

DAYTON LEGAL BLANK, INC., FORM NO. 10148

Held Monday, May 23

7:00 p.m.

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CALL TO ORDER:

1. The council meeting was called to order on Monday, May 23, 2011 at 7:14 p.m. by Council President Jon Snyder.

OPENING PRAYER:

2. The opening prayer was delivered by Rev. David E. Warren, 1st Southern Baptist Church

PLEDGE OF ALLEGIANCE:

3. All present recited the Pledge of Allegiance.

ROLL CALL:

4. Mr. Snyder: Madam Clerk, please call the roll.

The following members of Council responded to roll call: Cerreta, Davies, DeOrio, Foltz, Kiesling, Peters, Snyder.

Also present were: Mayor Held, Director of Administration Grimes, Director of Law Nilges, Director of Finance Alger, City Engineer Benekos, Director of Economic & Development Bowles, Police Chief Wilder and Clerk of Council Kaipac.;

5. CONSIDERATION:

Council Meeting Minutes – May 9, 2011
Financial Statement – April, 2011

Mr. Snyder: May I have a motion and a second to **approve the council meeting minutes** for May 9, 2011 and the financial statement for April 2011?

Mr. DeOrio moved and Mrs. Kiesling seconded to approve the council meeting minutes for May 9, 2011 and the financial statement for April 2011, as submitted. All members present voting:

Yes: DeOrio, Foltz, Kiesling, Peters, Snyder, Cerreta.

No: 0

Abstain: Davies.

6. COMMITTEE MINUTES:

Mr. Snyder: May I have a motion and a second to **approve the Executive Session and the committee report minutes**, as presented for the Executive Session for Personnel & Safety held on May 9, 2011, Committee Minutes for Community & Economic Development, Finance & Property, Water, Sewer & Rubbish all held May 16, 2011?

Mr. DeOrio moved and Mrs. Kiesling seconded to **approve the Executive Session and Committee Report Minutes**, as submitted. All members present voting:

Yes: DeOrio, Foltz, Kiesling, Peters, Snyder, Cerreta, Davies.

No: 0

Executive Session for Personnel & Safety Committee: Please refer to the minutes on file in the Council Office of the Executive Session for Personnel & Safety Committee meeting held May 9, 2011

Community & Economic Development: Please refer to the minutes on file in the Council Office of the Community & Economic Development Committee meeting held May 16, 2011.

Finance & Property Committee: Please refer to the minutes on file in the Council Office of the Finance & Property Committee meeting held May 16, 2011.

Water, Sewer & Rubbish: Please refer to the minutes on file in the Council Office of the Water, Sewer & Rubbish Committee meeting held May 16, 2011.

7. RECOGNITION OF VISITORS

Mr. Snyder: At this time the Council will recognize anybody wishing to speak. Please step forward, state your name and address for the record.

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Chuck Osborne: 307 Fairview Street SE, North Canton, Ohio. On tonight's agenda for a second reading is Ordinance No. 53-11. This is an ordinance authorizing the Mayor of the City of North Canton to enter into an Industrial and Commercial Occupancy Grant Agreement for project Omega. What is Project Omega? Is this a CIA covert operation that is being undertaken by the City of North Canton that requires the utmost secrecy? Are City leaders embarrassed to identify the beneficiary of this legislation? Why continue this cloak of secrecy? Is North Canton financing a raid in a foreign country that must be kept quiet for security reasons? As we all know, this is an occupancy grant agreement to Suarez Corporation Industries (SCI). Unless it is your desire to hide this fact from city residents, I ask that City Council documentation reflect who is the recipient of the grant and drop the cloak of anonymity. Transparency in government is best for all of us. Why do City Leaders believe that the only way to bring jobs to North Canton is to provide tax abatements? Economic development and jobs can and do come to North Canton without corporate charity. In 2006, Dr. Suglio continued with his investment in our community in spite of the fact that he did not receive an abatement of taxes. Café Gelato and Suglio's Dental Practice are thriving on Main Street. Next door to Dr. Suglio on Main Street, Legacy Bank located a branch bank without ever asking for a tax abatement. This was a sizeable investment in our community that came without the need for a tax giveaway. In May, 2007, a proposed abatement of taxes for the Sherwin Williams Paint store never progressed beyond discussion after the public questioned the need for tax abatement for a public corporation, traded on the New York Stock Exchange, with sales of \$7.8 billion dollars. Sherwin Williams built their store and invested in the community without any abatement. North Canton has seen other businesses locate here and contribute to the community without asking for abatements. CVS Drugs and O'Reilly Auto Parts are under construction at the present time without public assistance. Walgreen's has built two stores in North Canton without tax abatements. New tenants have located to the Hoover District without receiving tax benefits for themselves. They include The Schroer Group with a large number of professional jobs, TruBridge Total Care, and Commercial Fluid Power and several other smaller businesses. There are companies that want to come to North Canton and willingly contribute, financially their fair share to support our community. These companies want North Canton to prosper because they understand that a thriving community benefits their business. It is unfortunate that not all businesses want to share in the financial stability and growth of our community. Apparently there are some businesses that feel that tax laws are too burdensome or unfair. These businesses ask that they be treated differently. Over the last four years, the City of North Canton and the taxpayers of North Canton have enriched the Industrial Realty Group (IRG), the owners of the Hoover District, with the transfer of \$3,440,000 of public money directly into their pockets to jumpstart the rebirth of jobs at the former Hoover site. How much more public money must be diverted to enrich private interests at the Hoover District? How much longer does the City of North Canton have to continue to provide corporate charity to IRG owner Stuart Lichter, a millionaire many times over? Mr. Lichter and IRG have been paraded to the public as being the answer to North Canton's prayers regarding the restoration of jobs at the Hoover District. It seems to me that given the state and local tax dollars that North Canton has put into the pockets of IRG, with no obligation for any payback, that the reverse is true. North Canton is the answer to Mr. Lichter and IRG's prayers. And now, Benjamin Suarez, owner of the Suarez Corporation Industries, wants public money put into his pockets as well. Why does the City of North Canton have to provide corporate charity to Mr. Suarez, also a millionaire many times over? Taxes are the lifeblood of a community. Taxes fund all the services needed by a community to exist. If leaders continue to find ways to unravel the obligation to support the community, who remains to financially support North Canton City services? In the case of the occupancy grant proposed for the Suarez Corporation, apparently this legislation has progressed to a second reading without any agreement or specific terms ever appearing in written form to City Council. From media reports it appears that the City of North Canton is prepared to return to the company fifty percent of City income taxes collected from individual working at or near minimum wage for the Suarez Corporation Industries. Does it seem fair and equitable to take income tax money collected from economically disadvantaged individuals and turn around and give that money to the multi-millionaire owner of the corporation where they work? If employee salaries are taxed for needed income taxes to the community in which they work, they should be able to realize that their taxes have gone for the betterment of the community in which they work rather than the enrichment of their employer. This proposed Occupancy Grant goes beyond corporate charity. I hope that the North Canton City Council reconsiders any endorsement of this proposed Occupancy Grant agreement or any other agreement such as this. If the Suarez Corporation has a viable plan to locate some of its operations to the City of North Canton, that plan should include supporting the City, fully, under the tax structure that applies equally to all North Canton businesses. Thank you.

Mayor Held: Mr. President, am I able to respond to that or?

Mr. Snyder: Thank you. Mr. Mayor, please.

Mayor Held: OK. Just to clarify a few points that Mr. Osborne brought up. Chuck, I respect your opinion but I completely disagree with it. Just to give everybody an idea of where we were at. When the Hoover Company closed, we lost a total of 2400 jobs and in the last year in 2008, we lost 800 jobs. And the goal is to bring jobs back to the city. And we were competing with not only other municipalities in the state of Ohio but we were competing with other municipalities around the

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country, and the only way that you're going to bring new jobs into the city, as our Council well understands, is that you have to be competitive. Part of our competitiveness is that we have a 1-1/2% income tax, you don't have to pay for parking; those are two major reasons that the Schroer group did come to the city and we did not give them the tax incentive. They received an incentive to bring 250 jobs to the city because we had a job-ready site grant from the State. What that did was gave us \$3 million in order to rehab the Hoover facility. When you have \$3 million to do the rehab of the Hoover facility and convert the heating system from one central heating system to multiple smaller systems, that cost hundreds of thousands of dollars, and then in order to redo that to accommodate it from industrial to office, that also cost money, which lowered the lease rate. So we have very competitive lease rates. We have a very competitive income tax, which is 1-1/2%. In other communities that the Schroer group was looking at they had to pay for parking and they had a 2% income tax. That's why they came here. That's what Dennis Conley told us, that's why he came here. When you look at Meyers Control Power, they were looking at possibly California or Pennsylvania, leaving the state. So what we did is we purchased the crane and we leased it to them for a dollar. We still own the rights to it but that's what made them decide to come to the city of North Canton. It was an investment in their business, and in three years, we will get that full investment back but then they're paying taxes for at least another seven years, which is the length of their lease, or longer. So in order to bring jobs, and I think this Council and the city has really done very well. When you think about it, we have 800 jobs at least over there and growing and then down on South Main Street with the Developmental Disabilities, that's another 110 jobs, and we did give tax incentives through the CIC with that. So in summary, not to address every point that you bring up, Chuck, I don't believe it's corporate charity, I don't think that we're enhancing the pockets of millionaires. What we're doing is we are giving, we are competitive so that they decide to locate their business here rather than in another municipality and I think our record over the past five years speaks for itself. It's working and we have more revenue to the city now than we did in 2008, 2009. If anything we're not on the decline, we're starting to stabilize and starting to move upward so. If we're not competitive we know from the presidents of the businesses they will not, they will not relocate here.

Mr. Snyder: Thank you, Mayor.

Mayor Heid: Thank you.

Mr. Snyder: Members of Council? Is anybody else wishing to speak to the Council? Mr. Repace?

Mr. Repace: Jim Repace. 1353 New England Drive. I'm gonna address everything you said, David, but you know, I've been involved in manufacturing my entire career and it was a long career. And when you have a facility like we have across the street, to have it sitting there empty would have been a disgrace. To have people move into that facility is a wonderful thing. Now I could go on and on pros and cons. I'm not gonna do that, that's not why I came up to the podium today but you know, I totally understand the business and totally understand what's going on over there and I'm glad to see that there's a lot of activity in the Hoover facility. It may, you know I like seeing that. But the reason I came up to the podium, our Memorial Committee, Jim Densizen, Kenny Densizen, the architect and myself met with Tom Chufar, Jim Benekos and Mike, I almost said Chief Grimes, Mike Grimes. We got the Chief back here, and by the way, congratulations! You guys picked a good man. Um, we're ready to continue on with our project with the memorial. What we have to do next is we have to clean up the park, we have to fix the drainage problem that's been ongoing forever, and even before I was a council member, I complained about the drainage problem in the park. So we're going to continue that, we're gonna fix the drainage problem, we're currently putting a new print together that we're gonna present to the city and work together on exactly what we want to do over there to complete the project but the brick sales went very well through the winter and we've got two skids of bricks, the name bricks I'm talking about, we're ready to lay out in the patio over there. So we hope to get started with that maybe even yet this week. So that's an update on where we're at but we are going to fix the park. It is a mess right now and our plan is the plan that it always was in spite of what some people might have thought even sitting on City Council. We are going to fix the drainage problem. And another thing I want to address is it was brought to my attention about the positioning of the monument. Understand, the positioning of the monument was the City's decision. That was not my decision but I will tell you this, regardless of that, I'm proud of the project, I'm proud of our memorial over there and if I had it to do over again I would! So you know, whoever wants to complain about it, you know what? So be it. There's a lot of people in this city that are proud of what we've done over there and when we complete the project they're going to be even more proud. So that's that. And if Council has anything that they want to say about the project or about me, I'd appreciate it if you would do it here publicly instead of behind my back. So that's that.

Mr. Foltz: I got something to say; good job, Jim, good job, Committee. I've been behind you from the get go. (Applause) That's right. I think it's something that we're all proud of and I was part of the Veteran's Day ceremony last year. To see everybody make that a centerpiece of, just a tribute to everybody that served in the military, it was just a great day for North Canton and we appreciate your hard work and that its come to fruition so thank you very much.

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Mr. Repace: Thank you.

Mr. Snyder: Thank you. Anyone else wishing to speak? OK, I see none.

OLD BUSINESS:

8. Mr. Snyder: May I have a motion to **read by title only, the third reading** of Ordinance No. 49-11?

Mr. Foltz moved and Mr. Peters seconded to **read by title only, the third reading** of Ordinance No. 49-11. All members present voting:

Yes: Foltz, Kiesling, Peters, Snyder, Cerreta, Davies, DeOrio.

No: 0

Ordinance No. 49-11 – 3rd Reading – Water, Sewer & Rubbish Committee

An ordinance authorizing the Mayor of the City of North Canton, through the Board of Control, to exercise the option to extend the existing franchise contract for a two (2) year period commencing on July 1, 2011 and ending June 30, 2013, for the collection of residential garbage, rubbish, recyclables and yard waste ion the City of North Canton.

Mr. Snyder: Chairmen Davies.

Mr. Davies: Yes, this is extension of our trash pick-up and recycling contract with J&J. I believe it's a dollar more. Is that not correct? A dollar more per month which is, I believe, fair given where gasoline prices are and diesel prices are, particularly diesel prices so I would recommend that we approve.

M. Davies moved and Mrs. Kiesling seconded to **adopt the third reading** of Ordinance No. 49-11. All members present voting:

Yes: Kiesling, Peters, Snyder, Cerreta, Davies, Foltz.

No: DeOrio.

9. **Ordinance No. 53-11 – 2nd Reading – Community & Economic Development**

An ordinance authorizing the Mayor of the City of North Canton to enter into an Industrial and Commercial Occupancy Grant Agreement for Project Omega and declaring the same to be an emergency.

Mr. Snyder: Chairman Kiesling, in lieu of the fact as you and I spoke, we did not have the advantage or the privilege of having these agreements in your hand prior to your circulation of your packet last Thursday, I had a conversation with the Law Director and the Mayor and the Administrator and they were in contact with the Suarez Corporation's attorneys and we are asking, we as far as the Administration, we are asking that we table this for an additional two-week period. We do have copies of the agreements. There are three separate agreements as there are three operating companies under one umbrella. We will give them to you. Please digest them and if you have any comments or questions, direct them either to the Mayor's office or to the Director of Law and I'm sure they'll be glad to announce them but in fairness to every member of Council, it would not be appropriate to ask you to pass something you have not had or have not been able to read or ask questions of so I would ask your indulgence to please table this matter for an additional two-week period and at that time we would consider it.

Mrs. Kiesling moved and Mr. DeOrio seconded to **table Ordinance No. 53-11**. All members present voting:

Yes: Kiesling, Peters, Snyder, Cerreta, Davies, DeOrio, Foltz.

No: 0

Mr. Snyder: Thank you. I'll make sure that we pass these out there if you've not gotten them. We have them here for you.

Mayor Held: Mr. President, also, if we can, just to clarify there is a timeliness issue because the contract that Suarez signed is not valid until Council approves.

Mr. Snyder: Mr. Mayor, the intention of the Council is that next, on the 6th, we will not be meeting next week as it's a holiday week, we will be meeting as a Council of the Whole on the 6th to which time after the meeting is over we will hold a very short Council meeting, regular Council meeting to approve said documents so.

Mayor Held: And they have discussed the matter?

Mr. Snyder: He's talked to their attorneys and they have...

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Mayor Held: OK. They're aware of it? OK.

Mrs. Kalpac: If this is a Committee meeting, don't you have to schedule a special Council meeting?

Mr. Snyder: We'll schedule it right at the end here, we'll schedule a meeting and that way you won't have to drive around in your Honda and deliver those packets! (Laughter) That's an American-made car, that's alright. (Laughter)

Mrs. Kalpac: Yea.

Mr. Snyder, OK, moving along to new business.

NEW BUSINESS:

10. Mr. Snyder: May I have a motion to **read by title only, the first reading** of Ordinance No. 54-11?

Mr. Davies moved and Mr. DeOrio seconded to **read by title only, first reading** of Ordinance No. 54-11. All members present voting:

Yes: Peters, Snyder, Cerreta, Davies, DeOrio, Foltz, Kiesling.

No: 0

Ordinance No. 54-11 – 1st Reading – Water, Sewer & Rubbish

An ordinance authorizing the Akron-canton Regional Airport Waterline Extension, located in the Southeast portion of the Akron-canton Airport property in Lake Township, Stark County, Ohio, in accordance with plans and specifications approved by the North canton City engineer, and accepting any necessary easement associated with said waterline extension, and declaring the same to be an emergency.

Mr. Snyder: Chairman Davies.

Mr. Davies: Yes, this is an ordinance to extend waterlines to the new building up at the Akron-Canton Airport, the fire/rescue building. The line will be paid for by the developer. There is no cost to the City other than...then we'll get revenue from the water that's sold so I would move that we approve.

Mr. Davies moved and Mrs. Kiesling seconded to **adopt the first reading** of Ordinance No. 54-11. All members present voting:

Yes: Snyder, Cerreta, Davies, DeOrio, Foltz, Kiesling, Peters.

No: 0

Mr. Snyder: May I have a motion to **read by title only, first reading** of Ordinance No. 55-11?

Mr. Davies: Are we doing this by emergency?

Mr. Snyder: Oh, I'm sorry. Was that on an emergency? Yes, I apologize. I see that. Since an emergency does exist, may I have a motion to **suspend the rules** of council for Ordinance No. 54-11?

Mr. Davies moved and Mrs. Kiesling seconded to **suspend the rules** of council for Ordinance No. 54-11. All members present voting:

Yes: Cerreta, Davies, DeOrio, Foltz, Kiesling, Peters, Snyder.

No: 0

Mr. Snyder: May I have a motion to **adopt under the suspension of the rules** Ordinance No. 54-11:

Mr. Davies moved and Mr. DeOrio seconded to **adopt under suspension of the rules** Ordinance No. 54-11. All members present voting:

Yes: Davies, DeOrio, Foltz, Kiesling, Peters, Snyder, Cerreta.

No: 0

11. Mr. Snyder: May I have a motion to **read by title only, first reading** of Ordinance No. 55-11?

Mr. Davies moved and Mr. DeOrio seconded to **read by title only, first reading** of Ordinance No. 55-11. All members present voting:

Yes: DeOrio, Foltz, Kiesling, Peters, Snyder, Cerreta, Davies.

No: 0

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Ordinance No. 55-11 – 1st Reading – Finance & Property

An ordinance authorizing the supplemental appropriation of funds of the City of North Canton, Ohio, to be appropriated from the unappropriated resources of the Capital Improvement Fund to the Bond/Note Repayment and Bond/Note Interest Payment Accounts in the amount of \$143,058.61 for the current expenses during the fiscal year ending December 31, 2011, and declaring the same to be an emergency.

Mr. Snyder: As we had talked, the first coupon will be due June 1. This is for the bonds that were issued March of 2011 and this particular portion is for capital improvements via the City Hall roof and, I believe, other improvements, things of that note payment. Any questions? If not, I will entertain a motion to **adopt the first reading** of Ordinance No. 55-11.

Mr. DeOrio moved and Mrs. Kiesling seconded to **adopt the first reading** of Ordinance No. 55-11. All members present voting:
Yes: Foltz, Kiesling, Peters, Snyder, Cerreta, Davies, DeOrio.
No: 0

Mr. Snyder: As time is of the essence, may I **suspend the rules** of council for Ordinance No. 55-11.

Mr. DeOrio moved and Mrs. Kiesling seconded to **suspend the rules** of council for Ordinance No. 55-11. All members present voting:
Yes: Kiesling, Peters, Snyder, Cerreta, Davies, DeOrio, Foltz.

Mr. Snyder: May I have a motion to **adopt under suspension of the rules** Ordinance No. 55-11.

Mr. DeOrio moved and Mr. Peters seconded to **adopt under suspension of the rules** Ordinance No. 55-11. All members present voting:
Yes: Peters, Snyder, Cerreta, Davies, DeOrio, Foltz, Kiesling.
No: 0

12. Mr. Snyder: May I have a motion to **read by title only, first reading** of Ordinance No. 56-11.

Mr. DeOrio moved and Mrs. Kiesling seconded to **read by title only, first reading** of Ordinance No. 56-11. All members present voting:
Yes: Snyder, Cerreta, Davies, DeOrio, Foltz, Kiesling, Peters.
No: 0

Ordinance No. 56-11 – 1st Reading – Finance & Property

An ordinance authorizing the supplemental appropriation of funds of the City of North Canton, Ohio, to be appropriated from the unappropriated resources of the Water Revenue Fund to the Bond/Note Repayment and Bond/Note Interest Payment Accounts in the amount of \$117,280.56 for the current expenses during the fiscal year ending December 31, 2011, and declaring the same to be an emergency.

Mr. Snyder: This is for the B Bond on the Fairways. It, again, is the first coupon due June 1. It includes interest and note payment for that period of time. May I have a motion to **adopt the first reading** of Ordinance No. 56-11.

Mr. DeOrio moved and Mr. Davies seconded to **adopt the first reading** of Ordinance No. 56-11. All members present voting:
Yes: Cerreta, Davies, DeOrio, Foltz, Kiesling, Peters, Snyder.
No: 0

Mr. Snyder: As there is a rule of timeliness to pay this June 1, may I have a motion to **suspend the rules** for Ordinance No. 56-11.

Mr. Davies moved and Mr. Peters seconded to **suspend the rules** of council for Ordinance No. 56-11. All members present voting:
Yes: Davies, DeOrio, Foltz, Kiesling, Peters, Snyder, Cerreta.
No: 0

Mr. Snyder: May I have a motion to **adopt under suspension** of the rules Ordinance No. 56-11.

Mr. Davies moved and Mr. DeOrio seconded to **adopt under suspension** of the rules Ordinance No. 56-11. All members present voting:
Yes: DeOrio, Foltz, Kiesling, Peters, Snyder, Cerreta, Davies.

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13. Mr. Snyder: May I have a motion to **read by title only, first reading** of Ordinance No. 57-11.
- Mr. DeOrio moved and Mrs. Kiesling seconded to **read by title only, first reading** of Ordinance No. 57-11. All members present voting:
 Yes: Foltz, Kiesling, Peters, Snyder, Cerrèta, Davies, DeOrio.
- Ordinance No. 57-11 – 1st Reading – Finance & Property**
 An ordinance establishing a policy requiring authorization and approval by the Director of Law of the City of North Canton prior to hiring of outside legal counsel for collection matters.
- Mr. Snyder: As we talked about a couple, last week, Mr. DeOrio has made arrangements in Municipal Court that we have our own day there. The Law Director will coordinate this. Unfortunately right now we have a couple people hiring attorneys and without any actual umbrella of the Law Department, the, any attorney hired for this purpose will come through his office and he will coordinate same. So we need a motion to **adopt the first reading** of Ordinance No. 57-11.
- Mr. DeOrio moved and Mr. Peters seconded to **adopt the first reading** of Ordinance No. 57-11. All members present voting:
 Yes: Kiesling, Peters, Snyder, Cerreta, Davies, DeOrio, Foltz.
 No: 0
14. Mr. Snyder: May I have a motion to **read by title only, first reading** of Ordinance No. 58-11?
- Mr. DeOrio moved and Mr. Davies seconded to **read by title only, first reading** of Ordinance No. 58-11. All members present voting:
 Yes: Peters, Snyder, Cerreta, Davies, DeOrio, Foltz, Kiesling.
 No: 0
- Ordinance No. 58-11 – 1st Reading – Finance & Property**
 An ordinance authorizing the Mayor of the City of North Canton to submit a Participation Agreement and request authority for the City of North Canton to participate in the Ohio Department of Transportation's ("ODOT") contract for the purchase of sodium chloride (rock salt) for the 2011-2012 winter season and declaring the same to be an emergency.
- Mr. Snyder: This is, again, where we're getting to purchase salt under the cooperative agreement with the State. Hopefully by the time this salt arrives we will know where we're going to put it. Otherwise we'll take it down to Mike Grimes's driveway and put it right there (laughter) and we'll be able to work right out of that.
- Mr. Grimes: It's a very small driveway! (Laughter)
- Mr. Snyder: Yea, we may put it up at Dillon Circle. (Laughter) Or in your front yard and you won't have to cut the grass for the rest of the summer. (Laughter) But that's what that's for. If there are no questions, may I have a motion to **adopt the first reading** of Ordinance No. 58-11.
- Mr. DeOrio moved and Mr. Peters seconded to **adopt the first reading** of Ordinance No. 58-11. All members present voting:
 Yes: Snyder, Cerreta, Davies, DeOrio, Foltz, Kiesling, Peters.
 No: 0
- Mr. Snyder: May I have a motion to **suspend the rules** of council for Ordinance No. 58-11?
- Mr. Davies moved and Mr. DeOrio seconded to **suspend the rules** for Ordinance No. 58-11. All members present voting:
 Yes: Cerreta, Davies, DeOrio, Foltz, Kiesling, Peters, Snyder.
 No: 0
- Mr. Snyder: May I have a motion to **adopt under suspension of the rules** Ordinance No. 58-11?
- Mr. DeOrio moved and Mr. Davies seconded to **adopt under suspension of the rules** Ordinance No. 58-11. All members present voting:
 Yes: Davies, DeOrio, Foltz, Kiesling, Peters, Snyder, Cerreta.
 No: 0
15. Mr. Snyder: May I have a motion to **read by title only, first reading** of Ordinance No. 59-11?

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Mr. Davies moved and Mr. DeOrio seconded to **read by title only, first reading** of Ordinance No. 59-11. All members present voting:

Yes: DeOrio, Foltz, Kiesling, Peters, Snyder, Cerreta, Davies.

No: 0

Ordinance No. 59-11 – 1st Reading – Finance & Property

An ordinance authorizing the supplemental appropriation of funds of the City of North Canton, Ohio, to be appropriated from the unappropriated resources of the General Fund to the Bond/Note Repayment and Interest Payment Accounts in the amount of \$92,830.74 for the current expenses during the fiscal year ending December 31, 2011, and declaring the same to be an emergency.

Mr. Snyder: I apologize. I was telling you that the first one was for Arrowhead; this is for the Arrowhead. It's the \$60,000 plus interest. The note payment of \$60,000. So that's what that's for. May I have a motion to **adopt the first reading** of Ordinance No. 59-11?

Mr. Davies moved and Mrs. Kiesling seconded to **adopt the first reading** of Ordinance No. 59-11.

All members present voting:

Yes: Foltz, Kiesling, Peters, Snyder, Cerreta, Davies, DeOrio.

No: 0

Mr. Snyder: May I have a motion to **suspend the rules** of council for Ordinance No. 59-11.

Mr. DeOrio moved and Mrs. Kiesling seconded to **suspend the rules** of council for Ordinance No. 59-11. All members present voting:

Yes: Kiesling, Peters, Snyder, Cerreta, Davies, DeOrio, Foltz.

No: 0

Mr. Snyder: May I have a motion to **adopt under suspension of the rules** Ordinance No. 59-11.

Mr. Davies moved and Mr. DeOrio seconded to **adopt under suspension of the rules** Ordinance No. 59-11. All members present voting:

Yes: Peters, Snyder, Cerreta, Davies, DeOrio, Foltz, Kiesling.

No: 0

REPORTS

16. Mr. Snyder: Reports. The Director of Law.

Mr. Nilges: Only one report. We, just to continue with the Mayor's Court Zoning Enforcement theme that I've had, we did send out a number of letters, about 15, with various complaints. All but one has corrected itself. And as verified by Zoning & Permits office, one stubborn resident, however, has chosen not to and will be served with a complaint tomorrow. That's it.

Mr. Snyder: Thank you. Finance Director.

Mrs. Alger: No report.

Mr. Snyder: Administrator.

Mr. Grimes: Just we've had a couple of calls from people. There seems to be a rumor about the parade being cancelled, the Memorial Day parade. The parade is not cancelled. It will go on. We may have a few barrels or cones out there but it's still going to go on and as a former Chief that worked with new Chief Steve Wilder, I can tell you we are all in good hands with him as the leader and Chief of our department.

Mayor Held: If Council will allow me, I would like to just take a moment. I have an important announcement. We had an opportunity to announce our appointment of our Chief, and Chief, if you wouldn't mind standing up. For those of you that didn't make it, and by the way, I do like Council's decision to move the podium here because it allows us to address the Council as well as the members of the audience. We had with the retirement of Chief Grimes who was our police Chief, and did such a great job for 11 years in North Canton's Police Department, and our own residents rated our Police Department as the highest with 91% of the survey respondents gave our Police Department a 91% Good to Excellent rating. And those are some tough shoes to fill. That's why I appointed him as the Administrator. And now we had a decision to make as far as our next police chief. We had four candidates, four lieutenants from within the police department, all of which could have very capably led the police department but we could only pick one chief, and so I had a very thorough assessment process and the decision was very clear that the next chief of police was somebody that had not only to be an effective leader for the City but also to be an effective public servant. And Chief Wilder as a leader, he has a desire to learn. He just obtained his Masters Degree in Criminal Justice a couple weeks ago from Tiffin. He has the ability to adapt to change. He's been a hostage negotiator most recently this year. He's also served as the DARE officer. So

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you see both extremes in a matter of crisis and then also his ability to teach our young children. And his ability to influence, I think, is excellent not only with the people in our city but also with the department personnel because he seeks to understand, he's very patient and he listens. And I think that's what makes him much different than any of the other candidates. Also, as far as his public service; Steve really has a heart to serve and I will share with you two examples. The first one when we asked him to serve as a candidate for the process, I asked him if you did not get the position, what were your plans. And he said, and I knew it was with sincerity and that's what I think impressed me the most. He said, I love my job. I love serving the people of North Canton. I love working with this department and I plan to continue to serve and support whoever you select as chief. And this morning when I went to get gas there was a big line at the fuel station and I am standing in line and a lady says to me, good decision. And I wasn't sure which decision she was talking about at the time. I thought maybe we paved Main Street or something and she said, no, your police chief. Great choice; Stephan Wilder. She said, when we worked the night shift, and it was both ladies now working the morning shift, she said that he would always stop by when he worked the shift and ask to see how we were doing and if everything was OK. And I think the best example of a leader is somebody that serves other people when nobody else is looking on the night shift for the ladies that work at the fuel station. So with that, I present to you our next police chief, Chief Stephan Wilder. (Applause)

Chief Wilder: Ladies and Gentlemen, thank you very much, Mayor Held, former Police Chief, Director of Administration Mike Grimes, President of Council Jon Snyder, fellow Council members. I do not enter this position not without any trepidation as I know there are some weighty responsibilities that come with the job but I had some comments that I shared with my swearing in and the residents in the audience. I just would like to share two things with you if I could, and, may I do that, sir?

Mayor Held: Absolutely.

Chief Wilder: If you'll indulge me for a moment. In fact, it's only a few minutes. I'll just share a few things with you, OK? My opening remarks were to thank Mayor David held for my selection to the rank of Chief of Police for the City of North Canton. I appreciated the dedicated and loyal service of Lieutenant Stan Strausser and Lieutenant Mike Wurgler who were also under consideration for this position. I want to acknowledge too, as I did earlier, the men and women of the police department for their support which contributed to my selection. Excuse me. Ladies and Gentlemen, they are one of the greatest ranks of the community. They are all good, hardworking men and women. They deserve nothing but our respect and admiration. They give of themselves to make things better for others. I had the rare opportunity to be hired as a volunteer police officer under Mayor Grady's tenure and back then we were volunteers, we weren't paid so we crossed the parishioners going to St. Paul's or Zion United Church of Christ, that was one of our duties. We could work Hummel's or the bingo at K of C for a little extra cash but my desire was always to go full time with the City of North Canton. Mayor Hines was able to swear me in as a fulltime police officer back in '86. I worked my way up through the ranks and made lieutenant in actually 1996, and here I am today and I'm thankful for that. I just want you to know that throughout my career I've had the opportunity to associate with people and situations from all walks of life and I truly value the friendship, guidance and inspiration I've received from all of you that are even visiting here tonight and the Administration and this Police Department. I believe it's made me a better person. The City of North Canton, I believe, is a better place because of what all of you have done not only serving here but your involvement here being members of our community, being willing to challenge or question or ask why but also to be understanding and understanding compromise and collaboration to make the city a better place to live, work and play and visit. I would especially be remiss if I didn't acknowledge my family, which I was very thankful to have a surprise where my brother Lloyd, who retired from the Wyoming state government, flew in from Cheyenne, Wyoming, tonight to honor me for my swearing-in ceremony. I was very taken aback by that, those that were present. Mayor Held, thank you again for this challenging opportunity to serve as the City of North Canton's Police Chief.

Mayor Held: He mentioned earlier that when we had our earlier swearing-in ceremony, he thanked me for allowing him to serve as Mayor. And I knew I was up for reelection but..(Laughter)

Chief Wilder: You're safe for two years, sir. But let me close with this, and I ask your patience. The police department will stay unified in its readiness to protect life, to protect property, to maintain order and to come to the aid of any individuals who are in danger of physical harm, and we're going to do our best in the discharge of our duties and perform those duties in a fair and trusted manner and to make this police department, and continue to make this police department the best damn police department in Stark County. Thank you. (Applause)

Mayor Held: Thank you.

Chief Wilder: Was it OK to say damn?

Mayor Held: That was fine.

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Chief Wilder: It's too late now.

Mayor Held. You know also, if some of you don't know, Chief Wilder was a triathlete and so with a little bit of assessment here, the City of North Canton is six square miles and in an Ironman, which he has run in before, it's 26.2 miles running, 112 on a bike and 2.4 miles swimming so my thought is ...

Chief Wilder: All at one time.

Mayor Held: All at one time. You don't get a break. You keep going. So I'm thinking, if he can't catch a criminal in a six-square-mile area after running 26 miles and 120 on a bike then I don't think anybody else can too.

Chief Wilder: Well, thank you.

Chief Wilder: I may be 60 but don't try me.

Mayor Held: I don't even like to drive that far.

Mr. Snyder: Thank you, Mayor.

Chief Wilder: Thank you very much. If I can be available and approachable for anyone here, please, that's part of my job. Thank you very much for your time, folks, I'm looking forward to serving you. Thank you.

Mayor Held: Thank you.

Mr. Snyder: Thank you, Chief. Appreciate it, Chief, good luck to you. Mr. Engineer, have any comments?

Mr. Benekos: No reports, sir.

Mr. Snyder: Mr. Bowles?

Mr. Bowles: No report.

Mr. Snyder: Madame Clerk?

Mrs. Kalpac: No report.

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Mr. Snyder: Mr. Peters?

Mr. Peters: Yea, just a quick report. I mentioned two weeks ago we were looking at Dogwood Park and some things that we, you know some safety issues with the trees and the building, and we have marked the trees that are dead or dying and hope to have those down pretty soon and that's just one step. We have a few other things to go so, Mrs. Harper, we're working on that. That's it.

Mr. Snyder: Mr. Davies.

Mr. Davies: I just would like to congratulate Chief Wilder who is a good person. In fact, he was the DARE officer when my daughter was in school and she talked constantly about Officer Wilder. He taught her many life lessons on drugs and alcohol and so forth, which has stuck with her right up through her second year in college at OU.

Inaudible. (Laughter)

Mr. Snyder: Mr. Cerreta.

Mr. Cerreta: Ditto for my son. He was also my son's DARE officer so he has done, a lot of kids really look up to him still to this day. And when I mentioned to my son that he was going to be the police chief, he just was, and he doesn't live in town here anymore right now, but he was just ecstatic about that. He says congratulations to you too, Steve.

Mr. Snyder: Mr. DeOrio.

Mr. DeOrio: Mr. Benekos, may we have an update on Main Street?

Mr. Benekos: On Main Street?

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Mr. DeOrio: Yes, we have, that's the big street that runs north and south through the city. (Laughter)

Mr. Snyder: It's called Main Street.

Mr. DeOrio: Ok. We have the storm drains on one side of the street all done and then I saw there was, is that just an initial surface that has been put down?

Mr. Benekos: Correct. That's the intermediate course. They'll, we still have a few catch basins I think they're working on south of the intersection on the west side but once they're done there they'll be starting on the east side on the catch basins and also the curb ramps. And then you see they completed half of the Square. They started on the east half of the Square today and they'll be tearing that and almost have it all torn out and they'll be pouring that. They're doing a great job. The only thing that's holding them back is the weather. Once they get all the concrete work done, the catch basins, the curb ramps, replacing some of the curbing, then they'll start milling out and resurfacing the rest. Once they get the intermediate course of asphalt on the whole street then they'll put the top surface on. The top surface that we went with on this project is a rubberized polymer surface and should last many years. Inaudible.

Mr. DeOrio: Given the delays due to the weather, are we in jeopardy of our July 4th run activities from the Y?

Mr. Benekos: At this point, we are not. But again, it'll depend on the weather. Give us two more weeks and we'll see where we're at at that point. But we're, they're hitting it really hard. There is another section on the south end of town from the bridge to Canton, we are doing that section also but they're going to concentrate up here, of course, for run, and then they'll move down there.

Mr. DeOrio: Very good. Thank you for that detailed report.

Mr. Benekos: Certainly.

Mr. Snyder: Mrs. Kiesling.

Mrs. Kiesling: No report.

Mr. Snyder: Mr. Foltz.

Mr. Foltz: Welcome, Chief. How's the microphone system? Does everybody hear better tonight in the back?

Audience: Yes, sir.

Mr. Foltz: OK.

Mrs. Kiesling: Good.

Mr. Foltz: Thanks, Gail, if you looked into it or turned the volume up or...

Mrs. Kalpac: We had Staley's out and they adjusted all the mics.

Mr. Foltz: They adjusted all the mics and got everything calibrated? Alright, thank you.

Mr. Snyder: We will have additional speakers. They've calibrated, they've adjusted all our mics. We've moved the podium, as it was pointed out. They'll add a gooseneck to that microphone so it'll be closer to your mouth when you speak so you should be able to hear what's going on. So hopefully we'll add, what is it, four additional, four additional speakers so hopefully it'll sound similar to Massillon Stadium when we're done with it. (Laughter) We'll be broadcasting the football games out of here in the Council Chambers. But Gail did take care of that, thank you. I'd like to mention that pursuant to Charter Section 3.05(3), on the 10th of May, 2011, the Council was given a copy of the Preliminary Estimated Revenue for calendar year 2012. If you have not seen it or misplaced it, a copy is available at the Director of Finance. On Monday, May 30th, it will be the fifth Monday. Consequently there'll be no meeting. The next meeting scheduled will be the 6th of June. I have, with what little authority I have, which is minimal, I have decided that we will go on break beginning the week of July 18th. We will return back from the session on August the 22nd. There'll be two meetings in the month of July and at that point the Charter does require two meetings per month. We'll have two meetings in July. We'll be off the first three meetings of, the first three weeks of August and return the last two weeks giving you time to attend the Main Street Festival or whatever you'd like to do during that little period of time.

Mr. Snyder: I would like to have a motion and a second to schedule a special meeting for consideration of an occupancy grant on the 6th of June.

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Mr. DeOrio moved and Mr. Peters seconded to schedule a special meeting for consideration of an occupancy grant on the 6th of June. All members present voting:
Yes: Snyder, Cerreta, Davies, DeOrio, Foltz, Kiesling, Peters.

Mr. Snyder: And at this time, I think it's important that we point out that the monies collected from the employees, and the number s of employees are listed in there, the income tax collected from the employees all comes to the City. None of it is given back to the individual corporation. However, that money is used as a barometer to pay back and up to 50% of that total collected figure is used as a barometer, to pay against the corporate income tax. But any monies collected from anybody, it would be illegal to do otherwise. The law is very clear and very cut on that fact. The income tax money all comes back to the City. It is only used as a barometer to determine the occupancy grant, and that money that is given back in the form of an occupancy grant must be used for purchase of equipment or real property in the everyday business operation of the said corporation. It's not actually money that can go into the checkbook of the corporation.

FINAL CALL FOR NEW BUSINESS:

Mr. Snyder: Final call for business. Seeing none, I entertain a motion to adjourn.

ADJOURN:

Mr. Peters: Move to adjourn.

Mr. DeOrio: Second.

Mr. Peters moved and Mr. DeOrio seconded to adjourn the council meeting. All members present voting:

Yes: Cerreta, Davies, DeOrio, Foltz, Kiesling, Peters, Snyder.

No: 0

The meeting adjourned at 7:57 p.m.

PRESIDENT OF COUNCIL

ATTEST:

CLERK OF COUNCIL

5/25/11 - dkw