

RECORD OF PROCEEDINGS

0435

Minutes of **COUNCIL OF THE CITY OF NORTH CANTON** **REGULAR** Meeting

DAYTON LEGAL BLANK, INC. FORM NO. 10148

Held Monday, April 11 7:00 p.m. 20 11

CALL TO ORDER:

1. The council meeting was called to order Monday, April 11, 2011 at 7:01 p.m. by President of Council Jon Snyder.
2. The opening prayer was delivered by Rev. Steven Costello.
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: Davies, DeOrio, Foltz, Kiesling, Peters and Snyder.

Also present were: Mayor Held, Director of Administration Grimes, Director of Law Nilges, Director of Finance Alger, Director of Economic Development Bowles, Police Chief Wurgler and Clerk of Council Kaipac.

5. Consideration

Special Council Meeting Minutes – March 21, 2011
 Council Meeting Minutes – March 28, 2011
 Public Hearing Minutes – April 4, 2011
 Mayor's Court Receipts – February, 2011

Mr. Snyder: You have for your consideration approval of the minutes of the special council meeting of March 21, 2011; the council meeting minutes of March 28th; the public hearing minutes of April the 4, 2011; and the Mayor's Court Receipts as presented for February 2011. At this time I'll entertain a motion to approve as presented.

Mr. DeOrio moved and Mr. Davies seconded to approve as presented the special council meeting minutes of March 21, 2011, the council meeting minutes of March 28, 2011, the public hearing minutes of April 4, 2011, and the Mayor's Court Receipts for February, 2011.

All members present voting:
 Yes: DeOrio, Foltz, Kiesling, Peters, Snyder, Davies.
 No: 0

6. Committee Minutes

Mr. Snyder: You were given a copy of the minutes - committee minutes of the executive session for Personnel & Safety held on the 4th day of April, 2011; committee minutes for Community and Economic Development; Finance and Property; Ordinance, Rules, and Claims; Park & Recreation; Personnel & Safety; Street & Alley; Water, Sewer, and Rubbish, all held on the 4th day of April, 2011. I'll entertain a motion to accept as presented.

Mr. DeOrio moved and Mr. Davies seconded to approve as presented the following executive session and committee report minutes. All members present voting:
 Yes: Foltz, Kiesling, Peters, Snyder, Davies, DeOrio.
 No: 0

Executive Session (Personnel & Safety): Please refer to the minutes on file in the Council Office of the Executive Session meetings for Personnel & Safety both held April 4, 2011.

Community & Economic Development Committee: Please refer to the minutes on file in the Council Office of the Community & Economic Development Committee meeting held April 4, 2011.

Finance & Property Committee: Please refer to the minutes on file in the Council Office of the Finance & Property Committee meeting held April 4, 2011.

Ordinance, Rules & Claims Committee: Please refer to the minutes on file in the Council Office of the Ordinance, Rules & Claims Committee meeting held April 4, 2011.

Park & Recreation Committee: Please refer to the minutes on file in the Council Office of the Park & Recreation Committee meeting held April 4, 2011.

Personnel & Safety Committee: Please refer to the minutes on file in the Council Office of the Personnel & Safety Committee meeting held April 4, 2011.

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Street & Alley Committee: Please refer to the minutes on file in the Council Office of the Street & Alley Committee meeting held April 4, 2011.

Water, Sewer & Rubbish Committee: Please refer to the minutes on file in the Council Office of the Water, Sewer & Rubbish Committee meeting held April 4, 2011.

7. Recognition of Visitors

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

Chuck Osborne: My name is Chuck Osborne. 307 Fairview Street SE, North Canton, Ohio. The City of North Canton is currently at odds with the Ohio Department of Development (ODD) as to whether North Canton did or did not follow proper bidding procedures as required by the terms of a JRS (Job Ready Site) Grant awarding 5 million of State funds to the City for the Hoover Campus Redevelopment project. Although North Canton explained to Department of Development in a letter dated September 7, 2010, that the City did follow proper procedures, Department of Development concluded in a January 7, 2011, letter to the City that North Canton did not follow proper competitive bidding procedures in the procurement of goods and services in the expenditure of 3 million dollars. The stakes are high for North Canton at the present time. Development officials have stated that if the City is unable to demonstrate that proper bid procedures were followed, they will demand repayment of the 3 million already paid to the City and terminate the Grant Agreement without disbursement of the remaining 2 million of grant funds. One would think that the Held Administration would be mindful of the laws regarding the expenditure of public funds and of competitive bidding procedures, especially in light of the fact that the City is playing a high stakes game with the Ohio Department of Development that could cost North Canton millions of dollars, but apparently that is not the case. Finance Chairman Jon Snyder has revealed to me that he is holding his ground regarding the recent purchase of new cell phones for City employees and is telling the Held Administration to return the recently purchased cell phones as their purchase has not followed proper bidding procedures and has not been approved by the Board of Control. Chairman Snyder became aware of the purchase when Finance Director - Department was billed by Verizon for the initial purchase of the phones and for service but had no funds with which to pay the bill. Chairman Snyder has told me that he has told Interim Finance Director Loretto to return the Verizon bill to the Administration and to tell City Administrator Grimes to return the phones to Verizon. Chairman Snyder also advised me that when he asked for a copy of the cell phone contract, the Administration was unable to provide him a copy. After my written request, a copy of the cell phone contract was provided to me and Chairman Snyder. The one year Verizon contract was estimated to cost \$37,165.08. This is well above the current statutory limit of \$25,000 set by Ohio Revised Code 735.05 requiring competitive bidding. The previous contract with Sprint cost the City \$31,386.20 in 2010. An email from North Canton Finance department, March 17, 2011, from Chris Leaman, indicates that the City had 44 separate lines under the Sprint contract. The Verizon contract is for 66 separate lines. Does the City really need fifty (50%) percent increase in the number of cell phones in use throughout the City? I thought North Canton was in financial distress. Section 4.05 of the City's Charter controls the procurement of goods and services for North Canton. One provision states, (and I quote), "...no contract involving expenditures in excess of the statutory limit set by Ohio Revised Code 735.05 shall be entered into without prior approval of the Board of Control." There was no such approval. Section 4.05 also states, (and I quote), "...no purchase or contract involving expenditure in excess of the statutory limit set by Ohio Revised Code 735.05 shall be made except with a qualified, responsible bidder submitting the lowest and best bid as determined by the Board of Control...." There was no competitive bidding for the contract. Ohio Revised Code 735.05 is intertwined into the City's Charter and it states that, (and I quote), "...when an expenditure exceeds \$25,000 dollars, the expenditure shall be first authorized and directed by ordinance of the city legislative authority...." The Held Administration has not been authorized or directed by legislative ordinance to proceed with the purchase of new cell phones. Mayor Held, the City is currently at odds with the Ohio Department of Development over the issue of failing to follow proper competitive bidding requirements. How can you make the same mistake again and not competitively bid the cell phone contract? On May 24, 2010, Mayor Held signed into ordinance, into law, Ordinance No. 45-10, requiring the Director of Law to provide written approval of all contracts as to form and content. Mayor, did your administration comply with Ordinance 45-10 before the City entered into the cell phone contract Verizon? An ordinance you yourself signed less than one year ago. City Administrator Grimes has provided no written record to me that shows North Canton's Law Director approved the Verizon contract. I might add that statute 705.11 states that, (and I quote), "...no contract with the municipal corporation shall take effect until the approval of the City Director of Law is endorsed thereon...." North Canton's Charter, Section 3.01, states, (and I quote), "...the Mayor shall sign, on behalf of the municipality, all contracts..." Not until the City complied with my records request did Chairman Snyder and I learn that Interim City Administrator/City Engineer, Jim Benekos, signed the Verizon cell phone contract. Mayor Held, why did you not sign the contract as is spelled out as a duty of the Mayor under the City's Charter? The lapses of leadership and bold noncompliance with state

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and local laws, by your administration are becoming quite worrisome. The financial costs to the citizens of North Canton for the failed leadership of your Administration continue to take a toll. I ask this City Council to hold Mayor Held accountable for these lapses. Please do not just talk amongst yourselves privately about these lapses of leadership. The repeated violations of the City's Charter and State Law are taking a financial toll on the City with each revelation of failure. North Canton citizens need to be informed of the actions of government if democracy is to work. I ask that this Council do its part and investigate the lapses that have occurred with the Verizon cell phone contract and report the findings to the public. Thank you

Mr. Snyder: Thank you, Mr. Osborne. I can only state that, pursuant to that I did receive a memo from Director Grimes, that he is aware of the situation and is following up and I'm assuming that I'll eventually - I will hear when the - when the matter comes to fruition. So...

Mr. Grimes: Yes sir, I've asked for no payment be made...

Mr. Snyder: Right.

Mr. Grimes: until I sort this out.

Mr. Snyder: And I did pass that on to members of my Committee and to Council. So, Mayor, you have anything to say?

Mayor Held: Yes I do. First off Chuck, I appreciate your comments, but I disagree with them. I'll start first with the JRS Grant - the Job Ready Sites Grant. We brought 5 million dollars to this facility back when we lost 2400 jobs. And we were working with the State of Ohio, it was an ongoing process and we were in regular communication with the State of Ohio, as far as the approval of the grant agreement and also with the - or the approval of the grant and also the grant agreement itself. And this Administration has every intention of complying with the grant agreement and we feel confident that we're going to proceed with the grant. We've already spent, I think 3 million dollars and we still have another 2 million dollars yet to spend on infrastructure surrounding the Hoover facility. And when you look at it we've brought over 550 jobs to that facility. So this really is a perfect example of how a partnership with the State of Ohio and a local community can actually bring jobs to a city. It was pretty devastating when we lost 2400 jobs but then with the cooperation of Council, the State of Ohio, it was the Strickland Administration. We know that that cooperation is going to continue with the Kasich Administration. We're confident that we're going to continue to move ahead with this JRS Grant and that we'll get any issues as far as competitive bidding process resolved because there are different interpretations as far as competitive bidding. And - but again our Law Director is handling that with the State and I feel confident that we'll be able to continue to bring jobs here to the City. As far as the cell phone contract, we've had cell phones here for our city employees for years. We've got a hundred and well we had 116 full time employees - we're down to 95 or 96. And so, you know, not every employee has a cell phone. But I can tell you I shared with our Administrator what the priorities are of this Administration and it's real simple, there's three things: Number one, it's safety, safety to all the employees and safety to our residents. And number two, it's service to our residents and service to one another here in the operation. And number three is communication and we're trying to find ways that we can communicate with each other interdepartmentally so that we can better serve the residents. And if that requires the use of cell phones, which it does, then we are going to have a cell phone contract. If there's a step in the process that wasn't followed, then that's fine, we're going to go back and revisit it as we're doing right now and Council will have an opportunity to approve any contract that we have with the cell phones. If Council wants to move ahead with a more elaborate cell phone contract, we can do it. If Council wants to move back with a lesser contract, we can do that too. But I appreciate the fact that you bring up all the steps in the procedure. We're fully aware of it and we're going to resolve it. That's all I have to say.

Mr. Snyder: Thank you Mr. Mayor. Is there anyone else in the audience wishing to speak? Sir, step forward, state your name and address for the record.

Larry Tripp: Yes, Larry Tripp, 1127 East Maple, North Canton. Mr. Peters are you the Council person for Dogwood Park?

Mr. Peters: Yes sir.

Mr. Tripp: Okay, well then I guess this would be directed to you and to the Mayor, cause I just heard you say one of the prime importance is safety for the residents.

Mayor Held: Absolutely, that's correct.

Mr. Tripp: Just recently North Canton was quick to turn down Harleigh Inn for conversion to apartments for the less fortunate. I am not here to open that debate, but basically the same thing the City was concerned about with the Harleigh Inn conversion happened again just recently at Dogwood Park. That being what I would say a drug buy gone bad. This occurred the latter part of March, which I am sure all of you sitting in front of me are aware of this particular incident. This is not the first time that there has been trouble at that location. What will be done to prevent this from happening in the future, is my first question. What can and what will be done to clean up the area

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around the Skateboard Park? Terrible fencing, run down water fountain, cut up streets is making this area a good lo – good location for a breeding ground for trouble. What is the late – what if this latest incident had happened at time when the swimming pool was open or ball games going on at the ball parks? More importantly, what would it be if a young child would of got hurt during this incident? I think it's time for you as Councilman and made - and Mayor and a Council as a whole to become more proactive with more stringent rules for that area. Little things, and I am not sure that can be done, but maybe shirts required, maybe a park permit, for them the skateboard there. Maybe just the same age groups at various times. Teenagers or you know fifth through sixth, I don't know how it can be worked out, but the more we let this area get run down you and I all know we're just going to be asking for more trouble. And if safety is a prime concern...

Mayor Held: Yes it is.

Mr. Tripp: this is one area where I think we should start. Thank you.

Mr. Snyder: Thank you sir. Any comment, Mr. Peters?

Mr. Peters: Yeah, Jon, I do have a comment. Larry, thank you for those comments. I share your same concerns. My children play at that park. I can see the park from my front door. That infuriates me that that went on. It happened in the middle of the day and from what I understand there were knuckleheads from all different – I don't know if they were - they were - actually all of them were from North Canton. I know a couple were from Plain Township.

Mr. Tripp: Regardless if they're from North Canton, it happened at that location.

Mr. Peters: Oh absolutely..

Mr. Tripp: I don't care if they're all from Canton....

Mr. Peters: Absolutely...

Mr. Tripp: The point is that type of an area is becoming a breeding ground for trouble. And until you get it cleaned up – that fencing is terrible!

Mr. Peters: Well it's not the fencing that caused the drug deal. But I understand where your coming from – it's a ...

Mr. Tripp: If I'm not worried - but I'm just saying this type of location is going to be a breeding ground.

Mr. Peters: Well it's a congregating point for teenagers.

Mr. Tripp: Yes, okay...

Mr. Peters: You're going to have knuckleheads. Now I will tell you this – and I think the acting Police Chief can attest to this, you know, I drive up and down that road, 7th Street, in front of that park, four, five, six, seven times a day. There's more times than not, when I come down there, there's either a cop in the – in the parking lot of the Dogwood Pool, Dogwood Park or right across the street in the ball fields. I mean I see them there all the time. I can't believe that there wasn't a cop there when this happened quite frankly. I mean I'm in that area the better part of my life. When I'm not working I am in that area. So I understand your concerns, I agree with your concerns and you bet your bottom dog, I am going to make sure anything I can do that's going to create a - an atmosphere of safety, where children can come and play, I'm going to be on top of that.

Mr. Tripp: Well, you know, until it gets cleaned up, you know, your sharing concerns not going to be enough. Until somebody gets hurt, then you will, you know, then you will probably open up a little bit more. Thank you.

Mr. Peters: Well you - you heard what I said, my three children play at that park.

Mr. Tripp: I understand that – I understand that

Mr. Peters: Okay, I want you to under that I take that very seriously.

Mr. Tripp: I have my grandchildren coming up there too. I understand that. But it's just – it'll get worse before it gets better unless that thing gets straightened out. Thank you.

Mr. Peters: Thank you.

Mr. Snyder: Sir, we'll consult with Chief Wurgler and ...

Mr. Tripp: Okay.

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Mr. Snyder: Mr. Foltz as our representative to the Park Board and whatever this Council can do to ensure some type of invasive protection to you we'll afford it to you. But we'll have to - we'll have to coordinate that with the Chief of Police because ...

Mr. Tripp: Understood.

Mr. Snyder: he's much - along with the former Chief Grimes and...

Mr. Tripp: But I just wanted to go on record so if something like this...

Mr. Snyder: Whether it's cameras or whether whatever we're going to have to do, we'll do it.

Mr. Tripp: Last time I think there was a big knifing or something, that it escalated from a fight that went into a knifing; this has been a year and half ago, maybe a year, I can't remember, cause the gray hair sets in a lot, but anyway.

Mr. Snyder: That's what I'm...

Mr. Peters: Well you know - Larry, if I could one last thing, I remember there was some apprehension when that Skate Park first went in. And we talked about that, that was one of our concerns. So ...

Mr. Tripp: Oh it's a great - I'm all for it - I'm all for it. But I'm just saying the area, you know, the road there it - when your fences start getting rusty and rundown...

Mr. Peters: I agree.

Mr. Tripp: it just attracts that other element that I don't think you want. Look at that water fountain in front of it...

Mr. Peters: I know.

Mr. Tripp: I mean, I don't think that's the element you want. And you know if it's not clean - because now you got summer coming on kids going to the pool.

Mr. Peters: Oh yeah.

Mr. Tripp: So I just wanted to bring it to - and I'm sure you're all aware of it. Thank you.

Mr. Foltz: Thank you.

Mr. Peters: Thank you Larry.

Mr. Snyder: Thank you sir. Please Mr. Foltz.

Mr. Foltz: Just to follow up, I'll work with Councilman Peters on this. I was very much in favor of the skateboard facility. I think it gave a place to our young adults, children, and adults of all ages to use, instead of skateboarding and inline skating on the Hoover, Y (YMCA) property and downtown off our City Hall steps. So and I think we're going to discuss some modifications to Dogwood Shelter, the indoor facility that we rent. Maybe we can find some additional money somewhere at the budget to see what we can do to take care of that area a little you know to bring it up to speed as far as capital improvements. That said I still think it's a safe place overall as Councilman Peters indicated. People need recreational resources in this community and if we have to do something with security we can look at some different avenues in that regard. What you have to be careful of, if you charge say to attend that - or to be admitted to that skateboard facility you use your recreational user liability through the state and that creates a whole different situation for us to deal with in case there's somebody who gets hurt there. So there's things that I am willing to look at. Maybe we can get together to discuss it to make it a safer area for our residents, whoever is there attending the facility. Thank you.

Mr. DeOrio: Mr. President, if I could ...

Mr. Snyder: Please sir.

Mr. DeOrio: I respectfully disagree with that - with what's been said really kind of so far. You know, if in fact we're practically having a lot - let's just say if in fact we're having a lot of man hours being devoted to it from the Police Department you know I have to question whether or not this is the right kind of facility to have because we're all - in our Police Department we're stretched as best we can, we're down, we've got retirements. We're trying not to replace people and you know to sit out there on a regular basis to monitor a bad situation, we should eliminate the situation. I've got young kids, I've been by that park when I've seen it used, I wouldn't let my kids go there. Not a chance. I don't think it's safe. I'd get rid of it. That's - I didn't like it to begin with and that's just my personal opinion. I think the water park that Chairman Foltz worked on that's a whole different kind of thing. Brings in the right kind of people, it augments the pool. I don't think the Skate Park brings in anything for us, does anything good really for the community. But I would support Chairman Foltz's efforts to try to make it more safe in an effort to you know to see if that would work, but depending on you know we

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can't - we can't really afford to put round the clock, you know, officers on the street, just - we just can't do that.

Mr. Peters: Well you just said enough to make it safe. You're going to need you know almost you know day round patrol there. And you know we do have patrols to you know I think they monitor, you know there's a lot of kids crossing the road at you know before and after school and time after that. But you know I share Larry's concerns here. I mean this is...

Mr. Snyder: Maybe you should look at some type of camera.

Mr. Davies: I can agree with Councilman DeOrio. And to me we have to set priorities. We can't get our streets done. So to put more money in a Skate Park and pay officers to keep it safe you know to me it's not a priority or my priority anyway. My priority is, as I say, is to get the streets done and make sure that the streets of North Canton are safe for people and not put more money into a skate park that attracts drug dealers. So I agree with Pat.

Mr. Foltz: I'll make this final statement. I've been through numerous scenarios in Canton. Haven't had any problems with the skate park facilities there. There are two of them there that are older than this one. I've had unfortunate situations in Canton where people have been killed in parks and on basketball courts and we didn't go out and remove the courts. That's not the answer. The answer isn't taking away recreational services to our residents or our immediate community, that's not the answer. The answer is somewhere else. You know as a parent you have to trust that your kids are going to be in a safe environment. It depends on what age they are that you let your kids attend that facility. There should - there's still parental guidance involved with things - decisions you make as a family. I'm willing to look at this. I'm not saying we're going to spend \$50,000 and hire another officer, I don't think it's going to come to that situation.

Mr. Davies: You know, with all due respect, in Canton when somebody burned down most of the park, they had to get donations to fix it up, they didn't take tax payers money because they didn't have it.

Mr. Foltz: Well that's not

Mr. Davies: And there's a point in time where you have to set priorities.

Mr. Foltz: That was done with recreational money. There wasn't donations involved.

Mr. Davies: Well...

Mr. Foltz: This is a whole different scenario we don't need to get into right now. But I'm going to argue for our parks and our recreational services. And the answer isn't just to tear something out because you had a problem with it. The answer is to solve the problem as best you can. Nothing is a hundred percent in the world. That's just the reality we deal with. I grew up in parks where I stayed there eight hours a day. I would not let my kids stay in any of our parks - I think we have wonderful parks here - for eight hours a day unsupervised. That's just a reality of society now.

Mr. Peters: Well if you would ...

Mr. Foltz: The answer isn't just to tear everything out and get rid of it. That's just not a...

Mr. Peters: Well if you remember when that was first put in there was a, I don't know, an up swell of interest in skateboarding and that type of thing and I think it was the interest to keep them off the...

Mr. Foltz: Exactly...

Mr. Peters: You know the front porch here. You know they put that in, they took away the tennis courts and I lived in that - I live in the house I grew up in. I've seen people playing tennis and you know year round you know if the weather was good. And when they you know so it was used prior to it being put into a - or changed into a skate park. And I think we were trying to reach out to a certain segment of the community. And you know Larry brings up a good point maybe you know maybe that's bringing an element that you know you're not - we didn't have those problems when you had people coming down there playing tennis.

Mr. DeOrio: Well, yeah, and you know it's our kids - yeah we do have parental supervision and we're - we don't want them there eight hours a day, but it sounds like the people that are coming there are not the people from here. And they don't have the supervision - they may not have the benefit of that kind of supervision that you know traditionally is afforded by North Canton residents where you're largely two parent homes.

Mr. Foltz: Well we can discuss it further. I'd just like to work on this with Councilman Peters, the Administration, and report back to Council.

Mr. Snyder: I appreciate that ...

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Mr. Osborne (speaking from audience): I can add some more to the....

Mr. Snyder: Mr. – Mr. Osborne, I'm sorry. First Reverend, I'll come to you, but first I want to come to Mr. Brenton, he had his hand up. Sam you have something? I'll come back to you Reverend.

Samuel Brenton (speaking from audience): I don't want to ...inaudible...if it's alright with you.

Mr. Snyder: Okay.

Mr. Brenton: I'm coming.

Mr. Snyder: Okay.

Mr. Brenton: Samuel Brenton, from 1681 Westfield SW. I come up here to thank these guys. This winter was the best snow plowing I had in 30 years. Whatever they did, they changed the apparatus, did a good job. And not only that, Mr. Foltz come down my house, didn't you. Yeah, I wanted to thank you for coming down and talking to me. Grimes, Held, ...inaudible..., you guys, city officials – I don't know I can't beat you guys. You are so damn nice to me and like I say, I'm getting up and to where I can't come up here much more. So I want to thank you guys personally. And there's one more. I've lived down there for 30 years and I never walked across Everhard Road, never. And I don't intend to in another 30 years. But them mail carriers, they park their car or their truck and they walk down Everhard Road to each house, cross the street and come back up the other side. And all that snow down there, they never missed a lick. And I got my mail every day. And I want to thank them people personally. But if I do that I would get them in trouble. So you guys keep the streets nice and clean for them and that – and like I say, you guys have all been nice to me and I'm getting up there to where - my wife is 90 and I can't leave her too long. So right now I am going to go get gas before it goes up again and. And Marge, you're another one. Thank you guys.

Mr. Snyder: Thank you Sam, I appreciate it.

Mr. Brenton: I'm leaving.

Mr. Snyder: Reverend.

Reverend Costello: Steve Costello. 816 Hillcrest Avenue NW. I just feel compelled to share just as a relatively new member to North Canton, having moved here in the summer of 2009 with two young sons. My one son, oldest, is 8 years old and my other is 5. And one of the first things we did was go to the Skate Park. They're not really skate boarders yet, but we went there and there were a variety of characters there, some with tattoos and some dressed in questionable clothing. But I engaged with them and I said hey, would you guys let my son, can you teach him how to skateboard and they were very friendly. I mean, to look at them you might not think so, but I just want to share for the record my encounter there. They were very friendly, willing to help my kids and in the summertime I'm probably there two or three times a week with my young kids. And you do hear stories and you do see and there are those incidences. But I would just beg us to not let those incidences dominate our imaginations of what's happening there on a regular basis. Again, my encounter there was very positive. You do see some things happen and you wonder what's going on. I understand the concern about a growing sector that would be questionable. To that I would like to just suggest that it's a reality that North Canton demographics is changing. With all the job layoffs and with all the growing sector of poverty, there is going to be more teenagers who are looking for mischief. And if it's not at the Skate Park it's going to be somewhere else. And so I know we don't have the funds to go and do everything that we'd like to do to make it feel more safe, but there are some things that we can do. And I think probably the simplest thing we can do is just raise the awareness in our community of this growing need. And a with that in mind I would encourage all of us as adults and citizens to not just take your kids there or let them go play there, but make an intentional effort to be present, as a parent to go there and engage with these teenagers because they didn't always used to be troublemakers. The trouble's coming and it's not just from outside of North Canton, it's a growing demographic situation in our community. And I think that as we are willing to embrace and be more proactive on a very grassroots level, I think we can help to curb some of that by engagement not by in fear trying to lock up and close up some of these facilities and things like that. So I just wanted to share my experience.

Mr. Snyder: Thank you Reverend.

Mrs. Kiesling: Thank you.

Mr. Snyder: Sir?

Allen Wells: 146 Parkview Avenue NW, North Canton, Ohio. I just think right now we're kind of jumping the gun. We're talking about tearing parks out. You're punishing a lot of good kids for a couple guys that did something wrong. I am not saying it was – it's a bad situation, we got to do something but - alright let's tear out Dogwood Park, they'll move down to Price Park. Are we going tear that out next? I mean it's a slippery slope you've got to watch. I mean it's just my thoughts. So I kind of echo the Reverend and think that parks are something we got to protect and we can't give away just cause a couple punks show up and cause trouble. We need to handle them, not the park. It's the peoples fault, not the parks fault. So, that's all.

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Mr. Snyder: Thank you for your comments. Okay, anyone else wishing to speak? If not we'll move to old business. I have - I'd like a motion and second to remove from the table Ordinance No. 21-11.

OLD BUSINESS:

8. Mr. Foltz moved and Mr. Peters seconded to **remove from table**, Ordinance No. 21-11. All members present voting:
 Yes: Kiesling, Peters, Snyder, Davies, Foltz.
 No: DeOrio.

Mr. Snyder: May I state that this is an unmanageable ordinance. This was put on at the request of a former President of Council. It is my suggestion, it is my wish that this be defeated and removed at this particular time. It is not only unmanageable from an administrative standpoint but it's unmanageable from a Council standpoint. And at that point I will defer now to the Vice Chairman of the Committee, Mr. Foltz?

Mr. Foltz: I'm the Vice Chairman?

Mr. Snyder: You are think ...

Mr. Foltz: Finance and Property?

Mr. Kiesling: Finance...

Mr. Snyder: Oh that's finance, well then I apologize, I thought that was ordinances. But I would ask that we vote this ordinance down....

Mr. Foltz: Or just make a motion if no one seconds it, it won't go anywhere.

Mr. Snyder: Right. Do I have a motion in an affirmative?

Mr. Foltz: Gail is that in accordance? That will defeat the Ordinance?
 Mrs. Kalpac: Yes.

Mr. Snyder: Yeah, so it defeats, thank you...

Mr. Foltz: Okay, there's a motion made and there's no second.

Mr. Snyder: Thank you.

Mr. Foltz: So take it off the books.

Ordinance No. 21-11 dies due to lack of a second.

9. Mr. Snyder: Moving along, may I have a motion and second to amend Ordinance 22-11, under definitions for full time employees?

Mr. Foltz moved and Mrs. Kiesling seconded to **amend Ordinance No. 22-11 under Definitions for Full Time Employees**. All members present voting:

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

No: 0

Mr. Nilges: This has been discussed previously. This added some additional language to clarify the scope of what a full time employee...

Mr. Snyder: You want to read it and then we'll...

Mr. Nilges: Oh I am sorry.

Mr. Peters: Yeah we got to read it first.

Mrs. Kalpac: No, we need a motion and a second to read it.

Mr. Snyder: Oh, we need a motion and a second to read it..

Mrs. Kalpac: Yes.

Mr. Nilges: Yeah.

Mr. Snyder: I apologize. May I have a motion to read by title...

Mrs. Kiesling: Didn't we just do that?

Mr. Snyder: Ordinance No. 22-11.

Mrs. Kiesling: What did we just do?

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Mr. Foltz: We'll do it again - I'll motion,

Mr. Nilges: I think that's - I apologize, my head was not in the game.

Mrs. Kiesling: We already had a motion and a second.

Mr. Foltz: And a second - I thought we did.

Mrs. Kalpac: That was to amend.

Mr. Snyder: To amend it.

Mr. Foltz: Okay.

Mr. Nilges: To amend it but not to read it.

Mr. Snyder: Not to read it.

Mrs. Kiesling: Oh...

Mr. Snyder: To read it as amended. We amended - we had to vote on the amendment and then we'll vote on to read...

Mr. Foltz: I'll make a motion to read as amended.

Mrs. Kiesling: I'll second.

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

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

No: 0

Mr. DeOrio: Whatever....

Mrs. Kiesling: That is a first, I will have to admit in ten years.

Mr. DeOrio: I'm still confused over the first - the first one.

Mr. Snyder: We got rid of the first one.

Mr. DeOrio: But we did a motion to do something because I voted no. What'd we - what was the motion?

Mr. Davies: To read it.

Mr. Snyder: To read it.

Mr. DeOrio: So why didn't - did it get read?

Mrs. Kalpac: To remove it from the table.

Mr. Davies: To remove it from the table.

Mr. Nilges: To remove it from the table.

Mr. Snyder: So it's got defeated...

Mr. Davies: There was a motion to read it and no second.

Mr. Nilges: And then the second motion was to - well asking for a motion to read which was not...

Mr. Davies: Yeah.

Mr. Snyder: And it did not gain affirmative voted on.

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

No: 0

Mr. Snyder: Now it's your turn.

Mr. Nilges: Yeah, now it's my turn.

Mr. Peters: Yes.

Ordinance No. 22-11 - 3rd Reading - Personnel & Safety Committee

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: Okay, we're reading it as amended because we added language last week...

Mr. Nilges: Right...

Mr. Peters: to include the two Fire Inspectors.

Mr. Nilges: Yes.

Mr. Snyder: Exactly.

Mr. Peter: Okay and I have nothing else to add unless the Law Director ...

Mr. Nilges: No, I think I already said my peace.

Mr. Peters: Okay. With that, I motion to approve the third and final reading of Ordinance 22-11.

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Mr. Peters moved and Mrs. Kiesling seconded to **adopt the third reading, as amended** of Ordinance No. 22-11. All members present voting:
 Yes: Snyder, Davies, DeOrio, Foltz, Kiesling, Peters.
 No: 0

10. Mr. Snyder: May I have a motion to amend Ordinance No. 29-11 regarding the sale of pool passes.

Mr. Foltz moved and Mrs. Kiesling seconded to **amend Ordinance No. 29-11 regarding the date pool passes go on sale**. All members present voting:
 Yes: Snyder, Davies, DeOrio, Foltz, Kiesling, Peters.
 No: 0

Mr. Snyder: May I have a motion to read by title only, Ordinance No. 29-11, as amended?

Mr. Foltz moved and Mrs. Kiesling seconded to **read by title only, second reading, as amended**, of Ordinance No. 29-11. All members present voting:
 Yes: Davies, DeOrio, Foltz, Kiesling, Peters, Snyder.
 No: 0

Ordinance No. 29-11 – 2nd Reading – Park & Recreation Committee

An ordinance amending Ordinance No. 10-09 to increase the rates to be charged for season membership and daily admission for the City of North Canton Municipal Swimming Pool, rate for swimming lessons, and repealing any and all legislation inconsistent herewith and declaring the same to be an emergency.

Mr. Snyder: Chairman Foltz.

Mr. Foltz: Yes, as discussed we brought this back up at the last committee meeting and we added a Section 2. that reads, " season membership rates effective prior to opening day at the municipal pool, be, and are hereby adopted." So basically that date is going to be determined by the Finance Department and Administration.

Mr. Snyder: Okay, may I have a motion and a second to adopt the second reading, as amended?

Mr. Foltz moved and Mrs. Kiesling seconded to **adopt the second reading, as amended**, of Ordinance No. 29-11. All members present voting:
 Yes: DeOrio, Foltz, Kiesling, Peters, Snyder, Davies.
 No: 0

Mr. Snyder: May I have a motion to suspend the rules of Council, as amended, for Ordinance 29-11?

Mr. DeOrio moved and Mr. Davies seconded to **suspend the rules, as amended**, for Ordinance No. 29-11. All members present voting:
 Yes: Foltz, Kiesling, Peters, Snyder, Davies, DeOrio.
 No: 0

Mr. Snyder: May I have a motion and a second to adopt under suspension of the rules, as amended, Ordinance 29-11?

Mr. DeOrio moved and Mr. Davies seconded to **adopt under suspension of the rules, as amended**, Ordinance No. 29-11. All members present voting:
 Yes: Kiesling, Peters, Snyder, Davies, DeOrio, Foltz.
 No: 0

11. Mr. Snyder: May I have a motion to read by title only, second reading of Ordinance No. 30-11?

Mr. DeOrio moved and Mrs. Kiesling seconded to **read by title only, second reading** of Ordinance No. 30-11. All members present voting:
 Yes: Peters, Snyder, Davies, DeOrio, Foltz, Kiesling.
 No: 0

Ordinance No. 30-11 – 2nd Reading – Street & Alley Committee

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 Improvement Levy and Sanitary Sewer Operating Funds to the Contract Payments and Facilities – Sewer Lines Accounts in the amount of \$120,000 for the current expenses during the fiscal year ending December 31, 2011, and declaring the same to be an emergency.

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Mr. Snyder: Chairman DeOrio?

Mr. DeOrio: Mr. Benekos, anything we want to add at this time?

Mr. Benekos: Nothing.

Mr. DeOrio: Anybody else? It's our second time through. I move we approve Ordinance No. 30-11.

Mr. DeOrio moved and Mr. Davies seconded to **adopt the second reading** of Ordinance No. 30-11. All members present voting:

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

No: 0

Mr. Snyder: May I have a motion and a second to suspend the rules of Council pertaining to Ordinance 30-11?

Mr. Davies moved and Mr. DeOrio seconded to **suspend the rules** for Ordinance No. 30-11. All members present voting:

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

No: 0

Mr. Snyder: As an emergency exists for the health and safety of the citizens, I ask for a motion and a second to adopt under suspension of the rules of Ordinance 30-11.

Mr. Davies moved and Mr. DeOrio seconded to **adopt under suspension of the rules** Ordinance No. 30-11. All members present voting:

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

No: 0

12. Mr. Snyder: May I have a motion to read by title only, second reading of Ordinance No. 31-11?

Mr. DeOrio moved and Mr. Davies seconded to **read by title only, second reading** of Ordinance No. 31-11. All members present voting:

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

No: 0

Ordinance No. 31-11 – 2nd Reading – Street & Alley Committee

An ordinance authorizing the Director of Administration of the City of North Canton to advertise and receive bids and authorizing the Mayor of the City of North Canton, through the Board of Control, to enter into a contract for the resurfacing, repaving, replacement, repair and preventative maintenance of certain streets, alleys and city parking lots, at a cost not to exceed \$440,000 and declaring the same to be an emergency.

Mr. Snyder: Chairman DeOrio?

Mr. DeOrio: Yes. Mr. Benekos anything? Our list is firm?

Mr. Benekos: We haven't finalized the list but we're...

Mr. DeOrio: So there is still room for...

Mr. Benekos: Yes.

Mr. DeOrio: improvement. I know Mr. Peters and I were talking and ...

Mr. Peters: Yeah.

Mr. DeOrio: Did you want to say something at this time?.

Mr. Peters: Yeah, it's, we had some issues in a couple different areas. Right off of Chatham, it doesn't absolutely or necessarily require paving, but we're looking for the asphalt curbing. I'll explain it to you later but if maybe we could get - we probably need to talk about costs on linear feet. I've got a pretty good idea of the area we need to cover so, yeah.

Mr. Benekos: Sure.

Mr. DeOrio: Anybody else got anything new they want to add to this part?

Mr. Snyder: I spoke to your constituent on that, he called me.

Mrs. Kiesling: Yeah we all have. He talked to everybody.

Mr. DeOrio: Okay, then I would move for adoption of Ordinance No. 31-11.

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Mr. DeOrio moved and Mrs. Kiesling seconded to **adopt the second reading** of Ordinance No. 31-11. All members present voting:
 Yes: Kiesling, Peters, Snyder, Davies, DeOrio, Foltz.
 No: 0

Mr. Snyder: May I have a motion to suspend the rules of Council for Ordinance 31-11?

Mr. Davies moved and Mr. DeOrio seconded to **suspend the rules** for Ordinance No. 31-11. All members present voting:
 Yes: Peters, Snyder, Davies, DeOrio, Foltz, Kiesling.
 No: 0

Mr. Snyder: As an emergency exists relative to the safety of the citizens, we'd like to adopt the third reading or the second reading under suspension of the rules for Ordinance 31-11.

Mr. Foltz moved and Mr. DeOrio seconded to **adopt under suspension of the rules** Ordinance No. 31-11. All members present voting:
 Yes: Snyder, Davies, DeOrio, Foltz, Kiesling, Peters.
 No: 0

13. Mr. Snyder: May I have a motion to read by title only, second reading of Ordinance No. 32-11?

Mr. DeOrio moved and Mr. Davies seconded to **read by title only, second reading** of Ordinance No. 32-11. All members present voting:
 Yes: Davies, DeOrio, Foltz, Kiesling, Peters, Snyder.
 No: 0

Ordinance No. 32-11 – 2nd Reading – Water, Sewer & Rubbish Committee

An ordinance authorizing the Director of Administration of the City of North Canton to advertise and receive bids and authorizing the Mayor of the City of North Canton, through the Board of Control, to enter into a contract for the Hines Street SW Waterline Replacement Project (South Main Street to Castlewood Avenue SW), at a cost not to exceed \$160,000, and declaring the same to be an emergency.

Mr. Snyder: Chairman Davies?

Mr. Davies: Yes. This is part of our waterline replacement program that has been ongoing for a number of years. Older waterlines have consistently been replaced as needed and it's now time to do Hines Street SW. So I move that we approve.

Mr. Davies moved and Mr. DeOrio seconded to **adopt the second reading** of Ordinance No. 32-11. All members present voting:
 Yes: DeOrio, Foltz, Kiesling, Peters, Snyder, Davies.
 No: 0

Mr. Snyder: May I have a motion and a second to suspend the rules of Council for Ordinance 32-11?

Mr. Davies moved and Mr. DeOrio seconded to **suspend the rules** for Ordinance No. 32-11. All members present voting:
 Yes: Foltz, Kiesling, Peters, Snyder, Davies, DeOrio.
 No: 0

Mr. Snyder: As an emergency exists for the safety and welfare of the citizens, may I have a motion to adopt under suspension of the rules Ordinance 32-11?

Mr. Davies moved and Mr. DeOrio seconded to **adopt under suspension of the rules** Ordinance No. 32-11. All members present voting:
 Yes: Kiesling, Peters, Snyder, Davies, DeOrio, Foltz.
 No: 0

14. Mr. Snyder: May I have a motion to read by title only, second reading of Ordinance No. 33-11?

Mr. Davies moved and Mr. DeOrio seconded to **read by title only, second reading** of Ordinance No. 33-11. All members present voting:
 Yes: Peters, Snyder, Davies, DeOrio, Foltz, Kiesling.
 No: 0

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Ordinance No. 33-11 – 2nd Reading – Water, Sewer & Rubbish Committee

An ordinance authorizing the Director of Administration of the City of North Canton to advertise and receive bids; and, authorizing the Mayor of the City of North Canton, through the Board of Control, to enter into a contract for the Farview Drive SW Waterline Replacement Project (Westfield Avenue SW to cul de sac), at a cost not to exceed \$100,000, and declaring the same to be an emergency.

Mr. Snyder: Chairman Davies?

Mr. Davies: Again this is another waterline replacement in our ongoing projects to replace older waterlines. And I would move that we approve.

Mr. Davies moved and Mr. DeOrio seconded to **adopt the second reading** of Ordinance No. 33-11. All members present voting:

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

No: 0

Mr. Snyder: May I have a motion to suspend the rules for Ordinance 33-11?

Mr. Davies moved and Mr. DeOrio seconded to **suspend the rules** for Ordinance No. 33-11. All members present voting:

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

No: 0

Mr. Snyder: As an emergency exists may we adopt under suspension of the rules Ordinance 33-11?

Mr. Davies moved and Mr. DeOrio seconded to **adopt under suspension of the rules** Ordinance No. 33-11. All members present voting:

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

No: 0

15. Mr. Snyder: May I have a motion to read by title only, second reading of Ordinance 34-11?

Mr. Davies moved and Mrs. Kiesling seconded to **read by title only, second reading** of Ordinance No. 34-11. All members present voting:

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

No: 0

Ordinance No. 34-11 – 2nd Reading – Water, Sewer & Rubbish Committee

An ordinance authorizing the Director of Administration of the City of North Canton to advertise and receive bids; and, authorizing the Mayor of the City of North Canton, through the Board of Control, to enter into a contract for the Lynbrook Street Sanitary Sewer Project (Clearmount Avenue to Pineview Avenue SE), at a cost not to exceed \$357,000, and declaring the same to be an emergency.

Mr. Snyder: Chairman Davies?

Mr. Davies: Yes, this is a project, as I recall, to align the existing sewer system. Is that not correct; on Lynbrook, Clearmount, Pineview Avenue, etc. Their problems over there they're trying to keep wastewater or runoff water from entering into the sewer system and so forth. And this is much cheaper than digging everything up and replacing it. So I would move that we approve.

Mr. Davies moved and Mr. Peters seconded **adopt the second reading** of Ordinance No. 34-11. All members present voting:

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

No: 0

Mr. Snyder: May I have a motion to suspend the rules of council for Ordinance 34-11?

Mr. DeOrio moved and Mrs. Kiesling seconded to **suspend the rules** for Ordinance No. 34-11. All members present voting:

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

No: 0

Mr. Snyder: As emergency exists in a timely method, may I adopt under suspension of the rules 34-11.

Mrs. Kiesling moved and Mr. Davies seconded to **adopt under suspension of the rules** Ordinance No. 34-11. All members present voting:

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

No: 0

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16. Mr. Snyder: May I have a motion to read by title only, second reading of Ordinance No. 35-11?

Mr. Davies moved and Mrs. Kiesling seconded to **read by title only, second reading of Ordinance No. 35-11**. All members present voting:

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

No: 0

Ordinance No. 35-11 – 2nd Reading – Water, Sewer & Rubbish Committee

An ordinance authorizing the Director of Administration of the City of North Canton to advertise and receive bids; and, authorizing the Mayor of the City of North Canton, through the Board of Control, to enter into a contract for the Northfield Avenue SE Waterline Replacement Project (Easthill Street to Knoll Street and Greenway Road SE to Meadowlane Drive SE), at a cost not to exceed \$255,000, and declaring the same to be an emergency.

Mr. Snyder: Chairman Davies?

Mr. Davies: Yes, again it's a waterline replacement project, I would move that we approve.

Mr. Davies moved and Mr. Peters seconded to **adopt the second reading** of Ordinance No. 35-11. All members present voting:

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

No: 0

Mr. Snyder: May I have a motion to suspend the rules of council for Ordinance No. 35-11?

Mr. Davies moved and Mr. DeOrio seconded to **suspend the rules** for Ordinance No. 35-11. All members present voting:

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

No: 0

Mr. Snyder: As an emergency exists for the health and welfare of the citizens, may we adopt under suspension of the rules Ordinance 35-11?

Mr. DeOrio moved and Mrs. Kiesling seconded to **adopt under suspension of the rules** Ordinance No. 35-11. All members present voting:

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

No: 0

17. Mr. Snyder: May I have a motion to read....

Mr. DeOrio: Mr. President, may I have a point of interim – point of order ...

Mr. Snyder: Oh, I beg your pardon.

Mr. DeOrio: May I make a point?

Mr. Snyder: Please sir

Mr. DeOrio: I'm not sure what it is..

Mr. Foltz: Point of order.

Mr. DeOrio: Point of order. Thank you. Just food for thought for everybody to think about, this idea and I've brought it up before and I don't think I've - we've been able to get enough people to go along with it, but I think this is a great example. Is if you had one motion that would read all the ordinances at one you know and our speed reader over here.

Mrs. Kiesling: That would be great.

Mr. DeOrio: I'd bet you'd do well. Are you a good swimmer because you could probably hold your breath and go under water for a long time.

Mr. Nilges: I'm just trying to get through it. Have you seen how many we have?

Mr. DeOrio: That's what I'm saying, one motion reads them all. You know you could take your biggest, deepest breath and just see how many you can do. And then we get back in order and just go through and then you administrate them or legislate them or whatever, but in the future, because I know it's a curveball now, but I think that would be something that would make a lot of sense.

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Mr. Snyder: Well, and that's a very good point and it's timely and we are going to move that screen over and we will broadcast the ordinance on the wall so the people in the audience will see it. So they'll all...

Mr. Foltz: I thought we've researched that and we couldn't do it. I thought there was a...

Mr. Nilges: I could look to see if there's a...

Mr. Foltz: a legal opinion from the former Law Director...

Mr. Snyder: Oh, about reading them all at one time?

Mr. Foltz: Yes.

Mr. Snyder: Well we can look at that.

Mr. DeOrio: The former Law Director, it was his idea.

Mr. Foltz: Well I don't mean his but...

Mr. Snyder: That's why he's former.

Mr. Foltz: You're saying it came up and we voted it down.

Mr. DeOrio: No I don't think that I can get enough people to make the change. The makeup of Council at that time wasn't as progressive as it is today and they wanted to just do it the way they've always done it.

Mr. Snyder: And we can generally look – because it is – it's a very lengthy thing and...

Mr. DeOrio: Adds a half an hour to the meeting.

Mr. Snyder: Well and we'll do that. That's the point we'll take it, thank you Mr. DeOrio.

Mr. DeOrio: Thank you.

Mr. Snyder: And I believe we're moving now to Ordinance 36-11. Am I correct?

Mrs. Kalpac: Yes.

Mr. Nilges: Yes.

Mr. Snyder: May I have a motion to read by title only, second reading of Ordinance 36-11?

Mr. Davies moved and Mr. DeOrio seconded to **read by title only, second reading of Ordinance No. 36-11**. All members present voting:

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

No: 0

Ordinance No. 36-11 – 2nd Reading – Water, Sewer & Rubbish Committee

An ordinance authorizing the Director of Administration of the City of North Canton to advertise and receive bids and authorizing the Mayor of the City of North Canton, through the Board of Control, to enter into a contract for the Promway Avenue NW Waterline Extension Project (North of Promler to Portage Street), at a cost not to exceed \$300,000, and declaring the same to be an emergency.

Mr. Snyder: Chairman Davies.

Mr. Davies: Yes, as this states, this is a waterline extension project. It's designed to close the loop to make our system more efficient and according to our Engineer it's needed. So I would move that we approve.

Mr. Davies moved and Mr. DeOrio seconded to **adopt the second reading of Ordinance No. 36-11**. All members present voting:

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

No: 0

Mr. Snyder: May I have a motion to suspend the rules of council for Ordinance 36-11?

Mr. DeOrio moved and Mrs. Kiesling seconded to **suspend the rules** for Ordinance No. 36-11. All members present voting:

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

No: 0

Mr. Snyder: As time is of the essence, may we adopt under the rules of suspension of the rules, Ordinance 36-11?

Mr. DeOrio moved and Mr. Davies seconded to **adopt under suspension of the rules Ordinance No. 36-11**. All members present voting:

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

No: 0

18. Mr. Snyder: May I have a motion to read by title only, second reading of Ordinance No. 37-11?

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Mr. Davies moved and Mr. DeOrio seconded to **read by title only, second reading** of Ordinance No. 37-11. All members present voting:
 Yes: Foltz, Kiesling, Peters, Snyder, Davies, DeOrio.
 No: 0

Ordinance No. 37-11 – 2nd Reading – Water, Sewer & Rubbish Committee

An ordinance authorizing the Director of Administration of the City of North Canton to advertise and receive bids and authorizing the Mayor of the City of North Canton, through the Board of Control, to enter into a contract for the Sanitary Sewer Lining Project – 2011, in an amount not to exceed \$500,000, and declaring the same to be an emergency.

Mr. Snyder: Chairman Davies.

Mr. Davies: Again, Sanitary Sewer Lining Project, we have a number of older sanitary sewers that can get runoff water in them. In anticipation of the monitoring we're going to have to do at some point, we'd like to stop as much of that as possible because we'll be charged for the amount that goes through the sewer. So we want to line and stop some of the inflow of rainwater. And I would move that we approve.

Mr. Davies moved and Mr. DeOrio seconded to **adopt the second reading** of Ordinance No. 37-11. All members present voting:
 Yes: Kiesling, Peters, Snyder, Davies, DeOrio, Foltz.
 No: 0

Mr. Snyder: May I have a motion to suspend the rules for Ordinance No. 37-11?

Mr. Davies moved and Mr. DeOrio seconded to **suspend the rules** for Ordinance No. 37-11. All members present voting:
 Yes: Peters, Snyder, Davies, DeOrio, Foltz, Kiesling.
 No: 0

Mr. Snyder: Again as time is of the essence may we adopt an emergency under suspension of Ordinance 37-11?

Mr. DeOrio moved and Mr. Davies seconded to **adopt under suspension of the rules** Ordinance No. 37-11. All members present voting:
 Yes: Snyder, Davies, DeOrio, Foltz, Kiesling, Peters.
 No: 0

19. Mr. Snyder: May I have a motion to read by title only Ordinance No. - second reading of Ordinance No. 38-11?

Mr. DeOrio moved and Mr. Davies seconded to **read by title only, second reading** of Ordinance No. 38-11. All members present voting:
 Yes: Davies, DeOrio, Foltz, Kiesling, Peters, Snyder.
 No: 0

Ordinance No. 38-11 – 2nd Reading – Water, Sewer & Rubbish Committee

An ordinance authorizing the Director of Administration of the City of North Canton to advertise and receive bids and authorizing the Mayor of the City of North Canton, through the Board of Control, to enter into a contract for the Valley Drive Sanitary Sewer Project, in an amount not to exceed \$200,000, and declaring the same to be an emergency.

Mr. Snyder: Chairman Davies.

Mr. Davies: Yes, this is a sewer project on Valley Drive and it is to replace existing, as we have to replace waterlines periodically, we also have to replace sewer lines and it's now time to do this on Valley. I move that we approve.

Mr. Davies moved and Mr. DeOrio seconded to **adopt the second reading** of Ordinance No. 38-11. All members present voting:
 Yes: DeOrio, Foltz, Kiesling, Peters, Snyder, Davies.
 No: 0

Mr. Snyder: May I have a motion to suspend the rules of council for Ordinance No. 38-11?

Mr. Davies moved and Mrs. Kiesling seconded to **suspend the rules** for Ordinance No. 38-11. All members present voting:
 Yes: Foltz, Kiesling, Peters, Snyder, Davies, DeOrio.
 No: 0

RECORD OF PROCEEDINGS

Minutes of COUNCIL OF THE CITY OF NORTH CANTON REGULAR Meeting

DAYTON LEGAL BLANK, INC. FORM NO. 10148

Held Monday, April 11 7:00 p.m. 20 11

Mr. Snyder: As time is of the essence, may we adopt under emergency under suspension Ordinance No. 38-11?

Mr. Davies moved and Mr. DeOrio seconded to **adopt under suspension of the rules** Ordinance No. 38-11. All members present voting:

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

No: 0

20. Mr. Snyder: Now that the sewers are flowing and the water is running, we'll move to finance...
Mr. Foltz: Get the money for it.

Mr. Snyder: Get the money and figure out and pay for it. May I have a motion to amend Ordinance No. 39-11 to include 191.16(i) requiring notification of all businesses of form 1099 that they issue to their contractual employees to the City Finance Director.

Mr. Foltz moved and Mr. DeOrio seconded to **amend Ordinance 39-11 as stated above**. All members present voting:

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

No: 0

Mr. Snyder: May I have a motion to read by title only, Ordinance No. 39-11, second reading as amended?

Mr. DeOrio moved and Mr. Peters seconded to **read by title only, second reading, as amended**, of Ordinance No. 39-11.

Unidentified: Sewer.

Mr. DeOrio: You were supposed to go before I did.

Mrs. Kiesling: Yeah – you- he was waiting.

Mr. DeOrio: I was waiting on you...

Mr. Davies: Oh, I'm sorry – I was – my mind drifted. I read all those sewer and water things and I was...

Mr. DeOrio: Flushed?

Mr. Davies: Flushed, that's a good one, that's good, I was flushed.

(Laughter)

Mrs. Kalpac: Snyder.

Mr. Foltz: Snyder.

Mr. Snyder: Oh, you wanted me?

Mr. Foltz: Yes.

Mr. Snyder: Am I up?

Mrs. Kalpac: Roll call.

Mr. Foltz: Roll call.

All members present voting:

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

No: 0

Mr. Snyder: There is no such thing as franking, I guess, I can't...

Ordinance No. 39-11 – 2nd Reading – Finance & Property Committee

An ordinance amending Chapter 191 Administrative Code, specifically Section 191.04 IMPOSITION OF A TAX ON RESIDENTS and 191.05 IMPOSITION OF TAX ON NON-RESIDENTS, of the Codified Ordinances of the City of North Canton, and declaring the same to be an emergency.

Mr. Snyder: The purpose of this is to require that all people that employ anyone within the corporate limits of the City do issue a 1099 and send us a copy. Also that it prohibits the deduction of certain deductions on City Income Tax. We're amending our ...inaudible... page any – otherwise I will consider a motion...

Mr. DeOrio: Move to approve.

Mr. Peters: Second.

Mr. DeOrio moved and Mr. Peters seconded to **adopt the second reading, as amended**, of Ordinance No. 39-11 as amended. All members present voting:

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

No: 0

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Held Monday, April 11 7:00 p.m. 20 11

Mr. Snyder: May I have a motion to suspend the rules of Council for Ordinance No. 39-11 as amended?

Mr. DeOrio moved and Mr. Davies seconded to **suspend the rules, as amended**, for Ordinance No. 39-11. All members present voting:

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

No: 0

Mr. Snyder: Time is of the essence, please adopt under suspension of the rules Ordinance No. 39-11.

Mr. Davies moved and Mr. DeOrio seconded to **adopt under suspension of the rules, as amended**, Ordinance No. 39-11 as amended. All members present voting:

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

No: 0

21. Mr. Snyder: May I have a motion to read by title only, Ordinance No. 40-11?

Mr. Davies moved and Mr. DeOrio seconded to **read by title only, second reading** of Ordinance No. 40-11. All members present voting:

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

No: 0

Ordinance No. 40-11 – 2nd Reading – Finance & Property Committee

An ordinance authorizing the Director of Administration of the City of North Canton to advertise and receive bids and authorizing the Mayor of the City of North Canton, through the Board of Control, to enter into a contract for the replacement of the roof at North Canton City Hall, at a cost not to exceed \$185,000, and declaring the same to be an emergency.

Mr. Snyder: That's pretty self-explanatory. Any questions?

Unidentified: No.

Mr. DeOrio moved and Mrs. Kiesling seconded to **adopt the second reading** of Ordinance No. 40-11. All members present voting:

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

No: 0

Mr. Snyder: May I have a motion to suspend the rules of council for Ordinance 40-11?

Mr. Davies moved and Mr. DeOrio seconded to **suspend the rules** for Ordinance No. 40-11. All members present voting:

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

No: 0

Mr. Snyder: May I have a motion to adopt under suspension of the rules, Ordinance 40-11?

Mr. DeOrio moved and Mr. Davies seconded to **adopt under suspension of the rules** Ordinance No. 40-11. All members present voting:

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

No: 0

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

Mr. Davies moved and Mr. DeOrio seconded to **read by title only, second reading** of Ordinance No. 41-11. All members present voting:

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

No: 0

Ordinance No. 41-11 – 2nd Reading – Finance & Property Committee

An ordinance authorizing the Director of Administration of the City of North Canton to advertise bids and receive bids and authorizing the Mayor of the City of North Canton, through the Board of Control, to enter into a contract for the North Canton Civic Center Roofing Project, at a cost not to exceed \$85,000, and declaring the same to be an emergency.

Mr. Snyder: Again, may I have a motion to adopt said ordinance?

Mr. DeOrio moved and Mr. Peters seconded to **adopt the second reading** of Ordinance No. 41-11. All members present voting:

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

No: 0

Mr. Snyder: May I have a motion to suspend the rules of Council for 41-11?

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Mr. DeOrio moved and Mr. Davies seconded to **suspend the rules** for Ordinance No. 41-11. All members present voting:
 Yes: Kiesling, Peters, Snyder, Davies, DeOrio, Foltz.
 No: 0

Mr. Snyder: An emergency exists, may we adopt under suspension of the rules, Ordinance 41-11?

Mr. DeOrio moved and Mr. Davies seconded to **adopt under suspension of the rules** Ordinance No. 41-11. All members present voting:
 Yes: Peters, Snyder, Davies, DeOrio, Foltz, Kiesling.
 No: 0

23. Mr. Snyder: May I have a motion to read by title only, second reading of number 42-11?

Mr. DeOrio moved and Mrs. Kiesling seconded to **read by title only, second reading** of Ordinance No. 42-11. All members present voting:
 Yes: Snyder, Davies, DeOrio, Foltz, Kiesling, Peters.
 No: 0

Ordinance No. 42-11 – 2nd Reading – Finance & Property Committee

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 Radio Equipment for use by the Fire/EMS Departments, within the purview of the Ohio Cooperative Purchase Act and declaring the same to be an emergency.

Mr. Snyder: We did - the Chief of Fire/Safety did procure a grant. This will be paid for at the matching portion was just a few dollars. It does provide equipment in our Dispatch to operate on an 800 megahertz system, which will make the men and women at the Fire/EMS much safer and to answer a call. May I have a motion to adopt this?

Mr. DeOrio moved and Mr. Peters seconded to **adopt the second reading** of Ordinance No. 42-11. All members present voting:
 Yes: Davies, DeOrio, Foltz, Kiesling, Peters, Snyder.
 No: 0

Mr. Snyder: May I have a motion to suspend the rules of council for Ordinance 42-11?

Mr. Davies moved and Mr. DeOrio seconded to **suspend the rules** for Ordinance No. 42-11. All members present voting:
 Yes: DeOrio, Foltz, Kiesling, Peters, Snyder, Davies.
 No: 0

Mr. Snyder: An emergency exists for the safety and welfare of our workers. May we have a motion to adopt under suspension?

Mr. Davies moved and Mr. DeOrio seconded to **adopt under suspension of the rules** Ordinance No. 42-11. All members present voting:
 Yes: Foltz, Kiesling, Peters, Snyder, Davies, DeOrio.
 No: 0

24. Mr. Snyder: May I have a motion to read by title only, the Ordinance No. 43-11?

Mr. Davies: Jon? I'm sorry, there are two people I think waiting, you know, for interviews.

Mrs. Kiesling: Interviews.

Mr. Snyder: You might invite them in.

Mr. Snyder: Yes.

Mr. Davis: They don't have to sit out there.

Mr. Snyder: No they don't.

Mayor Held: Well I think the sign downstairs says...

Mr. DeOrio: Maybe they saw what's going on.

Mr. Davies: Yeah I know, the sign says they have to sit on that bench.

Mrs. Kiesling: It does say that, you're right.

Mr. Snyder: Did they bring a pizza with them? Ask them, if not run out there and get us one and come on back in.

Mr. Peters: I was wondering who that was.

Mrs. Kiesling: Yeah, he did it for us. We're good now.

Mr. Davies: I'm assuming that's who it is and I doubt if they -- they're thinking the sign says they have to sit there. They're certainly invited to come in.

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Mr. Peters: If not, you've flunked the interview.
 Mrs. Kiesling: Yeah, they're allowed to come on in.
 Mr. Snyder: Come on in.
 Mayor Held: Maybe it was a test.
 Mr. Snyder: Yeah, we were going to see how long you wanted to sit out there.
 Mr. DeOrio: Maybe they saw what really goes on here.
 Mr. Davies: Maybe they're getting ready to leave.
 Mr. DeOrio: Yeah, they're on their way out the door.

Mr. Snyder: We need a motion to read by title only, second reading of Ordinance No. 43-11.

Mr. DeOrio moved and Mr. Davies seconded to **read by title only, second reading of Ordinance No. 43-11.** All members present voting:
 Yes: Davies, DeOrio, Foltz, Kiesling, Peters, Snyder.
 No: 0

Ordinance No. 43-11 – 2nd Reading – Finance & Property Committee

An ordinance authorizing the Mayor of the City of North Canton, through the Board of Control, to enter into an Use Agreement by and between the City of North Canton ("City") and the Ohio Office of Information Technology, Multi-Agency Radio Communications System Program Office ("MARCS") for subscription to the statewide radio coverage system for use by the Fire/EMS Department, and declaring the same to be an emergency.

Mr. Snyder: This system supports their ability to broadcast statewide and it's so much per radio and it's recommended by the Chief of Fire/Safety.

Mr. DeOrio moved and Mr. Davies seconded to **adopt the second reading of Ordinance No. 43-11.** All members present voting:
 Yes: DeOrio, Foltz, Kiesling, Peters, Snyder, Davies.
 No: 0

Mr. Snyder: May I have a motion to suspend the rules of council for Ordinance No. 43-11?

Mr. DeOrio moved and Mr. Davies seconded to **suspend the rules** for Ordinance No. 43-11. All members present voting:
 Yes: Foltz, Kiesling, Peters, Snyder, Davies, DeOrio.
 No: 0

Mr. Snyder: May we adopt under suspension of the rules, Ordinance 43-11?

Mr. Davies moved and Mr. DeOrio seconded to **adopt under suspension of the rules Ordinance No. 43-11.** All members present voting:
 Yes: Kiesling, Peters, Snyder, Davies, DeOrio, Foltz.
 No: 0

25. Mr. Snyder: May I have a motion to read by title only, second reading of Ordinance No. 44-11?

Mr. Davies moved and Mr. DeOrio seconded to **read by title only, second reading of Ordinance No. 44-11.** All members present voting:
 Yes: Peters, Snyder, Davies, DeOrio, Foltz, Kiesling.
 No: 0

Ordinance No. 44-11 – 2nd Reading – Finance & Property Committee

An ordinance authorizing the Director of Administration of the City of North Canton to advertise and receive bids according to specifications now on file in the office of the Director of Administration and for the Mayor of the City of North Canton to be authorized, through the Board of Control, to enter into an Agreement for the purchase of two (2) Marked Cruisers for use by the Police Department from a vendor or, in the alternative, pursuant to the Ohio Cooperative Purchase Act and declaring the same to be an emergency.

Mr. Snyder: This is a line item that's in the 2011 Appropriations Budget. The time is of essence. They're closing out these automobiles and we have to do this. So I would ask you to adopt second reading of 44-11.

Mr. Peters moved and Mr. DeOrio seconded to **adopt the second reading of Ordinance No. 44-11.** All members present voting:
 Yes: Snyder, Davies, DeOrio, Foltz, Kiesling, Peters.
 No: 0

Mr. Snyder: May I have a motion to suspend the rules of council for 44-11?

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Mr. Davies moved and Mr. DeOrio seconded to **suspend the rules** for Ordinance No. 44-11.

All members present voting:

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

No: 0

Mr. Snyder: As emergency exists for the health and welfare of the citizens, please adopt under the suspension of the rules 44-11.

Mr. Davies moved and Mr. DeOrio seconded to **adopt under suspension of the rules**

Ordinance No. 44-11. All members present voting:

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

No: 0

NEW BUSINESS:

26. Mr. Snyder: Thank you, new business. May I have a motion to read, the first reading of Ordinance No. 45-11?

Mr. DeOrio moved and Mrs. Kiesling seconded to **read by title only, first reading of** Ordinance No. 45-11. All members present voting:

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

No: 0

Ordinance No. 45-11 – 1st Reading – Ordinance, Rules & Claims Committee

An ordinance amending Ordinance No. 29-10, specifically subsections (d)(9)-(10) and (i)(1), (2) and (4) of 115.01 RULES OF COUNCIL, of the Codified Ordinances of the City of North Canton, to change the date and time the Agenda and supporting paperwork shall be available to the Council, Mayor, Director of Administration, Director of Law and Director of Finance and the date and time matters to be placed on the Agenda shall be reported to the Clerk of Council and, and declaring the same to be an emergency.

Mr. Snyder: Vice Chairman Foltz?

Mr. Foltz: Thank you. This is championed by President Snyder. Obviously the change is Section 9, the matters placed on agenda should be reported to Clerk of Council by 4:00 pm on Tuesday. Additional paperwork will be available, ordinances and so forth will be available that Thursday. And then going to I think it's 11(i), the Committee of the Whole shall be reported by 4:00 pm Tuesday before the Committee of the Whole Meeting and the corresponding paperwork should be available to us by 12:00 noon on that Thursday. Any comments from Council? If not, I'll make a motion to adopt.

Mr. Foltz moved and Mr. DeOrio seconded to **adopt the first reading** of Ordinance No. 45-11.

All members present voting:

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

No: 0

27. Mr. Snyder: May I have a motion to read by title only, first reading of Ordinance No. 46-11?

Mrs. Kiesling moved and Mr. Peters seconded to **read by title only, first reading of** Ordinance No. 46-11. All members present voting:

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

No: 0

Ordinance No. 46-11 – 1st Reading – Water, Sewer & Rubbish Committee

An ordinance authorizing the Mayor of the City of North Canton, through the Board of Control, to enter into a professional services contract for Resident Project Representative ("RPR") for the Frank Avenue NW / Applegrove Street Water Main Improvements Project (Sunset to Shuffel), at a cost not to exceed \$38,500, and declaring the same to be an emergency.

Mr. Snyder: Chairman Davies.

Mr. Davies: Yes, this is as it says Professional Service Contract for the construction of water main on Frank and Applegrove. So I guess I move that we approve.

Mr. Davies moved and Mrs. Kiesling seconded to **adopt the first reading** of Ordinance No. 46-11.

Mr. DeOrio: And before we vote I would comment that we did receive an opinion from the Law Director, it was given to Mr. Davies regarding the use of professional services and what it means and that he approved Arcadis being designated as having specialized knowledge, skill and discretion in executing the responsibilities under the agreement.

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Mr. Snyder: Thank you for that comment.

All members present voting:

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

No: 0

Mr. Snyder: May I have a motion to suspend the rules of Council for Ordinance No. 46-11?

Mrs. Kiesling moved and Mr. DeOrio seconded to **suspend the rules** for Ordinance No. 46-11. All members present voting:

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

No: 0

Mr. Snyder: As time is of the essence and the project is ready to begin, may we adopt under suspension Ordinance No. 46-11?

Mr. DeOrio moved and Mrs. Kiesling seconded to **adopt under suspension of the rules** Ordinance No. 46-11. All members present voting:

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

No: 0

29. Mr. Snyder: May I have a motion to read by title only, first reading of Ordinance No. 47-11?

Mrs. Kiesling moved and Mr. Foltz seconded to **read by title only, first reading** of Ordinance No. 47-11. All members present voting:

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

No: 0

Ordinance No. 47-11 – 1st Reading – Finance & Property Committee

An ordinance authorizing the Director of Administration of the City of North Canton to advertise and receive bids; and for the Mayor of the City of North Canton, through the Board of Control, to enter into a contract for the purchase of gasoline and diesel fuel for use by all city departments, for either a one (1) year or two (2) year period commencing June 1, 2011 and declaring the same to be an emergency.

Mr. Snyder: We're trying to get out ahead of this, this contract ends June 1. We have roughly six weeks to get it out and to be competitive as way of the volatile fuel market is, we want to get out as quickly as possible and get it bid. May I have a motion to adopt?

Mr. DeOrio moved and Mr. Davies seconded to **adopt the first reading** of Ordinance No. 47-11. All members present voting:

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

No: 0

Mr. Snyder: May I have a motion to suspend the rules of Council for 47-11?

Mr. Davies moved and Mr. DeOrio seconded to **suspend the rules** for Ordinance No. 47-11. All members present voting:

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

No: 0

Mr. Snyder: As time is of the essence, may I have a motion to adopt as an emergency Ordinance No. 47-11?

Mr. Davies moved and Mr. DeOrio seconded to **adopt under suspension of the rules** Ordinance No. 47-11. All members present voting:

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

No: 0

30. Mr. Snyder: May I have a motion to read by title only, the second or first reading of Ordinance No. 48-11?

Mr. Davies moved and Mrs. Kiesling seconded to **read by title only, first reading** of Ordinance No. 48-11. All members present voting:

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

No: 0

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DAYTON LEGAL BLANK, INC., FORM NO. 10148

Held Monday, April 11 7:00 p.m. 20 11**Ordinance No. 48-11 – 1st Reading – Street & Alley Committee**

An ordinance authorizing the supplemental appropriation of funds of the City of North Canton, Ohio, to be appropriated from the unappropriated resources of the Capital Improvement Fund to the Paving Program - Professional Services Account in the amount of \$24,500 for the current expenses during the fiscal year ending December 31, 2011, and declaring the same to be an emergency.

Mr. Snyder: Chairman Davies. Or excuse me, Chairman DeOrio, I apologize.

Mr. DeOrio: You can switch, that's okay. Did you mean to say in the title 24,500?

Mr. Nilges: Yeah, my – I – my agenda – my coded agenda here says 25, but...

Mr. Snyder: It's 24,500.

Mr. Nilges: It's 24,500.

Mr. DeOrio: It's 24,500.

Mr. Nilges: It is 24,500.

Mr. DeOrio: Move to approve.

Mr. DeOrio moved and Mr. Peters seconded to **adopt the first reading** of Ordinance No. 48-11. All members present voting:

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

No: 0

Mr. Snyder: May I have a motion to suspend the rules of council for 48-11?

Mr. DeOrio moved and Mrs. Kiesling seconded to **suspend the rules** for Ordinance No. 48-11. All members present voting:

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

No: 0

Mr. Snyder: May I have a motion to adopt under suspension of the rules, Ordinance No. 48-11?

Mr. Davies moved and Mr. DeOrio seconded to **adopt under suspension of the rules** Ordinance No. 48-11. All members present voting:

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

No: 0

Mr. Snyder: Prior to getting the last reports, I would first like to welcome to our part of our staff and part of our professional staff, Mrs. Karen Alger, who is our new Finance Director. Karen, welcome and it is indeed a pleasure to have you here and we look forward to...

(Applause)

Mr. Snyder: Also, we've received from the Commissioner's Office, Commissioners Creighton, Bernabei, and Ferguson, they are going to different municipalities on a weekly basis holding meetings relative to the finances and the things that can be done to augment and to boost the finances of the County. Their request is that they use one of our facilities be it the City Council Chambers or the Civic Center. And I would think that we would like to have them use either facility, whichever they would choose. And they would coordinate that through the Clerk's Office and through the Mayor's Office depending - and they do it they would say they would do it during the day or in the evening. And most probably in the evening would be better for our residents so that they can attend and one would think that we would hopefully have enough people that we'd probably want to use the Civic Center.

Mr. DeOrio: Based on some of the reports in the paper, I don't think that they....

Mr. Snyder: They would need that.

Mr. Foltz: they would need that. but if it's not being used for something else.

Mr. Snyder: Yeah either, whichever, I would think and if that's the case, I would think that we could just extend that courtesy to them by via email from the Clerk's Office and tell them that they're more than welcome to used our Council Chambers or our Civic Center.

Mr. Foltz: Just to make a point, they'll need some kind of recording device, won't they? So it might be easier to just have them come here. I imagine with a public meeting ...

Mr. Osborne (speaking from audience): They haven't recorded in them in the past. I've been to one their meetings.

Mr. Snyder: So, please and I think all Council concurs and if you would kindly relay to the Commissioners that the Council would welcome the invitation and if the Mayor also concurs ...

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Mayor Held: Yes.

REPORTS:

Mr. Snyder: Mr. Snyder: Thank you Mr. Mayor, I appreciate that. That's all. Reports – Director of Law.

Mr. Nilges: No report.

Mr. Snyder: Director of Finance.

Mrs. Alger: No report.

Mr. Snyder: Mr. Administrator.

Mr. Grimes: I just – Chief Wurgler advised that they are going to once again participate in the National Prescription Drug Take Back Day. That's going to be on Saturday, April 30th, it's going to be between 10:00 and 2:00. You can turn in your drugs here at the Police Department. We did that last year and it was well received so he's doing it again this year.

Mr. Snyder: Mr. Mayor.

Mayor Held: Yes, I'd like to announce that we're going to have an Assessment and Review Committee in order to assist the selection of the next Police Chief. Because Chief Grimes took over now as the City Administrator that leaves a vacancy in the Police Chief's position. And the way the process works, we had four Lieutenants that had tested for the position. The test results have not been certified at this point, but we expect some time in the next week that they will be certified and then at that point three out of the four candidates, the top three scorers will be eligible to be selected as the next Chief. And what I've asked the Committee to do, and first off I would like to announce the members of the Committee: we have as the Chairman, I have former Mayor Dave Johnson, who served as Mayor in the City of North Canton for a number of years; and then we also have Marge Loretto, our Finance Director who has been with the City for now, she reminded me 22 years after this interim period, and Marge is very much aware of the candidates and the city's operation; then we also have a Rob Mullen who served as the District Chief for Congressman Ralph Regula for 15 years, has a lot of government experience; and we have Jennifer Kling, who is a resident here in North Canton; and we also have Councilman Jeff Peters. So because I think it's really important that we do - and Councilman Peters is the Chairman of Personnel and that's why I asked him to serve on this Committee because I think it's important in this decision that we do have Council's interests represented in this selection Committee. And what they'll be doing is I've asked them to do a peer review of the - of our employees in the Department as well as interviews and then they'll make a recommendation of some kind to myself and Administrator Grimes. And that has to be complete - the actual selection of a candidate must be made within 30 days after the certification of the vote. So we're looking at probably, the next 4 to 5 weeks when we'll actually have a final - the final decision. So, it's going to be a very thorough process and what I can say is all of the candidates are excellent candidates and anyone of them will serve the City well. That's all I have, thank you.

Mr. Snyder: Thank you Mayor. Mr. Engineer.

Mr. Benekos: I just wanted to apologize to the Council last week, I asserted - the City was precluded from bidding professional services and Law Director corrected me. I was just always under that impression that Ohio Revised Code included this, but I guess our Charter overrides that so I didn't do it on purpose. So I apologize.

Mr. Snyder: Thank you.

Mrs. Kiesling: No problem.

Mr. Snyder: Director Bowles? Mr. Bowles: No report.

Mr. Snyder: Permits and Inspections.

Mr. Bowles: No report.

Mr. Snyder: What else can we get you?

Mr. DeOrio: A position to be named later.

Mr. Snyder: Position to be named later. Madame Clerk.

Mrs. Kalpac: No report. Thank you.

REPORTS – COUNCIL:

Mr. Snyder: Mr. Peters.

Mr. Peters: Yeah, I have no report but just one comment for Larry. What I'm going to do is I'm going to ask Acting Chief Wurgler if we could get a report of infractions. What we'll - you know anytime they can call for over there at Dogwood Park. And just a point of clarification to Pat DeOrio's comment earlier, I think the fact that we have patrol cars down there so often is you have about 350 teenagers flooding that area you know two times during the day. And you know I think when you do

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that you're going to have – you're going to have some issues but you know we'll get to the bottom of that. Thank you.

Mr. Snyder: Davies.
Mr. Davies: No report.

Mr. Snyder: Mr. DeOrio.

Mr. DeOrio: Just a comment, I wanted to just express gratitude to the North Canton Police Department. I had a constituent call me and tell me what I thought was a simple story on their end but it really speaks to you know the quality of the department led by current Chief, former Chief, the Mayor, they got a phone call like 2:30 in the morning from the Police Department. Apparently one of the officers there did a patrol and noticed that their garage door had been left open and you know they took it upon themselves, I mean they didn't have to and other communities I am sure that's not done, and they called the dispatchers and the dispatchers called the home and said hey, you know, your garage door's up. And so I think that's the kind of touch you don't want to lose.
Mayor Held: No.

Mr. DeOrio: It shows a true caring really for the community, something as simple as that. So please extend my gratitude on behalf of the resident for – to the Police Department they did a great job.
Mayor Held: Thank you for that report.

Mrs. Kiesling: No report.

Mr. Foltz: No report.

Mr. Snyder: I have nothing. Last call for business.

Mr. Osborne (speaking from audience): I have one question about...

Mr. Snyder: Step up, Mr. Osborne, to the microphone.

Mr. Osborne: I, like Mr. DeOrio, I didn't follow what you did on Item 8, on that Ordinance that you wanted to let die. Did it come out of...

Mr. Snyder: It did not – it came out – it's was not - it got an affirmative motion to read, it did not get a second so it dies for lack of a second.

Mr. Osborne: So you didn't even take it off the table.

Mr. Snyder: We took it off the table.

Mrs. Kiesling: We took it off the table.

Mr. Snyder: We made a motion and a second to take it off the table.

Mr. Osborne: Okay, I didn't hear you take it off the table. So...

Mr. Snyder: Yeah.

Mr. Osborne: Okay.

FINAL CALL FOR NEW BUSINESS:

Mr. Snyder: But I appreciate it, thank you for that. Any other comments? If not then I'll entertain a motion to adjourn.

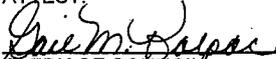
ADJOURN:

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

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

No: 0

ATTEST:


CLERK OF COUNCIL


PRESIDENT OF COUNCIL