. Ordinance No. 103 - 2017 Street and Alley Committee

An ordinance establishing a Trailway easement by and between the City of North Canton, an Ohio charter municipal corporation (“City”), Grantor, and Stark County Park District (“Stark Parks”), Grantee, running through the property known as Parcel No. 9480025, and being Out Lot 299, located within the City of North Canton, Stark County, Ohio.

COUNCIL PRESIDENT PETERS: All right, Chairman Fonte.

COUNCILMAN FONTE: Yes, we talked about this before. This is the Trailway easement that goes off by Washington Square, there on Market where the underground path goes. There’s a little trail coming off, that we made some adjustments to. This would be the third reading, and I move that we approve it, and let’s get this project going so Mr. Fonte can get busy.

MAYOR HELD: Also we have our Director of Parks here, if we have any questions.

COUNCILMAN REVOLDT: The record should reflect that the easement recognizes the suggestions made by the residents, to offset that intersection. Correct?

COUNCILMAN FONTE: Yes.

COUNCILMAN REVOLDT: Mr. Fonte is nodding in the affirmative.

COUNCILMAN FONTE: Do you want to come up Bob, and tell us real quick?

BOB FONTE: Thank you, pleasure to be here today. I'd be happy to answer your questions. What I understand the question was, was the easement adjusted to move it, I think it's basically its 10 feet further south, buffer between the properties to the northwest of the trail, as proposed? And we agreed to that change before the first reading. So that's correct. That's in that easement.

COUNCILMAN FONTE: And so it should make everybody happy, including President Peters.

COUNCIL PRESIDENT PETERS: Yeah, yeah, I've spoken to the residents there. They're very happy, I've also mentioned to them, our, we're going to look at doing some sort of tree, bush type barrier. We have some trees that have been donated to us this past year, and use those as well. And really, really doctor it up in that area. So, it's going to be good. We're excited.

COUNCILMAN FONTE: I'd like to say thanks for everything you do on the Stark Parks Trail. It's huge, and millennials love it.

COUNCIL PRESIDENT PETERS: Yeah, the City of North Canton thanks you. Thank you, sir.

COUNCILMAN REVOLDT: Motion to adopt the third reading of Ordinance No. 103 – 2017?

COUNCILMAN FOLTZ: Second.

Unanimous voice vote of 6 to adopt the third reading of Ordinance No. 103 – 2017.

ORDINANCE NO. 103 – 2017 WAS PASSED BY A UNANIMOUS VOICE VOTE OF 6.

COUNCIL PRESIDENT PETERS: Thank you. Motion and a second to read by title only the third reading of Ordinance No. 104 – 2017?

COUNCILMAN REVOLDT: So moved.

COUNCILMAN CERRETA: Second.

Unanimous voice vote of 6 to read by title only the third reading of Ordinance No. 104 - 2017

9. Ordinance No. 104 - 2017 Water, Sewer and Rubbish Committee

An ordinance authorizing the Director of Administration of the City of North Canton to advertise and receive bids according to specifications now on file in the Director's office, and authorizing the Mayor of the City of North Canton, upon Board of Control approval, to enter into a contract for the Everhard Road and Whipple Avenue Waterline Replacement Project, at a total cost not to exceed \$250,000.00.

COUNCIL PRESIDENT PETERS: Thank you, Chairman Cerreta?

COUNCILMAN CERRETA: Yes, this has been through Committee, it's at third reading at this time. Again, this is to receive bids, this is for our portion of the Everhard/Whipple Avenue Waterline Replacement. So, I move that we go ahead and approve this in the third reading.

COUNCILMAN REVOLDT: Second.

Unanimous voice vote of 6 to adopt the third reading of Ordinance No. 104 – 2017

ORDINANCE NO. 104 - 2017 WAS PASSED BY A UNANIMOUS VOICE VOTE OF 6 YES.

COUNCIL PRESIDENT PETERS: All right, thank you. May I have a motion and second to read by title only, the first reading of Ordinance No. 1 – 2018.

COUNCILMAN CERRETA: So moved.

COUNCILMAN FOLTZ: Second.

Unanimous voice vote of 6 to read by title only the first reading of Ordinance No. 1 - 2018.

10. New Business

11. Ordinance No. 1 - 2018

Ordinance, Rules and Claims Committee

An ordinance repealing and replacing Ordinances 105-78, 3581-75, and 3544-75, prohibiting, at all times, right turns on red at certain intersections regulated by traffic control signals, and prohibiting right turns on red between the hours of 8:00 a.m. and 4:00 p.m., Monday through Friday, at certain intersections regulated by traffic control signals, and declaring the same to be an emergency.

COUNCIL PRESIDENT PETERS: Thank you. The first ordinance of 2018, Member Revoldt?

COUNCILMAN REVOLDT: Well, as we all know from last week, Ohio law prohibits right on red. Allows communities, or permits right on red turns except where prohibited by ordinance. And this particular ordinance updates our City's prohibition on right on red.

COUNCIL PRESIDENT PETERS: Is there a motion to adopt the first reading?

COUNCILMAN REVOLDT: So moved.

COUNCILMAN FOLTZ: Second.

Unanimous voice vote of 6 yes to adopt the first reading of Ordinance No. 1 - 2018.

COUNCIL PRESIDENT PETERS: May I have a motion and a second to suspend the rules of Council for three readings for Ordinance No. 1 – 2018?

COUNCILMAN REVOLDT: So moved.

COUNCILMAN CERRETA: Second.

Unanimous voice vote of 6 yes to suspend the rules of Council for three readings for Ordinance No. 1 - 2018

COUNCIL PRESIDENT PETERS: May I have a motion and a second to adopt under suspension of the rules Ordinance No. 1 - 2018?

COUNCILMAN REVOLDT: So moved.

COUNCILMAN FOLTZ: Second.

Unanimous voice vote of 6 yes to adopt under suspension of the rules Ordinance No. 1 - 2018.

ORDINANCE NO. 1 - 2018 WAS PASSED BY A UNANIMOUS VOICE VOTE OF 6 YES.

COUNCIL PRESIDENT PETERS: All right, thank you. May I have a motion and second to read by title only, the first reading of Ordinance No. 2 - 2018.

COUNCILMAN FOLTZ: So moved.

COUNCILMAN REVOLDT: Second.

Unanimous voice vote of 6 to read by title only the first reading of Ordinance No. 2 - 2018.

12. Ordinance No. 2 - 2018

Ordinance, Rules and Claims Committee

An ordinance prohibiting medical marijuana cultivators, processors, and retail dispensaries licensed under Ohio Revised Code Chapter 3796, Medical Marijuana Control Program, within the City of North Canton, and declaring the same to be an emergency.

COUNCIL PRESIDENT PETERS: Thank you. Chairman Revoldt?

COUNCILMAN REVOLDT: Short title is sufficient. Prohibits the cultivation, processing, and retail dispensing of marijuana in the City of North Canton.

COUNCIL PRESIDENT PETERS: And if I could interject, and I was watching social media over the past week. This does not prohibit individual use. Okay, is there a motion to adopt the first reading?

COUNCILMAN REVOLDT: So moved.

COUNCILMAN CERRETA: Second.

Unanimous voice vote of 6 yes to adopt the first reading of Ordinance No. 2 - 2018.

COUNCIL PRESIDENT PETERS: May I have a motion and a second to suspend the rules of Council for three readings for Ordinance No. 2 - 2018?

COUNCILMAN REVOLDT: So moved.

COUNCILMAN CERRETA: Second.

Unanimous voice vote of 6 yes to suspend the rules of Council for three readings for Ordinance No. 2 - 2018

COUNCIL PRESIDENT PETERS: May I have a motion and a second to adopt under suspension of the rules Ordinance No. 2 - 2018?

COUNCILMAN REVOLDT: So moved.

COUNCILMAN FOLTZ: Second.

Unanimous voice vote of 6 yes to adopt under suspension of the rules Ordinance No. 2 - 2018.

ORDINANCE NO. 2 - 2018 WAS PASSED BY A UNANIMOUS VOICE VOTE OF 6 YES.

COUNCIL PRESIDENT PETERS: All right, thank you. May I have a motion and second to read by title only, the first reading of Ordinance No. 3 - 2018.

COUNCILMAN FOLTZ: So moved.

COUNCILMAN REVOLDT: Second.

Unanimous voice vote of 6 to read by title only the first reading of Ordinance No. 3 - 2018.

13. Ordinance No. 3 - 2018

Personnel and Safety Committee

An ordinance amending the City of North Canton's Employee Handbook by including in the Drug Testing Policy notice that the City shall neither permit nor accommodate an employee's use, possession, or distribution of medical marijuana, and declaring the same to be an emergency.

COUNCIL PRESIDENT PETERS: Thank you. Yes, this puts it into the Employee Handbook. The Director of Law touched on it briefly in our special Committee meeting proceeding this. Again, this only addresses the employees of the City of North Canton. Any questions?

COUNCILMAN REVOLDT: Motion to adopt.

COUNCILMAN FOLTZ: Second.

Unanimous voice vote of 6 yes to adopt the first reading of Ordinance No. 3 - 2018.

COUNCIL PRESIDENT PETERS: May I have a motion and a second to suspend the rules of Council for three readings for Ordinance No. 3 - 2018?

COUNCILMAN REVOLDT: So moved.

COUNCILMAN CERRETA: Second.

Unanimous voice vote of 6 yes to suspend the rules of Council for three readings for Ordinance No. 3 - 2018

COUNCIL PRESIDENT PETERS: May I have a motion and a second to adopt under suspension of the rules Ordinance No. 3 - 2018?

COUNCILMAN REVOLDT: So moved.

COUNCILMAN FOLTZ: Second.

Unanimous voice vote of 6 yes to adopt under suspension of the rules Ordinance No. 3 - 2018.

ORDINANCE NO. 3 - 2018 WAS PASSED BY A UNANIMOUS VOICE VOTE OF 6 YES.

COUNCIL PRESIDENT PETERS: All right, thank you. May I have a motion and second to read by title only, the first reading of

Ordinance No. 4 - 2018.

COUNCILMAN REVOLDT: So moved.

COUNCILMAN CERRETA: Second.

Unanimous voice vote of 6 to read by title only the first reading of Ordinance No. 4 - 2018.

14. Ordinance No. 4 - 2018

Street and Alley Committee

An ordinance authorizing the Director of Administration of the City of North Canton to advertise and receive bids according to specifications now on file in the Director's office, and authorizing the Mayor of the City of North Canton, upon Board of Control approval, to enter into a contract for the resurfacing, repaving, replacement, repair, and preventative maintenance of certain City streets, alleys, and parking lots, at a cost not to exceed \$852,000.00, and declaring the same to be an emergency.

COUNCIL PRESIDENT PETERS: Thank you. Chairman Fonte?

COUNCILMAN FONTE: This is basically our annual program to upgrade our streets, alleys, and maintenance for 2018. So it's on emergency, so we can get all the bids out, and get our list of streets. So, I move that we approve the first reading.

COUNCILMAN FOLTZ: Second.

Unanimous voice vote of 6 yes to adopt the first reading of Ordinance No. 4 - 2018.

COUNCIL PRESIDENT PETERS: May I have a motion and a second to suspend the rules of Council for three readings for Ordinance No. 4 – 2018?

COUNCILMAN REVOLDT: So moved.

COUNCILWOMAN WERREN: Second.

Unanimous voice vote of 6 yes to suspend the rules of Council for three readings for Ordinance No. 4 - 2018

COUNCIL PRESIDENT PETERS: May I have a motion and a second to adopt under suspension of the rules Ordinance No. 4 - 2018?

COUNCILMAN REVOLDT: So moved.

COUNCILWOMAN WERREN: Second.

Unanimous voice vote of 6 yes to adopt under suspension of the rules Ordinance No. 4 - 2018.

ORDINANCE NO. 4 – 2018 WAS PASSED BY A UNANIMOUS VOICE VOTE OF 6 YES.

COUNCIL PRESIDENT PETERS: All right, thank you. May I have a motion and second to read by title only, the first reading of Ordinance No. 5 - 2018.

COUNCILMAN REVOLDT: So moved.

COUNCILMAN FOLTZ: Second.

Unanimous voice vote of 6 to read by title only the first reading of Ordinance No. 5 - 2018.

15. Ordinance No. 5 - 2018

Finance and Property Committee

An ordinance authorizing the Mayor of the City of North Canton, upon Board of Control approval, and pursuant to the Ohio Cooperative Purchase Act, to enter into an agreement with Pfund Superior Sales Co. Inc., for the purchase of a 2018 Ford F-550 4X2 Life Line "Custom Superliner" Type I Ambulance with the trade in of the City's 2012 International Type I Ambulance, and declaring the same to be an emergency.

COUNCIL PRESIDENT PETERS: Thank you. Chairwoman Werren.

COUNCILWOMAN WERREN: Yeah, this just allows the Board of Control to buy a new ambulance. It was already in the budget for last year, we talked about it last week. If there's no other questions, I move to adopt, and it is under emergency.

COUNCILMAN CERRETA: Second.

Unanimous voice vote of 6 yes to adopt the first reading of Ordinance No. 5 - 2018.

COUNCIL PRESIDENT PETERS: May I have a motion and a second to suspend the rules of Council for three readings for Ordinance No. 5 - 2018?

COUNCILMAN REVOLDT: So moved.

COUNCILMAN CERRETA: Second.

Unanimous voice vote of 6 yes to suspend the rules of Council for three readings for Ordinance No. 5 - 2018

COUNCIL PRESIDENT PETERS: May I have a motion and a second to adopt under suspension of the rules Ordinance No. 5 - 2018?

COUNCILMAN REVOLDT: So moved.

COUNCILMAN CERRETA: Second.

Unanimous voice vote of 6 yes to adopt under suspension of the rules Ordinance No. 5 - 2018.

ORDINANCE NO. 5 - 2018 WAS PASSED BY A UNANIMOUS VOICE VOTE OF 6 YES.

COUNCIL PRESIDENT PETERS: Before I get to Resolutions No. 1 and No. 2 here, I'll entertain a motion to suspend Committee reports. Requirement for Committee reports for both of them.

COUNCILMAN REVOLDT: So moved.

COUNCILWOMAN WERREN: Second.

Unanimous voice vote of 6 yes to suspend the requirement for Committee reports.

COUNCIL PRESIDENT PETERS: All right, thank you. May I have a motion and second to read by title only, the first reading of Resolution No. 1 - 2018.

COUNCILMAN CERRETA: So moved.

COUNCILMAN FOLTZ: Second.

Unanimous voice vote of 6 to read by title only the first reading of Resolution No. 1 - 2018.

16. Resolution No. 1 - 2018

Personnel and Safety Committee

A resolution rejecting the Fact Finding Report dated January 18, 2018, regarding the City of North Canton, Ohio, Employer, and Ohio Patrolmen's Benevolent Association, Dispatch and Lead Dispatcher's Union, State Employment Relations Board ("SERB") Case No. 2017-MED-10-1312, by Fact Finder Thomas Nowel, and declaring the same to be an emergency.

COUNCIL PRESIDENT PETERS: Thank you. Alright we spoke about this in Committee report. This one and Resolution No. 2... Yes?

COUNCILMAN REVOLDT: Just as a point of order. The City's position is to reject the Fact Finder's position, correct? (Correct) Which means that if this is adopted we accepting. Excuse me, the motion reads to reject. Very good. Thank you.

COUNCIL PRESIDENT PETERS: So a vote in favor of is rejecting the Fact Finder Reports.

COUNCILMAN FONTE: So, yes means no.

COUNCIL PRESIDENT PETERS: Correct.

COUNCILMAN REVOLDT: Motion to adopt.

COUNCILMAN CERRETA: Second.

Unanimous voice vote of 6 yes to adopt the first reading of Resolution No. 1 - 2018.

COUNCIL PRESIDENT PETERS: May I have a motion and a second to suspend the rules of Council for three readings for Resolution No. 1 - 2018?

COUNCILMAN FOLTZ: So moved.

COUNCILMAN CERRETA: Second.

Unanimous voice vote of 6 yes to suspend the rules of Council for three readings for Resolution No. 1 - 2018

COUNCIL PRESIDENT PETERS: May I have a motion and a second to adopt under suspension of the rules Resolution No. 1 - 2018?

COUNCILMAN FOLTZ: So moved.

COUNCILMAN CERRETA: Second.

Unanimous voice vote of 6 yes to adopt under suspension of the rules Resolution No. 1 - 2018.

RESOLUTION NO. 1 - 2018 WAS PASSED BY A UNANIMOUS VOICE VOTE OF 6 YES.

COUNCIL PRESIDENT PETERS: All right, thank you. May I have a motion and second to read by title only, the first reading of Resolution No. 2 - 2018.

COUNCILMAN CERRETA: So moved.

COUNCILMAN FOLTZ: Second.

Unanimous voice vote of 6 to read by title only the first reading of Resolution No. 2 - 2018.

17. Resolution No. 2 - 2018

Personnel and Safety Committee

A resolution rejecting the tentative agreement between the City of North Canton, Ohio, Employee, and Ohio Patrolman's Benevolent Association, Patrol Officers' Union, regarding State Employment Relations Board ("SERB") Case No. 2017-MED-10-1313, and declaring the same to be an emergency.

COUNCILMAN CERRETA: We are reading the same one again.

LAW DIRECTOR FOX: No, this is a separate one. Remember we have one that is a Fact Finding Report, and based on that fact finding report, and that was for our dispatchers. We agreed with the Patrol Unit that we would have a tentative agreement based on that Fact Finding Report. So, what we're rejecting here is not the Fact Finder's Report, but the tentative agreement that was based on the Fact Finder's Report. And we had to draw up two, one for accept, and one for reject. And the rationale behind that is because we would not know until Council voted on that. We had to be prepared for that, because SERB puts a demand on the legislative body, you must respond within 24 hours after that decision. So, we had two made, unfortunately, I'd given the clerk there the first one and not the second.

COUNCIL PRESIDENT PETERS: Okay, so we are in fact referencing the same case number.

COUNCILMAN CERRETA: Same Resolution No. 1?

LAW DIRECTOR FOX: No, no, it's Resolution No. 2. One you just finished, this is Resolution No. 2.

COUNCILMAN REVOLDT: Clerk, will you please reread Resolution No. 2 – 2018?

LAW DIRECTOR FOX: This is Resolution No. 2, it's a resolution rejecting the tentative agreement. She was to give you this today, and the rationale behind it again was, and that's what we discussed in executive session. This is what we're doing is not rejecting the fact finder's decision, that was for dispatch. We're rejecting tentative agreement... .

COUNCILMAN FOLTZ: Yeah, that's in our packet. Go to your packet, Resolution No. 2 – 2018, the meeting agenda is worded different, than this. That's the clarification you're making?

LAW DIRECTOR FOX: Yes, sir.

COUNCILMAN REVOLDT: I think you're going to need a motion to, this is your official one right here.

LAW DIRECTOR FOX: Well what you did official was in Committee, and that was a few moments ago.

COUNCILMAN FOLTZ: Then we need to amend the agenda to...motion to amend the agenda for Resolution No. 2, to reread it into the record.

COUNCILWOMAN WERREN: Second.

Unanimous voice vote of 6 yes to reread the title of Resolution No. 2 – 2018.

COUNCIL CLERK BAILEY: A resolution rejecting the tentative agreement between the City of North Canton, Ohio, Employee, and Ohio Patrolman's Benevolent Association, Patrol Officers' Union, regarding State Employment Relations Board ("SERB") Case No. 2017-MED-10-1313, and declaring the same to be an emergency.

LAW DIRECTOR FOX: Thank you, Member Revoldt. It was a tricky one because we're ending up with four pieces of legislation not knowing yet which one to use.

COUNCILMAN REVOLDT: Yeah, and this is, we've got to make sure that what we adopt is not here, but. Perfect, okay, thank you.

COUNCIL PRESIDENT PETERS: Okay, same rules apply as to Resolution No. 1, a vote in the affirmative is rejecting the tentative agreement. So, any questions, or comments?

COUNCILMAN REVOLDT: Motion to adopt the first reading of Resolution No. 2 – 2018, as read before Council.

COUNCILMAN CERRETA: Second.

Unanimous voice vote of 6 yes to adopt the first reading of Resolution No. 2 - 2018.

COUNCIL PRESIDENT PETERS: May I have a motion and a second to suspend the rules of Council for three readings for Resolution No. 2 - 2018?

COUNCILMAN REVOLDT: So moved.

COUNCILMAN CERRETA: Second.

Unanimous voice vote of 6 yes to suspend the rules of Council for three readings for Resolution No. 2 - 2018

COUNCIL PRESIDENT PETERS: May I have a motion and a second to adopt under suspension of the rules Resolution No. 2 - 2018?

COUNCILMAN REVOLDT: So moved.

COUNCILWOMAN WERREN: Second.

Unanimous voice vote of 6 yes to adopt under suspension of the rules Resolution No. 2 - 2018.

RESOLUTION NO. 2 - 2018 WAS PASSED BY A UNANIMOUS VOICE VOTE OF 6 YES.

COUNCIL PRESIDENT PETERS: All right, Member Fonte.

18. Reports – Council

COUNCILMAN FONTE: I don't know if anybody noticed. Hoover, across there, they're replacing some windows finally. I saw they put like three new windows in. So if you watch over the next few days, maybe they'll get them all done. Take all that wood out. So, that's exciting, to see that at least cleaned up. I wanted to double check to make sure everybody had a chance to check out PAVs, during that cold spell to see if you got some ice cream, or adult drinks. Starbucks looks like it's coming right along. And also they did a really nice job I think with ACME. The parking, if you guys checked out that, it's really nice to be able to pull right up in front. I was just wondering, this is something I wanted to throw out, between the Chamber and us, and whoever. When businesses come, you know, you always have a little rendering. It would be nice, like say where the orthodontist is going, where DeHoff's land is. You know, a lot of people think that's a banking going in there. Because they have the bank advertisement. Consumer Bank, the person who made the loan. It just would be nice if we could just as we go forward maybe try to get a jump on that. As we have things happening, let's get those signs out, so people know what's coming. That was just my recommendation. Other than that... .

COUNCILMAN CERRETA: That might be something to take up with the Chamber.

COUNCILMAN FONTE: Okay, I just wanted to know if we could do that. I think it would be a positive thing.

COUNCILMAN REVOLDT: I'll mention it tomorrow, I've got a call into Doug.

COUNCILMAN FONTE: Thank you, and I'd more than happy to join you if you need help.

COUNCILMAN CERRETA: Good point.

COUNCIL PRESIDENT PETERS: Member Werren?

COUNCILWOMAN WERREN: I just want to thank Mike Battershell. He was so quick and timely, and efficient. There were a couple road things I had issues with. And he emailed me back immediately, and got the residents taken care of. So, thank you. Because I know in the past couple of weeks, we've been really busy. And it just means a lot to get those quick emails back, and be able to let the residents know what's going on. Second, and Laura, I don't want to steal your thunder, cause there's a lot of good things to report from this 2017 financial snapshot. Laura and I were able to spend some time together, and I won't say it, but there's a lot of up arrows on there. That's a really good measure of where we are with our finances. And just one thing I will note, the interest in common. I'm sure everybody's 401K areas and different revenue sources, possibly went up last year. But that just doesn't happen. A lot of times, those are just sitting in accounts where there isn't movement. And Laura was responsible for helping to move some of those accounts. And she works with people, and it's all mandated by ordinance, and Revised Code. Because I asked her, I said "So if you pick like a penny stock from China, is that allowed?" And that is not allowed. But, there is movement there, and a lot of that is because of Laura. I had to be clear about what's allowed and not allowed, Laura. So, thank you for spending all that time with me, and talking about things. And we have some other ideas, and we'll share later. Last thing, I'm glad a resident did ask where Marcia was. And as we stated earlier in the meeting, she is at a National Honor Society meeting probably for the third time, since all of her kids have been inducted into that. It's her last child. And I'm quite certain that nobody has a problem with that. As its been noted, we've pulled her record again, and again, and Marcia is here. It needs to stop. That's it.

COUNCIL PRESIDENT PETERS: Member Revoldt?

COUNCILMAN REVOLDT: I think from some of the comments, from the document that Laura circulated earlier, we're in sound financial health. There is a keen interest in among the members of Council who are working in various ways of economic development projects. And I would simply say that if there are any employers, or representative employers in the audience tonight who might contemplate looking at relocating jobs in the City of North Canton. Please do so. We are likely to have a significant tax advantage over some of our outlined municipalities. We can provide safe, and attractive workspaces for people who want to work 24 hours a day. So I would be remiss if I didn't throw a commercial at you. We'd loved to have a larger presence than we currently have. And we have space. So, that is my report.

COUNCIL PRESIDENT PETERS: Thank you, Daryl. Member Cerreta.

COUNCILMAN CERRETA: Well said. Just one thing, the Heritage Society is going to have an unveiling of the, what we call the guard shack, okay. They want it to be a very low key thing on January 30th at 2:00 p.m. And it's really just to thank those who donated, and it is the 100th year of when New Berlin was founded, and now North Canton. So, they want to celebrate, and that's going to kick off their celebration of this City being in existence, whether it's New Berlin, or North Canton. So that's January 30th at 2:00 p.m. They'll want to, you know, thank those who donated; like Coon, and Viking Glass, and any others who have done that. So they'll put that out. So, it's a nice little thing for them, if you go by, you'll see some of the panels that are already up in there. January 30th at 2:00 p.m., right over here at the guard shack. So a very small low key kind of thing. Okay, that's all.

COUNCIL PRESIDENT PETERS: Outstanding, thanks, Mark. Member Foltz?

COUNCILMAN FOLTZ: No report. Other than, has there been any movement with Fieldcrest, getting the consultants together, or engineers to look at this? We don't want time just to keep going by with this situation. So, I'm just throwing it out there. I don't know if we had a chance to... .

DIRECTOR DEORIO: Something that I'm working on this. I'm working with our consultant to develop our position.

COUNCILMAN FOLTZ: Okay, so, we've started that process. That's good. That's all I'm asking. So, we get this done sooner than later for the owners there. Appreciate it. Thank you.

COUNCIL PRESIDENT PETERS: Thank you. Couple things here, and I hope I'm not stealing anyone's thunder. We have an opening on the Housing Council.

DIRECTOR DEORIO: Correct, James Holl, wishes to complete his term which ends February 1st. It's appointed by Council. James Holl is retiring from the Housing Council, for Council.

COUNCILWOMAN WERREN: Is there any type of person they're looking for? Any credentials? Like any specific skillset, or anything?

DIRECTOR DEORIO: I mean it's your pick.

COUNCIL PRESIDENT PETERS: It's our appointment. So, first of all, I want to thank Mr. Holl for his service. And just to put that out there, if you guys have anybody in mind, you think somebody might be a good fit. We have to make that appointment. So... . And on a sad note, lifelong friend and former Captain in our EMS Department, Greg Seemann, his father passed away yesterday. Dick Seemann. North Canton Hoover graduate, one heck of a football player, and a great, great man. So, just wanted to recognize him tonight. That was very sad news I received this morning. And Greg put in 40 years with us? Correct, Mayor?

MAYOR HELD: Yeah, I believe it was. He did a great job for the City.

COUNCIL PRESIDENT PETERS: Yeah, so anyways, I just want to put that out there. Our condolences to Greg and his family.

With that, Director of Law.

19. Reports:

LAW DIRECTOR FOX: Yes sir, because there was an executive session, and there was a lot of discussion this evening on the Collective Bargaining negotiations with two of our safety forces unions. I want to clear, and so that there's not some misrepresentation of the City's position. The City wishes to utilize the State Statute that says the employer has the absolute authority to ban use, possession and distribution. And that's what it asks to be placed in the Collective Bargaining Agreement. Now mind you that, don't let that misrepresent that the union has asked for its members to be permitted to use medical marijuana. That has not been part of our bargaining. The union simply stated that it did not agree to place that language into the Collective Bargaining Agreement. And that's its right. So it simply opposed that language. Some of that is the concern that the State Statute weakens the just cause provisions that's provided in two articles of the Collective Bargaining Agreement. I believe that's their concern. Not whether or not they can utilize medical marijuana. It's the issue of just cause. So, I just wanted to make sure that's clear. And that we're not stating the Union's position, any further than that one statement. That's all I know at this point. Thank you.

COUNCIL PRESIDENT PETERS: Thank you, and we would remiss if we wouldn't mention, you know, not a personal opinion here, but it is, you know, states are now taking the initiative on authorizing this as medical use. And in some states recreational. It is still federally prohibited. It is still classified in the same category of some of the quote unquote "harder drugs." There is a reason why dispensaries, and folks in these states that have passed this aren't putting their money in the banks. Because of fear of federal government coming in, and confiscating those funds. And there's some other liability issues as well. I would be remiss to, if I didn't at least mention that. Before I send it over here, Marcia, let the record reflect we're joined by Member Kiesling. Hope we didn't steal your thunder, we made the announcement that...

COUNCILWOMAN KIESLING: Oh no, it's all good.

COUNCIL PRESIDENT PETERS: Do you have a report.

COUNCILWOMAN KIESLING: I don't have a report, I don't think so at this point.

COUNCIL PRESIDENT PETERS: Okay, something comes up let me know before the Council meeting is over. Director of Finance.

FINANCE DIRECTOR BROWN: Thank you. I have two things. One is, and I'll probably say this 10 more times, between now and then, but March 20th, the afternoon of between 1:00 and 7:00, will be our annual RITA tax day. When residents can get free help, doing their City return. March 20th between 1:00 and 7:00. Residents can come, we'll be right in this room, RITA auditors will be here. They'll prepare your City tax return for free. Just bring your W2's and other forms. Yes, sir?

COUNCILMAN FONTE: Will it be in the water bill?

FINANCE DIRECTOR BROWN: It will be on the February water bill. We've got an event on Facebook. It's on the website. I passed it along to the Repository. I'm trying to get the work out there, so that those residents that need that assistance can get in here and get it.

COUNCIL PRESIDENT PETERS: We got a card from RITA. What was that?

FINANCE DIRECTOR BROWN: Yes, that was just a reminder postcard. Reminding you that RITA does take care of North Canton's income tax. You can go online, RITAOHIO.com and file online. It takes about 10 minutes. If you're just an average person, or like I said, you can come in on the 20th and there'll be some auditors here to help you. So that's the first thing. I appreciate Stephanie's nice comments, and like she said, you all have this financial snapshot on the desk in front of you. Along with your W2's, from the City, so please take those with you. Mayor, as well. I'll highlight a couple of these things. Like she said there is a lot of good news on this sheet for 2017. Our total fund balance, that's up there at the top left, we went up about \$300,000.00, that's all funds. That's the total money the City has, in every pot. Over there to the right, the General Fund balance increased by about \$1 million. Income tax collections are up, they were up quite a bit over '16, but that was our transition year to RITA. But if you look at '17 as compared to '15, we were up about \$800,000.00. So that's really great news, when you're talking about \$7, or \$8 million. That's a pretty large percentagewise. Some of that's due to RITA, just going after people and finding some of those hidden people that, you know, maybe weren't filing. Some of it's the improving economy as well, and more jobs in the City. And then down at the bottom left, I would highlight for you, our total debt, we reduced that by \$1.3 million last year. We didn't bring on any new debt, and about 89% of that debt relates to sewer and water infrastructure projects. We only have about a \$1.5 that's City debt, you know, City projects. And the rest of that just gives you some comparisons, year over year. One thing that I will highlight, one place where revenue is kind of flat, is in our Water and Sewer Funds. That basically stayed flat from '16 to '18. Even with the slight increase in water rates. You know, consumption was pretty flat. And sewer rates have stayed the same. So, that's something that I'm keeping my eye on, as we go throughout the rest of the year, to see, you know, do we need to raise rates? Or our balance is healthy enough that we can pay for all those wonderful projects that Rob brings our way. Anybody have any questions on any of that?

COUNCIL PRESIDENT PETERS: So if I'm reading this right, our income is up, our debt is down, and our expenses are for the most part across the board lower than they were?

FINANCE DIRECTOR BROWN: Mostly holding their own. Yeah, we're doing pretty well. And, you know, keeping those balances strong, you know, some of that is revenue increasing, but some of that is just every department head of the City planning for things that they purchased, and then only purchasing what they need. And looking for those deals, getting quotes, getting bids. It takes everybody working together to keep that moving.

COUNCIL PRESIDENT PETERS: All right, thank you. Director of Administration?

DIRECTOR DEORIO: Just some housekeeping, I'd like to announce Don Walker, who's our building, mechanical and electrical inspector, last day of employment will be March 2, 2018. He will be retiring, and he thanks the City for his over 10 years employment, wishes everyone continued success. And we recognize those sentiments, and we're right back at him, we thank him for his service. We received a small contribution, normally I wouldn't mention it, but I do want to mention in case there are others that are thinking about making a contribution in memory of Del Baker. And we do accept those contributions. We received one from a donor who's in Cleveland Heights, but knows the Baker family. Asked for this to be put towards the parks or the Civic Center. And so we reached out to them, thanked them for their contribution. Notified the Baker family as well. So we kind of got the word out there in case they want to do more of that. Our bid packet was sent out for the commercial insurances for the City. And that advertisement of that official notice occurred on January 18th, and then will occur also on January 25th. Bids are due on March 28th, and the renewal is April 15th. So you will be hearing more about that in the weeks ahead. Prior to earlier this evening, we had a meeting of the North Canton Records Archive Commission. I will send you out a memo on that, for those of you that weren't there. Weren't required to be there, but we had a quorum, and a couple of our departments submitting notices of some forms that they need to, paperwork that they need to notify the Ohio Heritage, Ohio Historical Society, Attorney General's office, there's a whole process that we go through before any records are potentially destroyed. I wanted to let you know that we do have to meet twice a year. And we are following that prescription very closely. Mentioned Wednesday, February 7th is the Chamber of Commerce's Savor the Chamber event, for those of you that haven't purchased tickets, they're \$20.00 advanced sale, \$25.00 at the door. It's going to be held at the Champion Events Center.

COUNCILWOMAN WERREN: Is that their annual meeting? Annual dinner?

COUNCILWOMAN KIESLING: Like their banquet?

DIRECTOR DEORIO: This is their local flavors from restaurant members of the North Canton Area Chamber of Commerce. Enjoy an array of delicious samples from our local area restaurant members. Champion Events Center. Wanted to alert just Councilmembers of a new process that we're following here, that pertains to vacant properties. And this is a cross departmental process that we've implemented, based on research that we had done in the field. To find that low and behold not every vacant property is registered with the City. It's a requirement. It does two principle things. One, it protects the people who go in and have to respond to an emergency at a vacant place. If it's a fire or a break in, or something to that effect. Protects the, you know, the property purchaser, or renter. Making sure that the vacancies are up to code. And by doing some research with some of the individuals that are in this market place, that purchase this kind of stuff, we're able to identify an earlier process to get involved. So, that process involves first, working with our Utilities Department, to see if there's any sudden shut off notices. Generally, something that is not a snowbird situation, could be an alert that maybe something is wrong with the meter. But also maybe that the property has been vacated. The next step would be to search the Stark County Recorder's office, public records in which they put pre-foreclosure notices out. At that time we would probably have a pretty good indication that the property is about to be vacant, if not vacant already. And then finally, you know, make sure nothing's falling through the cracks, checking the public records at the Stark County Sheriff's office, of notices of Sheriff Sales that are going to happen. This gets us in the process earlier, so that the banks while they own these properties, are making sure they pay the registration fee to notify the City that they are vacant properties. And as a result, then the individual buying the property won't be put in the dark, because the bank's not disclosing it. Mr. Fonte?

COUNCILMAN FONTE: So here's where I'm going with it. Seven through 13 was 30% foreclosures are damaged assets, now we're down to like 3 or 4%. So now we're at the lowest level in the nation in foreclosure. So the problem I have is a real estate expert for over 30 years, is I have a house on Werstler, 711 Werstler. The two people I go to church with went into a nursing home, the house is vacant. They cleaned it out. I have it under contract, I get a call from the Nuisance Officer, he wants me to fill out all this paperwork, and I said "it's not a foreclosure, it's not a short sale." The people are in a nursing home, I'm selling the house. And he makes me jump through all these hoops. I don't like that. And no one should have to do that. If it's a house that's sitting empty a year, six months, I can get that. But a lot of people move out of their houses and into other houses, and they're vacant. So, there's got to be hybrid. Because the way the style was handled, was not good. So, I'm just saying, that's where the customer service, not that I'm a Councilmember and real estate agent. If I say to you "they moved out because they're both in a nursing home, and we're selling it." End of story, it should go away at that point. It shouldn't be, make me go down and fill out all this paperwork, chase the sellers down. I just, if it's a foreclosure, or something like that, or short sale, another conversation. But I'm just saying, under normal circumstances, if that house has been sitting empty for several months, or a year, I can get what you're talking about checking it out, occupancy permit, all that kind of crap. But when they call me and I say "they just moved out a few months ago, to go into a nursing home. And under contract." Story over. So that's where I'm irritated with the experience that I had personally.

DIRECTOR DEORIO: Well, I appreciate your position, I don't necessarily agree with it. But I would say there's a difference between...

COUNCILMAN FONTE: Well, I think we should work together, since I'm very astute in this department.

DIRECTOR DEORIO: There's a difference between, okay...

COUNCILMAN FONTE: I'm just saying, we could work together to come up with a better plan.

COUNCILWOMAN KIESLING: It is all about customer service at the end of the day.

COUNCILMAN FONTE: They're our customers, they're business partners.

DIRECTOR DEORIO: There are exceptions to the rule, I'm not saying that there isn't.

COUNCILMAN FONTE: When I, like look Pat, when he called, and I said this, I'm just using me as an example, which is really pathetic. If that happened to anybody else, look the agents are the advocates...

LAW DIRECTOR FOX: Mr. Fonte, if you would, timewise...

COUNCILMAN FONTE: Okay, here's the last point, just as advocates for the City, its builders, its realtors, its people like that, including us, as Councilmembers. But I'm just saying. We'll finish it up later, but I'm frustrated.

COUNCILWOMAN KIESLING: And Dom, you don't need to finish it up later, I completely oppose. Tim, this is our time to discuss. I don't mean to... Tim, you can't stop him from talking because this is reports, this open conversation. I'm confused why you said that.

LAW DIRECTOR FOX: I'll let you know after the...

COUNCILWOMAN KIESLING: Why don't you let me know now?

LAW DIRECTOR FOX: I believe he has a conflict of interest.

COUNCILWOMAN KIESLING: Then come out and say that, and stop him earlier.

LAW DIRECTOR FOX: I'm trying to tell you that.

COUNCILMAN FONTE: I mean they didn't treat me any special, I can tell you that. But I could add to the whole experience of what we should be doing. Just from a, you know, outsider.

COUNCILMAN CERRETA: Thank you, Pat, for updating us on all that.

COUNCIL PRESIDENT PETERS: Thanks, Pat. Mr. Mayor?

MAYOR HELD: Yes, just, you know, I'm looking at the numbers. The income tax collections for 2017, when you look at where we were at after the Hoover Company left, our income tax had dropped from a high of \$7 million in 2000, down to \$5.4 million in 2010. That was our lowest. So from 2010, which was the lowest from when Hoover left, we know have a little over 31% increase from last year. So that's really amazing. When you figure over a seven year period, we've been increasing income tax at 31% plus. So, I mean great job to everybody here in this room. I mean that is amazing. And then the other item is that Mr. Del Baker who had passed away, he was on the Park Board, so we do have a vacancy open for that. It usually meets once a month, the advisory committee, the Park and Rec. Advisory Committee, usually at 4:00.

COUNCILMAN FOLTZ: We're making plans, maybe we can discuss with the Administration, is Brian Hill going to be more involved running that?

DIRECTOR DEORIO: Yeah, he's been assigned to that.

COUNCILMAN FOLTZ: Okay. I'm sure it's going to take a while just to get that, we don't meet every month, but we probably meet seven, eight times a year, which is very nice, for their input. Okay.

MAYOR HELD: Yeah, so if anybody, we don't have anybody, any candidates in mind at this point, because obviously it was unexpected. But if there's anybody that's interested in serving, certainly let us know. That's all.

COUNCIL PRESIDENT PETERS: Thank you. Mr. Engineer.

ENGINEER GRAHAM: Thank you, Mr. President. I guess following the Finance Director's report, it's sort of my job to responsibly spend your money. With that in mind, our Foster/Hartman Waterline Project over by the IRG property, that's slated to get started tomorrow. And that was one that did come in about \$100,000.00 under our bid. If you recall, back before the holidays we did have something like 11 bidders on that. So that is slated to get started tomorrow. And then also currently out to bid, and we'll open both bids on Friday 2nd in this room, the Eastwood Tennis Courts, a rebid of that, hopefully get a lot better number. Same plans we had in the past, we just that USTA requirement out of there. We're not going to play the US Open on them, so, not that we sacrifice quality. And we are doing them separate from the Price Park Walking Path Phase I. And the other project that's out to bid is the Price Park Storm Sewer Phase II, from the pond south about 400 feet. We've got a corrugated pipe that's falling apart. We've bandaged it quite a few times in the past two years. We'll get a reinforced concrete box culvert

in there. Then as that's about complete, then we'll do the path paving project. Unless there's any questions, that completes my report, Mr. President.

COUNCIL PRESIDENT PETERS: Alright, thank you. Madam Clerk?

COUNCIL CLERK BAILEY: No report.

20. Final Call for New Business:

COUNCIL PRESIDENT PETERS: Alright, thank you very much.

21. February's Meeting Schedule

- **Monday, January 29, 2018 - no meeting
- Monday, February 5, 2018 - Committee of the Whole meeting
- Monday, February 12, 2018 - Council meeting
- Monday, February 19, 2018 - no meeting
- Monday, February 26, 2018 - Council meeting

COUNCIL PRESIDENT PETERS: Okay, and I missed a couple things, tomorrow night 6:00 p.m. here, Zoning and Building Standards Board of Appeals.

LAW DIRECTOR FOX: That got moved.

COUNCIL PRESIDENT PETERS: Oh, that moved?

LAW DIRECTOR FOX: Yes, sir.

COUNCIL PRESIDENT PETERS: January 30th, never mind I'm looking at it. All right, thank you. And one other announcement here, if I could, registration is going to be open for the 2018 North Canton Little League season. Registration, the walk up registrations will be held here, at City Hall, February 24 and March 3, from 9:00 a.m. to 12:00 p.m. Good luck to all the young players. Anything else?

22. Adjourn:

COUNCIL PRESIDENT PETERS: All right with that, I'll entertain a motion to adjourn.

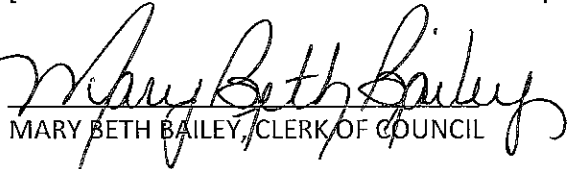
COUNCILMAN FOLTZ: Motion to adjourn.

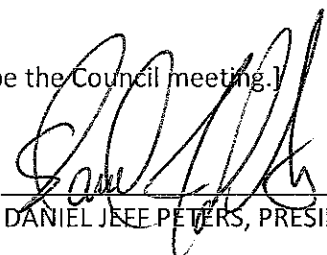
COUNCILMAN CERRETA: Second.

Unanimous voice vote of 7 to adjourn.

COUNCIL PRESIDENT PETERS: Okay, we are adjourned.

[Let the record reflect Charles Osborne set up a tripod and appeared to videotape the Council meeting.]


MARY BETH BAILEY, CLERK OF COUNCIL


DANIEL JEE PETERS, PRESIDENT