

RECORD OF PROCEEDINGS

Minutes of COUNCIL OF THE CITY OF NORTH CANTON

REGULAR

Meeting

DAYTON LEGAL BLANK, INC. FORM NO. 10148

Held Monday, March 14

7:00 p.m.

20 11

CALL TO ORDER

1. The Council Meeting was called to order Monday, March 14, 2011 at 7:00 p.m. by President of Council Daryl Revoldt.
2. The opening prayer was delivered by Rev. David Warren, First Southern Baptist Church.
3. All present recited the Pledge of Allegiance.

ROLL CALL:

4. Mr. Revoldt: Clerk, would you please call the roll?

The following members of Council responded to roll call: Davies, Foltz, Kiesling, Peters, Revoldt, and Snyder. Council Member DeOrio was not present for the meeting. Also present were: Mayor Held, Director of Administration Grimes, Director of Law Nilges, Director of Finance Loretto, City Engineer Benekos, Director of Economic Development Bowles, Fire/EMS Chief Bacon, and Clerk of Council Kalpac.

Mr. Revoldt: May I have a motion to excuse Mr. DeOrio?

Mr. Foltz moved and Mr. Peters seconded to excuse the absence of Council Member DeOrio.

All members present voting:

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

No: 0

CONSIDERATION:

5. Council Meeting Minutes – February 14, 2011
Council Meeting Minutes – February 28, 2011
Mayor's Court Receipts – January 2011
Financial Statement – February, 2011

Mr. Revoldt: Council has for its approval this evening, minutes of the Council Meeting for February 14th, minutes of the Council Meeting of February 28th, Mayor's Court Receipts for January, 2011 and the Financial Statement for February, 2011. Are there any questions?

Mr. Snyder: Mr. President, I move that we accept them as presented.

Mrs. Kiesling: Second.

Mr. Snyder moved and Mrs. Kiesling seconded to accept the minutes of the Council Meeting for February 14, 2011; minutes of the Council Meeting of February 28, 2011; Mayor's Court Receipts for January, 2011 and the Financial Statement for February, 2011.

All members present voting:

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

No: 0

6. Committee Minutes:

Mr. Revoldt: Council also has for its approval this evening Committee Minutes - Executive Session for Personnel and Safety held on February 28th and March 7th and Committee Minutes for Community and Economic Development; Finance and Property; Ordinance, Rules and Claims; Personnel and Safety; Water, Sewer and Rubbish; those committees Meeting on March 7th.

Mr. Snyder: Mr. President ...

Mr. Revoldt: Are there any ...

Mr. Snyder: Oh, excuse me.

Mr. Revoldt: questions or amendments for those minutes?

Mr. Snyder: Mr. President, I move that we accept as presented.

Mr. Davies: Second.

Mr. Snyder moved and Mr. Davies seconded to approve the executive session and committee report minutes as presented. All members present voting:

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

No: 0

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Executive Session for Personnel & Safety: Please refer to the minutes on file in the Council Office of the Executive Session Meeting for Personnel & Safety held February 28, 2011 and March 7, 2011.

Community & Economic Development: Please refer to the minutes on file in the Council Office of the Community & Economic Development Committee Meeting held March 7, 2011.

Finance & Property: Please refer to the minutes on file in the Council Office of the Finance & Property Committee Meeting held March 7, 2011.

Ordinance, Rules & Claims: Please refer to the minutes on file in the Council Office of the Ordinance, Rules & Claims Committee Meeting held March 7, 2011.

Personnel & Safety: Please refer to the minutes on file in the Council Office of the Personnel & Safety Committee Meeting held March 7, 2011.

Water, Sewer & Rubbish: Please refer to the minutes on file in the Council Office of the Water, Sewer & Rubbish Committee Meeting held March 7, 2011.

7. Voice Vote – Appointment of Director of Finance

Mr. Revoldt: Item 7 is the appointment of a Director of Finance. I would like to make a motion that we appoint Karen Alger to the position of Director of Finance.

Mr. Foltz: Second.

Mr. Revoldt moved and Mr. Foltz seconded to appoint of Karen Alger to the position of Director of Finance. All members present voting:

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

No: 0

8. Recognition of Visitors:

Mr. Revoldt: Inaudible... it's done. Let's move on to recognition of visitors. This evening we are pleased to have with us in our company, Dave Hartt, who has done - served as our counsel over the many years for our Zoning Ordinance. He is with us tonight to follow up on a conversation we had regarding the appropriateness of residential units in ZBA, ZBB

Mrs. Kiesling: GB-A

Mr. Revoldt: or GB-A (General Business A), GB-B (General Business B) I'm sorry. I get excited.

Mrs. Kiesling: It was close....

Mr. Revoldt: It was close. Welcome.

David Hartt: Good evening. Thank you. Nice to be here.

Mr. Revoldt: Please state your name and address for the record please.

Mr. Hartt: David Hartt, President of D.B. Hartt Planning and Consultants, 1382 West Ninth Street, Cleveland. Let me just give a little background of how I understand I'm here tonight. I had a conversation with the Law Director on Friday and basically saying that there was a proposal, at least by some on Council, at least being informally considered to change residential in the GB-A and the GB-B business districts from a permitted use to a conditional use. And I made some comments and raised some questions. And the Law Director said why don't you write that up and I said well before I write it up, maybe it would be better to come out and talk about what I was going to write up or what those opinions were. In fact I think that could probably be done more efficiently than trying to write it up. So do you want to ask questions based on that or you want to me to go through little opening remarks that I had - I had prepared based on that conversation.

Mr. Revoldt: Well - well why don't you give us a little insight and then maybe we can ask some questions. if that's agreeable with Council.

Mr. Hartt: Well, the - the - the comments fall into three categories; what if - what the nature of a conditional use is; things to keep in mind when you're considering moving residential from a permitted to a conditional use; and then thirdly, asking the question, what would the conditions be. And the way we - my own philosophy and the way we've structured the North Canton Zoning Code, is that a conditional use is something that you've said is acceptable and is compatible in the district, but because it has some unique qualities or characteristics, you have said it needs some additional oversights or standards to be considered or are

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appropriate for that to make sure it's compatible and consistent with the district. So what you've said is, you've accepted it in the district, subject to, not that you're making it a conditional use to say no. And, if a conditional use meets the standards or the conditions that have been set forth, then it seems to me that it behooves the community to approve that use of it satisfies the conditions. So we have in -- in the zoning code that we drafted for you folks, we basically have three different criteria for judging conditional uses. And basically what I say is the conditional use is actually permitted use when the conditions have been satisfied. And there are three elements to look at in evaluating the appropriateness of a conditional use. One is the general criteria and that's applicable to all conditional uses. But the key is when you're looking at that -- that you're looking at in the light of what were you expecting when the use was conditionally permitted in the district in the first place and how is that use going to impact the community both compared to what you were expecting and compared to other uses that are permitted by right in that district. And that's an important benchmark or framework to be judging the use. Not the use compared to nothing, but compared to what you were expecting and what otherwise is permitted. So it's -- it's -- what I'm suggesting is you have to be careful how you evaluate that criteria and what your benchmark is when you're evaluating it. The second thing is, for each conditional use we have numerical standards that have to comply. And in some cases the numerical standards are just the same standards as what are required for the district. But in other cases we have an increase in standards -- larger lot area, larger setbacks because the building is going to be bigger than the uses that are otherwise permitted, so we want to offset the impact of the larger -- the larger building that might be the conditional use compared to the permitted use. And then the third thing is having actual standards that are appropriate for each use. And in the Section, I believe it's 1145, we actually have numerated criteria, design guidelines, etc. etc. for every -- virtually every conditional use. So when you're looking at making this or considering making this a conditional use, what is it that's unique about it compared to the other uses that are permitted in the -- in the District. In terms of -- and you know there may be specific sites and my comments are based on the residential in general, not a specific proposal by the way, I am aware of the proposal, but the comments are based on the general application of making this change. Residential has been permitted in the commercial districts for a long time. This was not something new that we put in but they were in the -- permitted in the residential districts prior to the new zoning code. With the overall general trend of -- if I may simplify it by saying it's supply and demand for residential sites and residential development now, that I think you have to be careful about making it harder to develop commercial property by putting more restrictions on some of the uses such as residential that might be permitted in the commercial areas. There is a lot more commercial than we had thirty (30) or forty (40) years ago and yet there is and a lot more commercial land, a lot more commercially zoned land a lot more commercial buildings that don't necessarily correspond with the boundaries of North Canton or cities. And we don't have a lot more demand to use those commercial facilities because the population has remained virtually the same. It's gone up a little bit, but there's a lot more commercial than the increase in the number of people that are supporting that commercial. So as some of these older areas or these commercial areas, get older, we really have to think about what the future uses are for those properties. And therefore I'm concerned about being too limiting about the range of uses that can be -- that are -- that are permitted on various sites. And some commercial sites -- some commercial sites because of the supply demand issue, location cart, size of the sites, location characteristics, ability to be a magnet surrounded by other commercial uses, are losing and in some cases may have lost their ability to be viable commercial sites in the future. So, I -- and then on the flip side of that, if you need residences to support commercial and some of the commercial sites aren't as good as they used to be, then maybe it makes sense to continue to have residential as a permitted use or a conditionally permitted use in the commercial districts. But then the question is if they're conditionally permitted what are the conditions that are unique that should apply to residential in a commercial district because you're trying to manage more impacts, different impacts than the permitted uses already have on -- on a -- on a -- on the community or the surrounding area. So that's a -- I think a fair summary of our conversation on a Friday which prompted me to be here.

Mr. Snyder: Sir, may I say originally and I will say that I -- it was my thought when I asked the President to put that on the Committee to consider banning the permitted use and have to come back as a conditional use. Whether it be for specific subject property or not, the way it's written today, our Zoning Code, there would've been nobody else looking at it. It was permitted for the particular subject property that was going to be placed there. And it was contrary to the health and welfare of the general community. And my thought process by making it a conditional use to allow residential properties to populate or repopulate an existing or new commercial area would be that it could be looked at by at least the Planning Commission and making sure it's harmonious and it's conducive to the general welfare and well being of the population. Right now, I mean the problem is we've spent millions of dollars on Main Street alone to enhance the integrity and the beauty of the street. We also have a large campus of ninety (90) acres of ground over there that's -- that's got many mixed uses from high industrial to a low General Business A and residential. So somewhere along in that book has to be written, I would think for the well being of the citizens of this City of North Canton, the ability of at least -- no less than, if not the Council and the Planning Commission to be able to look at a subject request whether it -- and say this is really -- aesthetically it's not proper for the particular venue one put it in. And I mean that's -- at this rate it is contrary to what the -- what the people who vote us in want and it's their City.

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Mr. Hartt: I fully understand that, but the criteria that you apply to a conditional use has to be more specific than that because if it – if it is merely an open ended question that says we in the broadest look at this possible doesn't meet the health safety and welfare of the community, then it's virtually any conditional use that we have said...

Mr. Snyder: It doesn't, it doesn't.

Mr. Hartt: The standards don't apply.

Mr. Snyder: Okay.

Mr. Hartt: The standards don't apply because the discretionary judgment you're going to apply is over and broader and much loftier than this. So what you're asking me to do is put in something that gives you more discretion than we have said applies to the other conditional uses. Now, could you prohibit? I supposed the answer, could you permit it in the business districts, yes, I think you could. But I think you have to be very careful based on what I've said about the supply and demand of commercial property. Could you change the zoning in certain areas so you have new districts and say okay because of our thinking about the community now, we want to change the zoning as it applies to these corridors and these locations so we're going to have a different - a totally different set of location criteria for residential then applies now. But you need something to say, here are the reasons why it's conditional and if it meets these conditions it's satisfactory and if it doesn't then okay we can deny it. But I know that the community didn't want this use. But as a zoning person I can't be drafting the Zoning Code that gives you the license, unbridled license to say no when the community doesn't like something. I mean there's more of a constitutional criteria than that.

Mr. Snyder: Well, I respect that. The thing is though – and I - basically to answer my question, based on the present Zoning Code that's in place in the City of North Canton, we need to tweak it that gives some prayer of eyes, as I say meet the Planning Commission be it Councilmanic action or both, on some way that if there is a particular and I have to be careful what words I choose, application for a particular housing of some sorts that is really - that we feel either economically or socially does not fit the criteria for the best interest of the citizens then we can look at it. Not necessarily that we're going to refuse it, but right now we have a very tight Zoning Code on a residential multi-family requiring four units per acre. That's much tighter than most townships which allow between six (6) to twelve (12) which is fine, but you know if they would have met that criteria they would of have had it there and consequently it's not the best and highest use of that particular piece of property. All along Main Street any single family home that exists today could be purchased raised in some type of unit whether it be a high-rise housing. And aesthetically and functionally it's not proper for the city the way we've designed it to the way we've engineered particular street to the particular setting because it's much more friendly to have people walking and moving along. It's not urban, it's not downtown Cleveland or downtown Columbus where you've got a high mode of traffic, high city transportation. People like to walk along the sidewalks that we put in there. So consequently that type of density housing just – I don't, at least I don't think it fits.

Mr. Hartt: In that location.

Mr. Snyder: Along Main Street especially, yeah.

Mr. Hartt: It seems to me you've got three choices: you can make it – you can make it conditional, but then you have to have some standards of where it's appropriate and when it's not appropriate, not just the broad general health, safety, and welfare; you could prohibit it from the commercial districts or you could create a - and there actually is a Main Street district and maybe the Main Street district has to be looked at in terms of how it's applied. I know we did that back in 2001, 2002, but looking at different zoning classifications along with – along the Main Street, if that's the key issue. So I think there are three choices. But when you –if you take the first choice you really have to have some conditions that say why is this use unique and have to be managed differently than an auto parts store. That would – that's the distinction that's I think important.

Mr. Snyder: Inaudible... Mr. President.

Mr. Revoldt: Questions? Dave, if you can, I've got a – I've got a – and I guess I'm not unsympathetic to some of – to some of Jon's argument, but what struck me is if all of us would adjourn and go into the Mayor's Office, there's a map from the turn of the 18th into the 19th Century map of Canton. If you look at how it's platted, we still operate on what I call the 1834 plat, very narrow long properties and many of those exist today. And I think what I'm hearing you tell me is that those properties that may have been converted now to commercial use will find it more difficult to become viable commercially, just given the plethora of commercial property. Is that correct?

Mr. Hartt: Yes and also the size of those parcels.

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Mr. Revoldt: Absolutely. So, I think what you're telling us is if we you look at this, you know, if I was a property owner and I say okay, you know, I can, given the size of these properties, I can support a small office on that ground floor or two offices, cause I've got enough parking. But to really make it viable I've got to have residential above. I won't - I don't have enough space to get me to the next economic equation if you will. And that I think is the rub that we've got here, small lots, can't support a lot of commercial activity but to make it economically viable for that property, he's got to have residential on top.

Mr. Hartt: Now we actually did that in the Main Street District. We actually said that the residential has to be on the second floor, that's in there now.

Mr. Revoldt: Okay...

Mr. Hartt: So what you're taking, in that same concept could apply in the business districts as well.

Mr. Revoldt: So I guess my point is that as we continue to discuss this, we need to be mindful of the sort of platted reality that we have and the economic reality of property owners.

Mr. Hartt: Yeah. And the third is, given if you buy my concept about this whole supply and demand of commercial, that residential development, even at increased densities in and around older commercial areas, can be a community benefit because it provides support, provides people to walk on those streets, it provides people to shop at the businesses that are there. It can reinforce the character of Main Street just as well if it's properly designed; it can reinforce the character of Main Street as much as commercial can. So there's a - if this - if this was a change in thinking from twenty or thirty years ago when we wanted our commercial areas to be all commercial, but now we're saying no - no let's look at it differently now cause of all the things we've been saying tonight, maybe we have to look at the benefit of residential in helping to support our older commercial areas rather than as something that is separated from the old and commercial area.

Mr. Revoldt: Questions for Mr. Hartt?. Administration any questions? Alright. David, we thank you very much, good to see you again...

Mr. Hartt: Okay. Thank you.

Mr. Revoldt: Thanks for making the trip down.

Mrs. Kiesling: Thank you.

Mr. Revoldt: It was helpful, thank you. Okay, we're still in that portion of recognition of visitors. Is there anyone else who wishes to address the Council this evening? Mr. Osborne, and I will ask you to be brief in interest of our agenda this evening.

Mr. Osborne: I'll do the best I can. My name is Chuck Osborne, 307 Fairview Street SE, North Canton, Ohio 44720. In a March 10, 2011, **Beacon Journal** story, titled "Population declining," Akron's Planning Director, John Moore, states, and I quote "deteriorating neighborhoods are a major reason that people leave", closed quotes. I wholeheartedly agree with Akron's Planning Director and would expect that almost everyone in this room would agree as well with that basic premise. I only wish - I only wish that Mayor David Held had the same understanding of the need to stay on top of the City's zoning and code violations. Even during the best of economic times, nuisances in neighborhoods detract from the peace and tranquility of city life. In hard economic times such as we are all living through now, well-kept neighborhoods can turn into blighted ones before anyone realizes what is happening. Late in January of this year, North Canton's Superintendent of Permits & Inspection resigned unexpectedly. Without delay, one would have expected an announcement that a key city department head had left the city and that North Canton was aggressively looking for a qualified replacement. Per the city's website, North Canton's Superintendent of Permits & Inspections heads up a department that is responsible for plan review, permit issuance, code inspections for commercial and residential construction and renovation. The department also conducts zoning, housing and nuisance inspections and issues Zoning Certificates and Occupancy Certificates. The department tests and registers contractors and journeymen, issues water connection permits, raze building permits and sewer permits. This is a great deal of responsibility, even for someone who is qualified to hold the position and a greater challenge in a department that is operating with reduced staffing. Not until a March 4, 2011, news story in the **Repository**, titled "Changes in Works for North Canton Government", was the public advised that a key city department head had left the city. For four weeks North Canton had no Superintendent heading up the Permits & Inspection department. In the same **Repository** story, Mayor Held relates that Economic Development Director Eric Bowles will serve as the city's Interim Superintendent and might hold that position for six months. Mr. Bowles has no certifications as an inspector in any building trades, as is required by the job description. So clearly he cannot be the Chief Building Inspector for the city. Aside from that, one might ask if Mr. Bowles doesn't already wear too many hats as it is. Mr. Bowles has advised me that in addition to being North Canton's Economic Development Director, with no support - staff support I might add, that he is also the Administrator for the North Canton Community Improvement Corporation, the Housing Officer for the Residential & Commercial Community

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Reinvestment Area, and the Project Manager for the Ohio Job Ready Sites Grant for the North Canton Hoover Campus Redevelopment Project. Mayor Held, Mr. Bowles cannot devote the hours that are needed to adequately serve in the capacity of Superintendent and Permits & Inspection and diligently enforce the city's zoning and nuisance inspections. It is unfair of you to expect this of Mr. Bowles. Furthermore, it is disingenuous of you to tell residents of North Canton that the city is working to preserve the investment homeowners have in their properties and neighborhoods under this current interim appointment of Eric Bowles as Superintendent of Permits & Inspection. I have been a long time observer of North Canton City Government. For you, Mayor Held, I have observed your entire tenure here in North Canton. I question your decision making and am keenly - keenly aware of the impact it has had on the city. The first lease of the Arrowhead Golf Course comes to mind. The lease was negotiated by you as City Administrator, and ultimately resulted in a loss of \$70,000 for North Canton when the first operator of the golf course walked away owing the city a great deal of money. The decision by you to have a local accounting firm re-audit the Performance Audit done by the Auditor of State cost North Canton \$15,000. That audit was never completed after a draft was provided to the city. The draft simply duplicated the Performance Audit only months after the Auditor of State completed the work. The delay by your Administration for several years to renegotiate the water agreement with Aqua Ohio cost North Canton millions of dollars in water sold below water production costs. The dumping of street sweepings for years under your watch in violation of state law was another needless expense for North Canton taxpayers. I am sure I could add to the above list but I believe my point is made. Mayor Held, where is your leadership on issues before the city? You did not take a position on the proposal to house individuals with mental illness at the Harleigh House on North Canton on North Main Street. You have not taken a stand on the possible threat hydraulic fracking has on the city's water sources. My concerns about failed leadership in your administration on various issues over the years reminds me of a fictional character, named Lieutenant Commander Philip Queeg, the Captain of the U.S.S. Caine in the movie, The Caine Mutiny. In the fictional story, Captain Queeg is relieved of command by the First Officer of the Caine believing the Captain was unable to command effectively. Further, I ask why you as Mayor did not relieve your City Administrator when you had told me several years ago that you were unhappy with his leadership of the city. Just as you have shown repeatedly over the years that you have been unable to lead and effectively manage the City of North Canton, I believe I can say that the appointment of an overburdened Economic Development Director to be the Superintendent of Permits & Inspection Department will only rein - reinforce the perception of your lack of leadership. Deteriorating neighborhoods will only reinforce that perception by the city and the world at-large. Please appoint a Superintendent of Permits and Inspection who has the time and the expertise to handle the position and who can effectively and diligently work to maintain North Canton neighborhoods from decline. Thank you.

Mr. Revoldt: Thank you, Mr. Osborne.

Mayor Held: Okay. If I can respond.

Mr. Revoldt: Mayor.

Mayor Held: First off Chuck, I appreciate and respect your opinion, but I disagree with it. First off let me just touch a little bit as far as the changes that we made with the Permits and Inspections Department. Permits and Inspections Department we had an employee that was paid approximately \$60,000 a year. And that person resigned from the position, was removed from the position. And so then every position where - that is vacated, the City looks at it and we say do we need to fill the position? Can we somehow combine departments? You know when they had the article in the **Canton Repository** recently, we were one of - one of the few political subdivisions that actually lowered their costs of operation. And you know in North Canton we lowered it by eighteen percent (18%). And I can tell you the reason that we did that, it really was a cooperative effort between City Council and also the Administration. We took 116 employees and now we're down to 90, 96...

Mrs. Loretto: Ninety-seven.

Mayor Held: Ninety-seven. 97 - we're down to 97. When we take a look at the economic development that goes on in the City and also Permits, Inspections, and Zoning, this - those two positions are tied together. So what we're doing is right now for the next six months, we're going to explore having Eric Bowles serve as the Economic Development Director and Permits and Inspection. Now Chuck, I know the reason you disagree because when we were in the office, and I think it's important to disclose this, you had inquired about working as the Zoning Inspector. And so I appreciate your interest in working for the City, but I hope that your frustration in my decision not to appoint a full-time Zoning Inspector at this time, does not have to do with the fact that I'm not posting it and that you're interested in it. So, if we post it, at some point and you....

Mr. Osborne (speaking from the audience): I'm not a Building Inspector and I wouldn't qualify.

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Mayor Held: But you already told me that you're interested in it. So at some point in the future, if we decide to post it, then we'll take it from there. But right now I absolutely feel confident that Eric can handle the position; he's got the experience of Community Planning, he has a Zoning Certificate, and as far as supervising the permits, he doesn't need to be the Chief Building Officer, he just needs to provide Supervision. So once again, it's really consistent with what we're trying to do in the City, which is reduce our costs. It's not an easy thing to do. I don't like to say to Eric, hey lets double up on your responsibilities, but we've done it with Tom Chufar, we've done it with Rich Rhodes, we've done it Brian Hill, we've done it with Jim Benekos. We've done it really with every employee in the City, with few exceptions. And you know it's just something we have to do. We've got to tighten our belts. We've got less revenue coming in and our costs continue to go up. So I stand by the decision, I – I've talked with Council members and I know I have their support in this. And we'll see how it goes for the next six months.

Mr. Osborne (speaking from the audience): You said you raised all the fees over there and now that department's self-sufficient. So I don'tInaudible.....

(Gavel)

Mayor Held: Alright, that's all I have.

Mr. Revoldt: Mayor, thank you.

Mr. Osborne (speaking from the audience): Inaudible... well you let the neighborhoods go down and you'll never recoup...

Mayor Held: Well we hope that's ...

Mr. Osborne (speaking from the audience): Inaudible... far more than 60,000 per year.

(Gavel)

Mayor Held: That's not what our goal is.

Mr. Revoldt: This is not, as I am fond of saying the House of Commons. Is there anyone else who wishes to address the Council this evening? Seeing none then, let's move on to our old business if we can. Council I ask your patience with me, I'm going to roar through this, most of it is old business, we're just going to wrap it up if we can. I'd like a motion to read by title only third reading, of Ordinance 13-11.

OLD BUSINESS:

9. Mr. Davies moved and Mrs. Kiesling seconded to **read by title only, third reading of Ordinance No.13-11.** All members present voting:
Yes: Snyder, Davies, Foltz, Kiesling, Peters, Revoldt.
No: 0

Ordinance No. 13-11 – 3rd Reading – Personnel & Safety

An ordinance amending Chapter 155 Personnel Regulations of Part One-Administrative Code of the Codified Ordinances of the City of North Canton, for of the City of North Canton, and repealing any and all legislation inconsistent herewith and declaring the same to be an emergency.

Mr. Peters: Yeah, exactly that, third and final reading, I think we're all comfortable moving forward. If there's no last minute questions, I motion to approve, third reading.

Mr. Foltz: Second.

Mr. Revoldt: Before we go – before we do this let me just – let me add this one comment for the record. Over the last 18 months or so, I think we've taken a number of issues. Chuck is referenced our water agreement, this is another example where we've taken a fairly deliberate – deliberate approach to this particular ordinance. And we've worked at it, probably not perfect, but it's much better then where we started. And Jeff, want to extend appreciation to you for your efforts in this matter and the other members of Council. We've got a better product today than we had a year ago. And again I think reflects that the approach to these things not kneejerk, work them out, work the issues, identify it, take your time, come up with a good product. So can we have a motion then to adopt the third reading?

Mr. Davies: We did.

Mr. Revoldt: It's been moved and seconded. Clerk.

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Mr. Peters moved and Mr. Foltz seconded to **adopt the third reading** of Ordinance No. 13-11. All members present voting:
 Yes: Davies, Foltz, Kiesling, Peters, Revoldt, Snyder.
 No: 0

10. Mr. Revoldt: Item 10, may I have a motion to read by title only third reading of Ordinance No. 15-11?

Mr. Davies moved and Mrs. Kiesling seconded to **read by title only, third reading** of Ordinance No. 15-11. All members present voting:
 Yes: Foltz, Kiesling, Peters, Revoldt, Snyder, Davies.
 No: 0

Ordinance No. 15-11 – 3rd Reading – Ordinance, Rules & Claims

An ordinance amending Chapter 907 Street Excavations, Section 907.02 STREET OPENING PERMIT; FEE; EXCEPTIONS, and to establish Section 907.99 PENALTY of the Codified Ordinance of the City of North Canton and repealing any and all legislation inconsistent herewith and declaring the same to be an emergency.

Mr. Revoldt: As you may recall this was an effort to tighten up the utilities when they open up our streets and sidewalks. Any other questions or comments? Seeing none then, a motion to adopt the third reading of Ordinance No. 15-11.

Mr. Snyder moved and Mrs. Kiesling seconded to **adopt the third reading** of Ordinance No. 15-11. All members present voting:
 Yes: Kiesling, Peters, Revoldt, Snyder, Davies, Foltz.
 No: 0

11. Mr. Revoldt: Item 11, a motion to read by title only, third reading of Ordinance No. 16-11.

Mr. Davies moved and Mr. Peters seconded to **read by title only, third reading** of Ordinance No. 16-11. All member present voting:
 Yes: Peters, Revoldt, Snyder, Davies, Foltz, Kiesling.
 No: 0

Ordinance No. 16-11 – 3rd Reading – Ordinance, Rules & Claims

An ordinance amending Chapter 1303 Razing of Buildings, specifically 1303.07 FEE FOR PERMITS of the Codified Ordinances of the City of North Canton, and repealing any and all legislation inconsistent herewith and declaring the same to be an emergency.

Mr. Revoldt: Again this was a clarification of what types of structures and their labeling for demolition purposes. Any other questions or comments?

Mr. Snyder moved and Mr. Davies seconded to **adopt the third reading** of Ordinance No. 16-11. All members present voting:
 Yes: Revoldt, Snyder, Davies, Foltz, Kiesling, Peters.
 No: 0

12. Mr. Revoldt: Item 12, a motion to read by title only, third reading of Ordinance No. 17-11.

Mrs. Kiesling moved and Mr. Davies seconded to **read by title only, third reading** of Ordinance No. 17-11. All members present voting:
 Yes: Snyder, Davies, Foltz, Kiesling, Peters, Revoldt.
 No: 0

Ordinance No. 17-11 – 3rd Reading – Ordinance, Rules & Claims

An ordinance amending Chapter 1501 Ohio Fire Code, specifically Section 1501.13 FEE SCHEDULE, of the Codified Ordinances of the City of North Canton to establish fees for inspections for the issuance and enforcement of underground storage tanks permits, and repealing any and all legislation inconsistent herewith and declaring the same to be an emergency.

Mr. Revoldt: Council will recall this really set uniform fees for all the charges for the components on these underground storage tanks. It was about one hundred bucks per component. Any other questions or comments? See none, a motion to adopt the third reading of Ordinance 17-11.

Mrs. Kiesling moved and Mr. Peters seconded to **adopt the third reading** of Ordinance No. 17-11. All members present voting:
 Yes: Davies, Foltz, Kiesling, Peters, Revoldt, Snyder.
 No: 0

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13. Mr. Revoldt: Item 13, a motion to read by title only, third reading Ordinance No. 18-11.

Mr. Peters moved and Mrs. Kiesling seconded to **read by title only, third reading** of Ordinance No. 18-11. All members present voting:

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

No: 0

Ordinance No. 18-11 – 3rd Reading – Ordinance, Rules & Claims

An ordinance amending Chapter 1507 Open Burning, specifically Section 1507.04 PERMIT, of the Codified Ordinances of the City of North Canton to establish an open burning permit fee for all recreational fires and declaring the same to be an emergency.

Mr. Revoldt: Council will recall that this was, excused pun, a hotly debated establishment of a fee ten dollars (\$10), that it previously had been free. The record should reflect that we readily acknowledged that it probably does not cover the cost of the actual inspection per Davies' point. So with that, may I have a motion, if there are no other further questions or comments, may I have a motion to adopt the third reading of Ordinance No. 18-11.

Mrs. Kiesling moved and Mr. Peters seconded to **adopt the third reading** of Ordinance No. 18-11. All members present voting:

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

No: 0

14. Mr. Revoldt: Item 14, a motion to read by title only, third reading of Ordinance No. 19-11.

Mr. Foltz moved and Mr. Peters seconded to **read by title only, third reading** of Ordinance No. 19-11. All members present voting:

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

No: 0

Ordinance No. 19-11 – 3rd Reading – Park & Recreation

An ordinance establishing recreational rental rates and policies for rental of the City of North Canton Ball Fields known as Price Park; Dogwood; Knights of Columbus; Clearmount; and Witwer Ball Fields and declaring the same to be an emergency.

Mr. Revoldt: Mr. Foltz....

Mr. Foltz: Yeah, just a follow-up. We had discussion after the second reading or during that process of what were the actual costs involved of turning on the lights. Some members of Council I think were quoted a figured eighty two dollars and fifty cents (\$82.50). I'll direct this to the Mayor Held, I think we had a discussion that you guys were going to check up on that date. Did you guys have the available – the chance to do that with the change in Administration?

Mr. Grimes: It's going to be about fourteen hundred bucks (\$1,400) a month, during the summers that we pay for the lighting. And I was just able to look at the bill that we just, over the last two years but that's about what it is. So, but there was also some things in the bill that I wanted to check further whether we're turning them off at the right time or killing the electric you know at the right time during the winter. But it's about fourteen hundred (1,400) during the summer months.

Mr. Foltz: As the ordinance reads now it's forty dollars (\$40) to rent Price Park, which our – which is our only field that has lighting – lights on them. Just to let Council know, I checked with Canton Rec. and they don't make it available to anybody but – anybody in the league and it's a thirty dollar (\$30) charge to a league teams affiliated with Canton Rec. Department for two hours. So we're above that. You're really not giving – giving us a set fee that you feel it should be under what Tom Chufar recommended with our Law Director forty dollars (\$40) is there now. So I guess that's just up for Council to vote on – you know, we can see how it goes, as we just said Mike - Mr. Mike Grimes quoted fourteen hundred dollars (\$1,400) but I don't know what that breaks down to, games per week, per night – you know, I think that's a cost we got to figure out, really if we want an accurate description of that. Jeff...

Mr. Peters: Yeah, that fourteen hundred (\$1,400), that was just for Price Park or was that for or I'm sorry for the ball field or the whole...

Mr. Snyder: There is only one ball field that has lights.

Mr. Peters: Well the other lights...

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Mr. Grimes: Yeah, that's supposed to be the electric for that field.

Mr. Peters: For the field itself. Now you mentioned there was -- you know, a possibility of some of those lights aren't being turned off at the proper -- at the proper time. Are those on timers?

Mr. Grimes: Mr. Chufar's been off, so I may haven't had a chance to talk to him, but I think some of them are on timers. And that's - we want to make sure their turning off correctly because they may not be -- maybe we're letting them run longer than we should and we also want to check and see if we kill the electric, make sure our bills down during the winter and we want to do that at the proper time, so we need to get a handle on the electric now if we can.

Mr. Foltz: Short of that I am open for suggestions to the rest of Council or from Mayor Held.

Mayor Held: I think really what we're looking to do is to make sure that -- that we've got a handle on our cost for the lights because this is really the first time that we've ever really looked at the expense of the lights. And we know that we can make improvements as far as when the lights are turned on, when the lights are turned off because we did have a resident, that talked with Councilman Kiesling, that said that the lights at some point were on up till towards 11:00 or 11:30 at night. So clearly they don't need to be on that long for any game. So we're going to try - or what we plan on doing is getting a handle on what our real costs are, once we are managing the lights correctly. And a - so really at this point we can't say definitively this is what we expect our costs to be this summer because we plan on that number going down and but at the same time as Councilman Foltz had mentioned that Canton's at thirty dollars (\$30) and the forty dollar (\$40) charge is certainly more revenue than we'd been bringing in previous years. But we can't tell you at this point that we are covering every -- every penny of our expense or if we're -- if we're overcharging at this point.

Mr. Davies: But part of the rub on all this, my understanding, this was to use these fields for ball teams outside of North Canton to come in and use. You just said Canton's thirty dollars (\$30) but it's for their leagues you know, that are in Canton. So there's a difference, the distinction is - you know, we do have some money problems in North Canton. North Canton residents, I don't feel should be made to pay so other teams can come in and play ball on you know our fields. The little leagues of North Canton are taken care of and - and you know, which is right, I don't have a problem with that. But when it's outside teams, it seems to me we've got to have fair pricing, not only for lighting but also just the maintenance of the field and putting the stripes and so forth. And come up with an accurate cost and it should be charged -- you know, to me. Just -- just....

Mr. Revoldt: Doug - go ahead, Doug.

Mr. Foltz: Just to follow-up, talking to Canton Rec. and - and I - I think the Administration is a little uninformed only because Tom Chufar's not here who deals with this on a daily basis, to be fair to the Administration. He recommended thirty five dollars (\$35), we bumped it up to forty through a discussion we had with our Law Director. Once the games start to league play, there is really not a lot of rentals going on for -- for the fields. If this field is going to be reserved with the lights turned on, it's going to be probably the next month. Late March till May, when the leagues actually start their regular schedule. I know that's from the Canton -- from the Canton perspective. So I'll just throw that out there. You're looking at a five or six week window where people are actually -- might even want to rent the field to have lights turned on.

Mr. Snyder: Chairman Foltz, I think we're missing something here. What precipitated this piece of legislation was not in a revenue enhancement.

Mr. Foltz: Right....

Mr. Snyder: It was because the State Auditor requires us to have a mechanism put in place.....

Mr. Foltz: Requires us to put a cost analysis together for....

Mr. Snyder: To put it in the books. So that's the reason there's an emergency. I would suggest that we pass this ordinance and then call the power company and ask them how many kilowatts are burned, how long does it take to play a ball game? Do you know?

Mr. Foltz: Two hours.

Mr. Snyder: Tell them, two hours of kilowatt hours, what does it co -- they'll tell you exactly what your bill is. And then - you know, if you're in the ballpark and then you can adjust it accordingly.

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Mr. Foltz: And to let the Administration get a handle on what Tom Chufar – is this on a timer? Do we have to pay somebody to come out and turn these on and off? We don't want to get into an overtime situation, that's not even being discussed. I agree with Member Snyder.

Mr. Revoldt: Let's do this then, to Jeff's point and Jon's conversation, let's pass this tonight so we have the mechanism to bill. Alright - but Gail, if you would be kind enough to consult with Mr. Foltz in early, late May and put this back on the agenda, you'll have that month by then completed, you'll have some record of whether – how much rental you've had and you should have your billing costs lined up. So then you can come back and issue a complete report - say it's up, it's down, it's not an issue, nobody rented it. We'll know.
Unidentified: Right.

Mr. Foltz: And just so everybody knows, with league plays included with those fees, we don't charge anybody anything separate for turning on the lights.

Mr. Grimes: Yes sir, we'll write that down and in about April is when that electric bill jumps.

Mr. Foltz: Okay, we've had plenty of discussion, so I'll make a motion to pass the third reading of Ordinance No. 19-11.

Mr. Peters: Second.

Mr. Revoldt: Clerk.

Mr. Foltz moved and Mr. Peters seconded to **adopt the third reading** of Ordinance 19-11.

All members present voting:

Yes: Revoldt, Snyder, Foltz, Kiesling, Peters.

No: Davies.

15. Mr. Snyder: Mr. President ...inaudible... to a privilege. On Ordinance No. 21-11, I request that you table this Ordinance so that I can consult for further input from the Director of Finance Loretto and Appointed Director Alger on a couple questions that have arisen. And I'd like to defer that for a couple weeks.

Mr. Revoldt: May I have a motion to table Ordinance No. 21-11 at the request of the Chairman of Finance?

Mrs. Kiesling moved and Mr. Peters seconded to **table second reading** of Ordinance 21-11.

All members present voting:

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

No: 0

Ordinance No. 21-11 – 2nd Reading – Finance & Property

An ordinance establishing policies and procedures for the use of purchase orders by City of North Canton employees and declaring the same to be an emergency.

Mr. Revoldt: Okay, we're entering the homestretch here new business.

NEW BUSINESS:

16. Mr. Revoldt: Item 16, motion to read by title only, first reading Ordinance No. 22-11.

Mrs. Kiesling moved and Mr. Peters seconded to **read by title only, first reading** of Ordinance No. 22-11. All members present voting:

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

No: 0

Ordinance No. 22-11 – 1st Reading – Personnel & Safety

An ordinance amending and consolidating the rules, regulations, policies, and penalties of the City of North Canton Personnel Handbook, and declaring the same to be an emergency.

Mr. Peters: Yeah, due to changes in the law as far as FMLA (Family and Medical Leave Act) is concerned, we had to update the changes in the handbook. We had some definition changes and we also added an at-will clause for the exempt employees.

Mr. Nilges: Non-union - non-bargaining unit employees.

Mr. Peters: Non-bargaining unit employees. Was there any other major changes?

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Mr. Nilges: Yeah. We took all the stand-alone policies that are generally applicable to City employees and consolidated them in one document. So, if anybody wants - somebody wants to know what are the rules and regulations of being an employee of the City of North Canton they have to only go to one document instead of having to go in to a bunch of different stand-alone ordinances.

Mr. Peters: And if there are any differences between bargaining and non-bargaining, the collective bargaining agreement trumps that.

Mr. Nilges: That's what I mean. I mean it specifically stated in the Handbook. Just as a precaution but it's also a matter of law that we do this.

Mr. Peters: Any other questions? Motion.

Mr. Peters moved and Mrs. Kiesling seconded to **adopt the first reading** of Ordinance No. 22-11. All members present voting:

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

No: 0

17. Mr. Revoldt: Item 17, a motion to read by title only, first reading Ordinance No. 23-11.

Mr. Davies moved and Mrs. Kiesling seconded to **read by title only, first reading** of Ordinance No. 23-11. All members present voting:

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

No: 0

Ordinance No. 23-11 – 1st Reading – Water, Sewer & Rubbish

An ordinance amending Section 3. Of Ordinance No. 13-10, Grassmere Waterline Extension Project (Grassmere to Monticello), by an increase in the amount of the allocations for the project, at a total cost not to exceed \$252,290, and declaring the same to be an emergency.

Mr. Revoldt: Mr. Davies.

Mr. Davies: Yes, this project, we actually approved the monies to do it last year. Because they have some water problems over in that area as well as some drainage problems. In engineering the - and correct me, Mr. Benekos, if I mess this up, but in engineering and so forth, it it - there were some additional things, water and sewer that need - needed to be done. So it came over what we had a - a allocated. There were two different bids, if the road were just patched, it would cost forty two thousand dollars (\$42,000) more forty two thousand (\$42,000) and change. And if we repave the road it would be a hundred and some thousand, I forget the figure but, we decided since that road is in pretty decent shape that the prudent thing to do at this point in time would be to just go ahead and patch the road once the sewers were fixed and the water lines were fixed and take the lesser route, the forty two thousand dollar route (\$42,000) at this time. So therefore I move that we approve.

Mr. Davies moved and Mrs. Kiesling seconded to **adopt the first reading** of Ordinance No. 23-11. All members present voting:

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

No: 0

Mr. Revoldt: Motion to suspend the rules for Ordinance No. 23-11.

Mr. Davies moved and Mr. Peters seconded to **suspend the rules** for Ordinance 23-11. All members present voting:

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

No: 0

Mr. Revoldt: Motion to adopt under the rules as suspended Ordinance No. 23-11.

Mr. Davies moved and Mr. Peters seconded to **adopt under suspension of the rules** for Ordinance 23-11. All members present voting:

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

No: 0

18. Mr. Revoldt: Item 18, a motion to read by title only, first reading of Ordinance No. 24-11.

Mrs. Kiesling moved and Mr. Davies seconded to **read by title only, first reading** of Ordinance No. 24-11. All members present voting:

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

No: 0

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Ordinance No. 24-11 – 1st Reading – Finance & Property

An ordinance authorizing the Mayor of the City of North Canton, through the Board of Control, to enter into an agreement for the purchase of one (1) 2011 Ford Expedition, for use by the Fire Department, within the purview of the Ohio Cooperative Purchase Act and declaring the same to be an emergency.

Mr. Revoldt: Mr. Snyder.

Mr. Snyder: Thank you Mr. President, Members of Council, we've appropriated twenty eight thousand dollars (\$28,000) in the 2011 Appropriation Budget. The truck with the added equipment is around twenty seven thousand (\$27,000) and change and they need this – this will replace – replace a twenty (20) year old van that is used by the Fire Inspectors and the Fire Department and that's that.

Mr. Revoldt: Any other questions or comments?

Mr. Davies moved and Mr. Peters seconded to **adopt the first reading** of Ordinance No. 24-11. All members present voting:

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

No: 0

Mr. Revoldt: Motion to suspend the rules for Ordinance No. 24-11.

Mr. Davies moved and Mr. Peters seconded to **suspend the rules** of Ordinance 24-11. All members present voting:

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

No: 0

Mr. Revoldt: Motion to adopt under the rules as suspended, Ordinance No. 24-11.

Mrs. Kiesling moved and Mr. Davies seconded to **adopt under suspension of the rules** Ordinance No. 24-11. All members present voting:

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

No: 0

19. Mr. Revoldt: Item 19, a motion to read by title only, first reading of Ordinance No. 25-11.

Mrs. Kiesling moved and Mr. Peters seconded to **read by title only, first reading** of Ordinance No. 25-11. All members present voting:

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

No: 0

Mr. Nilges: A motion to read by title?

Mr. Revoldt: It's been - read it.

Ordinance No. 25-11 – 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 Street Construction, Maintenance and Repair Fund to the Salt Account in the amount of \$50,000 for the current expenses during the fiscal year ending December 31, 2011, and declaring the same to be an emergency.

Mrs. Loretto: It's supposed to be....

Mr. Snyder: Eighty thousand (\$80,000)

Mrs. Loretto: I need to have that amended. It's supposed to be eighty (80).

Mr. Snyder: Yeah, that's what we Committee authorized eighty thousand (\$80,000).

Mrs. Loretto: It originally started out with....

Mr. Revoldt: Alright, well, may I have a motion if I can to ...

Mr. Snyder: Mr. President I move that we amend Ordinance 25-11 to read aggregate amount eighty thousand dollars (\$80,000).

Mrs. Kiesling: Second.

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Mr. Snyder moved and Mrs. Kiesling seconded to **amend Ordinance 25-11 to read \$80,000.**

All members present voting:

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

No: 0

Mr. Revoldt: Now, may I have a motion to adopt the first reading of Ordinance No. 25-11 as amended?

Mr. Davies moved and Mrs. Kiesling seconded to **adopt the first reading, as amended,** of Ordinance No. 25-11. All members present voting:

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

No: 0

Mr. Revoldt: May I have a motion to suspend the rules for Ordinance 25-11 as amended?

Mr. Davies moved and Mrs. Kiesling seconded to **suspend the rules, as amended,** for Ordinance No. 25-11. All members present voting:

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

No: 0

Mr. Revoldt: May I have a motion to adopt under the rules as suspended, Ordinance 25-11 as amended.

Mr. Davies moved and Mrs. Kiesling seconded to **adopt under suspension of the rules, as amended** Ordinance No. 25-11. All members present voting:

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

No: 0

20. Mr. Revoldt: Item 20, a motion to read by title only, first reading of Ordinance No. 26-11.

Mr. Davies moved and Mrs. Kiesling seconded to **read by title only, first reading** of Ordinance No. 26-11. All members present voting:

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

No: 0

Ordinance No. 26-11 – 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 Capital Improvement and Sanitary Sewer Funds to the Sanitary Sewer, Note Payment; Note Interest Payment and Debt Issue Costs Accounts in the amount of \$990,000 for the current expenses during the fiscal year ending December 31, 2011, and declaring the same to be an emergency.

Mr. Revoldt: Mr. Snyder.

Mr. Snyder: Mr. President thank you, Members of Council, you know, we've issued bonds, I believe that we've we sold this week, around the 15th. We had a note that matured the 31st of December and we renewed it and it will mature again the 31st of March. The bond proceeds will more than pay this as well as the interest and we'll retire that debt for that waterline that we laid out some time ago.

Mr. Revoldt: Any questions or comments? Seeing none, a motion to adopt the first reading of Ordinance 26-11.

Mr. Davies moved and Mrs. Kiesling seconded to **adopt the first reading** of Ordinance No. 26-11. All members present voting:

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

No: 0

Mr. Revoldt: Motion to suspend the rules for Ordinance 26-11?

Mrs. Kiesling moved and Mr. Davies seconded to **suspend the rules** for Ordinance No. 26-11. All members present voting:

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

No: 0

Mr. Revoldt: Motion to adopt under the rules as suspended Ordinance No. 26-11.

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Mrs. Kiesling moved and Mr. Davies seconded to **adopt under suspension of the rules** Ordinance No. 26-11. All members present voting:
 Yes: Davies, Foltz, Kiesling, Peters, Revoldt, Snyder.
 No: 0

21. Mr. Revoldt: Item 21, a motion to read by title only, first reading Resolution No. 27-11.

Mrs. Kiesling moved and Mr. Peters seconded to **read by title only, first reading of** Resolution No. 27-11. All members present voting:
 Yes: Foltz, Kiesling, Peters, Revoldt, Snyder, Davies.
 No: 0

Resolution No. 27-11 – 1st Reading – Community & Economic Development

A Resolution of objection by North Canton City Council for Ohio Housing Finance Agency funding of the proposed Harleigh Inn Project by ICAN Housing Solutions, Inc.

Mr. Revoldt: Mrs. Kiesling.

Mrs. Kiesling: Yes this is just our letter we're sending off, I think we've already sent off to their funding source....

Mr. Revoldt: Their letter....

Mrs. Kiesling: Yes.....

Mr. Revoldt: The letter's gone, this is the second part, the official resolution.

Mrs. Kiesling: Right.

Mr. Revoldt: Any other questions or comments? Seeing none then, a motion to adopt the first reading of Resolution No. 27-11.

Mr. Davies moved and Mrs. Kiesling seconded to **adopt the first reading of** Resolution 27-11.

All members present voting:

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

No: 0

Mr. Revoldt: Before I proceed with reports, may I have a motion to convene a special Council Meeting, next Monday night to authorize Professional Services Contract for the repaving inspection for Main Street.

Mrs. Kiesling: So moved.

Mr. Revoldt: And – and - and Clerk, I should note that – that I'd like to have this Special Council Meeting following our regular Council Meeting.

Mr. Foltz: Committee meeting.

Mr. Revoldt: or regular Committee Meeting, excuse me. Alright, so this will be a Special Council Meeting, consider one single item ... authorize a Professional Services Contract next week.

Mr. Peters: Second.

Mr. Revoldt: It's been moved and seconded, Clerk?

Mrs. Kiesling moved and Mr. Peters seconded to **schedule a special council meeting for Monday, March 21, 2011 immediately following the Committee of the Whole meeting.** All

members present voting:

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

No: 0

REPORTS:

Mr. Revoldt: Reports, Director of Law?
 Mr. Nilges: None.

Mr. Revoldt: Director of Finance?
 Mrs. Loretto: No report.

Mr. Revoldt: Director of Administration?
 Mr. Grimes: No report.

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Mr. Revoldt: Mayor?

Mayor Held: Yes, I touched on this a little bit earlier in the meeting, but if you've seen the **Canton Repository** article, I was very pleased and I'm sure all of you are to see that when you look at North Canton's expenditures, overall expenditures, we were less eighteen percent (18%) since 2006. And I think if they would have measured it since the year 2000 it probably would have even been a much greater savings. So it clearly demonstrates by comparison throughout Stark County and I think also throughout the State of Ohio, that we're on the right track. And I think that we did get a head start over all the other communities as far as our Cost Containment Program and that really started because the Hoover Company left in 2008. So we had almost a two-year head start, but I do appreciate all the - the work that the Council's put into this because it hasn't been the most pleasant experience when you're cutting the budget and reducing the number of employees. And then asking people like Eric and Jim and Chief Grimes to double up on their work in some cases. And so I just want to thank all of you for your help.

Mr. Revoldt: Thank you. Mr. Benekos, any response?

Mr. Benekos: No report.

Mr. Revoldt: Mr. Bowles?

Mr. Bowles: Yeah, just briefly, we all saw in the paper this week the Census information was released on population counts and for the purposes of re-districting and re-apportionment, we don't have the information yet on income housing and all the other demographics that they provide through the Census. So we're going to wait on that. As soon as that's available to the **American Fact Finder** I'll make sure that Council gets that information, but just to let everybody know this is obviously important because since 2006 we've had a number of grants through CBDG (Community Block Development Grant) Program and those have all been done under the eligible activities and national objectives to an area benefit to the Census information identifying those areas that qualify for CBDG funds. So we've done roads and waterlines and sewer replacements. And to date we've done Emerson, Sixth Street, Woodrow, the North Main waterline and the soon to be Howard/Witwer, about 1.7 million dollars total projects and over half of that has been with the CBDG funds. So I know that I've been asked, Councilman Snyder asked me, Councilman Kiesling asked me as well, keep an eye on that to see where we're headed and if any new areas will be qualified in the next Census. So perhaps we can go after some additional funding for those areas that we can't get funding for and not been able to get funding for.

Mr. Snyder: We appreciate that.

Mr. Revoldt: Mr. Bowles, when you discuss our qualification for a - eligible - project eligibility, qualification means what?

Mr. Bowles: Based on an area benefit, they're looking for at least fifty one percent (51%) of the families or the households in that area to be what they consider moderate income or eighty percent (80%) of the ... or less.

Mr. Revoldt: Okay, so in an ideal world, we would not qualify?

Mr. Bowles: It depends on - I - you know, the question has been brought up over the years, there have been some nice suburbs up in Northeast Ohio that were predominately senior citizens. And because of the nature of their income as senior citizens those areas qualified so it can really depend on, you can have obviously areas that are - that are of well below the need and you can have other areas that - that qualify for as I'd said, a predominance of seniors.

Mr. Revoldt: Thank you. Any other questions for Mr. Bowles? Clerk?

Mrs. Kalpac: No report.

REPORTS - COUNCIL:

Mr. Revoldt: Mr. Foltz?

Mr. Foltz: No report.

Mr. Revoldt: Mr. Peters?

RECORD OF PROCEEDINGS

Minutes of COUNCIL OF THE CITY OF NORTH CANTON

REGULAR

Meeting

DAYTON LEGAL BLANK, INC. FORM NO. 10148

Held Monday, March 14

7:00 p.m.

20 11

Mr. Peters: Yeah, just one thing. In January of this year, we received a letter talking about a pending merger of Columbus Southern Power and Ohio Power Company and if approved they're going to intend to file a rate - a distribution rate case, meaning increase in electric costs. So I reached out to a young lady from First Energy that does Government Aggregation by municipality, by township and you guys all have that in your packets. If you have any questions, I can direct those to - to Emily or maybe even have her come in, address Council, kinda give us an overview on what they do, what they can't do for us and move forward. So, that's it.

Mr. Revoldt: Mr. Davies?

Mr. Davies: No report.

Mr. Revoldt: Mrs. Kiesling.

Mr. Kiesling: No report.

Mr. Revoldt: Mr. Snyder?

Mr. Snyder: Nothing.

FINAL CALL FOR NEW BUSINESS:

Mr. Revoldt: Just a - is there any other business that needs to come before us this evening, final call? Well seeing none, before we adjourn let me do two things. First of all is Chuck's well made comments regarding blight development. You know, I think again it reinforces conversation that the Administrator and I've had and I think Marcia has had, that as we look at this community enhancement plan, rather than look at redeveloping Main Street, which we've done, let's look at the threats that - to our community and devise some strategies or identify some potential strategies that we may employ. And one of those is blight. So let's really figure out what we can do and perhaps use this document like we used the performance audit, as a platform for action and particularly if we can point out to other communities that have successfully use some of those tools, we may come up with something we're more comfortable with. So let's maybe refocus on rather than signs and lampposts and benches and attracting business to Main Street, that's going to happen. Let's look at the things that - that possibly threaten us. Now finally as Council President, I invested with broad authority by the Charter of the City of North Canton and I might add by my own modest ego, so I hereby officially declare, Mr. Osborne, that the 2011 Campaign Season is now open. So, and with that I call for an adjournment. May I have a motion?

ADJOURN:

Mr. Davies moved and Mr. Peters seconded to adjourn the Council Meeting. All members present voting:

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

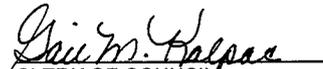
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The council meeting adjourned at 8:04 p.m.



PRESIDENT OF COUNCIL

ATTEST:



CLERK OF COUNCIL

3/25/11-gmk/heh