

RECORD OF PROCEEDINGS

Minutes of

COUNCIL OF THE CITY OF NORTH CANTON

REGULAR

Meeting

DAYTON LEGAL BLANK, INC., FORM NO. 10148

Held Monday, November 12 7:00 p.m. 20 12

Call to Order:

- 1. The council meeting was called to order Monday, November 12, 2012 at 7:00 p.m. by Vice President of Council Marcia Kiesling.

Opening Prayer:

- 2. The opening prayer was delivered by Rev. David Zerby, Congregational United Church of Christ.

Pledge of Allegiance:

- 3. All present recited the Pledge of Allegiance.

Roll Call:

- 4. Mrs. Kiesling: Gail, would you please call the roll.

The following members of council responded to roll call: Cerreta, Foltz, Griffith, Kiesling, Peters, and Werren. Council Member Snyder was not present for the meeting. 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, Director of Administrative Services Bartos, and Clerk of Council Kalpac.

Mrs. Kiesling: May I have a motion and second to excuse Council President Jon Snyder?

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

Consideration:

- 5. Council Meeting Minutes – October 22, 2012  
Special Council Meeting Minutes – November 5, 2012

Mrs. Kiesling: Can I have a motion and second to approve, as presented, the Council Meeting Minutes of October 22, 2012 and Special Council Meeting Minutes of November 5, 2012.

Mr. Foltz moved and Mrs. Werren seconded to approve as presented the Council Meeting Minutes of October 22, 2012 and Special Council Meeting Minutes of November 5, 2012 as presented. All members present voting:  
Yes: Griffith, Kiesling, Werren, Cerreta, Foltz  
No: 0  
Abstain: Peters.

Committee Minutes:

- 6. Mrs. Kiesling: I need a motion to approve, as presented, the Committee Report Minutes for the Finance & Property Committee meeting held November 5, 2012.

Mr. Foltz moved and Mr. Griffith seconded to approve as presented the Committee Report Minutes for the Finance & Property Committee meeting held November 5, 2012. All members present voting:  
Yes: Kiesling, Werren, Cerreta, Foltz, Griffith  
No: 0  
Abstain: Peters.

Finance & Property Committee: Please refer to the minutes on file in the Council Office of the Finance & Property Committee meeting held November 5, 2012.

Recognition of Visitors:

- 7. Mrs. Kiesling: Is there anyone in the audience wishing to address Council this evening? Alright, I need a motion and second to read by title only, third reading of Ordinance No. 96-12.

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**Old Business:**

8. Mr. Peters moved and Mr. Cerreta seconded to **read by title only, third reading** of Ordinance No. 96-12. All members present voting:  
Yes: Peters, Werren, Cerreta, Foltz, Griffith, Kiesling.  
No: 0

**Ordinance No. 96-12 – 3<sup>rd</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.

Mrs. Kiesling: Yes, this is the third and final reading of a very long process. Does anybody have any question, comments? Alright, can I have a motion and second to adopt?

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

**New Business:**

9. Mrs. Kiesling: Now I need a motion and second to read by title, first reading of Ordinance No. 101-12.

Mr. Griffith moved and Mr. Peters seconded to **read by title only, first reading** of Ordinance No. 101-12. All members present voting:  
Yes: Cerreta, Foltz, Griffith, Kiesling, Peters, Werren  
No: 0

**Ordinance No. 101-12 – 1<sup>st</sup> Reading – Finance & Property**

An ordinance authorizing the Mayor of the City of North Canton upon concurrence of Council, through the Board of Control, to enter into a contract for administering a self-insured health insurance program for the period of December 1, 2012, through November 30, 2013, for the employees of the City of North Canton and declaring the same to be an emergency.

Mrs. Kiesling: Yes, this is us agreeing to go with Aultcare for the next year. Any questions, comments? I need a motion and a second.

Mr. Foltz moved and Mr. Peters seconded to **adopt the first reading** of Ordinance No. 101-12. All members present voting:  
Yes: Foltz, Griffith, Peters, Werren, Cerreta  
No: 0  
Abstain: Kiesling.

Mr. Griffith: We're not going to be able to do the emergency though.

Mrs. Kiesling: Yeah, we can't do the emergency.

Mr. Foltz: No, it will go to a second reading. We need six votes.  
Mrs. Kiesling: Right.

Mr. Foltz: There are only five here that can vote.

10. Mrs. Kiesling: So, we're going to move on. I need a motion and a second to read by title only, first reading of Ordinance No. 103-12.  
Mr. Foltz: So moved.  
Mrs. Kalpac: No, 102.  
Mr. Griffith: 102  
Mr. Peters: 102-12

Mrs. Kiesling: Say that again. We have 102?

Mr. Foltz: Resolution No. 102.  
Mr. Peters: Yeah.

Mrs. Kiesling: You're right. How did I get that? Resolution 102-12. Thank you.

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Mr. Foltz moved and Mr. Peters seconded to read by title only first reading of Resolution No. 102-12. All members present voting:  
Yes: Griffith, Kiesling, Peters, Werren, Cerreta, Foltz  
No: 0

**Resolution No. 102-12 – 1<sup>st</sup> Reading – Finance & Property**

A Resolution adopting an Amended Section 125 Premium Only Cafeteria Plan (the "Plan") for the City of North Canton for the period January 1, 2013 through December 31, 2013 and declaring the same to be an emergency.

Mrs. Kiesling: Yes, this is something we do every year regarding how we have our health care benefits taken out and all that good stuff. Any questions, comments? I need a motion and a second to adopt.

Mr. Peters moved and Mrs. Werren seconded to adopt the first reading of Resolution No.102-12. All members present voting:  
Yes: Kiesling, Peters, Werren, Cerreta, Foltz, Griffith  
No: 0

Mrs. Kiesling: As time is of the essence I need a – no, this is just a Resolution, we don't need to do that. Right?

Mr. Fox: Right.

Mrs. Kiesling: Well, we're good. Alright, now, I need a motion and second to read by title only Ordinance No. 103-12. Go ahead.

Mrs. Kalpac: In the past, we've always suspended the rules for that.

Mrs. Kiesling: For a resolution?  
Mrs. Kalpac: Yes...

Mrs. Kiesling: We can do that.

Mrs. Kalpac: But it's up to the Director of Law.

Mrs. Kiesling: It's up to the Director of Law. Tim, do you care?

Mr. Fox: No, I don't know that we need to suspend the rules for the Resolution, but if we've done that in the past, maybe it's something that I'm not quite aware of. So...  
Mrs. Kiesling: Alright.

Mr. Fox: Is this one that you'd abstain?

Mrs. Kiesling: No...  
Mr. Fox: Okay.

Mrs. Kiesling: I can do it on the cafeteria plan.

Mr. Fox: Okay, good, you can go ahead.

Mrs. Kiesling: I need a motion and second to suspend the rules for Resolution No.102-12

Mr. Peters moved and Mr. Cerreta seconded to suspend the rules for Resolution No. 102-12. All members present voting:  
Yes: Peters, Werren, Cerreta, Foltz, Griffith, Kiesling  
No: 0

Mrs. Kiesling: I need a motion and second to adopt under suspension of the rules Resolution No. 102-12.

Mr. Peters moved and Mrs. Werren seconded to adopt under suspension of the rules Resolution No. 102-12. All members present voting:  
Yes: Werren, Cerreta, Foltz, Griffith, Kiesling, Peters  
No: 0

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11. Mrs. Kiesling: I need a motion and second to read by title only, first reading only Ordinance No. 103-12.

Mr. Peters moved and Mr. Cerreta seconded to **read by title only, first reading of Ordinance No. 103-12**. All members present voting:  
 Yes: Cerreta, Foltz, Griffith, Kiesling, Peters, Werren  
 No: 0

**Ordinance No. 103-12 – 1<sup>st</sup> Reading – Finance & Property**

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 for the purchase of North Canton Drinking Water Plant ("DWP") chemicals for use by the DWP, and for the Mayor of the City of North Canton to be authorized, through the Board of Control, to enter into a contract for a two (2) year period commencing January 1, 2013 and ending December 31, 2014, for the purchase of said DWP chemicals and declaring the same to be an emergency.

Mrs. Kiesling: I think this is pretty self-explanatory, but I do have one question. Have we always done a two year?

Mr. Grimes: No, we've been doing it one year for the last few years.

Mrs. Kiesling: I thought so. Okay, now we're going with two, any specific rate cheaper or ...

Mr. Grimes: We're hoping to get more bids that way. And it was hard to get a bid on a couple of the chemicals last time, too. So...

Mrs. Kiesling: Okay. Alright, I need a motion and second to adopt the first reading of Ordinance No. 103-12.

Mr. Peters moved and Mr. Cerreta seconded to **adopt the first reading of Ordinance No. 103-12**. All members present voting:  
 Yes: Foltz, Griffith, Kiesling, Peters, Werren, Cerreta  
 No: 0

Mrs. Kiesling: As time is of the essence, I need a motion and second to suspend the rules for Ordinance No. 103-12.

Mr. Peters moved and Mrs. Werren seconded to **suspend the rules for Ordinance No. 103-12**. All members present voting:  
 Yes: Griffith, Kiesling, Peters, Werren, Cerreta, Foltz  
 No: 0

Mrs. Kiesling: I need a motion and second to adopt under suspension of the rules Ordinance No. 103-12.

Mr. Peters moved and Mrs. Werren to **adopt under suspension of the rules Ordinance No. 103-12**. All members present voting:  
 Yes: Kiesling, Peters, Werren, Cerreta, Foltz, Griffith  
 No: 0

12. Mrs. Kiesling: I need a motion and second to read by title only, first reading of Ordinance No. 104-12.

Mr. Peters moved and Mr. Cerreta seconded to **read by title only, first reading of Ordinance No. 104-12**. All members present voting:  
 Yes: Peters, Werren, Cerreta, Foltz, Griffith, Kiesling  
 No: 0

**Ordinance No. 104-12 – 1<sup>st</sup> Reading – Finance & Property**

An ordinance authorizing the Mayor of the City of North Canton, through the Board of Control, to enter into a Memorandum of Agreement to exercise the option to extend the existing contract by and between the City of North Canton and the Stark County Public Defender Commission for the purpose of providing legal counsel to indigent persons in Canton Municipal Court for a period of one (1) year beginning January 1, 2013 and ending December 31, 2013, and declaring the same to be an emergency.

Mrs. Kiesling: Yes, this is self-explanatory as well. We're entering into an agreement again with our Public Defender in Canton Municipal Court. Any questions? Okay, I need a motion...

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COUNCIL OF THE CITY OF NORTH CANTON

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Meeting

DAYTON LEGAL BLANK, INC. FORM NO. 1014B

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Mr. Foltz moved and Mr. Peters seconded to **adopt the first reading** of Ordinance No. 104-12. All members present voting:  
 Yes: Werren, Cerreta, Foltz, Griffith, Kiesling, Peters  
 No: 0

Mrs. Kiesling: As time is of the essence, I need a motion and a second to suspend the rules for Ordinance 104-12.

Mr. Foltz moved and Mr. Peters seconded to **suspend the rules** for Ordinance No. 104-12. All members present voting:  
 Yes: Cerreta, Foltz, Griffith, Kiesling, Peters, Werren  
 No: 0

Mrs. Kiesling: I need a motion and second to adopt under suspension of the rules, Ordinance No. 104-12.

Mr. Foltz moved and Mrs. Peters seconded to **adopt under suspension of the rules** Ordinance No. 104-12. All members present voting:  
 Yes: Foltz, Griffith, Kiesling, Peters, Werren, Cerreta  
 No: 0

Mrs. Kiesling: Well, that was awfully quick.

Mr. Cerreta: You're efficient – very efficient.

Mrs. Werren: Well, you threatened us.

(Laughter)

Mr. Griffith: You're going to get an offer from Kikos here.

**Reports:**

Mrs. Kiesling: Alright we'll go to reports - Director of Law.

Mr. Fox: Busy week - busy two weeks working with Finance Department. Sent out a bunch of notices for those failing to file income taxes. So hopefully we can get those back on board...

Mr. Osborne (speaking from the audience): Can you speak up, we can't hear.

Mr. Fox: Okay. Inaudible...

Mrs. Kiesling: Alright. Director of Finance

Mrs. Alger: We would like to thank the Director of Law for helping us do all those – those are awesome. And also I just want to let you know that we've been working and probably next month, we will be receiving permission to make payments of utilities through the website.

Mrs. Kiesling: Really.

Mrs. Alger: I'm really dying for that. So ...

Mrs. Kiesling: That will be great. Director of Administration

Mr. Grimes: Sometime this week we'll be putting out the Emergency Notification. It will be out there for resident to sign up for. So if something happens, either Stark County or our own dispatch center can alert a neighborhood or that. But we'll get the information to you. So, you do have to sign up via the internet. If folks do have a problem on that, we're going to let them come to the Fire Station or City Hall and we'll get them signed up one way or another on that. But we'll get that information out to you so you're aware when we put it out this week.

Mrs. Kiesling: Great. Thank you. Mayor

Mayor Held: Yes, I have two items. The first is that we did get a letter and I'm sure that all of you have seen a copy of it to preserve the Guard House Mr. Kiefer. Mr. Kiefer actually was a teacher for my wife and I believe also Councilman Cerreta. And so he had called and also Councilman Peters - anybody else in here that he talked with? But he's been, you know he's been with the City for a number of years in a number of capacities. And he had proposed that we save the Guard House. And so we're going to contact Stu Lichter and also work with the Preservation Society to make sure that that gets done. And so we think that that is a good idea. Secondly, Veterans. We do have two veterans. And Mr. Fox served in the Air Force for nineteen years.

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Mr. Fox: Twenty-one.

Mayor Held: Twenty-one years.

Mr. Fox: But who's counting?

(Laughter)

Mayor Held: Twenty-one. And Mr. Grimes also the Air Force for four years. And we appreciate your service, both of you

Mr. Grimes: Thank you.

Mayor Held: and all the veterans that have served.

Mrs. Kiesling: And I was going to say we have some veterans in the audience as well.

Mayor Held: And Mr. Osborne is a veteran also. The and the Pastor. Your - what military service again?

Reverend Zerby (speaking from the audience): Retired Army.

Mayor Held: Very good.

Reverend Zerby (speaking from the audience): Inaudible...

(Applause)

Mayor Held: Thank you. And Chuck ...

Mr. Osborne (speaking from the audience): Pardon

Mayor Held: Chuck, what branch were you in again?

Mr. Osborne: Navy and Army, National Guard.

Mr. Postiy (speaking from the audience): Navy.

Mayor Held: Navy, okay. Very good. Thank you to all of you for your service. We very much appreciate it. And that's all I have.

Mrs. Kiesling: Mr. Benekos.

Mr. Benekos: If you haven't noticed the barrels are down on North Main Street. It's not completed. There's still some other touchup work to do. The bricks still need to go in. The streetlights and traffic signals there - the new traffic signals at the Acme entrance, those are temporary signals. Those - the new ones won't be delivered I think until December. So, but that is what we have there and hopefully, Thank you.

Mrs. Kiesling: Looks great.

Mayor Held: Nice job.

Mr. Foltz: Yeah it looks great.

Mr. Benekos: Thank you.

Mr. Peters: Jim you say the actual signals themselves are new?

Mr. Benekos: Pardon...

Mr. Peters: The actual - they're the new neon or the - what's different about it? It's got that border around the corner or the ...

Mr. Benekos: Okay, going east and west the signals will all have the border around it. All the signals will be LED lights. They still have to put up the cameras that will detect cars on the side streets as opposed to a loop underneath.

Mr. Peters: Okay.

Mr. Benekos: And there is a - I think that's about it that's left to be done. So...

Mrs. Kiesling: When are we doing the rest of the signal - re-signalization?

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7:00 p.m.

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Mr. Benekos: That's scheduled for bids to be open the middle of December. So it should be by the end of next Spring that will all be accomplished.

Mrs. Kiesling: Hallelujah.

Mayor Held: Good job.

Mrs. Kiesling: Bill...

Mr. Cerreta: Inaudible... slow you down.

Mrs. Kiesling: What?

Mr. Cerreta: Nothing. It's on tape. She can go back.

Mrs. Kiesling: Gail, make sure you pick that out.

Mrs. Kalpac: Okay.

Mr. Bartos: I would just like to echo the Mayor's comments and thank all our veterans. I also I would like to thank everybody who donated to help me escape from jail. All told I raised \$580, which the MDA (Muscular Dystrophy Association) set a pretty high bar, but I set a more, I guess, realistic bar of \$300 for myself and almost doubled it. So if you still want to donate and you haven't had a chance, they leave my online account up for thirty (30) days after. So, if you're thinking oh, I wanted to get in but you didn't get to it, they left that up for thirty (30) more days. So...

(Laughter)

Mr. Bartos: Can't take cash donations but anything online. So, thanks again to everybody.

Mr. Cerreta: Jim no cash payments in this thing. Okay.

Mrs. Kiesling: Come on - come on.

Mr. Bartos: For the entire event though they did raise over \$50,000. So it was a pretty good event.

Mrs. Kiesling: Great.

Mr. Bartos: So it was very exciting.

Mrs. Kiesling: Awesome.

Mr. Griffith: Did you utilize the public defenders contract Bill for that?

**Reports - Council:**

Mrs. Kiesling: Doug, anything?

Mr. Foltz: No report.

Mrs. Kiesling: Jeff.

Mr. Peters: No report.

Mrs. Kiesling: Stephanie.

Mrs. Werren: No report.

Mr. Griffith: One quick item.

(Laughter)

Mr. Griffith: I just wanted to say - I just wanted to say...

Mrs. Kiesling: It couldn't be true. I'm just kidding you Dan. I didn't even say his name.

Mr. Griffith: She gave me the mom look though. I got the mom look. I just wanted to say, Glenwood looks wonderful, Hillcrest looks wonderful. You guys have done a great job. I was on Chatham and I hadn't been for a while and I thought that looked really well too - really good too. So I just wanted to say a quick thanks to Jim for that.

Mr. Benekos: Thank you.

Mr. Cerreta: No report.

Mrs. Kiesling: Mark

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DAYTON LEGAL BLANK, INC., FORM NO. 101-09

Held Monday, November 12 7:00 p.m. 20 12

**Final Call for New Business:**

Mrs. Kiesling: No report from me. Is there anything else to come before Council before we leave? Alright, I need a motion to adjourn.

**Adjourn:**

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

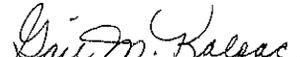
Yes: Griffith, Kiesling, Peters, Werren, Cerreta, Foltz

No: 0

The council meeting adjourned at 7:22 p.m.

  
VICE PRESIDENT OF COUNCIL

ATTEST:

  
CLERK OF COUNCIL