



# City of North Canton, Ohio

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## **Council Meeting Agenda Monday, October 22, 2012 - 7:00 p.m.**

1. Call to Order: 7:00 p.m.
2. Opening Prayer: Rev. David Warren, 1<sup>st</sup> Southern Baptist Church
3. Pledge of Allegiance
4. Roll Call
5. Consideration

Special Council Meeting Minutes – October 3, 2012  
Public Hearing Minutes – October 8, 2012  
Council Meeting Minutes – October 8, 2012

6. Committee Minutes
7. Recognition of Visitors

### OLD BUSINESS:

8. **Ordinance No. 91-12 – 3<sup>rd</sup> Reading – Ordinance, Rules & Claims (tabled prior to the third reading October 8, 2012)**  
An ordinance defining Graffiti ("Graffiti"), establishing the offense and penalties for the application of Graffiti, providing for the abatement of Graffiti, and establishing a civil penalty for a property owner's failure to timely remove Graffiti.
9. **Ordinance No. 96-12 – 2<sup>nd</sup> Reading – Community & Economic Development**  
An ordinance amending Ordinance No. 50-03, Zoning Ordinance of the City of North Canton, to change the zoning district of the premises situated with frontage on Applegrove Street NW and known as all of Parcel No. 9208676, and part of Parcel No. 9208743, and all of Parcel No. 9204594 and located in the City of North Canton from R2F, Two Family District, to GB-A, General Business District.

**NEW BUSINESS:**

10. **Resolution No. 97-12 – 1<sup>st</sup> Reading – Personnel & Safety**  
A resolution authorizing the Mayor of the City of North Canton to enter into a Contract and Memorandum of Understanding (“MOU”) by and between the City of North Canton (“Sub-grantee”) and the University of Akron Research Foundation (“Lead Agency”) to join and be a participating member of the 2013 Stark County OVI (Operating of a Vehicle while Intoxicated) Countywide Task Force and declaring the same to be an emergency.
  
11. **Ordinance No. 98-12 – 1<sup>st</sup> Reading – Water, Sewer & Rubbish**  
An ordinance authorizing the Director of Administration of the City of North Canton to apply for and to enter into a 2013 Recycling Makes Sense Grant Agreement by and between the City of North Canton and the Stark-Tuscarawas-Wayne Joint Solid Waste Management District for the purpose of accepting and utilizing the grant to provide funding for portions of the recycling program, and declaring the same to be an emergency.
  
12. **Resolution No. 99-12 – 1<sup>st</sup> Reading – Finance & Property**  
A Resolution accepting the amounts and rates as determined by the Budget Commission and authorizing the necessary tax levies and certifying them to the County Auditor and declaring the same to be an emergency.

**REPORTS:**

Director of Law  
Mayor

Director of Finance  
City Engineer

Director of Administration  
Dir. of Administrative Services

**REPORTS – COUNCIL:**

Mark Cerreta      At Large  
Dan Griffith      At Large  
Marcia Kiesling    At Large

Doug Foltz      Ward 1  
Daniel Peters    Ward 2  
Stephanie Werren    Ward 3  
Jon Snyder      Ward 4

**FINAL CALL FOR NEW BUSINESS:**

**ADJOURN:**

Gail M. Kalpac  
Clerk of Council

DAYTON LEGAL BLANK, INC., FORM NO. 10148

Held Wednesday, October 3, 2012 5:30 p.m. 20 12

## CALL TO ORDER:

1. The special council meeting was called to order Wednesday, October 3, 2012 at 5:30 p.m. by President of Council Jon Snyder.

## ROLL CALL:

2. The following members of council were present for the special council meeting: Foltz, Griffith, Kiesling, Peters and Snyder. Council Member Cerreta was not present for the special council meeting. Also present were: Director of Administration Grimes, Director of Law Fox, Director of Administrative Services Bartos, Director of Permits & Development Bowles and Clerk of Council Kalpac. Mayor Held, Director of Finance Alger and City Engineer Benekos were not present for the special council meeting.

Mr. Snyder: Pursuant to a roll call vote, this meeting was called for the purpose of deliberation and consideration of the appointment of the vacancy in Ward 3. We've advertised the position. We held three executive sessions relative to the position. We had very, very strong candidates and I cannot tell you, it was a very difficult thing as we went through, because we had absolutely very, very good candidates. At the end of each executive session, through those sessions we deliberated on the individuals that we interviewed. We interviewed again Monday night and spent another 20 to 25 minutes deliberating that period. Pursuant to our Charter, we need four affirmative votes for the appointment. Should we get those, that person would most probably be appointed or sworn in this evening. Should one candidate not get four votes, we will continue to deliberate until we do get that situation. That's the process. It's been a very open and transparent process, and we hope that whoever gets the appointment is able to fulfill it and continue to hold that position. At this time, I will ask the members - First of all, I must excuse Member Cerreta.

Mr. Griffith moved and Mr. Peters seconded to excuse the absence of Council Member Cerreta. All members present voting:  
 Yes: Foltz, Griffith, Kiesling, Peters, Snyder  
 No: 0

## VOICE VOTE - APPOINTMENT OF WARD 3 COUNCIL MEMBER:

3. Mr. Snyder: Is there any additional deliberations relative to the members that have applied or the candidates that have applied? Does anybody have any other input other than what we have considered?

Mr. Peters: I do not. I would just like to take this opportunity to the candidates that are here, that applied, to thank you personally for putting your name and showing a true motivation passion to serve. It's tough. There's only one winner. I can't see how many of you are out here, I think there are five. So you know four of you that are here are not going to get the appointment. So you, you know, just by virtue of that you put yourself out there, you put your name out there. For that I applaud you. We all know what it takes to do that. So I'd like to personally thank you.

Mr. Snyder: Okay. Well at this time, I'll entertain a motion for anyone who has a motion to appoint an individual to the Council for the vacancy in the 3<sup>rd</sup> Ward.

Mrs. Kiesling: I'd like to motion Stephanie Snow Werren.  
 Mr. Peters: I'll second.

Mr. Snyder: Is there any other motions to - of appointment?

Mr. Griffith: I think it would be appropriate to take the vote and if it's unsuccessful...

Mr. Snyder: Well we'll close the motion and take a vote. Is there a motion to close the nomination?

Mr. Peters: I'll motion to close.  
 Mrs. Kiesling: Second.

Mr. Snyder: Okay. Will the Clerk call the role for the appointment of Stephanie Werren to the vacant seat of the Council?

All members present voting to appoint Stephanie Snow Werren to the position of Ward 3 council member:  
 Yes: Griffith, Kiesling, Peters, Snyder, Foltz  
 No: 0

RECORD OF PROCEEDINGS

0457

Minutes of

COUNCIL OF THE CITY OF NORTH CANTON

SPECIAL

Meeting

DAYTON LEGAL BLANK, INC., FORM NO. 10148

Held

Wednesday, October 3, 2012

5:30 p.m.

20

12

Mr. Snyder: Five members voting in the affirmative. At this time, Mrs. Werren, we appoint you to the Council to fulfill the unexpired term of our new Law Director. And congratulations and ...  
Mrs. Werren: Thank you.

Mr. Snyder: to everybody who that's applied, we do appreciate it. At this time, other than the formal action and of swearing the member in, there will be, if the person so likes on Monday evening we can have what we call a formal swearing in if you would like to bring your family and redo it. But actually we are bound by Charter to have a person in place thirty days from the resignation. So we have to swear you in this evening to take over effective immediately. And then if you would so like to have your family come over we can do that and we'd gladly do that for you on Monday night. At this time, I would ask the Law Director - please step forward Mrs. Werren, we'll ask the Law Director to swear you in... inaudible...

Mrs. Kiesling: I got to use a little cheat sheet.

Mr. Peters: Stephanie, congratulations and welcome.

Mr. Fox: Stephanie, congratulations and welcome.

Mrs. Werren: Thank you. It's an honor and I'm thrilled to serve. And I'm just excited. I still have butterflies and my hands are sweating. So thank you very much. I'm excited to be a part of things, and you've done such a great job and I see the cohesiveness that you have which I think is so important to continue to build that consensus, and I'm willing to learn and jump right in there. And I'm already thinking when I can meet with Gail first

(Laughter)

Mrs. Werren: So thank you. You had a lot of good candidates. And if it's okay I would love, on Monday, to do a formal swearing in...

Mr. Snyder: Absolutely. That's no problem. Please bring your family, We'll mark it on the agenda and we'll have...

Mrs. Werren: If that's ok. You guys got to see it. I should have my kids, right.

Mrs. Kiesling: Right, exactly.

Mr. Griffith: It never hurts to be reminded more than once about what our obligations are.

Mrs. Kiesling: Yeah. My kids have been to all of mine.

OATH OF OFFICE:

Mr. Fox: Please raise your hand, state your name, and repeat after me...

Mrs. Werren: Okay.

Mr. Fox and Mrs. Werren: Please raise your right hand and repeat after me: I, Stephanie Werren, do solemnly swear to support the Constitution of the United States, the Constitution of the State of Ohio, and the ordinances and resolutions of the City of North Canton, Ohio, and to faithfully, honestly, and impartially discharge the duties of the Office of Councilmember of the City of North Canton, Ohio. And I do this as I shall answer unto God.

Mr. Fox: Congratulations, Stephanie.

(Applause)

Mrs. Kiesling: Congratulations, Stephanie.

Mrs. Snyder: Congratulations.

Mr. Peters: Congratulations.

Mr. Foltz: Congratulations.

Mrs. Werren: Thank you very much. Thank you so much.

(Applause)

Mrs. Kiesling: We need to end the meeting.

Mr. Snyder: Is there a motion to adjourn?

RECORD OF PROCEEDINGS

Minutes of COUNCIL OF THE CITY OF NORTH CANTON SPECIAL Meeting

DAYTON LEGAL BLANK, INC., FORM NO. 10118

Held Wednesday, October 3, 2012 5:30 p.m. 20 12

ADJOURN

Mr. Peters moved and Mr. Foltz seconded to adjourn the special council meeting. All members present voting: Yes: Kiesling, Peters, Snyder, Foltz, Griffith No: 0

The special council meeting was adjourned at 5:37 p.m.

PRESIDENT OF COUNCIL

ATTEST:

CLERK OF COUNCIL

10/5/12-BKP

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RECORD OF PROCEEDINGS

0459

Minutes of COUNCIL OF THE CITY OF NORTH CANTON PUBLIC HEARING Meeting

DAYTON LEGAL BLANK, INC. FORM NO. 10148

Held Monday, October 8, 2012 6:40 p.m. 20 12

CALL TO ORDER:

The public hearing was called to order Monday, October 8, 2012 at 6:40 p.m. by President of Council Jon Snyder.

Notice is hereby given that a public hearing will be held by the Council of the City of North Canton on Monday, October 8, 2012 at 6:40 p.m. in the Council Chamber at North Canton City Hall. Any person interested will be provided an opportunity to be heard. A request for an amendment to the North Canton Zoning Ordinance was submitted by Ronald S. Postiy, William P. Postiy, and Donna L. Craig requesting a zone change for all of Parcel No.; 9208676; and part of Parcel No. 9208743; and all of Parcel No. 9204594 for the premises with frontage on Applegrove Street NW. The premises are presently zoned R2F, Two Family District and it is requested that the premises be rezoned to GB-A, General Business District. The North Canton Planning Commission, at their August, 2012 meeting, by a voice vote 5-yes and 0-no, has recommended these properties be rezoned from R2F to GB-A. Final action thereon, according to law, will be taken by the Council of the City of North Canton subsequent to the date of said public hearing.

ROLL CALL:

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

The following members of council responded to roll call: Cerreta, Foltz, Griffith, Peters, Snyder, and Werren.

Mr. Snyder: May we have a motion to excuse Member Kiesling.

Mr. Foltz moved and Mr. Peters seconded to excuse absence of Council Member Kiesling. All members present voting:

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

No: 0

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

Mr. Snyder: Pursuant to the Planning Commission's approval by a 5-0 vote, they're recommending that the parcel be changed from the existing Parcel No. 9206676, 9208743, and 9204594, fronting Applegrove. It is presently zoned R2F, two-family, and it is requested that that parcel, those three parcels fronting, be changed to GBA. Is there anybody in the audience wishing to speak in favor of the zone change? Is there any - Mrs. Welch, you want to speak? Please step forward and state your name and address for the record.

Mrs. Welch: I'm Miriam Welch. 800 Applegrove Street NW. And first of all is maybe you do or don't know we spent or Mr. Foltz spent a lot, a lot of time. And I want to thank him for his concern and his loyalty to his constituents. He did an outstanding job. And even better job when he orchestrated and encouraged this compromise. And because it's a compromise, I can't say I'm 100% pleased. I mean that's not what you get with a compromise, but you get contentment. And Mr. Foltz, along with the people involved, we've worked out something, a compromise, and I'm sure you, we have the map and I'm hoping that City Council will approve it. And again, thank Mr. Foltz. He's that prime example of an outstanding Council person. Thank you.

Mr. Foltz: Thank you, Miriam.

Mr. Snyder: Thank you Mrs. Welch. That's very nice of you. Mr. Postiy.

Ron Postiy. I'd like to thank Mr. Foltz, also. You know, we've had our disputes for the last couple of years, but at least he used some pretty good suggestions bringing everybody together. We were able to sit down and work a compromise up that satisfied some of the people and satisfied us. So I don't agree with a lot of things he does, but he does represent his people very well. If I was in his district, I'd vote for him.

(Laughter)

Mr. Postiy: But - so thank you.

Mr. Foltz: Thank you.

Mr. Snyder: Thank you. Anyone else wishing to speak in favor? Anybody wishing to speak in opposition? Members of Council, Member Foltz?

RECORD OF PROCEEDINGS

Minutes of COUNCIL OF THE CITY OF NORTH CANTON PUBLIC HEARING Meeting

DAYTON LEGAL BLANK, INC., FORM NO. 10148

Held Monday, October 8, 2012 6:40 p.m. 20 12

Mr. Foltz: No. Just, I appreciate the kind words from the Postiys and Miriam Welch, and just all the neighbors down there. I see the Mattocks are here and ...inaudible... are involved, and we just have a good group of residents. And I really wanted to personally thank Eric Bowles. He was a big part of this too. This just wasn't Doug Foltz sitting down, but Eric was a big part of this and he does a great job for us in many other facets also. So I wanted to make sure he got some attention here - well-deserved for Eric. But I'm just happy that a compromise happened and I think for the most part everybody can live with it. And that's how government should work. I think we've protected the integrity of the neighborhood through the process and I couldn't be happier in that regard. Hopefully we have some commercial property available for some nice development there on Applegate. And I appreciate the Postiys too, they did go back to the Planning Commission. I believe it just happened last Wednesday where they made a promise to the residents and myself and Eric that they would rezone the rest of their parcel, I believe it's Parcel 9208743, from R2-F to R70. So I appreciate that they did do that and I think that is the buffer we're looking for the neighborhood of Woodrow and Browning. So, those are my comments Jon, so thank you.

Mr. Snyder: Thank you. Any other members of Council wishing to speak at this time?

Mr. Cerreta: Nice job, Doug. Very nice.

Mr. Griffith: I spoke, I apologize for my voice, but I spoke to a number of residents who also really wanted to complement you on your efforts. It really is a compromise. This is how government should work, and I appreciate your efforts.

Mr. Foltz: Thank you.

Mr. Snyder: Very good. There being no other statements or testimony to be given, pursuant to this. We'll go before the Council. As soon as this meeting is adjourned, we'll move to a Council of the Whole, at which time the Committee will report and the recommendation to move to full Council to wit it will be heard the first reading of the public hearing will be done tonight. And consequently two additional readings will be heard and a thirty day cooling off period and that parcel will be zoned as GBA. There being no other business to come before this public hearing, at this time we'll entertain a motion to adjourn.

Mr. Foltz moved and Mr. Snyder seconded to adjourn the public hearing.

Mr. Snyder: Roll call please.

All members present voting:  
Yes: Griffith, Peters, Snyder, Werren, Cerreta, Foltz.  
No: 0

The public hearing adjourned at 6:47 p.m.

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PRESIDENT OF COUNCIL

ATTEST:

\_\_\_\_\_  
CLERK OF COUNCIL

10/9/12-bkp

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RECORD OF PROCEEDINGS

0461

Minutes of

COUNCIL OF THE CITY OF NORTH CANTON

REGULAR

Meeting

DAYTON LEGAL BLANK, INC., FORM NO. 10148

Held

Monday, October 8

7:00 p.m.

20 12

CALL TO ORDER:

- 1. The council meeting was called to order Monday, October 8, 2012 at 7:00 p.m. by President of Council Jon Snyder.

OPENING PRAYER:

- 2. The opening prayer was delivered by Rev. Mel Lindberg (Retired) United Methodist Church

PLEDGE OF ALLEGIANCE:

- 3. All present recited the Pledge of Allegiance.

OATH OF OFFICE – STEPHANIE SNOW WERREN:

- 4. Mr. Snyder: At this particular time it will be our distinct pleasure to swear into office our newest member of the council, Stephanie Werren. And, I'll ask the Law Director, Tim Fox to do it. Steph, do you want to come forward. You may ask your family to join you if you'd like.

Mrs. Werren: I would like. They can stand here.

Mr. Snyder: Yes.

Mrs. Werren: Okay.

Mr. Fox: First I'd just like to say that it is my honor to swear in Stephanie as the next Councilperson for the Third Ward. Ironically, it's also for my former Ward, so it is indeed an honor and I know you're going to do very well.

Mr. Fox and Mrs. Werren: Please raise your right hand and repeat after me. I, Stephanie Werren, do solemnly swear to support the Constitution of the United States, the Constitution of the State of Ohio, and the ordinances and resolutions of the City of North Canton, Ohio. And to faithfully, honestly, and impartially discharge the duties of the Office of Council Member of the City of North Canton, Ohio, and this I do, as I shall answer unto God.

(Applause)

Mrs. Werren: Just to thank you again, and I'm honored to be doing this. And I am willing to learn and I have a lot of questions that I have already started asking a lot of you, I know. And very quickly I want to thank everyone for your support. They have a celebration cake waiting for me tonight, so we can't go too long or the ice cream will melt. I appreciate all your support and it's a pleasure to be here.

Mr. Snyder: Well, we're tickled to death to have yo.

(Applause)

ROLL CALL:

- 5. Mr. Snyder: Will the Clerk please call the roll?

The following members of council responded to roll call: Cerreta, Foltz, Griffith, Peters, Snyder and Werren.

Also present were: Mayor Held, Director of Administration Grimes, Director of Law Fox, Director of Finance Alger, City Engineer Benekos, Director of Permits & Development Bowles, Administrative Services Bartos and Clerk of Council Kaipac.

Mr. Snyder: May I have a motion to excuse Member Kiesling?

Mr. Cerreta moved and Mr. Foltz seconded to excuse the absence of Council Member Kiesling. All members present voting:

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

No: 0

CONSIDERATION:

- 6. Council Meeting Minutes – September 24, 2012

Mr. Snyder: May I have a motion and second to approve as presented the Council Meeting Minutes of September 24, 2012?

## RECORD OF PROCEEDINGS

Minutes of

COUNCIL OF THE CITY OF NORTH CANTON

REGULAR

Meeting

DAYTON LEGAL BLANK, INC., FORM NO. 10148

Held Monday, October 8 7:00 p.m. 20<sup>12</sup>

Mr. Foltz moved and Mr. Peters seconded to approve as presented Council Meeting Minutes from September 24, 2012. All members present voting:

Yes: Griffith, Peters, Snyder, Cerreta, Foltz

No: 0

Abstain: Werren

Mr. Snyder:

Mrs. Werren: Can I - am I not to abstain?

Mr. Snyder: Please. If you like. You can abstain since you weren't here at that time. That's fine.

## COMMITTEE MINUTES:

7. Mr. Snyder: At this time, may I have a motion and second to approve as presented the Executive Session for Personnel and Safety held 9/24, 9/26, and 10/1/12. Committee Report Minutes for Community and Economic Development, Finance and Property, and Ordinance, Rules and Claims all held 10/1/12.

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

Yes: Peters, Snyder, Cerreta, Foltz, Griffith

No: 0

Abstain: Werren

**Executive Session for Personnel & Safety Committee:** Please refer to the minutes on file in the Council Office of the Executive Sessions for Personnel & Safety Committee meeting held September 24, 25 and October 1, 2012.

**Community & Economic Development Committee:** Please refer to the minutes on file in the Council Office of the Community & Economic Development Committee meeting held October 1, 2012.

**Finance & Property Committee:** Please refer to the minutes on file in the Council Office of the Finance & Property Committee meeting held October 1, 2012.

**Ordinance, Rules & Claims Committee:** Please refer to the minutes on file in the Council Office of the Ordinance, Rules & Claims Committee meeting held October 1, 2012.

## RECOGNITION OF VISITORS:

8. Mr. Snyder: Thank you. I'd like to read into the record and for the public, that this past weekend we had a website problem, so we were unable to post our agendas and our minutes. We apologize for that. That's been corrected. It seemed that we developed a virus and rather than pass it through to the citizenry we shut the website down temporarily. And I think it's up and running at this present time. So we do apologize for that. At this time the Council will recognize anybody wishing to speak to it. Please step forward and state your name and address for the record.

Ronald Bertcher, 431 Woodside: This is for the Administration, but mainly to Mr. Snyder. Two weeks ago at council meeting you shook my hand and introduced yourself. You promised to get me answers to my questions of whom is certified by the City of North Canton for building, electrical, plumbing inspection. I'm still waiting for them answers. The State requires these inspectors to be certified. And my name is Robert Paul Bertcher. I live at 431 Woodside Avenue NE in North Canton. You did not get back to me. I came tonight and Mr. Bowles did give me some paperwork. But I did find on there already that the plumbing inspection was done by Don Walker for one of my neighbors and I don't think that he is certified. I did not look at the paper good enough to see it because I just got it. And I probably would not have got it had I not come to this meeting. So, thank you very much.

Mr. Snyder: Sir, to answer your statement, you would have gotten it. I spoke to Mr. Bowles, I believe on Thursday morning, I had breakfast with him, concerning that. He did collect that data that next morning after you spoke to the Mayor that evening. I did speak to Mr. Bowles and unfortunately he was unable to just drop what he was doing and prepare it, but he did tell me Thursday morning he had all that data gathered for you. I apologize for the time that it took to get it, but it would have gotten to you. That was the intention. I don't know why I did not see it previous to your getting it, so I don't know. Mr. Bowles.

RECORD OF PROCEEDINGS

Minutes of

COUNCIL OF THE CITY OF NORTH CANTON

REGULAR

Meeting

DAYTON LEGAL BLANK, INC., FORM NO. 10148

Held Monday, October 8 7:00 p.m. 20 12

Mr. Bowles: Yes. I met with Mr. Bertcher this evening and I went over and gave him the copies and I will meet with him later to explain because there is a commercial and residential element to our building inspectors. So I think that might be what Mr. Bertcher is referring to. But I did tell him that I would get him a written explanation of that because that's not something that you know the general public knows about the certification required for electrical or for plumbing or for structural. So I'll make sure I go through that with Mr. & Mrs. Bertcher.

Mr. Bertcher: I did not get much chance to look at it because I just got it, but I did see that...

Mr. Snyder: Well, that's understandable. That's not a problem. You know, as I say, it's not, I don't think it's anybody's intention to stifle your search. And they were preparing it. And I apologize because at this particular time you know they are extremely busy with a lot of things. It doesn't really give you any comfort in the fact that it's taking a while, but we'll continue to work on your problem through the Mayor and through Mr. Bowles.

Mr. Bertcher: They seem to pass the buck. And the phone don't get caught back to my neighbors, myself. It seems like everybody is awful busy. I'm sorry.

Mr. Snyder: All right sir. And I appreciate your comments. Anyone else wishing to speak? Seeing none, we'll move to the Old Business. First thing on the agenda is Ordinance No. 81-12. May I have a motion to read by title only, the third reading of Ordinance 81-12?

OLD BUSINESS:

- 9. Mr. Foltz moved and Mr. Peters seconded to **read by title only, third reading** of Ordinance No. 81-12. All members present voting:  
Yes: Snyder, Werren, Cerreta, Foltz, Griffith, Peters  
No: 0

**Ordinance No. 81-12 – 3rd Reading – Park & Recreation**

An ordinance amending Chapter 555 Parks and Playgrounds, specifically Section 555.14 PARK REGULATIONS of the Codified Ordinances of the City of North Canton.

Mr. Snyder: Chairman Foltz

Mr. Foltz: Yes. Thank you. Third reading. We've been through this through Committee, and something that Administrator Grimes has helped to update us to better serve our constituents and people who use our parks. So, I'm very much in favor of this. So I make a motion to approve the third reading.

Mr. Foltz moved and Mr. Peters seconded to **adopt the third reading** of Ordinance No. 81-12. All members present voting:  
Yes: Werren, Cerreta, Foltz, Griffith, Peters, Snyder  
No: 0

- 10. Mr. Snyder: May I have a motion to read by title only the third reading of Ordinance No. 82-12?

Mr. Foltz moved and Mr. Peters seconded to **read by title only, third reading** of ordinance No. 82-12. All members present voting:  
Yes: Cerreta, Foltz, Griffith, Peters, Snyder, Werren  
No: 0

**Ordinance No. 82-12 – 3rd Reading – Water, Sewer & Rubbish**

An ordinance approving, confirming and accepting Perpetual Public Water Main Easement, situated in the City of Green, County of Summit, State of Ohio, and known as being part of the Southwest Quarter of original Green Township Section 36, by and between the City of North Canton, an Ohio Charter Municipal Corporation its successors and assigns, ("Grantee") and the Akron-Canton Regional Airport Authority ("Grantor"), for and in consideration of One Dollar (\$1.00) and other good and valuable consideration.

Mr. Snyder: Chairman Cerreta

Mr. Cerreta: Yes, this is the third reading. We talked about this. This is a new line out to the Akron-Canton Airport. So I move we approve this Ordinance No. 82-12 for the third reading.

Mr. Cerreta moved and Mr. Foltz seconded to **adopt the third reading** of Ordinance No. 82-12. All members present voting:  
Yes: Foltz, Griffith, Peters, Snyder, Werren, Cerreta  
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, October 8 7:00 p.m. 20<sup>12</sup>

11. Mr. Snyder: May I have a motion to read by title only the third reading of Ordinance No. 83-12?

Mr. Foltz moved and Mr. Cerreta seconded to **read by title only, third reading** of Ordinance No. 83-12. All members present voting:

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

No: 0

**Ordinance No. 83-12 – 3rd Reading – Water, Sewer & Rubbish**

An ordinance approving, confirming and accepting Perpetual Public Waterline Easement, being part of Parcel No. 9204151, situated in the City of North Canton, County of Stark and State of Ohio; and being part of City Lot 1506 of C.H. Corbett's Donner Road Addition (P.B. 25, Pg. 19); also being part of parcel of land, now or formerly in the name of John H. Schen, Jr. and Kathleen Shanabruch by and between the City of North Canton, an Ohio Charter Municipal Corporation and any Public Utility regulated by the Public Utility Commission of Ohio (PUCO) its successors and assigns, ("collectively Grantees") and John J. Schen Jr. and Kathleen Shanabruch ("Grantors"), for and in consideration of One Dollar (\$1.00) and other good and valuable consideration.

Mr. Snyder: Chairman Cerreta

Mr. Cerreta: Yes, this is the third reading. Again, we talked about this, this is the Donner Project Replacement. And so I move we go ahead and approve Ordinance No. 83-12 in the third reading.

Mr. Cerreta moved and Mr. Foltz seconded to adopt the third reading of Ordinance No. 83-12. All members present voting:

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

No: 0

12. Mr. Snyder: May I have a motion to read by title only third reading of Ordinance 84-12.

Mr. Foltz moved and Mr. Peters seconded to **read by title only third reading** of Ordinance No. 84-12.

All members present voting:

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

No: 0

**Ordinance No. 84-12 – 3rd Reading – Water, Sewer & Rubbish**

An ordinance approving, confirming and accepting Perpetual Public Waterline Easement, being part of Parcel No. 9201864, situated in the City of North Canton, County of Stark, and State of Ohio, and being part of City Lot 1505 of C.H. Corbett's Donner Road Addition, also being part of a parcel of land, now or formerly in the name of Laura Brison, by and between the City of North Canton, an Ohio Charter Municipal Corporation and any Public Utility regulated by the Public Utility Commission of Ohio (PUCO) its successors and assigns, ("collectively Grantees") and Laura Brison ("Grantor"), for and in consideration of One Dollar (\$1.00) and other good and valuable consideration.

Mr. Snyder: Chairman Cerreta

Mr. Cerreta: This is also a part of the Donner Project Replacement Line, third reading. I again approve - move that we approve Ordinance No. 85-12?

Mr. Snyder: 84-12.

Mr. Cerreta: in the third reading.

Mr. Cerreta moved and Mr. Foltz seconded to **adopt the third reading** of Ordinance No. 84-12. All members present voting:

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

No: 0

13. Mr. Snyder: May I have a motion to read by title only third reading of Ordinance No. 85-12?

Mr. Foltz moved and Mr. Peters seconded to **read by title only, third reading** of Ordinance No. 85-12. All members present voting:

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

No: 0

RECORD OF PROCEEDINGS

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Minutes of

COUNCIL OF THE CITY OF NORTH CANTON

REGULAR

Meeting

DAYTON LEGAL BLANK, INC. FORM NO. 10148

Held Monday, October 8 7:00 p.m. 20 12

Ordinance No. 85-12 – 3rd Reading – Water, Sewer & Rubbish

An ordinance approving, confirming and accepting Perpetual Public Waterline Easement and Waterline Easement Vacation, being part of Parcel No. 5503229, situated in the Northeasterly Quarter of Section 6, Township of Plain (T-11, R-8), County of Stark, and State of Ohio, by and between the City of North Canton, an Ohio Charter Municipal Corporation, its successors and assigns, ("Grantee") and The Inn at Whitewood Village Limited ("Grantors"), for and in consideration of One Dollar (\$1.00) and other good and valuable consideration.

Mr. Snyder: Chairman Cerreta

Mr. Cerreta: Yes, this is the third reading, part of the Whitewood Assisted Living out there by Fishers. I move we go ahead and approve Ordinance No. 85-12 in the third reading.

Mr. Cerreta moved and Mr. Peters seconded to adopt the third reading of Ordinance No. 85-12. All members present voting:

Yes: Cerreta, Foltz, Griffith, Peters, Snyder, Werren  
No: 0

14. Mr. Snyder: May I have a motion to read by title only third Reading of Ordinance No. 86-12.

Mr. Foltz moved and Mr. Peters seconded to read by title only, third reading of Ordinance No. 86- 12. All members present voting:

Yes: Foltz, Griffith, Peters, Snyder, Warren, Cerreta  
No: 0

Ordinance No. 86-12 – 3rd Reading – Water, Sewer & Rubbish

An ordinance approving, confirming and accepting Perpetual Public Waterline Easement, being part of Parcel No. 5500203, situated in the Northwest Quarter of Section 6, Township of Plain (T-11, R-8), County of Stark, and State of Ohio, also being part of a 1.00 acre parcel owned now or previously by Kenneth S. Cantrell as recorded in Official Record 668, Page 876 of the Stark County Recorder's records by and between the City of North Canton, an Ohio Charter Municipal Corporation and any Public Utility regulated by the Public Utility Commission of Ohio (PUCO) its successors and assigns, ("collectively Grantees") and Kenneth S. Cantrell ("Grantor"), for and in consideration of One Dollar (\$1.00) and other good and valuable consideration.

Mr. Snyder: Chairman Cerreta

Mr. Cerreta: Yes, this is out by Mt. Pleasant. This takes care of three dead ends that we had out there, which we know are issues. So I say we go ahead and approve Ordinance No. 86-12 in the third reading.

Mr. Cerreta moved and Mr. Foltz seconded to adopt the third reading of Ordinance No. 86-12. All members present voting:

Yes: Griffith, Peters, Snyder, Werren, Cerreta, Foltz  
No: 0

15. Mr. Snyder: May I have a motion to read by title only, third reading of Ordinance No. 88-12?

Mr. Foltz moved and Mr. Peters seconded to read by title only, third reading of Ordinance No. 88-12. All members present voting:

Yes: Peters, Snyder, Werren, Cerreta, Foltz, Griffith  
No: 0

Ordinance No. 88-12 – 3rd Reading – Finance & Property

An ordinance authorizing the Mayor of the City of North Canton, Ohio, to enter into a contract with a financial institution that has been designated as the central depository for active funds for the City of North Canton, pursuant to Ordinance No. 81-97, for the period commencing January 1, 2013 and terminating December 31, 2015.

Mr. Snyder: This ordinance - our Ordinance 81-97 mirrors the Revised Code where it inasmuch as it requires us at least every three years to designate a central depository and that's what this is for.

Mr. Foltz moved and Mr. Peters seconded to adopt the third reading of Ordinance No. 88-12. All members present voting:

Yes: Snyder, Werren, Cerreta, Foltz, Griffith, Peters  
No: 0

16. Mr. Snyder: May I have a motion to read by title only the third reading of Ordinance No. 89-12?

DAYTON LEGAL BLANK, INC. FORM NO. 10148

Held Monday, October 8 7:00 p.m. 20<sup>12</sup>

Mr. Foltz moved and Mr. Peters seconded to **read by title only, third reading** of Ordinance No. 89- 12. All members present voting:  
 Yes: Werren, Cerreta, Foltz, Griffith, Peters, Snyder  
 No: 0

**Ordinance No. 89-12 – 3rd Reading – Finance & Property**

An ordinance amending Chapter 195 Investments, specifically Section 195.01(e)(3) INVESTMENT POLICY of the Codified Ordinances of the City of North Canton, Ohio.

Mr. Snyder: Again, this would ensure the fact that any investments that we have are enough to at least the minimum FDIC or SPCT and so forth, at least to the tune of \$250,000 insurance. And this would require that that be used in such fashion. I'll take a motion to approve.

Mr. Foltz moved and Mr. Cerreta seconded to **adopt the third reading** of Ordinance No. 89-12. All members present voting:  
 Yes: Cerreta, Foltz, Griffith, Peters, Snyder, Werren  
 No: 0

17. Mr. Snyder: May we have a motion and a second to amend Ordinance No. 91-12 as proposed 10/1/12 in the Committee of the Whole meeting.

Mr. Foltz moved and Mr. Cerreta seconded to **amended Ordinance No. 91-12 as proposed 10/1/12 in the Committee of the Whole Meeting.**

Mrs. Kalpac: Foltz  
 Mr. Foltz: Yes.

Mrs. Kalpac: Griffith.  
 Mr. Griffith: Just a point of order.  
 Mr. Snyder: Sir.

Mr. Griffith: We have additional amendments beyond what was at the Committee meeting, I believe, is that correct?

Mr. Fox: Right.

Mr. Snyder: Beyond the Committee meeting of last week?

Mr. Fox: Right, right. Some minor ...

Mr. Snyder: Yeah, so ...inaudible...

Mr. Fox: Yeah, we're going to move – request a motion to adopt as amended.  
 Mr. Foltz: As amended.  
 Mr. Fox: As amended.

Mr. Foltz: Well can we just - are we going to read it and adopt and discuss the changes? Okay. Do we want to read it first?

Mr. Griffith: Let's just move to read...

Mr. Snyder: Well you have to amend it. You have to amend it because we already – then if you've had additional without then we have to adopt without committee minutes because we have no committee minutes on the other one. They just amended it again after the meeting. So you don't have minutes to support those new amendments? So you have to amend the existing ordinance with the committee of last week and then you re-amend without minutes for the second portion.

Mr. Griffith: Let's go ahead and leave it on the table and we'll talk about it next week just to make sure ...inaudible...  
 Mr. Snyder: Okay.  
 Mr. Foltz: Okay.

Mr. Snyder: Do it right. So there was no motion or second so we'll ...

Mrs. Kalpac: There was a motion and second ...  
 Mr. Foltz: There was a motion and second, but no vote so it just stays...  
 Mr. Snyder: Okay so it just dropped. So you'll re-amend next Committee of the Whole meeting. That's fine.

RECORD OF PROCEEDINGS

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Minutes of

COUNCIL OF THE CITY OF NORTH CANTON

REGULAR

Meeting

DAYTON LEGAL BLANK, INC., FORM NO. 10148

Held

Monday, October 8

7:00 p.m.

20 12

Mrs. Kalpac: Do we have a motion to table it?  
Mr. Foltz: A motion to table. Is that what you need?  
Mrs. Kalpac: Yes.

Mr. Foltz moved and Mr. Cerreta seconded to **table Ordinance No. 91-12** prior to the third reading. All members present voting:  
Yes: Foltz, Griffith, Peters, Snyder, Werren, Cerreta.  
No: 0

Mr. Snyder: Point of order, we - I would ask at that point that the Law Director and Member Griffith please meet with Chairman Werren and bring her to speed on this ...

Mr. Griffith: Yeah, absolutely.

Mr. Snyder: So she has - she's aware of what's going on. I appreciate it. Thank you. May I have a motion to read by title only, first reading of Ordinance No. 94-12?

NEW BUSINESS:

- 18. Mr. Foltz moved and Mr. Peters seconded to **read by title only, first reading** of Ordinance No. 94-12. All members present voting:  
Yes: Griffith, Peters, Snyder, Werren, Cerreta, Foltz  
No: 0

**Ordinance No. 94-12 – 1<sup>st</sup> 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 EMS General Trust Fund to the General Trust/EMS Account in the amount of \$26,571.92 for the current expenses during the fiscal year ending December 31, 2012, and declaring the same to be an emergency.

Mr. Snyder: We had a resident that's deceased and she left to the EMS the amount of \$26,571.92 to be used solely for EMS purposes and we are transferring it out now from their trust fund to the general fund so that we may use it in that next companion ordinance. We'll show you how that is being done. So, I need a motion to approve the first reading of Ordinance No. 94-12.

Mr. Foltz moved and Mr. Peters seconded to **adopt the first reading** of Ordinance No. 94-12. All members present voting:  
Yes: Peters, Snyder, Werren, Cerreta, Foltz, Griffith  
No: 0

Mr. Snyder: As an emergency exists for the health and welfare of the citizens of North Canton, may I suspend the rules of council pertaining to Ordinance No. 94-12.

Mr. Cerreta moved and Mr. Peters seconded to **suspend the rules** for Ordinance No. 94-12. All members present voting:  
Yes: Snyder, Werren, Cerreta, Foltz, Griffith, Peters  
No: 0

Mr. Snyder: May we adopt under the suspension of the rules Ordinance No. 94-12?

Mr. Foltz moved and Mr. Peters seconded to **adopt under suspension of the rules** Ordinance No. 94-12. All members present voting:  
Yes: Werren, Cerreta, Foltz, Griffith, Peters, Snyder  
No: 0

- 19. Mr. Snyder: May we have a motion to read by title only, first reading of Ordinance No. 95-12.

Mr. Foltz moved and Mr. Peters seconded to **read by title only, first reading** of Ordinance No. 95-12. All members present voting:  
Yes: Cerreta, Foltz, Griffith, Peters, Snyder, Werren  
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, October 8 7:00 p.m. 20<sup>12</sup>**Ordinance No. 95-12 – 1<sup>st</sup> Reading – Finance & Property**

An ordinance authorizing the Mayor of the City of North Canton, through the Board of Control, to trade-in two (2) used Ferno Cots, no longer needed for municipal purposes, and apply said trade-in amount towards the purchase price of two (2) new Stryker Power Cots, for use by the EMS Department, and declaring the same to be an emergency.

Mr. Snyder: After the trade-in cost the two new cots will drop below \$25,000 aggregate, which the Mayor will be permitted to enter into a contract to purchase them. And we want to do this on an emergency basis as those will possibly allow us to move forward using two paramedics on an ambulance run versus three. These cots have the ability to lift about 750 pounds, so it will eliminate personnel and ultimately bring down our costs to transport and our cost of EMS runs, and that is the purpose of it. That being said, I'll entertain a motion to adopt the first reading of Ordinance No. 95-12.

Mr. Foltz moved and Mr. Peters seconded to **adopt the first reading** of Ordinance No. 95-12. All members present voting:

Yes: Foltz, Griffith, Peters, Snyder, Werren, Cerreta  
No: 0

Mr. Snyder: Again as an emergency exists relative to the health and safety of the citizens of the City of North Canton, may we suspend the rules of Council for Ordinance No. 95-12?

Mr. Cerreta moved and Mr. Peters seconded to **suspend the rules** for Ordinance No. 95-12. All members present voting:

Yes: Griffith, Peters, Snyder, Werren, Cerreta, Foltz  
No: 0

Mr. Snyder: May we adopt under the suspension of the rules Ordinance No. 95-12.

Mr. Foltz moved and Mr. Peters seconded to **adopt under the suspension of the rules** Ordinance No. 95-12. All members present voting:

Yes: Peters, Snyder, Werren, Cerreta, Foltz, Griffith  
No: 0

20. Mr. Snyder: May I have a motion and a second to amend the agenda to include Item 20 under Ordinance No. 96-12 and waive the rules of council requiring committee report minutes?

Mr. Foltz moved and Mr. Peters seconded to **amend the agenda to include Item 20 under Ordinance No. 96-12 and waive the rules of council requiring committee report minutes**. All members present voting:

Yes: Snyder, Werren, Cerreta, Foltz, Griffith, Peters  
No: 0

Mr. Snyder: May I have a motion to read by title only, first reading of Ordinance No. 96-12.

Mr. Foltz moved and Mr. Peters seconded to **read by title only, first reading** of Ordinance No. 96-12. All members present voting:

Yes: Werren, Cerreta, Foltz, Griffith, Peters, Snyder  
No: 0

**Ordinance No. 96-12 – 2<sup>nd</sup> Reading – Community & Economic Development**

An ordinance amending Ordinance No. 50-03, Zoning Ordinance of the City of North Canton, to change the zoning district of the premises situated with frontage on Applegrove Street NW and known as all of Parcel No. 9208676, and part of Parcel No. 9208743, and all of Parcel No. 9204594 and located in the City of North Canton from R2F, Two Family District, to GB-A, General Business District.

Mr. Snyder: Vice Chairman Cerreta.

Mr. Cerreta: Yes, this is the thing that - we just covered this in our meeting just before this. This is to rezone the area out there in the Applegrove area. We just talked about that. This is not under, this is several readings, right?

Mr. Snyder: Right. Three readings.  
Mr. Foltz: This is the first reading tonight.

Mr. Cerreta: So, I move we go ahead and approve this in the first reading.

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Minutes of COUNCIL OF THE CITY OF NORTH CANTON REGULAR Meeting

DAYTON LEGAL BLANK, INC., FORM NO. 10148

Held Monday, October 8 7:00 p.m. 20 12

Mr. Cerreta moved and Mr. Foltz seconded to adopt the first reading of Ordinance No. 96-12. All members present voting: Yes: Cerreta, Foltz, Griffith, Peters, Snyder, Werren No: 0

REPORTS:

Mr. Snyder: Okay, Director of Law

Mr. Fox: Yea. Busy couple weeks. We did complete the graffiti ordinance. I'd like to thank Bill Bartos. With his assistance, the changes that we had, again they're minor, just for the ease of identifying the individuals and the flow of the content, but certainly you'd want to read through the entire ordinance before voting on it. Involved with some issues with Finance, but everything is clicking really well. I appreciate the support I've received from Council and from the Administration.

Mr. Snyder: Good. Thank you. Director of Finance.

Mrs. Alger: No report, just to welcome the new Council Member Werren. Mrs. Werren: Thank you.

Mrs. Alger: And it's a good time so that she can start out with the 2013 budget. Good luck.

Mr. Snyder: Director of Administration

Mr. Grimes: I would also like to welcome Councilwoman Werren. You're welcome in our office at any time. If nothing else, I have the best candy dish in the City

(Laughter)

Mr. Peters: My kids can attest to that.

Mr. Grimes: A couple of weeks ago, we had introduced to you to our newest Fire Captain, EMS Captain Amy Shover. It didn't take her too long, she has already went out and completed her 36 hour fire training - she got that the other week. So she's really on it. We'll be announcing - probably this week, we did strike a gas price. I don't have the written number yet to put out, but it is going to be lower than it was last year at this time. So sometimes when I tell them to strike it and they strike it, it could be a few cents difference, but we'll get that out. I know many of the residents were asking about our aggregate gas price on that. So we'll be getting that out. Speaking of the Fire Department, it is Fire Prevention Week. They have an open house. It's going on tonight until 8:30. And again, it's open from 6:30 to 8:30 on Wednesday. So they invite you out to the Firehouse to take a look at that. Trick or Treat is going to be on Sunday, October 28th between 3 and 5 p.m. in the City of North Canton. We ask residents that want to participate to turn on a porch light so people know that you know they can come to your door. So and if you're out motoring around just be careful of the little ones out, you know, running around in their costumes crossing the street. So, we did get some good news again this week on our salt prices. It is going to be \$37.13 per ton. Last year and I know the year before it was \$51.32 per ton. So we've done pretty good on that. And we've got our Fall Yard Waste Program going on. We're handing out bags up at the Civic Center. We do it Monday through Friday 8 to - I'm sorry, noon to six Monday through Friday and then on Saturday it's eight to one. So if you go up and show your water bill and they will give you a packet of the paper bags up there. So you get about 25 bags per household. So - and I know it's in the future, but the Mayor has to declare which is the holiday for Christmas and this year he declared this year the 24th will be the official City holiday. We have to declare the day before or the day after Christmas. So it will be the day before. Thank you, Mr. President.

Mr. Snyder: Thank you Mr. Grimes. Mr. Mayor

Mayor Held: That's the day that the employees have off. It's not like I'm declaring holidays.

(Laughter)

Mayor Held: In case you're wondering Mr. Foltz: You're getting pretty full of yourself, Mayor.

Mayor Held: Yeah, that's right. No that wasn't it. That's what it sounded like when I was declaring a holiday now. But at any rate the - just a few things, first off, I'd like to thank our Administrator and also our City Engineer, because they were really pushing the contractor to get Main Street done. They really have until November 15th to have the project substantially complete, but we've got the base coat down now and that has been a really - a big help for the businesses because it was a rough, you know, it was really a rough area out there to travel on. So the base coat is all down, they've got an intermediate coat, and then the top coat. And we're ahead of schedule, which is, can't come soon enough for the businesses down there because it has been a challenge. But

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Held Monday, October 8 7:00 p.m. 20<sup>12</sup>

we've been through this before and once the project is complete everybody is very pleased. So we're hoping that that comes real soon. And then also we have the YMCA. They were looking to take their toddler and infant daycare center, as well as their daycare that's just across the street here, and combine them in two buildings. And one of the concerns that we had is that the location that they would pick might not be inside the City. But fortunately, they've purchased the property, the Willis Property, at the corner of Charlotte and Main and that is where they are going to be consolidating their infant, toddler, and daycare center, which is really nice. They don't have the plans finalized or complete, but it's good to know that the YMCA is growing and expanding right here in the City. And more importantly with all the new jobs that we have at Suarez and also the Hoover District, it's a nice convenient location for the employees to drop their children off right across the street. So, that's good news. And that's all I have.

Mr. Snyder: Thank you sir. Mr. Engineer

Mr. Benekos: Welcome.

Mrs. Werren: Thank you.

Mr. Benekos: No report.

Mayor Held: And, if I can, Councilman Werren, thank you very much. I did leave you a message the other day...

Mrs. Werren: You left a message. I got it, thank you...

Mr. Benekos: Yes, and I must say that you have a beautiful family.

Mrs. Werren: They didn't stay.

Mayor Held: Yes... You're right.

Mr. Peters: I don't blame them.

Mr. Foltz: It shows they're intelligent too.

Mayor Held: So what I was most impressed, is that they're triplets.

Mrs. Werren: Yes, they are; they're eighth graders.

Mayor Held: Wow! Wow! Very impressive. Nice family. Congratulations, and we welcome you.

Mrs. Werren: Thank you, thank you.

Mr. Snyder: Mr. Bartos.

Mr. Bartos: Congratulations and welcome to Council, Councilwoman Werren. Council President Snyder mentioned the website. I guess with Theresa being gone, I've been elected the onsite IT person here. So I can tell you that what - it looks like what happened was Malware injected itself into our website. If you tried to access it on Google - I don't know if you typed in North Canton and tried to access our site through Google, it would say "This site could harm your computer". Google tripped something found, you know, spotted the Malware. Luckily as soon as we noticed the problem, talked to Graydian, who's our website designer, they took a look at it for us, fixed the issue, contacted Google to let them know that the issue had been neutralized and also they've upped the security. So they are going to scan our website more often to catch those issues. Also onsite we had 415 Group who does our onsite IT work come and scan all our computers because Graydian feared it might have been something that happened through one of our computers. Luckily the scans came back negative, if you will. There was nothing on our computers that could have caused this. So 415 thinks it must have been some sort of attack from the outside. It wasn't a malicious piece of Malware that was looking to harm anything. It was kind of fishing for information. So but it's been neutralized. The computer scan came back negative, like I said. So we're all safe now. Secondly, last Thursday I had an opportunity to head down to Dublin, Ohio for an Intelligent Community formulated networking event. And I'd just like to thank Eric Bowles for going down with me. Not only, you know, going to one of these things, you kind of want to go with a wingman if you will, but also Eric knew just about everybody at the event. We're really lucky to have somebody with his wide span. Everybody knew - hey yeah, you started out here. And the person is like, you're right, I did. You know, it was amazing to see him interact with people. - going down to Dublin, you know, talking about the Buckeyes and how I went to Ohio State Law School would have only got me so far, but having Eric there really helped out. So thanks Eric, I really appreciate all your hard work and for coming down with me.

Mr. Bowles: We did a lot of good networking.

Mr. Bartos: We did. Definitely we did. So a lot of good for the City there.

RECORD OF PROCEEDINGS

Minutes of COUNCIL OF THE CITY OF NORTH CANTON REGULAR Meeting

DAYTON LEGAL BLANKS, INC. FORM NO. 10148

Held Monday, October 8 7:00 p.m. 20 12

REPORTS – COUNCIL:

Mr. Snyder: Thank you. Member Foltz.

Mr. Foltz: Yes, welcome to Mrs. Werren. Mike, if you can, I got a call from one of my constituents, John and Greg Strenk, they live at 7<sup>th</sup> Street NW, 625; they complained about speeding. Here again, maybe we could maybe get a patrol car out there at the stop sign and maybe can put one of those speed indicator devices on the street whenever you can schedule it. So I can talk to you about it further after the meeting.

Mr. Grimes: No, we talked. He talked with me also.  
Mr. Foltz: Oh, he did.

Mr. Grimes: I talked with the Chief and assigned the first of the day ...inaudible... we'll get down there and do something.

Mr. Foltz: Okay. Thank you for that follow up there. I appreciate it.

Mr. Snyder: Member Peters

Mr. Peters: I have no report. But I had the same issue happen in my neighborhood, and Mike talked to him also and the Chief and jumped on it pretty quickly. I think that Stealth Staff is going to get a good workout in the next couple of months because I'm hearing complaints from all over the place. Really I think it's mostly the kids coming out of the school. They're rushed to get wherever they're going. But I thank you for your help on that.

Mrs. Snyder: Member Werren

Mrs. Werren: I'm just thrilled to be here. And I've only had one call from Mr. Osborne, just welcoming me, and I appreciate that. And I'm just excited to learn and also to be a part of everything. Thank you for all the welcomes. It was - this past week was really neat because I had so many welcomes from all different parts of the County, and that was neat to see all the people that I had met previously.

Mr. Snyder: Thank you. Member Griffith

Mr. Griffith: Welcome to Steph. I want to know if Mike you've assigned her a snow truck yet. That was my question. I have no report. Thank you.

Mr. Snyder: Member Cerreta

Mr. Cerreta: Welcome also Steph.  
Mrs. Werren: Thank you.

Mr. Cerreta: Look forward to working with you. No real report under my -- oh, the Master Plan the new forms to sponsor a Gateway Sign are out. And so we'll put those on the website when we can. We already had two already taken care of. So people are - and we haven't even put them out yet, so it looks this is and hopefully will continue to be a big hit. And we've just got to get this information out to the public. So those who want to sponsor, put their names on one of these, will have the opportunity to do that. And that's one of the biggest challenge is to get it out. So maybe we'll work with the media, and we'll work online with some things. So very exciting though for a lot of folks. And I heard a lot of good comments on that. Outside of that, just want to -- Bill, thank you for your efforts on the Intelligent Community. I mean, you're taking the ball on this, and you're running with it and we really need this. This is really a cool thing for us. I know Walsh is involved in it too. And it's great to have a neighbor like that that can help, you know, we can all help each other out with that. So good work with that, you and Eric, that was - I'm sure it was a good time, Ohio State. Outside of that, that's it. That's all I have. Thank you.

Mr. Snyder: A couple of things. One, this month has five Mondays. We'll be meeting four of them. So the last Monday, there is not a meeting on the 29<sup>th</sup>, so you get a little sabbatical. Originally, you know, we had talked one of the big problems facing our City is infrastructure, roads, curbs, gutters, street surface, drainage problems which requires millions of dollars, not thousands or hundreds of thousands. We did a comprehensive study of all the streets. We have a study, a five-year study which we have on the shelf and in order for us to do that financially I will be meeting Wednesday for the first meeting with the Finance Director to begin, along with Administration, to prepare the 2013 budgets. It doesn't look real promising for a lot of money for projects. We'll be lucky to just stay. We've been very fortunate the last six years we've balanced the budget early. We've done it without any borrowings, and we're fortunate. I think in order for us to continue as we talked about doing any projects of any significance, whether it be just resurfacing or curbs and gutters, we're going to have to enter into some bond money prior to the next few months and look at study borrowing a large sum of money and paying it with the existing road fund money we have coming

## RECORD OF PROCEEDINGS

Minutes of COUNCIL OF THE CITY OF NORTH CANTON REGULAR Meeting

DAYTON LEGAL BLANK, INC., FORM NO. 10148

Held Monday, October 8 7:00 p.m. 20<sup>12</sup>

in, about \$565,000. So we'll be looking at that and be talking to Omar, or whatever his name is – that fellow in Cleveland that does our bond work. And we will be bringing that back for a work study. It is the only possible way if we can bid out five years worth of work. The Engineer is very, very good about getting us good prices, and we'll be able to do that. Put the equipment on site and finally show these people by that study that we paid for where we're going to be at. And now especially since we have two members on the 1<sup>st</sup> Ward on the Street Committee, I mean - but I just want to make it publically known that as soon as Mr. Griffith took over, Glen was getting paid ironically. Thank you Mr. Griffith. I appreciate that.

(Laughter)

Mr. Snyder: Just had to get to the right person, that's all. No disrespect.

Mr. Griffith: None taken

Mr. Snyder: But no, seriously, - so to that and on November 16<sup>th</sup> at 6:00 p.m., we'll be holding a meeting prior to our regular meeting here with residents relative to assessment of curb and gutter. We're going to talk about it. We have no idea what the ... inaudible... we know the cost it's about \$315.00 a foot on both sides. And we know the exact cost. Whether they want to share in that or how we, the mechanics of it, we have no idea. We're just going to sort of speak about it. So if you have some residents in your Ward or the At Large or some people that are concerned – not to say that we're not going to do some curb and gutter work, some streets, for reasons of drainage require curb and gutter. We're going to have to look at all that. So that's going to be a very active committee, and we hope to get going on that. So we want to make some proactive moves. The Mayor charged me with the responsibility. He says he wants these streets paved. He wants them done and he says, figure out a way to do them. So that's what we're going to have to figure out.

Mr. Peters: Hey John, what's the date on that? You said...

Mr. Snyder: November 16<sup>th</sup>. I think that's a Monday, isn't it? The 19<sup>th</sup>, excuse me, I mean 19<sup>th</sup>, I apologize. That will be at 6:00 prior to our regular meeting. And any neighbors that would like to be here, we'll have an open forum. Tim is getting some information relative to the law on assessments. The last time we did assessments was at Gaslight. We did it on a sanitary sewer line. We had Squires do the work for us. And then I think we had a very small one up in your Ward Doug, which we did internally. It was an assessment on a sewer and the Council Clerk and the Law Director did that one for us so it saved us some money. That would be a 20-year assessment for this, so we'll be looking at that. That's on the 19<sup>th</sup> Monday evening. So keep that in your diary or your calendars so you know what that's about. Other than that, that's about all I have. Any new business to come before this body? If not, I'll entertain a motion to adjourn.

ADJOURN:

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

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

No: 0

Meeting adjourned at 7:42 p.m.

\_\_\_\_\_  
PRESIDENT OF COUNCIL

ATTEST:

\_\_\_\_\_  
CLERK OF COUNCIL

10/16/12-bkp

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# City of North Canton, Ohio

Council Office  
145 North Main Street  
North Canton, Ohio 44720-2587  
330.499.3986 • 330.499.2960 Fax

*www.northcantonohio.com*  
*email: citycouncil@northcantonohio.com*

## COMMUNITY & ECONOMIC DEVELOPMENT COMMITTEE MEETING MINUTES

The Community & Economic Development Committee of North Canton City Council met as part of the Committee of the Whole Monday, October 15, 2012 in the Council Chambers at North Canton City Hall.

Present for the meeting were: Chairperson Kiesling, Vice Chairman Cerreta, Member Werren, Council Members Foltz, Griffith, Peters and Snyder.

Also present were: Mayor Held, Director of Administration Grimes, Director of Law Fox, Director of Finance Alger, City Engineer Benekos, Director of Permits & Development Bowles and Director of Administrative Services Bartos.

### Items discussed:

- a. Establish Public Hearing Date/Time re Applegrove and West Maple Zone Changes: The Committee established Monday, November 19, 2012 at 6:30 p.m. as the date and time for a public hearing to consider a proposed zone change for Parcel No. 9208743 on Applegrove Street NW from R-2F to R-70; and Parcel No. 9200578 on 234-236 West Maple Street from GB-A to R-2F.

Respectfully submitted,

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Marcia Kiesling, Chairperson

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Mark Cerreta, Vice Chairman

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Stephanie Werren, Member



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## **FINANCE & PROPERTY COMMITTEE MEETING MINUTES**

The Finance & Property Committee of North Canton City Council met as part of the Committee of the Whole Monday, October 15, 2012 in the Council Chamber at North Canton City Hall.

Present for the meeting were: Chairman Snyder, Vice Chairperson Kiesling and Member Cerreta, Council Members Foltz, Griffith, Peters and Werren.

Also present were: Mayor Held, Director of Administration Grimes, Director of Law Fox, Director of Finance Alger, City Engineer Benekos, Director of Permits & Development Bowles and Director of Administrative Services Bartos.

### Items discussed:

- a. Resolution Accepting/Certifying Property Tax Rates: The Committee authorized legislation, on an emergency basis, accepting the amounts and rates as determined by the Budget Commission and authorizing the necessary tax levies and certifying them to the County Auditor.
- b. Financial Statement – September, 2012: The Financial Statement was reviewed and will be placed on the October 22, 2012 council agenda for formal approval.
- c. Mayor's Court Receipts – August, 2012: The Mayor's Court Receipts were reviewed and will be placed on the October 22, 2012 council agenda for formal approval.
- d. Mayor's Court Receipts – September, 2012: The Mayor's Court Receipts were reviewed and will be placed on the October 22, 2012 council agenda for formal approval.

- e. Discussion – Sale of City Owned Property: Item was discussed. Council will obtain a real estate appraisal to determine value of the Engineering Building and associated real property.

Respectfully submitted,

---

Jon Snyder, Chairman

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Marcia Kiesling, Vice Chairperson

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Mark Cerreta, Member

10/18/12-gmk

c: Council, Director of Law  
Mayor, D/Administration  
D/Finance, City Engineer  
D/Permits & Development  
D/Administrative Services  
Police Chief, Fire/EMS Chief  
Press

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## **ORDINANCE, RULES & CLAIMS COMMITTEE MEETING MINUTES**

The Ordinance, Rules & Claims Committee of the North Canton City Council met as part of the Committee of the Whole Monday, October 15, 2012 in the Council Chambers at North Canton City Hall.

Present for the meeting were: Chairperson Werren, Vice Chairman Foltz, Member Kiesling, Council Members Cerreta, Griffith, Peters, and Snyder. Also present were: Mayor Held, Director of Administration Grimes, Director of Law Fox, Director of Finance Alger, City Engineer Benekos, Director of Permits & Development Bowles and Director of Administrative Services Bartos.

Item discussed:

- a. Amendment(s) to Proposed Ordinance No. 91-12 re Graffiti: Amendments were discussed; Council to consider amending proposed Ordinance No. 91-12 at its October 22, 2012 meeting to reflect same.

Respectfully submitted,

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Stephanie Werren, Chairperson

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Doug Foltz, Vice Chairman

---

Marcia Kiesling, Member

10/16/12-gmk

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## **PERSONNEL & SAFETY COMMITTEE MEETING MINUTES**

The Personnel & Safety Committee of North Canton City Council met as part the Committee of the Whole Monday, October 15, 2012 in the Council Chambers at North Canton City Hall.

Present for the meeting were: Chairman Peters, Vice Chairman Snyder, Member Griffith, Council Members Cerreta, Foltz, Kiesling and Werren. Also present were: Mayor Held, Director of Administration Grimes, Director of Law Fox, Director of Finance Alger, City Engineer Benekos, Director of Permits & Development Bowles and Director of Administrative Services Bartos.

Item discussed:

- a. 2013 OVI Countywide Task Force: The Committee, by voice vote at its October 22, 2012 council meeting, to consider authorizing the Mayor to enter into a Contract and Memorandum of Understanding by and between the City of North Canton and the University of Akron Research Foundation to join and be a participating member of the 2013 Stark County OVI Task Force.

Subsequent to the meeting, Director of Law Fox determined Council should proceed with legislation in lieu of a voice vote.

Respectfully submitted,

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Daniel Peters, Chairman

---

Jon Snyder, Vice Chairman

---

Dan Griffith, Member



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## WATER, SEWER & RUBBISH COMMITTEE MEETING MINUTES

The Water, Sewer & Rubbish Committee of North Canton City Council met as part of the Committee of the Whole Monday, October 15, 2012 in the Council Chamber at North Canton City Hall.

Present for the meeting were: Chairman Cerreta, Vice Chairman Griffith and Member Snyder, Council Members Foltz, Kiesling, Peters and Werren. Also present were: Mayor Held, Director of Administration Grimes, Director of Law Fox, Director of Finance Alger, City Engineer Benekos, Director of Permits & Development Bowles, and Director of Administrative Services Bartos.

Item discussed:

- a. 2013 Recycling Makes Sense Grant Agreement: The Committee authorized legislation, on an emergency basis, authorizing the Director of Administration to apply for and to enter into a 2013 Recycling Makes Sense Grant Agreement by and between the City of North Canton and the Stark-Tuscarawas-Wayne Joint Solid Waste Management District for the purpose of accepting and utilizing the grant to provide funding for portions of the recycling program.

Respectfully submitted,

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Mark Cerreta, Chairman

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Dan Griffith, Vice Chairman

---

Jon Snyder, Member

# RECORD OF ORDINANCES

Dayton Legal Blank, Inc.

Form No. 30043

Ordinance No. \_\_\_\_\_

Passed \_\_\_\_\_, 20\_\_\_\_

10/16/12-gmk  
(Personnel & Safety)

## Resolution No. 97-12

A resolution authorizing the Mayor of the City of North Canton to enter into a Contract and Memorandum of Understanding ("MOU") by and between the City of North Canton ("Sub-grantee") and the University of Akron Research Foundation ("Lead Agency") to join and be a participating member of the 2013 Stark County OVI (Operating of a Vehicle while Intoxicated) Countywide Task Force and declaring the same to be an emergency.

BE IT RESOLVED BY THE COUNCIL OF THE CITY OF NORTH CANTON, COUNTY OF STARK, STATE OF OHIO:

- Section 1. That the Mayor of the City of North Canton, be, and is hereby authorized to enter into a Contract and MOU by and between the Sub-grantee and the Lead Agency to join and be a participating member of the 2013 Stark County OVI (Operating of a Vehicle while Intoxicated) Countywide Task Force.
- Section 2. That if a provision of this ordinance is or becomes illegal, invalid or unenforceable, that shall not affect the validity or enforceability of any other provision of this ordinance.
- Section 3. That this resolution is hereby declared to be an emergency measure necessary for the preservation of the health, safety and peace of the City of North Canton and further necessary for the timely implementation of the OVI Contract and MOU and to ensure the continued efficient operation of the Police Department; wherefore, this ordinance shall take effect and be in force immediately upon its adoption by Council and approval by the Mayor.

North Canton, OH  
Passed:

\_\_\_\_\_  
MAYOR

SIGNED: \_\_\_\_\_, 2012

ATTEST:

\_\_\_\_\_  
CLERK OF COUNCIL

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# RECORD OF ORDINANCES

Dayton Legal Blank, Inc.

Form No. 30043

Ordinance No. \_\_\_\_\_ Passed \_\_\_\_\_, 20\_\_\_\_

10/16/12-gmk  
(Water, Sewer & Rubbish)

Ordinance No. 98-12

An ordinance authorizing the Director of Administration of the City of North Canton to apply for and to enter into a 2013 Recycling Makes Sense Grant Agreement by and between the City of North Canton and the Stark-Tuscarawas-Wayne Joint Solid Waste Management District for the purpose of accepting and utilizing the grant to provide funding for portions of the recycling program, and declaring the same to be an emergency.

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF NORTH CANTON,  
COUNTY OF STARK, STATE OF OHIO:

- Section 1. That the Director of Administration of the City of North Canton, be, and is hereby authorized to apply for a grant from the Stark-Tuscarawas-Wayne Joint Solid Waste Management District.
- Section 2. That the Director of Administration of the City of North Canton, be, and is hereby authorized to enter into a 2013 Recycling Makes Sense Grant Agreement by and between the City of North Canton and the Stark-Tuscarawas-Wayne Joint Solid Waste Management District for the purpose of accepting and utilizing the grant to provide funding for portions of the recycling program.
- Section 3. That if a provision of this ordinance is or becomes illegal, invalid or unenforceable, that shall not affect the validity or enforceability of any other provision of this ordinance.
- Section 4. That this ordinance is hereby declared to be an emergency measure necessary for the preservation of the health, safety, and peace of the City of North Canton and further necessary for the timely application and acceptance of the grant; wherefore, this ordinance shall take effect and be in full force immediately upon its adoption by Council and approval by the Director of Administration.

North Canton, OH

Passed:

\_\_\_\_\_  
MAYOR  
DIRECTOR OF ADMINISTRATION

SIGNED: \_\_\_\_\_, 2012

ATTEST:

\_\_\_\_\_  
CLERK OF COUNCIL

\*Pursuant to Section 3.01 of the North Canton Charter

ALAN HAROLD  
STARK COUNTY AUDITOR

Resolution No. 99-12

RESOLUTION ACCEPTING THE AMOUNTS AND RATES AS DETERMINED BY THE  
BUDGET COMMISSION AND AUTHORIZING THE NECESSARY TAX LEVIES AND  
CERTIFYING THEM TO THE COUNTY AUDITOR AND DECLARING THE SAME TO BE AN EMERGENCY.  
Revised Code, Secs. 5705.34-5705.35

**The (Council of the) NORTH CANTON CITY,**

Of Stark County, Ohio, met in \_\_\_\_\_ Session on the \_\_\_\_\_ day of  
\_\_\_\_\_ at the office of \_\_\_\_\_ with the following members present:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Mr./Ms. \_\_\_\_\_ moved the adoption of the following Resolution:

WHEREAS, This council in accordance with the provisions of law has previously adopted  
a Tax Budget for the next succeeding fiscal year commencing January 1st, 2013; and

WHEREAS, The Budget Commission of Stark County, Ohio, has certified its action thereon to this council  
together with an estimate by the County Auditor of the rate of each tax necessary to be levied by this (Council/Board),  
and what part thereof is without, and what part within the ten mill limitation; there be it

amounts and rates, as determined by the Budget Commission in its certification, be and the same are hereby accepted;  
and be it further

RESOLVED, That there be and is hereby levied on the tax duplicate of said (Village/City) the rate of each  
tax necessary to be levied within and without the ten mill limitation as follows:

SCHEDULE A

SUMMARY OF AMOUNTS REQUIRED FROM GENERAL PROPERTY TAX APPROVED  
BY BUDGET COMMISSION, AND COUNTY AUDITOR'S ESTIMATED TAX RATES

<u>FUND</u>	Amount to be derived from Levies outside 10 mill Limitation	Amount Approved by Budget Commission Inside 10 Mill Limitation	County Auditor's Estimate of Tax Rate to be Levied	
			Inside	Outside
General Fund		27,273	2.40 (NCCSD)	
		675,078	2.40 (NCCSD)	
		0	1.90 (JLSD)	
		7,245	2.00 (JLSD)	
		1,735	1.90 (PLSD)	
		119,318	2.00 (PLSD)	
Street Improvement Fund	356,841			1.00
Fire Fund	94,007			0.50
Ambulance Fund	703,520			1.00
Storm Sewer	356,841			1.00
<b>Total</b>	<b>1,511,209</b>	<b>830,649</b>	<b>12.60</b>	<b>3.50</b>



CERTIFICATE TO COPY  
ORIGINAL ON FILE

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The State of Ohio, Stark County, Ss.

I, \_\_\_\_\_ Clerk City/Village of \_\_\_\_\_

Within and for said County, and in whose custody the Files and Records of said Council are required by the Laws of the State of Ohio to be kept, do hereby certify that the foregoing is taken and copied from the Original now on file, that the foregoing has been compared by me with said original document, and that the same is true and correct copy thereof.

Witness my signature, this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_.

\_\_\_\_\_  
Clerk

No. \_\_\_\_\_

City/Village \_\_\_\_\_, Stark County Ohio.

**Resolution**

Accepting the amounts and rates as determined by the Budget Commission and authorizing the necessary tax levies and certifying them to the County Auditor.

Adopted \_\_\_\_\_, \_\_\_\_\_

\_\_\_\_\_  
Clerk

Filed \_\_\_\_\_, \_\_\_\_\_

\_\_\_\_\_  
County Auditor

By \_\_\_\_\_  
Deputy Auditor