

RECORD OF PROCEEDINGS

Minutes of COUNCIL OF THE CITY OF NORTH CANTON REGULAR Meeting

DAYTON LEGAL BLANK, INC., FORM NO. 1074B

Held Monday, June 24 7:00 p.m. 20 13

Call to Order:

1. The council meeting was called to order Monday, June 24, 2013 at 7:00 p.m. by President of Council Jon Snyder.

Opening Prayer:

2. The opening prayer was delivered by Reverend Tom Douce.

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, Foltz, Griffith, Kiesling, Peters, Snyder, Werren.

Also present were: Director of Administration Grimes, Director of Law Fox, Director of Finance Alger, City Engineer Benekos, and Clerk of Council Kalpac. Mayor Held was not present for the meeting.

Consideration:

5. Council Meeting Minutes – June 10, 2013
Mayor's Court Receipts – May, 2013

Mr. Snyder: May we have a motion to approve, as presented the council meeting minutes of June 10, 2013, and the Mayor's Court Receipts of May, 2013?

Mr. Foltz moved and Mr. Peters seconded to approve, as presented the council meeting minutes and mayor's court receipts. All members present voting:

Yes: Foltz, Griffith, Kiesling, Peters, Snyder Werren, Cerreta

No: 0

Committee Minutes:

6. Mr. Snyder: Now, may I have a motion and second to approve, as presented, the executive session meeting minutes under Personnel & Safety held on the 10th of June and the 17th of June 2013, and the committee report minutes for Personnel & Safety and Finance and Property both held June 17, 2013.

Mr. Foltz moved and Mr. Peters seconded to approve, as presented, the executive s and committee report minutes. All members present voting:

Yes: Kiesling, Peters, Snyder, Werren, Foltz

No: 0

Abstain: Griffith, Cerreta

Executive Session for Personnel & Safety Committee: Please refer to the minutes on file in the Council Office of the Executive Session meetings for the Personnel & Safety Committee held June 10 and 17, 2013.

Finance & Property Committee: Please refer to the minutes on file in the Council Office of the Finance & Property Committee meeting held June 17, 2013.

Personnel & Safety Committee: Please refer to the minutes on file in the Council Office of the Personnel & Safety Committee meeting held June 17, 2013.

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Held Monday, June 24 7:00 p.m.

20¹³**Presentation – North Canton Playhouse**

7. Mr. Snyder: Prior to the recognition, we have with us this evening the members of the Executive Committee of the North Canton Playhouse. They've asked to step in for a few moments and tell us what they're doing and what they hope to do, and what we may be able to support them in their efforts of maintaining that. Please step forward and state your name for the record.

Ted Paynter: Good evening, I'm Ted Paynter, P-a-y-n-t-e-r, from the North Canton Playhouse, and thank you very much for your time this evening. We have several of our other board members and participants from our organization here as well. I do have – we composed a letter and some information about the theater which I'll just submit for the purpose of minutes, but I'd like to just talk through our organization a little bit and why we're here tonight. So as some of you may know, we've been a viable, nonprofit organization in this community for 37 years. We've been in a series of different homes throughout the area in North Canton, but we've basically been focused very much on our mission, which is to provide entertainment, education, and enrichment, to the residents of North Canton, Stark County and Northeastern Ohio. And feel – which I'll get into some of our programming and we've done a lot of that over the past 37 years. We want to - we think there's an opportunity for us to provide even more to this area and have been a part of many conversations over the past couple of years with members of this Council, with Eric Bowles, with other folks within the Community thinking about the continued efforts around economic development in North Canton. And I think we, as a strong hearts organization, have a role to play in that as we go forward. We've looked at a lot of other communities, both in this region and across the country, who have really centered parts of their economic redevelopment around having a viable destination centered in the arts in their city hub or in a primary spot within their city. I actually was just up yesterday with a couple of folks from our organization to Playhouse Square in Cleveland. It's a perfect example of an establishment in a city center that has really helped generate a lot of economic growth in a rebuilding of a city over the past couple of decades. In our history, since we were founded by Mary McManaway, who is here with us tonight, in 1976, we have basically been a self-sufficient community organization. A lot of our programming funds the majority of what we do. Now we have had help from outside grantors, particularly to establish our current home which is an extension on the Hoover High School Building and some other operational expenses over the years. For the most part, the majority of our operating budget is self-sufficient. We generate revenue from our productions and outreach programs which continue to fund future programming as well. And one of the things that we're most proud of as an organization is we're an all-inclusive theater. So we have programming for children, youth programs, teen programs. We have a senior group that does productions with actors and actresses over the age of 50, which really isn't seniors, but you know. And we'll take those programs out into the community. So we host about 8 or 10 programs on our main stage and in our studio theatre which again are in Hoover High School, but we also do a lot and take a lot of productions out into the community. We've partnered a lot recently with the Palace Theatre in downtown Canton. And have done a lot of very large scale productions down there that have been nice sources of revenue for our organization, but also a nice opportunity for them to bring in a lot of new patrons into their building. We host Walsh University's productions twice a year in our facility. We have a very special program called "Spotlight on Youth" which takes a lot of social issue dramas out into the schools across this community both in Stark County, Summit County, and even North of that, educating students of all ages on different social issues, whether that's domestic violence, eating disorders, drug and alcoholic abuse, etc. And basically as a part of all this programming that we have to offer, we're not only providing what we talked about before, education and enrichment, but in a participatory web, if you will, that grows and grows every year. And there's just dozens and hundreds of people in this community and around the area that participate in the programming that we have to offer every year. Basically though, we're in a situation now where we've had an arrangement that was assisted by some grants to give us a prepaid lease period in the Hoover High School Building. That prepaid lease expires in four years. So in 2017 we're basically going to have to find a new location for our organization and for our theatre. And we know from past history and all the moves that we've done, been in store fronts and different areas, we've been in a lot of different locations, that we'll find a home at some point. But we wanted to come before City Council tonight and I guess solicit some assistance from the City and from City Council in trying to find the right home that has not only advantages for the continuation of our organization and our mission, but for the

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economic viability of North Canton. Because as I said, we think there is a really good opportunity for us if we're in a visible place in the City to not only continue to make the arts present in this city in particular, but to continue a lot of the work that's been done to make North Canton more of a destination and a place to go with your family in the evenings or on the weekends. We've thought about a lot what the potential could be if we're in a very prominent, visible place in the city square. There could be restaurants, other types of things, put right around us that would really help create some traffic into the heart of our City. And so as I think we'll continue to do the things that we do, and we have a very dedicated Board of Trustees, a whole host of student and parent volunteers, that are very eager to continue to help us in our mission as an organization. I think the one thing that we lack is the know how to generate capital, whether it's a capital campaign or to get a lot of momentum from the City behind us in trying to land a more permanent and prominent residence in North Canton. And so that's one of the things that we wanted to present to you guys tonight is basically our hope that we can get some support from the City and from City Council in that effort. We know there's development going on in this area right now, and we'd love to find ways to be a part of that. We were founded in 1976 by Mary McManaway, whom I mentioned before, because she really believed that North Canton should have its own community theatre, should have its own entity that students from our school systems or from the variant around us could participate in. We don't want to lose the opportunities that we provide so many of those children, teens, adults and seniors in our community, and feel like we could be a key component in this City going forward but need some assistance from this group. I think to do that in a way that can advance us to the next level. So with that, I don't know if there's, if you guys have any more questions. Again, we have a lot of information about our organization that I wanted to just touch on tonight, and not go into a lot of details. But we're happy to answer any questions that you might have about the programming that we do or anything else about our theatre that you might be interested in.

Mr. Snyder: I can only say over the last about two years or three, we've participated in the joint venture with the Canton Art Institute in doing small little things at the Civic Center and it's very well received. However, the Mayor - I've had several conversations over the last couple of months with the Mayor. And I know Mr. Bowels is working on some things that the Administration is pretty much committed to find you a permanent home, hopefully sooner than later and they're well aware of the fact you're within a three-year timeframe. And it is the hopes - I know the Mayor told me that he can combine theatre along with some ballet and possibly some local dance people all under one house, that the City of North Canton can have its own little community civic center that does that. And I know he's very much committed to that. Mr. Bowels has a couple of places and I know he's not at liberty to disclose because he's still working on them. But hopefully sooner than later, we're going to do that. And I'm sure - I can't speak - only for myself but my colleagues will probably support you eminently in this goal, because ultimately it's what the residents want. The residents want something culture and they want someplace to go, as you say. We're spending a lot of money downtown and we want to keep them downtown. Any members of Council wish to comment?

Mr. Cerreta: Ted, we're well aware of the assets that the Playhouse has here. Many of us have been there and we agree it's a wonderful place to visit. So you know, I'm all for that and as I'm sure we all are. So we appreciate your coming up and presenting that. We know that there is a big need.

Mr. Paynter: Great. Very good. Well obviously any further conversations we'd love to be a part of and contribute to. And as I said, we have a full board of eager volunteers as well as a lot of families that are very close to our organization and are very eager to help. So it's a full team.

Mr. Snyder: Well as I say, unfortunately the Mayor is not with us tonight, but when he's back, I know he's had several conversations with Mr. Bowles over the last two to three weeks, and as soon as they get that move handled for their new office and he, if there is such a thing of him freeing up some time, possibly over lunch or something, maybe you'll get together with the Mayor and Mr. Bowles and we'll start moving towards telling you what the ideas are and where we have to take them.

Mr. Paynter: Terrific.

Mr. Snyder: Okay...

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Mr. Paynter: Thank you very much.

Recognition of Visitors:

Mr. Snyder: Thank you very much. We appreciate it. Okay, at this time the Council will recognize anyone wishing to speak. Step forward and state your name and address. There is a five-minute rule in place and once you give your name the clock begins. And then we can move forward.

Mr. Fox: Mr. President, if I may, just a reminder for them.

Mr. Snyder: Please.

Mr. Fox: Again, the reminder of the timer has the five minutes. We ask that you address your comments to the Chair, the President of Council, Mr. Snyder, and that if you have any questions that you wish to have addressed, Council or Administration will address those once you have completed and taken your seat. Thank you.

Marilyn Davies: My name is Marilyn Davies. I live at 1121 Southwoods Lane SE, North Canton.

Sue Meadows: I'm Sue Meadows. I live at 232 6th Street NE, North Canton.

Mrs. Davies: We had talked a few minutes ago with Mr. Foltz about the pool staying open through Labor Day, and I was glad to get to talk to him before the meeting. He said he had a park meeting tomorrow. And I have been talking to the life guards at the pool. And last week, they did put a sign-up sheet for all lifeguards to sign up if they could work, part-time anyway, through Labor Day. And so I think that has been done. I did talk to the head lifeguard today who said that she thought some way we could handle this for the pool to stay open through Labor Day. We weren't sure when Council went on vacation, and we wanted to make sure this maybe got done before Council left for vacation. Did you want to say something?

Sue Meadows: No I just - I was gone for three weeks so I wanted to catch up on what was happening, if anything was new or if they had made any movement for keeping it open through - I believe the other day they had a record of 1199 people. And I'm quite sure today that was broken because they're parking over at my house.

(Laughter)

Ms. Meadows: So it's being used, it's loved and the hottest time of the year is here, and that's when we really, really need it. Declaration Day, not so much. But, this holiday is - and from August 19th through we're going to suffer. So, and I don't have air conditioning, it's kind of nice having the pool. So thank you very much.

Mr. Snyder: Thank you very much, ladies.

Ms. Davies: Thank you.

Mr. Snyder: We appreciate your comments and thank you for addressing us. Mr. Foltz...

Mr. Foltz: Yes, thank you President Snyder. Yes, I will bring it up. I know Mike Grimes and Jim Davis and we're going to work and see and proceed with seeing what capability we have to keep it open. I mean that's a promise that we discussed with you and the Mayor during one of the meetings and I think we owe due diligence on that. And hopefully that process is moving forward and we have better results for the next meeting.

Mr. Snyder: Okay. Any other members? Anyone else wishing to speak. Ma'am.

Miriam Baughman, 320 Weber Avenue. The following information is for the record: Senate Bill 343 was signed September 12, 2012 for changes to PERS (Public Employees' Retirement System). One change goes into effect January 1, 2014; members of PERS must earn \$600 a month to receive full service credit for that month towards a pension. Tonight you are voting on Ordinance 47-13 for salary raises for City Council on an emergency. My question is the reason for the emergency. How is a city council salary raise necessary for the preservation of health, safety, and peace of North Canton? And

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furthermore this ordinance has nothing to do with the Board of Election filing deadline. For your purposes, this legislation just needs to be completed before December 2, 2013. You have plenty of time if you pass it to get the salary put into effect before the new council. Tonight's agenda was not emailed until this morning. It's usually emailed every Friday. Many people will not read it until tonight, too late for a chance to give an opinion at Public Speaks. Please, do not pass Ordinance No. 47-13 on an emergency tonight. It is not fair to the residents you represent to not give them a chance to receive and respond to this legislation. After all, they will be the ones paying for the salary increase.

Mr. Snyder: I'd like to respond. Number 1, unfortunately, the Board of Election is, it has to be in place before the filing deadline. It has to be in place by August the 7th. If it's not, it's not effective. Secondly, there's an emergency clause in there and it will have at least two readings, if not three, before the passage. So, the residents will have plenty of time to come forward and state. And it has been in the press, and it will be in the press again, I think this week. It's been on the radio, so. But I apologize that you didn't receive your agenda, but it was on the website, I think on Friday afternoon, wasn't it?
Mrs. Kalpac: Yes.

Mr. Snyder: So – but, there is an emergency clause in it, and it will have at least three readings. And secondly, speaking to that, it was not passed based on the Senate Bill for that. We get 67% credit whether, whatever it is, whatever the amount is, so it was... We've not had a raise since, I believe, 2000 and when was the last one...
Mr. Fox: It think it was ...

Mr. Snyder: was it 2, 3?
Mr. Fox: 2002.

Mr. Snyder: And the one before that was in 1989. Again, I represent probably 7000 people, so 6400 people. That's less than a dollar per person per year. At 36 hours a week, or 37 hours a week I put in, and I don't think \$7200 a year is a lot of money. I don't know to get the quality of people that you have that sits on this dais, it's pretty difficult to do it for 45 or \$4800. That's less than a dollar a resident. That's pretty good value to the residents. That's all I have to say. Anybody else like to speak?

Mr. Fox: I would, if I may, Mr. President. And I've looked those over in comparison with others, other municipalities, that do similar duties and responsibilities as our North Canton council members have. And I think it's nearly every morning that we look at the Canton Repository and we see something happening in Canton that kind of leads the way. And North Canton's rate of compensation for its council members is – Canton's members are about three and one-half times the amount that there is for North Canton. And it is difficult to justify it to them to say, no a two hundred dollar rate increase that will bring you within, you know, say you know less than two and one half times of what your counterparts in Canton earn when you basically do the same jobs. Now, I understand that this is a larger populace. However, they have more council members. And they meet regular times as our Council does. They have similar duties and responsibilities. So I think it's difficult and unfair to poke at them when you look at our members of collective bargaining units when they have – they're open for wage negotiations, and none of those have gone beyond two years without a rate increase. Many of those had agreed going into the year 2013 with no rate increase, and we thanked them for that. But the fact is, it is correct that it hasn't been more than two years without a rate increase. Our exempt personnel in the city, haven't had a rate increase since 2008. And here you have council 2002, it's eleven years. And if they don't do it by this time, Mrs. Baughman, it will lapse. They won't be permitted to place that on as a midterm increase in compensation and it will be another two years before they are permitted to do that for the next slate. It will be 13 years that they've gone. And so with this modest increase, I don't think it's too much to ask to bear for the service that they provide.

Mr. Snyder: Thank you. Anyone else wishing to speak to the Council? Mr. Osborne.

Chuck Osborne: 307 Fairview Street SE, North Canton, Ohio. On January 23, 2013, the *Repository* ran a story titled, "North Canton grappling with shrinking revenues." The story begins with, and I quote, "due to slackening tax collection, drastic cuts in state aid and the state's repeal of the estate tax, the city's day of reckoning is fast approaching." The story continues with: "...City Council is considering fee increases, cuts in services and possibly

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layoffs of some city employees as the city faces years of growing deficits..." Finance Director Karen Alger presented Tuesday a proposed 2013 budget to City Council which shows that the city's estimated spending exceeds revenue by \$3.6 million. Of that shortfall, \$1.4 million is the deficit for the general fund budget. By next year, assuming the state doesn't further cut aid, the city has to find a way to raise revenue and cut spending by about 1 million and by significantly more money in later years. How does Ordinance No. 47-13, on tonight's agenda, an ordinance to increase the salaries of all eight part-time elected officials of the City, reconcile with the financial realities facing the citizens of North Canton? Is this Council trying to rush ever so more quickly to that day of reckoning? Possible layoffs of city employees became a reality as seen in a March 13, 2013, *Repository* story titled, "North Canton lays off fire inspector." In the March story, Mayor Heid cited the city's financial challenges as the reason for the layoff. Can anyone on this council body recognize the gravity of North Canton's financial plight or does personal gain come ahead of fiduciary responsibilities? I must say that I was very much amused at last Monday evening's Council meeting of the Whole meeting when Law Director Fox presented his best argument to support an increase in salaries. The argument was the fact that I, as a member of City Council in 2002, over eleven years ago, had urged a greater salary increase than what was proposed at that time. Is this body now agreeing that my reasoning for voting "no" on the 2002 salary increase was in fact correct? And why is our newly appointed full-time Law Director presenting an argument on behalf of City Council for salary increases? This is not the role for a City Law Director in any municipality under any circumstances. If anyone wants to revisit the discussion in 2002 for a salary increase for the City's part-time elected officials, let me refresh your memory. In 2002 the City had over \$18.0 million in reserves, and was in an extremely sound financial position and future prospects were good. So good that everyone on City Council, except me, voted to spend \$4.2 million the very next year for Arrowhead Golf Course in 2003. As each of you should be very aware, the loss of the Hoover Company, along with more recent revenue losses described above, continue to take a toll on city finances. Reserves are a distant memory and probably will never materialize again. I do not think it is a coincidence that the proposed salary increase being requested for part-time elected officials is coming at the same time that the Ohio Personnel Employment Retirement System is increasing the required minimum monthly salary to \$600 per month to continue to qualify for full-service credit for retirement. Drawing a pension for serving as a council member is an added cost to the city taxpayers and probably is a total unknown to most city residents. The proposed salary increases totaling \$20,100 will result in an annual increase in annual pension costs borne by taxpayers of \$2,814. Given North Canton's strained financial condition and dismal financial prospects in the future, I would urge this council to forgo a salary increase. Hopefully you will do your fiduciary duty and not increase the financial strain on the city and its taxpayers. In the alternative, I would suggest that legislation be drawn up to keep a public record of attendance of council members at council meetings and furthermore limit payment for meetings not attended to two meetings per year. Absences by members of City Council meetings have mushroomed out of control and the public needs a mechanism to track attendance by their elected officials. The statement in the *Repository* story of January 23 lays out a roadmap for North Canton, "...the city has to find a way to raise revenue and cut spending by about \$1 million and by significantly more money in later years." Raising salaries of part-time elected officials so they can continue to qualify for retirement credit under the Ohio Personnel Retirement System is not going to put the city on a fiscally responsible path. Remember, it is all about serving your community. Vote no on Ordinance No. 47-13. Thank you.

Mr. Fox: If I may, Mr. President.

Mr. Snyder: Please.

Mr. Fox: Mr. Osborne did point out and he stated why he believed that the Law Director has no business in discussing what's appropriate for a rate increase. But Mr. Osborne, you're probably not aware, you know, that you served on council that your Law Director is the one that meets with the collective bargaining units and discusses those issues inherently rated to compensation and benefits. And today we spent about half of the day and probably two weeks of preparation in - for to conduct negotiations with one of our bargaining units. That part of that spills over into another. We were in negotiations and mediations and fact-finding. So with those things, I believe what I've done in preparation is look at all the bargaining units and the exempt and all the employees to see what they

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have received, compare them to their peers. So you know I don't think that you were quite prepared for your comments, that you didn't do your research in what my duties and responsibilities are. I also point out when you were a member of Council, you didn't waive any of those benefits yourself. You've run for office in every opportunity since then, and in each of those you did not state that you would waive any of those benefits. So I think it is quite disingenuous for you to...

Mr. Osborne: ...inaudible...

Mr. Snyder: Mr. Osborne, you're out of order, sir. If you speak out again, I'll have you removed from the Council Chambers.

Mr. Fox: I think it's disingenuous for you to come and speak out about the member's service here when indeed you when had the opportunity to receive those things, you, in fact, indeed asked for more. Perhaps believing that you would have been re-elected to a council position. That's all I have.

Mr. Snyder: Any other member? Anyone else wishing to speak to the Council this evening? Seeing none, may I have a motion to read by title only third reading of Ordinance No. 38-13?

Old Business:

- 9. Mr. Foltz moved and Mrs. Kiesling seconded to **read by title only third reading of Ordinance No. 38-13.** All members present voting:
Yes: Kiesling, Peters, Snyder, Werren, Cerreta, Foltz, Griffith
No: 0

Ordinance No. 38-13 – 3rd Reading – Water, Sewer & Rubbish

An ordinance amending CHAPTER 937 – WATER RATES, specifically Section 937.05, Bulk Water Charge, of the Codified Ordinances of the City of North Canton, to require the installation of a meter and backflow device for all bulk water customers and using water from a City hydrant, to establish a meter fee and a refundable equipment damage deposit.

Mr. Snyder: Chairman Cerreta.

Mr. Cerreta: Yes, this is the third reading. We discussed this several times. This is to require the installation of these meters. For those using bulk, the customers using bulk water from a hydrant, it really prevents contamination and then gets us an accurate reading of how much water is used. So I feel we should move forward on the third reading here of Ordinance No. – make a motion Ordinance No. 38-13 in the third reading.

Mr. Cerreta moved and Mr. Peters seconded to **adopt the third reading of Ordinance No. 38-13.** All members present voting:
Yes: Peters, Snyder, Werren, Cerreta, Foltz, Griffith, Kiesling
No: 0

- 10. Mr. Snyder: May I have a motion to read by title only, third reading of Ordinance No. 39-13?

Mrs. Kiesling moved and Mrs. Werren seconded to **read by title only, third reading of Ordinance No. 39-13.** All members present voting:
Yes: Snyder, Werren, Cerreta, Foltz, Griffith, Kiesling, Peters
No: 0

Ordinance No. 39-13 – 3rd Reading – Water, Sewer & Rubbish

An ordinance amending CHAPTER 935 – WATER LINES AND HYDRANTS, specifically Section 935.02 Connection Charge Other than by Assessment and Section 935.07 Use of Water from Fire Hydrants, of the Codified Ordinances of the City of North Canton, to establish fees and usage policies.

Mr. Snyder: Chairman Cerreta

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Mr. Cerreta: Once again, this is the third reading. We've discussed this. This lays out the fee structure for those hydrants and tap-ins. So, I move that we go forward with the third reading of Ordinance No. 39-13.

Mr. Cerreta moved and Mr. Peters seconded to **adopt the third reading** of Ordinance No. 39-13. All members present voting:
 Yes: Werren, Cerreta, Foltz, Griffith, Kiesling, Peters, Snyder
 No: 0

11. Mr. Snyder: May I have a motion to read by title only, second reading of Ordinance 41-13?

Mrs. Kiesling moved and Mr. Cerreta seconded to **read by title only, second reading** of Ordinance No.41-13. All members present voting:
 Yes: Cerreta, Foltz, Griffith, Kiesling, Peters, Snyder, Werren
 No: 0

Ordinance No. 41-13 – 2nd Reading – Personnel & Safety

An ordinance amending Ordinance No. 98-11, Collective Bargaining Agreement ("CBA") by and between the City of North Canton ("City") and the North Canton Clerical, Fiscal & Accounting Specialists Employees ("Union") to enter into a Memorandum of Agreement ("Agreement") regarding wage reopener, and declaring the same to be an emergency.

Mr. Snyder: Chairman Peters

Mr. Peters: Yes, thank you. Second reading. We've done the negotiations. Tim, unless there's anything more to add to this, everything is the same as it was last. I have no further comment unless Council does. I will motion to approve the second reading.

Mr. Peters moved and Mr. Foltz seconded to **adopt the second reading** of Ordinance No. 41-13. All members present voting:
 Yes: Foltz, Griffith, Kiesling, Peters, Snyder, Werren, Cerreta
 No: 0

Mr. Snyder: Do we want this passed on an emergency so it doesn't affect ...inaudible...

Mr. Fox: Yes, sir.

Mr. Snyder: As time is of the essence with the, this agreement, may I have a motion to suspend the rules of council for Ordinance 41-13.

Mr. Peters moved and Mr. Cerreta seconded to **suspend the rules** for Ordinance No. 41-13. All members present voting:
 Yes: Griffith, Kiesling, Peters, Snyder, Werren, Cerreta, Foltz
 No: 0

Mr. Snyder: May we adopt under the suspension of the rules Ordinance No. 41-13.

Mr. Peters moved and Mrs. Kiesling seconded to **adopt under the suspension of the rules** Ordinance No. 41-13. All members present voting:
 Yes: Kiesling, Peters, Snyder, Werren, Cerreta, Foltz, Griffith
 No: 0

12. Mr. Snyder: May I have a motion to read by title only second reading of Ordinance No. 42-13?

Mr. Griffith moved and Mrs. Werren seconded to **read by title only second reading** of Ordinance No. 42-13. All members present voting:
 Yes: Peters, Snyder, Werren, Cerreta, Foltz, Griffith, Kiesling
 No: 0

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Ordinance No. 42-13 – 2nd Reading – Street & Alley

An ordinance authorizing the Mayor of the City of North Canton, through the Board of Control, to enter into a Project Agreement by and between the City of North Canton and the Board of Stark County Commissioners for the improvement of Applegrove Street (from North Main Street to Whipple Avenue) and Whipple Avenue (from Applegrove Street to Wise Avenue) at a total cost not to exceed \$75,000, and declaring the same to be an emergency.

Mr. Snyder: Chairman Griffith.

Mr. Griffith: We've had a good discussion on this. Most of this project is actually done in the county. We're just doing our little piece of it and it's being funded and ready to go. I move for its adoption.

Mr. Griffith moved and Mr. Cerreta seconded to **adopt the second reading** of Ordinance No. 42-13. All members present voting:

Yes: Snyder, Werren, Cerreta, Foltz, Griffith, Kiesling, Peters

No: 0

Mr. Snyder: As time is of the essence, may we suspend the rules of council for Ordinance No. 42-13.

Mr. Griffith moved and Mrs. Werren seconded to **suspend the rules** for Ordinance No. 42-13. All members present voting:

Yes: Werren, Cerreta, Foltz, Griffith, Kiesling, Peters, Snyder

No: 0

Mr. Snyder: Under the suspension of the rules, may we adopt Ordinance No. 42-13. Did I just adopt it?

Mrs. Kalpac: Yes.

Mrs. Kiesling moved and Mr. Peters seconded to **adopt under suspension of the rules** Ordinance No. 42-13. All members present voting:

Yes: Cerreta, Foltz, Griffith, Kiesling, Peters, Snyder, Werren

No: 0

13. Mr. Snyder: May I have a motion to read by title only, second reading of Ordinance 43-13?

Mr. Griffith moved and Mrs. Kiesling seconded to **read by title only, second reading** of Ordinance No. 43-13. All members present voting:

Yes: Foltz, Griffith, Kiesling, Peters, Snyder, Werren, Cerreta

No: 0

Ordinance No. 43-13 – 2nd Reading – Street & Alley

An ordinance approving, confirming and accepting a Perpetual Entry Sign Easement Agreement, located in the Southeast Quarter of Section 5, Plain Township, County of Stark, State of Ohio, and known as being part of Parcel No. 5503025, from McKinley Development Company, LTD., to the City of North Canton, for and in consideration of one dollar, necessary to construct and maintain, alter, inspect, repair, remove, and replace at will a concrete block and brick masonry entry sign with the right of ingress and egress at any time through said property, and declaring the same to be an emergency.

Mr. Snyder: Chairman Griffith

Mr. Griffith: We've got most of the signs up, they look really good. So, it's probably good that we get these easements approved so that we're kosher. I will move its adoption.

Mr. Griffith moved and Mr. Cerreta seconded to **adopt the second reading** of Ordinance No. 43-13. All members present voting:

Yes: Griffith, Kiesling, Peters, Snyder, Werren, Cerreta, Foltz

No: 0

Mr. Snyder: As the health, safety and welfare of the citizens is at stake, please suspend the rules of Council for Ordinance No. 43-13.

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Meeting

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Held

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7:00 p.m.

20¹³

Mr. Griffith moved and Mr. Peters seconded to **suspend the rules** for Ordinance No. 43-13. All members present voting:

Yes: Kiesling, Peters, Snyder, Werren, Cerreta, Foltz, Griffith

No: 0

Mr. Snyder: May we adopt under the suspension of the rules Ordinance No. 43-13.

Mr. Griffith moved and Mrs. Werren second to **adopt under the suspension of the rules** Ordinance No. 43-13. All members present voting:

Yes: Peters, Snyder, Werren, Cerreta, Foltz, Griffith, Kiesling

No: 0

14. Mr. Snyder: May I have a motion to read by title only second reading of Ordinance 44-13.

Mr. Griffith moved and Mr. Cerreta seconded to **read by title only second reading** of Ordinance No. 44-13. All members present voting:

Yes: Snyder, Werren, Cerreta, Foltz, Griffith, Kiesling, Peters

No: 0

Ordinance No. 44-13 -- 2nd Reading -- Street & Alley

An ordinance approving, confirming and accepting a Perpetual Entry Sign Easement Agreement, located in the City of North Canton, County of Stark, State of Ohio, and known as being part of Lot 3270, Parcel No. 9205243, as recorded in Brentwood Hill Allotment #2 (P.B. 34, Page 153 of the Stark county Records), from Sheraton Towne Apartments, LTD., to the City of North Canton, for and in consideration of one dollar, necessary to construct and maintain, alter, inspect, repair, remove, and replace at will a concrete block and brick masonry entry sign with the right of ingress and egress at any time through said property, and declaring the same to be an emergency.

Mr. Snyder: Chairman Griffith.

Mr. Griffith: Once again, this is our second easement at no cost. I would move its adoption.

Mr. Griffith moved and Mrs. Kiesling seconded to **adopt the second reading** of Ordinance No. 44-13. All members present voting:

Yes: Werren, Cerreta, Foltz, Griffith, Kiesling, Peters, Snyder

No: 0

Mr. Snyder: As the health, welfare and safety of the residents is at stake, please suspend the rules of council for Ordinance 44-13.

Mr. Griffith moved and Mrs. Kiesling seconded to **suspend the rules** for Ordinance No. 44-13. All members present voting:

Yes: Cerreta, Foltz, Griffith, Kiesling, Peters, Snyder, Werren

No: 0

Mr. Snyder: May I have a motion to read by title only, second...

Mrs. Kalpac: Excuse me, you have to adopt.

Mr. Snyder: Oh, may we adopt under the suspension of the rules Ordinance 44-13.

Mr. Griffith moved and Mr. Peters seconded to **adopt under the suspension** of the rules Ordinance No. 44-13. All members present voting:

Yes: Foltz, Griffith, Kiesling, Peters, Snyder, Werren, Cerreta

No: 0

15. Mr. Snyder: May I have a motion to read by title only second reading of Ordinance No 45-13?

Mr. Griffith moved and Mr. Cerreta seconded to **read by title only, second reading** of Ordinance No. 45-13. All members present voting:

Yes: Griffith, Kiesling, Peters, Snyder, Werren, Cerreta, Foltz

No: 0

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Ordinance No. 45-13 – 2nd Reading – Finance & Property

An ordinance authorizing the Mayor of the City of North Canton to accept and utilize memorial funds from the North Canton Veterans Memorial Committee, in an amount not to exceed \$12,186, for the repairs, replacement, and maintenance of the current Veterans Memorial and its appurtenances, including but not limited to, memorial plaques, soldier statue, and brick and cement work, and declaring the same to be an emergency.

Mr. Snyder: We received a very generous gift from the committee that installed that memorial. It's a gorgeous memorial. This is the funds they have left over after their hard work in raising this. This money will be put into a separate checking account marked for the perpetual care of that, just the memorial. The actual other work will be done by the City at the City's expense. I'll entertain a motion to adopt the second reading of Ordinance No. 45-13.

Mr. Foltz moved and Mrs. Peters seconded to adopt the second reading of Ordinance No. 45-13. All members present voting: Yes: Kiesling, Peters, Snyder, Werren, Cerreta, Foltz, Griffith No: 0

Mr. Snyder: As time is of the essence to get this done, we would like to suspend the rules of council for Ordinance No. 45-13.

Mrs. Kiesling moved and Mr. Peters seconded to suspend the rules for Ordinance No. 45-13. All members present voting: Yes: Peters, Snyder, Werren, Cerreta, Foltz, Griffith, Kiesling No: 0

Mr. Snyder: May we adopt under the suspension of the rules Ordinance No. 45-13.

Mrs. Kiesling moved and Mr. Peters seconded to adopt under suspend the rules Ordinance No. 45-13. All members present voting: Yes: Snyder, Werren, Cerreta, Foltz, Griffith, Kiesling, Peters No: 0

16. Mr. Snyder: May I have a motion to read by title only, second reading of Ordinance 46-13.

Mrs. Kiesling moved and Mrs. Werren seconded to read by title only, second reading of Ordinance No. 46-13. All members present voting: Yes: Werren, Cerreta, Foltz, Griffith, Kiesling, Peters, Snyder No: 0

Ordinance No. 46-13 – 2nd Reading – Finance & Property

An ordinance amending Attachment A of Ordinance No. 7-13, permanent budget for fiscal year 2013, to reclassify \$163,000 for the Hoover District improvements from an advancement to a transfer within the General (101), Income Tax (203), and Hoover District (333) Funds, repealing Ordinance 101-10, and declaring the same to be an emergency.

Mr. Snyder: We've done this as a bookkeeping entry. The money is advanced after the work is done prior to us receiving it from the state creating a deficit in the fund account, which we're not permitted to do. And over the last two audits that we've had from the state, they've asked us to change our procedures in funding. So we'll go ahead and transfer this money and when the money comes back from the state, she'll replace it accordingly and we'll no longer have a deficit balance in the fund. And then we'll also eliminate the original ordinance with permitted ...inaudible... deficit. Any questions on that? If not, may we have a motion to adopt the second reading of Ordinance No. 46-13?

Mrs. Kiesling moved and Mr. Peters seconded to adopt the second reading of Ordinance No. 46-13. All members present voting: Yes: Cerreta, Foltz, Griffith, Kiesling, Peters, Snyder, Werren No: 0

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Held

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7:00 p.m.

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Mr. Snyder: Since time is of the essence, and we are going to re-audit now, we're preparing, we'd like to do this immediately, we'd like to suspend the rules of Council for Ordinance 46-13.

Mrs. Kiesling moved and Mr. Cerreta seconded to **suspend the rules** for Ordinance No. 46-13. All members present voting:

Yes: Foltz, Griffith, Kiesling, Peters, Snyder, Werren, Cerreta

No: 0

Mr. Snyder: May we adopt under the suspension of the rules, Ordinance 46-13.

Mrs. Kiesling moved and Mr. Peters seconded to **adopt under the suspension of the rules** for Ordinance No. 46-13. All members present voting:

Yes: Griffith, Kiesling, Peters, Snyder, Werren, Cerreta, Foltz

No: 0

New Business:

17. Mr. Snyder: May I have a motion to read by title only, first reading of Ordinance 47-13.

Mr. Peters moved and Mr. Foltz seconded to **read by title only, first reading** of Ordinance No. 47-13. All members present voting:

Yes: Kiesling, Peters, Snyder, Werren, Cerreta, Foltz, Griffith

No: 0

Ordinance No. 47-13 – 1st Reading – Personnel & Safety

An ordinance establishing the rates of compensation for elected officials of the City of North Canton, Ohio, effective December 1, 2013, and declaring the same to be an emergency.

Mr. Snyder: Chairman Peters

Mr. Peters: Yes. Just to reiterate President Snyder's comments, there is an emergency clause. We will have at least two readings on this. With that I will motion to approve first reading of 47-13.

Mr. Peters moved and Mr. Foltz seconded to **adopt first reading** of Ordinance No. 47-13. All members present voting:

Yes: Peters, Snyder, Werren, Cerreta, Foltz, Griffith, Kiesling

No: 0

18. Mr. Snyder: May I have a motion to read by title only, first reading of Ordinance No. 48-13?

Mr. Foltz moved and Mrs. Kiesling seconded to **read by title only, first reading** of Ordinance No. 48-13. All members present voting:

Yes: Snyder, Werren, Cerreta, Foltz, Griffith, Kiesling, Peters

No: 0

Ordinance No. 48-13 – 1st Reading – Finance & Property

An ordinance authorizing the Mayor of the City of North Canton, through the Board of Control, to enter into a revised Supplemental Sewer Agreement by and between the City of North Canton ("North Canton") and the City of Canton ("Canton") for Operations, Maintenance, and Replacement ("OM&R") of sanitary sewers, and to amend the March 22, 1974 Agreement and the series of supplements thereafter, and declaring the same to be an emergency.

Mr. Snyder: We are presently paying our flow rates at about 7.5%. And it has been determined through flow meters and actual flow that we are in the line of about 2.5%. Consequently, the Engineer through some negotiation, along with the Directors of Administration and Finance, have worked this out where we're going to receive a credit of, I think, three hundred and some thousand dollars against our future billing. And we will be billed as soon as this is assigned. We will begin to get billed at 2 ½% rather than 7.5%

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which we originally had estimated it was going to cost us. So that's why we want to move on this and start using that credit which in essence, you know, will ...inaudible... to our residents because they had just, I think they just raised our rates just not too long ago, didn't they? Which we did not pass on to our residents, so that's that story.

Mrs. Kiesling: I motion we adopt.

Mrs. Kiesling moved and Mr. Peters seconded to adopt the first reading of Ordinance No. 48-13. All members present voting: Yes: Werren, Cerreta, Foltz, Griffith, Kiesling, Peters, Snyder No: 0

Mr. Snyder: Since time is of the essence, may we adopt -- may we suspend the rules of council for Ordinance No. 48-13.

Mrs. Kiesling moved and Mr. Peters seconded to suspend the rules for Ordinance No. 48-13. All members present voting: Yes: Cerreta, Foltz, Griffith, Kiesling, Peters, Snyder, Werren No: 0

Mr. Snyder: May we adopt under the suspension of the rules for Ordinance No. 48-13.

Mrs. Kiesling moved and Mr. Cerreta seconded to adopt under suspension of the rules Ordinance No. 48-13. All members present voting: Yes: Foltz, Griffith, Kiesling, Peters, Snyder, Werren, Cerreta No: 0

Reports - Council:

Mr. Snyder: Alright reports, Member Foltz

Mr. Foltz: Yes, I just wanted to thank the Administration. I had a problem with a few potholes, but over the weekend got some calls and the crews went out and took care of it this afternoon or late morning. So appreciate the quick response. Thank you.

Mr. Snyder: Good. Member Peters

Mr. Peters: Yeah, a couple of things. First off, I wanted to thank Mr. Bowles for helping over in Ward 2. We've been working hard to stay on top of the properties and getting them mowed. And we seem to have found a nice little groove. And so I wanted to thank him for that. And I know, Eric, are you going to be ready next week with the ordinance, or some of the ordinances that were going to be tied to the Housing Review Committee?

Mr. Bowles (speaking from the audience): Because of the move I'm going to say no. Mr. Peters: Okay. Mr. Bowles: I've got boxes everywhere right now.

Mr. Peters: Now is, and I know there's a lot tied into that. I want to ask Eric and this Council if we could consider moving forward with at least one component and that being the storage units and the mobile trailers for tear-outs and roofs and that type of thing. What I'd like to do, well we can talk about it in committee tomorrow or next week, but I just wanted to give you guys a heads-up that I'd rather, I'd like to move with that sooner rather than later. And then if we have to tie it in to the...

Mr. Bowles: What is the deadline? Is it Wednesday, Gail? Mrs. Kalpac: Tuesday. Mr. Snyder: Tuesday at 4.

Mr. Bowles: Tuesday is tomorrow.

Mr. Snyder: Are you talking about storage units - those little buildings behind people's houses?

Mr. Peters: No. Not storage buildings.

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Mr. Snyder: Oh, you're talking about those little IPOD things.

Mr. Peters: Those little pods. Well, there are little ones and then there are the big ones. And there are some businesses around here, particularly one out on Columbus Road that actually sell them to homeowners to put in their back yard. You know, they're a lot more sturdy and you can lock them down. They're using them a lot in the townships and out in the farm areas, which isn't - I mean I guess it's okay, but, you know, within the City of North Canton we've got a few of those sitting in driveways and off driveways.

Mr. Snyder: Isn't our present, under our present sub - zoning laws, those are prohibited to be left more than for temporary use, are they not?

Mr. Peters: I think it only addresses the roll off trash deal.

Mr. Bowles (speaking from the audience): We don't address, directly address right now in the code, such things as the pods and the storage units. And that was something that we chatted about last, you know early this year when they started to appear. And several of the big box home improvement stores will go ahead and they'll lease those to people and currently we don't have any time limits. And Jeff and I have also talked about dumpsters. Somebody can lease a dumpster and put it on their property and we don't have any time limits on that. We don't charge any fees. The one thing that Jeff, just to give you an illustration, the one that Jeff is talking about is really offensive to that neighborhood. And personally if it were next to my house, I'd find it offensive. If you know the big containers that are on the truck that they ship from overseas, that's what this one household has. And really they're adding another structure to a side yard. And you know, Jeff and I probably saw that pretty much at the same time. We had another issue in that neighborhood, and I remember driving by them. And so that's something that we really need to get a handle on because those, especially those pods, while they're useful, we don't have anything to, you know, any kind of time constraint for people how long they have one on their property if they're moving. We all understand if they're moving or they're renovating their house or something like that but - and then that's one issue. But, what Jeff is also talking about, those bigger containers, that's a very large structure.

Mr. Snyder: Well, let's get - put on committee and discuss it at least. And then we may not be able to, but we can get some ideas where we want to go...

Mr. Foltz: It will also give us a chance for our Law Director to review just the language too, and see if we have something that we can apply towards it right now instead of going through the process of three readings and then changing the code.

Mr. Fox: Sure. I just wrapped up a couple of things that were taking a significant amount of time, and I'll be able to - I could start looking at that tomorrow.

Mr. Peters: And the only reason I bring that up is, you know public speaks was going to be rather long tonight. I've talked to the folks down in that area and told them, you know, hold off, let's - let me make mention of it tonight and we'll get it on for discussion.

Mr. Snyder: Absolutely. Let's get it on there and talk about it next week.

Mr. Peters: Alright, okay. That's all I have.

Mr. Snyder: Thank you. Member Werren

Mrs. Werren: I just want to thank Eric, too because there was a constituent in my neighborhood actually that had worked with you about a possibility of a restaurant in North Canton and just thought you were top notch and handled everything so professionally. So, thank you very much.

Mr. Bowles (speaking from the audience): Inaudible... that restaurant that's been located up north - on the north end...

Mrs. Werren: Yes, we'll hope. Yeah. They just said you were excellent. So, thank you.

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Mr. Snyder: Member Griffith
Mr. Griffith: No report.

Mr. Snyder: Member Cerreta
Mr. Cerreta: No report.

Mr. Snyder: Mrs. Kiesling
Mrs. Kiesling: No report.

Reports:

Mr. Snyder: I have a couple of things. Pursuant to the Rules of Council, Council will meet July 1st and the 8th. And, the two Mondays in August being the 19th and 26th and we'll be on sabbatical in between. So we will have two meetings in July, two meetings in the latter part of August. Other than that, you are subject to the call of the Chair should there be anything that would be... Now the other thing that I have, relative, are all members present on the 8th or not? So we'll six members present on the 8th? Alright. So we're okay on that. Good. Thank you. Director Fox.

Mr. Fox: Yes, sir. As I mentioned, we have been quite busy, Director of Finance and Administration on collective bargaining agreements. Not all the unions have agreed to go forward without wage increases. So we have been very busy in preparation. And today we had some - a couple of hours of mediation, a couple of hours of fact finding. We'll get an opinion from a fact finder back in just about 30 days. It will impact certainly two, and perhaps three of the collective bargaining unions that we have. Also, we just continue to do really well with our Mayor's Court. And I want to, you know, acknowledge Jane and Justine in the Mayor's Office they help move that along very smoothly, as well as with the tax issues from Director of Finance with Gayle Bruce in there. And certainly recognize our Magistrate there, David Nist. He, I think, really does a wonderful job in some sensitive issues. It's everything from traffic to taxes. And it can be really difficult with some folks, but he really shows compassion and empathy and sometimes hopefully changes some attitudes when they don't think some of the things important and helps them to realize that, gives them an opportunity to resolve it, take this home and think about it, come back in a couple of weeks and I imagine your mind will be changed. So, I think they all do a wonderful job and I wanted to acknowledge them for that.

Mr. Snyder: Thank you. Director Alger
Mrs. Alger: No report.

Mr. Snyder: Administrator Grimes

Mr. Grimes: Mayor Held, for those who don't know, he calls it, he's on vacation. He's got his wife, his six kids, and four other kids. I don't know if I would want to call that a vacation.

Mr. Snyder: Neither would I. I wouldn't call that a vacation.

Mr. Grimes: That's what he calls a vacation. So he'll be back next week. We are working on the pool. Mr. Davis has, real quick this morning before we went into mediation, and he told me that, you know last year we set some records with the pool, and we set a record both Saturday and Sunday at our pool over this weekend. And he did say he was, wanted to go back over those lists with people to see - check on those lifeguards that were available. And we do have, of course, the July 4th parade and the will be at 10:30 in the morning, and of course, the YMCA will have their run before that, and then fireworks later in the evening. So, we do have those festivities on July 4th. Thank you, sir.

Mr. Snyder: Thank you. Engineer Benekos.

Mr. Benekos: We are moved into our new facility. We're in boxes. So if you ask me a question, it's probably in a box somewhere. But, feel free to stop in anytime. We'll be glad to show you around. And that's it.

Mr. Snyder: Thank you. Clerk, do you have any comments?

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Mrs. Kalpac: No comments, thank you.

Final Call for New Business:

Mr. Snyder: Anything else to come before the Council? If not, I'll entertain a motion to adjourn.

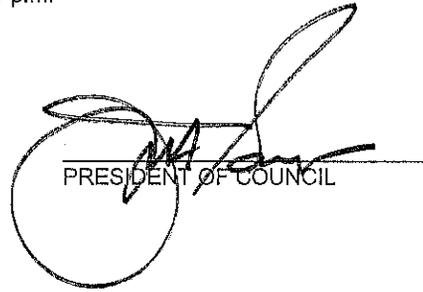
Adjourn:

Mr. Foltz moved and Mrs. Werren seconded to adjourn the council meeting. All members present voting:

Yes: Griffith, Kiesling, Peters, Snyder, Werren, Cerreta, Foltz

No: 0

The council meeting adjourned at 8:01 p.m.



PRESIDENT OF COUNCIL

ATTEST:



CLERK OF COUNCIL