

MINUTES FROM COUNCIL MEETING
CITY OF NORTH CANTON
MONDAY, August 27, 2018

1. Call to Order

COUNCIL PRESIDENT PETERS: Okay, I'd like to call to order the Council Meeting Monday, August 27, 2018, 7:00 p.m.

2. Opening Prayer - Steve Stultz Costello, Faith United Methodist 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, Kiesling, Peters, Revoldt and Werren.

Thus having 7 in attendance.

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

5. Consideration

COUNCIL PRESIDENT PETERS: All right, thank you very much. At this time, motion and a second to approve as presented:

Council Meeting Minutes: July 23, 2018

Financial Reports: July 2018

Mayor's Court Receipts: June 2018

COUNCIL PRESIDENT PETERS: Is there a motion?

COUNCILMAN FOLTZ: So moved.

COUNCILMAN CERRETA: Second.

Unanimous voice vote of 7 to approve the above minutes and reports.

6. Recognition of Visitors:

COUNCIL PRESIDENT PETERS: All right, thank you. At this time, if you wish to address Council please step forward, state your name and address for the record.

CHUCK OSBORNE: (read from a prepared statement) 307 Fairview Street SE, North Canton, Ohio. In this evening's agenda for the special Committee of the Whole meeting to be discussed under Ordinance, Rules and Claims Committee, is an ordinance to approve and adopt replacement pages to the City's codified ordinances. I would like to ask that City Council provide much better oversight to this legislation and to the actions of its Council Clerk than it has in the past. Two years ago on September 26, 2016, Council undertook its annual codification of laws with the passage of Ordinance No. 63 - 2016. Due to a grave error on the part of the Council Clerk, a proposed ordinance that had been tabled by City Council became codified into law. I discovered the Clerk's error six months later earlier last year in February of 2017. I am talking about proposed Ordinance No. 6 - 2016 which had been tabled on its first reading earlier in the year at a February 8th 2016 Council meeting. I am sure this body knows that all legislation enacted into law is advertised by title only in the legal notice section of the classifies in the Repository. This advertisement in the newspaper is at no small expense. Advertising legislation that has not even been passed by City Council is an utter waste of tax dollars. On March 4th, 2016 Ordinance No. 6 - 2016 appeared in the legal notice section of the Repository classified. It was identified as tabled. Unfortunately codification of law requires more than advertising in the local newspaper. It requires that the Council Clerk certified to a publishing company on an annual basis after Council commences the codification process, which is taking place now. The publisher then publishes the ordinance so that it can be inserted into bound volumes that contains all the City's codified laws. The publisher also digitalizes the codified laws allowing municipalities to post the laws online on the internet. For the City of North Canton the W.H. Drane Company codifies the laws for the City. The annual submissions of ordinances for codification to the Drane Company requires certification by the Council Clerk, along with documents of when a particular ordinance was passed by City Council. In regards to Ordinance No. 6 - 2016 tabled by Council on February 8, 2018, North Canton's Clerk submitted to the Drane Company that the legislation had been passed on January 26, 2016. North Canton City Council did not even have a meeting on that date. I provided this discovery to now Councilmember at large Daryl Revoldt earlier last year, who informed Mayor Held. And the error was quietly remedied. Unneeded advertising in the Repository along with intervention by the Drane Company to correct the Clerk's error resulted once again in the wasteful expenditure of tax dollars to correct. I believe that this City Council should closely read the annual legislation that initiates the codification of the laws of the City. So this does not occur again. Lastly, I would like to point out that the minutes of Council meetings and legislation are not being printed on archival paper, which has occurred for since the inception of New Berlin. The

pages of the meeting minutes are no longer being numbered for security purposes. And the minutes are no longer being placed in the minute books as has been done since 1906 when the City was a village called New Berlin. The law requires that minutes of City Council meetings be held as permanent records in perpetuity. Proper archival procedures need to be resumed. As elected representatives of the citizens of North Canton, you should reengage yourselves with the responsibilities of your elected office. Costly mistakes could be reduced or eliminated and procedures more closely followed if members of Council were more attentive and observant of work that it is accomplished in their name and on their behalf. Thank you.

SUE PLATT: 801 Briar. I'm going to say something positive. I want to thank you, or thank whoever put the signage, the blinking light in front of St. Paul's and the Y. Thank you, thank you. I always thought that I was going to die going to church on the way crossing the street. And actually on Sunday, somebody actually stopped for me. So, thank you very much. I feel much safer.

COUNCIL PRESIDENT PETERS: Anyone else? All right, seeing none, we'll move to reports, Member Fonte?

7. Reports – Council

COUNCILMAN FONTE: It was a nice couple weeks off, and I hope everyone got a chance to get down to the Main Street festival. And you know, it's really a good time to get some ice cream around town and check out the Starbucks, and some of the exciting things happening. We finally have a yard in across the street. So, hopefully we'll have more progress in the near future. That's all I have to report.

COUNCIL PRESIDENT PETERS: Thank you, Member Werren?

COUNCILWOMAN WERREN: When we were off I was able to have a meeting with Eastwood. And they have a neighborhood association. And so I went and spoke to them just about different things that were going on in the City. But the neat thing about that, they had just had their tennis courts resurfaced. And there's basketball courts that are right next to it, and so they have all new fencing and the basketball fencing you didn't look as nice. And so one of the suggestions from the neighborhood was like "hey, can you do anything about that?" There was a tree with an issue and some different things. And so it was nice to get a lot of that feedback. And kind of be with them and just know different things. And hear their feedback, and not even just about their little area, but about the whole City. And most of it was very complimentary, and they think what is going on was great. And they loved the Main Street things, and we've had a lot going on with Easthill. And then all the paving and stuff. But it was just nice, and then I think when I called Rob the next day and got some answers for them and gave them feedback. And it was just a really good kind of roundtable and good to have that. So those are great. So I guess I'm saying if people wanted me to come or any of us, I think we're always willing to go to those neighborhood associations and get that feedback that really you need. So, it was really good. That's it.

COUNCIL PRESIDENT PETERS: Member Kiesling?

COUNCILWOMAN KIESLING: The only feedback I've gotten is how awesome it is to have all these roads paved. And how annoying at times, but awesome. So, thank you very much for that.

COUNCIL PRESIDENT PETERS: Member Revoldt?

COUNCILMAN REVOLDT: No report.

COUNCIL PRESIDENT PETERS: Member Cerreta?

COUNCILMAN CERRETA: No report.

COUNCIL PRESIDENT PETERS: Member Foltz.

COUNCILMAN FOLTZ: No report.

COUNCIL PRESIDENT PETERS: Thank you. Director of Law?

8. Reports

LAW DIRECTOR FOX: No report.

COUNCIL PRESIDENT PETERS: Director of Finance.

FINANCE DIRECTOR BROWN: I'll give you a few updates on things, as we've been gone. Filed the 2019 alternative tax budget for the City with the County Auditor. That just starts our budget process for the year legally, by asking the county to levy property tax on our behalf next year. We also set the budget schedule for our 2019 budget, which talking with Finance Chair, President of Council, we've set the tentative date for that special Committee meeting to be October 29th. We did the midyear budget review, there was only one significant item that was kind of out of line so far, and we have that on the Committee agenda. Which will follow this meeting. The audit for 2017 will be released tomorrow by the state auditor's office, we got notified of that today. And that will be out on their website tomorrow that you can look up. And then finally, we've been working on utility billing software upgrade out at the water counter. That's software that those ladies use to bill our 9,000+ customers, hasn't been

upgraded in about 15 years. So obviously technologies have advanced in that time. We've looked at three different software choices. We've seen demos, looked at pricing, and we have made our selection. And we're working through that process. We've also upgraded our online bill pay recently, to improve our credit card processing and our online options. That is up for utilities, and through some feedback from some of our residents, both phone calls and online, we've kind of worked through a few bugs in that system. Which has been great. We appreciate that feedback to get all the features that customers need. Next, the developers are working on the building department. So hopefully that will be up within the next two weeks, for online payments to that department. And that's all I have. Thank you.

COUNCIL PRESIDENT PETERS: Thank you. Director of Administration?

DIRECTOR DEORIO: Thank you, Mr. President. I would request that the agenda meeting notices under reports be amended at some point in the future to include a report from the deputy director of administration and development. As far as items that I have, I would like to bring to your attention that a letter from the Independent Energy Consultants concerning the electric aggregation program is being sent to all the customers in the City that participate in that. There has been some concern with a, the provider of that energy filing a bankruptcy proceeding and what does it mean to our customers. The bankruptcy court has worked these details out. There will be no interruptions to our electric service. There will be no changes to their program rates, the terms, the conditions. There is no action required by community leaders or your residents. This change is the same as a bank selling a mortgage. And you're making a new payment to somebody else. So, just in case you get calls, I wanted you to be aware of that. In regards to the natural gas program. The City of North Canton participates with the Stark Council Governments concerning city buildings, and their natural gas usage, it has been recommended by our supplier to, by our consultant I should say by SCOG's consultant for the City of North Canton to switch to a different provider. We are in the process of reviewing those agreements and moving forward with that. We will save approximately \$13,000 year going forward by making that switch. So, I thought that was very good news I wanted to share. There was a article in the newspaper, I believe over the weekend that talked about accidents that may have been occurring near the Orchard Hill School, and concerned with child safety. I responded to the councilman directly that brought this to my attention. But I thought that it warranted bringing it to the attention of all members of Council and the public, that the basis of the article asserted that a school zoning surrounding Orchard Hill was approximately a two mile radius. A two mile radius encompasses about 90% of the City. We're six square miles, we're three miles across, and I think it would be very difficult for us to comprehend that traffic up on Applegrove and Main would constitute the school zone for around Orchard Hill. So, the chief of police was very gracious to give us some time on his busy Monday to look into the accident reports, and going back to 2014, we could find no relevant crashes in what would be considered a school zone around Orchard Hill. The chief also wanted us to be aware that the areas around all of our school buildings are heavily patrolled during the arrival and dismissal times each day, and that Orchard Hill is probably the calmest site of all of our schools. So, wanted to make sure that was out there for the record. Finally, since the break, we have been busy putting together a request for qualification process for our safety service building. I've spoken too many of you about that, but just to make sure that you're all aware, that we put together an RFQ. It's been widely, I'll say acclaimed by those that have been coming in and talking to us about this project as one of the best RFQ's they've ever written. We've done that internally through the Director of Finance, Director of Law, the two chiefs, myself, put that together. The purpose of this is to invite national and local firms to tell us why they would be a good choice to design this building. And we're going to put them through a series of steps that will help identify, if they really are qualified. And then we will go through a process of identifying them. We are asking that their submissions, and their submissions are "hey, what have you done that's really good? Show us. And answer all these questions and give us this pertinent financial data. And give that to us by September 17th." Then we'll acclimate that information and put it out here for the public, put up displays if necessary. And let everybody know who's really interested from around the country in doing this project. And we have a number from around the country that have already been through it. So, just wanted to give you that information. Thank you. That's all.

COUNCIL PRESIDENT PETERS: All right, thank you. Mr. Mayor?

MAYOR HELD: Yes, we had two new appointments to the, well, actually three new appointments to the Community Improvement Corporation. So, we held our annual meeting just before this meeting. And the Community Improvement Corporation is a separate corporation, which helps us to provide tax incentives or funding, or assistance to new businesses looking to come to the City of North Canton. I think we have about \$900,000.00, or \$980,000.00, so close to a million dollars, which is good. I think we originally appropriated \$1.5 million, and that began back in 2005. So, it's a \$100,000.00 a year for 15 years. So all the projects that we've had so far have been very, very successful. And all the amounts that have been expended have been repaid, more than repaid with the income tax that was brought in. Like Myers Control Powers, also the Developmental Disabilities, and a few other projects. The two new appointments on the administration's end is Jane Nicholson from State Farm Insurance. She's been in North Canton for years. Very successful as far as her insurance business. And then we had Tim McCort. And Tim was responsible for training all of the electricians in the area for all the various electrical companies. So, he would go and recruit young people from high school, and he would train them to become apprentice electricians. It was a non-profit organization. But he brings a lot of experience, so he's going to be serving as the second appointee for the administration. And then on Council, the Council appointed Jon Zepp, of the famous Zepp's Pizza. Great pizza here in North Canton. Grew up in North Canton, and raising his family here and has his business here. So, that organization is going to be set for this year. And then we also appointed a new police officer. Normally we like to appoint the new police officers right here at the Council meeting. But I know the chief and the police department, they were really eager to get this young man started. And so we had sworn in Jacob Tate. And Jacob served in the U.S. military, and then also most recently served as the deputy for the Stark County Sheriff. So he came highly recommended. He's really a fine young man. He's really a class act. Has a lot of experience. Was highly rated at the Sheriff's department. So he joined our police, started today. So we swore him in earlier and today's his first

day. So, if you get a chance to see Jacob Tate, we had a picture put up on Facebook. Quality young man. And then, our paving program. This really is the best start that the City's ever had. That I can recall. So, great job. That's all I had.

COUNCIL PRESIDENT PETERS: Thank you, Mayor. Mr. Engineer?

ENGINEER GRAHAM: Thank you, Mr. President. We've been kind of busy the last few weeks, as you can imagine, down at engineering. We wrapped up seven or eight projects since the last Council meeting. More on the go. You probably noticed South Main repaving has started. You've seen the intermediate course is down, and temporary striping. What they're doing now is the curb repairs, catch basin repairs. We've got like 20 catch basins, we're rebuilding the top few inches of. The salt has really eaten them away. So, we'll get that done. And grants are paying for all of that, as well. And then what's left to come is the three quarter inch polymer coat that we've talked about. The better asphalt. A lot of folks, the intermediate looks pretty good, but they call our office wondering if that's the final. And then also what you'll see is that polymer has to cure for about 30 days before they put the final thermal plastic striping down. So, the contractor will temporarily paint it, kind of like it is now. And it looks pretty horrible, but that's not our final. I mean, it will look good. That horrible stuff will wear off. I just wanted to mention that. Couple more things starting probably the week of September 10th. And we'll get it out on Facebook, higher profiles projects. The first one will be northern loop of the walking path in Price Park. We bid that out in March, but we finally got the big storm sewer culvert along the east property line done. And we're going to start around September 10th with our contractor. It's going to take out that entire trail, and put it back instead of six feet wide, nine feet wide. So that's going to really look good. But like I said, we'll get it out there. Because obviously that's a heavily used park, that north loop. So we will have to close that for probably a couple of weeks. And then next would be our West Maple Street project. Right behind us here. Looking to get started on that. Again, the week of September 10th. Probably looking about a good month of inconvenience with detours around Ream and Charlotte back to Main. But we'll get through that one. At least all the other major things out on our streets would be done by that time. And then lastly, we had Board of Control here at 6:30, and we awarded the Eastbury waterline project. We've got quite a bit of curb and gutter, catch basins to rebuild, some sidewalks, drive aprons. And mostly it's a waterline though. And then what we're going to do is repave all that in the spring. We got really good prices on that. We had eight bidders, we estimated about \$700,000.00, which I thought was kind of iffy. And the bids ranged from \$553,000.00 I think, to we had three over \$900,000.00. So we did award that. That job, the folks out on Eastbury will see that start in November. If there's any questions, that completes my report.

COUNCIL PRESIDENT PETERS: Thank you very much. Deputy Director Farina?

DEPUTY DIRECTOR FARINA: Thank you, Mr. President. I'd like to start with giving an update on the construction office reorganization project, we have going on here at City Hall. Contractors are working hard, and they are on schedule to complete our restroom rehab, and our new office configuration, the week of September 17th. So the areas affected in this. The departments in the move will be Council and Law area, as well as the building and permit department. The sequence of the office moves will begin with over here on the south side with the Council Clerk and the Law Director offices being relocated to the north side of the building adjacent to the administration area. After the Council and the Law office are vacated over there, we will then begin the move from the building and permits department. And that will be on September 29th. And that move is being done with the building and permit department is really to provide a better and user experience and bring them up here. A little more consolidation, a little more support. You may have noticed out there in the gold ring where the outline is, that's where the permit clerks, the two clerks out front will be. They'll have additional support with other clerks out here in this area. Just to note for Council, your area will not be affected over there, should you need to go into executive session. The building permits department that will be in that area will not be there in the evening. So the table will be there should you need to go meet in there. In that area, that will comprise of the Chief Building Officer, the two inspectors, and the nuisance officer. All the technical work for the move is complete. All the ports and drops are installed. The new voice phone system, voice over internet protocol phones we went to allows the seamless relocation. The phone follows the user. So there's no reconfiguration. It will keep their extensions. And everything will move seamlessly with that. We have a communication strategy on the building department move. So, it's going to be very inclusive of hopefully meet good media coverage. We'll do a press release out there. We'll also do our social media coverage, Facebook website. And then as well as the building department itself will relocate an engineering clerk out to the front area. So, should anyone stop by West Maple, they'll be guided up here, just as we currently still have people that still come here and we guide them down there. So, that's that. Front project also another construction project jut to note it's important, it effects the City Hall parking lot. It will begin on September 4th and that will be Brian Hill, Superintendent of Parks and Rec and Water Distribution. We'll be putting in a new waterline in City Hall, and that is going to be a lateral line just in the old line. Had numerous breaks and was small. The new line is going to be largest enough to support fire suppression system to this building. Should we ever need that in the future. And all the City employees will be doing the work. It will start the 4th, should last about three days. Should be done before any of the West Maple construction starts. So timed that well. And just to note that, you know, a little inconvenience for a couple of days with that going in. That's all I have.

COUNCIL PRESIDENT PETERS: Thank you. Madam Clerk?

COUNCIL CLERK BAILEY: No report.

9. Final Call for New Business:

COUNCIL PRESIDENT PETERS: All right, final call to Council for new business?

LAW DIRECTOR FOX: Yes sir, if I may. I just want to make a point here. Perhaps I got caught up in the no report as it went by.

But, I wanted to point out that during the recognition of visitors, you know, we had someone that was so eager to criticize our Clerk for making a mistake. And I was thinking about, when you put it all in perspective, to what the burden that we place upon the Clerk, that she performs for us for each meeting, verbatim minutes for every Council, for every Committee meeting. She tracks legislation from the request, from going to Council, scheduling public meetings, making sure that they're advertised properly, placing them on the internet. Memorializing every aspect of what we do here in the legislative process. To state that one mistake was found, that he gleefully ran around waiving. That when you put that into perspective of the volume that we place upon her and the accuracy that we ask of this. That when you put that all in perspective, she's done an outstanding job. So, to sit here and criticize the one mistake, I think is beneath even him. So, I just wanted to place that on the record. Someone may be read it a year from now when it's memorialized. But I think it's a cheap shot, and I didn't want it go without a comment.

COUNCIL PRESIDENT PETERS: Very good. Thank you, Tim.

(Mr. Osborne shouted from the gallery at this time)

COUNCIL PRESIDENT PETERS: You are out of order, Mr. Osborne.

(Mr. Osborne continued to shout from the gallery at this time)

COUNCIL PRESIDENT PETERS: You are out of order, Mr. Osborne. One more time and you're out. Okay, next up, the September meeting schedule. We, I had a quick conversation with Director DeOrio before the meeting. There are, there's one item on the agenda that he needs to get passed. And then a few others that he would like to keep moving along. So, I guess I'm asking you guys next week, Labor Day week. We won't be here Monday, who's available Tuesday evening? You're not?

COUNCILMAN CERRETA: Not Tuesday.

COUNCIL PRESIDENT PETERS: Is there anyone available on, can we get six on Wednesday?

COUNCILMAN CERRETA: I can do Wednesday.

COUNCILMAN REVOLDT: I can do Wednesday.

COUNCIL CLERK BAILEY: Can't do Wednesday because of the Planning Commission.

LAW DIRECTOR FOX: Yeah, Planning's at 7.

COUNCIL PRESIDENT PETERS: Planning's at 7? We could meet a little earlier than that.

COUNCILWOMAN KIESLING: I do Tuesday, but not Wednesday.

COUNCIL PRESIDENT PETERS: You can't do Wednesday. Steph?

COUNCILWOMAN KIESLING: I could do Thursday.

COUNCILWOMAN WERREN: If we did it at 6:00.

LAW DIRECTOR FOX: Thursday's clear?

COUNCIL PRESIDENT PETERS: We're still on Wednesday at 6:00.

COUNCILWOMAN WERREN: Oh, actually no. I'm out.

COUNCIL PRESIDENT PETERS: For Wednesday?

COUNCILWOMAN WERREN: Yeah.

COUNCILMAN FONTE: You're talking about next Wednesday, which is what date? September... .

COUNCILMAN REVOLDT: Who, works for Tuesday? Who does Tuesday work for?

COUNCILWOMAN WERREN: I can do Tuesday. I can do Tuesday at 6.

COUNCILMAN FOLTZ: I'm Tuesday or Wednesday.

COUNCIL PRESIDENT PETERS: Everyone's good for Tuesday, except Daryl?

COUNCILMAN CERRETA: I can't do Tuesday. I can do Wednesday, but not Tuesday.

COUNCILWOMAN WERREN: Can we do Tuesday at 6?

COUNCILWOMAN KIESLING: Does it need to be on an emergency?

COUNCIL PRESIDENT PETERS: Yes. The Solid Waste District.

COUNCILMAN FONTE: I could do Tuesday or Wednesday.

COUNCILMAN REVOLDT: You don't have enough for emergency either on Tuesday or Wednesday.

COUNCIL PRESIDENT PETERS: Doesn't look like it.

COUNCILWOMAN KIESLING: Wednesday, if it's just one piece, it's like 5:30 Wednesday, I can do it.

DIRECTOR DEORIO: Well, I think Dom said Wednesday. Marcia's – Wednesday, Daryl's – Wednesday, Mark's – Wednesday, Doug's – Wednesday.

COUNCIL PRESIDENT PETERS: I'm Wednesday.

DIRECTOR DEORIO: You're Wednesday.

COUNCILMAN FOLTZ: Wait a minute, we're going to pass this on Committee? Coming up?

COUNCIL PRESIDENT PETERS: This Committee coming up.

COUNCILMAN FOLTZ: We've got to have public speaks.

COUNCIL PRESIDENT PETERS: Yeah, we will.

LAW DIRECTOR FOX: This Committee and then there'll be public speaks. This is the one piece of legislation is renewing the Solid Waste District's 10 year plan.

COUNCILMAN FOLTZ: I understand.

COUNCIL PRESIDENT PETERS: So, do we or don't we have six for Wednesday?

COUNCILWOMAN KIESLING: Wednesday if it starts at 6 or earlier.

COUNCIL PRESIDENT PETERS: 6:00 on Wednesday?

COUNCILMAN REVOLDT: We've got six.

COUNCIL PRESIDENT PETERS: Okay.

COUNCILMAN CERRETA: Doug makes a good point though, we've got to have public speaks with it, right?

COUNCIL PRESIDENT PETERS: We will.

COUNCILMAN CERRETA: Okay?

COUNCILMAN FOLTZ: As long as we know that.

COUNCIL PRESIDENT PETERS: Yep, we will. Okay, so we will set next week Wednesday at 6:00p.m. That will be a special Council meeting with public speaks portion at the beginning. September 5th.

LAW DIRECTOR FOX: And its item 4 on tonight's Committee meeting.

COUNCIL PRESIDENT PETERS: Yeah, and there's a few others on finance and property, we want to move along as well.

10. July and August Meeting Schedule:

- **Monday, September 3, 2018 - no meeting (Labor Day Holiday)
- Monday, September 10, 2018 - Council meeting
- Monday, September 17, 2018 - Committee of the Whole meeting
- Monday, September 24, 2018 – Council meeting

11. Adjourn:

COUNCIL PRESIDENT PETERS: Okay, and that concludes this agenda. Committee meeting coming up, so stick around for the excitement. Motion to adjourn.

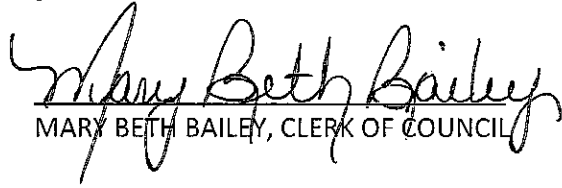
COUNCILMAN REVOLDT: Motion to adjourn.

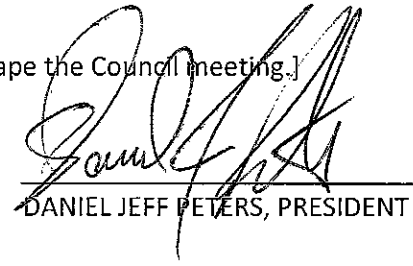
COUNCILMAN CERRETA: Second.

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 JEFF PETERS, PRESIDENT