



City of North Canton, Ohio

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NOTICE OF MEETING

Council Meeting Agenda Monday, March 12, 2012 - 7:00 p.m.

1. Call to Order: 7:00 p.m.
2. Opening Prayer: Rev. Steve Stultz Costello, Faith United Methodist Church
3. Pledge of Allegiance
4. Roll Call
5. Consideration

Council Meeting Minutes – February 13 and 27, 2012

Financial Statement – January, 2012

Mayor's Court Receipts – January, 2012

6. Committee Minutes
7. Recognition of Visitors

OLD BUSINESS:

8. **Resolution No. 19-12 – 3rd Reading – Water, Sewer & Rubbish**
A Resolution establishing a North Canton Community Disaster Relief Fund Committee ("NCCDRFC") for the City of North Canton for the purpose of allocating funds of the North Canton Community Disaster Relief Fund.
9. **Ordinance No. 22-12 – 2nd Reading – Ordinance, Rules & Claims**
An ordinance amending Chapter 115 Rules of Council, 115.01 RULES ADOPTED of the Codified Ordinances of the City of North Canton to repeal Section 115.01(e) Moral Claims and declaring the same to be an emergency.

NEW BUSINESS: None

**Council Meeting
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REPORTS:

Director of Law
Mayor

Director of Finance
City Engineer

Director of Administration
Clerk of Council

REPORTS – COUNCIL:

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

Doug Foltz Ward 1
Daniel Peters Ward 2
Tim Fox Ward 3
Jon Snyder Ward 4

FINAL CALL FOR NEW BUSINESS:

ADJOURN:

Gail M. Kalpac
Clerk of Council

3/9/12-gmk

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

RECORD OF PROCEEDINGS

Minutes of

COUNCIL OF THE CITY OF NORTH CANTON

REGULAR Meeting

DAYTON LEGAL BLANK, INC., FORM NO. 1014B

Held Monday, February 13 7:00 p.m. 20 12

CALL TO ORDER:

- 1. The council meeting was called to order Monday, February 13, 2012 at 7:00 p.m. by President of Council Jon Snyder.

OPENING PRAYER:

- 2. The opening prayer was delivered by Rev. David E. Warren, First Southern Baptist Church.

PLEDGE OF ALLEGIANCE:

- 3. All present recited the Pledge of Allegiance.

ROLL CALL:

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

The following members of Council responded to roll call: Cerreta, Foltz, Fox, Griffith, Kiesling, Peters, and Snyder.

Also present were: Mayor Held, Director of Administration Grimes, Director of Law Nilges, Director of Finance Alger, Director of Engineering Benekos, Director of Administrative Services Bartos, Police Chief Wilder, Patrolman Officer Hemric, Police Sergeant Kemp and Clerk of Council Kalpac.

- 5. Consideration - None

- 6. Committee Minutes

Mr. Snyder: We have some committee minutes. We have a motion and second to approve as presented ...

Mr. Griffith: So moved.

Mr. Snyder: Okay.

Mr. Griffith: I'm sorry - I'll withdraw Jon.

Mr. Snyder: That's alright. The following executive session and committee report minutes. We have an executive session for Personnel & Safety held 1/30 - sorry Dan - Finance and Property; Ordinance Rules & Claims; Parks & Recreation; Streets & Alley; and Water, Sewer & Rubbish, all held the 6th day of February, 2012.

Mr. Griffith: Well I only want to make one motion tonight and I wanted to get it out of the way early.

Mr. Snyder: That's alright.

Mr. Griffith: So I'll move that we accept those.

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

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

No: 0

Executive session for Personnel & Safety: Please refer to the minutes on file in the Council Office of the Executive Session meeting for Personnel & Safety held January 30, 2012.

Finance & Property: Please refer to the minutes on file in the Council Office of the Finance & Property Committee meeting held February 6, 2012.

Ordinance, Rules & Claims: Please refer to the minutes on file in the Council Office of the Ordinance, Rules & Claims Committee meeting held February 6, 2012.

Park & Recreation: Please refer to the minutes on file in the Council Office of the Park & Recreation Committee meeting held February 6, 2012.

Street & Alley: Please refer to the minutes on file in the Council Office of the Street & Alley Committee meeting held February 6, 2012.

Water, Sewer & Rubbish: Please refer to the minutes on file in the Council Office of the Water, Sewer & Rubbish Committee meeting held February 6, 2012.

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7. Recognition of Visitors

Mr. Snyder: Thank you.
Mr. Griffith: Okay.

Mr. Snyder: At this time, I am pleased to have the Mayor – Mayor is there - would you like to recognize Patrolman Hemric on a particular thing?

Mayor Held: Yes, absolutely. Chief you can come up if you don't mind.
Chief Wilder: Yes.

Mayor Held: We have our Chief Wilder or our new Chief here. He's been on the job now for how many months Chief?

Chief Wilder: Since May.

Mayor Held: Since May.

Chief Wilder: That's right, sir.

Mayor Held: Very good. And then we also have one of our fine patrolmen here, Officer Hemric. And I know that the Chief would like to share with you a word of recognition for Officer Hemric. And Officer Hemric is really one of our strongest enforcers when it comes to citations and warnings. And I - this is for a number of years, too. So, Chief, I'll turn it over to you.

Chief Wilder: Thank you very much, Mayor, President of Council, Council Members, distinguished guests, and audience – I want to take this opportunity to bring to your attention the good work that Patrolman John R. Hemric has been doing for the Police Department and your City. I had the opportunity to nominate him on two occasions. One was through the, for the Community Law Enforcement Officer of the Year, sponsored by the Stark County Police Chiefs' Association. The second nomination that I put him in for was for the Safe Communities Traffic Officer of the Year Award. Always the bride never the – what is it - the bridesmaid, never the bride. He finished as a runner-up in both categories, but he still received an Award of Excellence from the Stark County Safe Communities. But if you would, allow me just to highlight a few things in my recommendation for Patrolman Hemric. He has been with the North Canton Police Department since July 3, 1999. He is a twelve-year veteran. He's dedicated and reliable employee. He brings to his profession his keen sense of humor, patience, and calm enthusiasm for the job. His focus of service – he serves actively in the Patrol Division. Our police agency does not have a designated traffic safety department where officers are exclusively assigned to traffic complaints or investigations, but our officers incorporate traffic enforcement into their daily patrol activities. He is a member of our Special Response Team. He serves as one of our Department's Field Training Officers, which he just completed two tours of training some new recruits for us – thanks again for that John. He understands the very – he understandably and very proficient in generating self-initiated police citizen contacts. To this date, this was back in December when I made my nomination, mid-December of last year, he had a total of 65 criminal arrests, over 200 traffic citations issued, 16 juvenile arrests, over 330 written warnings issued, 5 operating while under the influence of alcohol arrests with accompanying drug or liquor violations. Not to mention the traffic crashes that he's investigated, taking the incident reports on a daily basis, and just his regular field contacts and interviews with the public. John has that keen sense of looking beyond the stop and on his - when he encounters people primarily in traffic enforcement. He is a no-nonsense, he's direct and firm, but yet full of understanding that there are times when one has to do things right as well as do the right things for others. He's been very instrumental in confiscating a number of guns, knives, and weapons and other various quantities and types of drugs from conducting traffic stops. Patrolman Hemric continues to be a contributing police officer, in that he exemplifies his personal and professional satisfaction that his call to duty is to serve, protect, and keep our community safe for all who live, work, and visit. Some key things that John was involved in: we had a - he recovered a motorist who's had a warrant for an extradition out of Florida, operating a stolen vehicle right over on Alberta one night. And he's had other results in some of the other stops we've recovered some stolen cars because of his activity and observations. We had a gentleman who attempted to hang himself up in one of our apartment complexes. John was one of the first ones on the scene who helped break-in, get inside, and actually physically pick the person up, and hold him until the other officers could remove the noose - just an everyday type of work in the life of a patrol officer here in North Canton. Most of all, he enjoys his pastime as being a member of the motorcycle group of Law Dogs and every once in awhile you'll see him out there on his Harley, operating safely on the streets of North Canton. At any rate, John, I wanted to bring to everyone's attention your Award of Excellence, John R. Hemric, North Canton Police Department, in recognition of outstanding dedication and commitment to traffic safety in Stark County and of a job well done from the Stark County Safe Communities. Thanks for all you do for us.

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Patrolman Hemric: Thank you.

(Applause)

Chief Wilder: Thanks for allowing me to share this with the Council tonight and the audience.

Mayor Held: Chief, if you don't mind, Officer Kemp or Sergeant Kemp – Sergeant now. For some of our Council members, Chief, if you don't mind introducing.

Chief Wilder: Sergeant Kemp is our afternoon Sergeant. Working on our afternoon detail also is Officer Bill Taylor, and Patrolman Hemric keeps Sergeant Kemp on his toes.

(Laughter).

Chief Wilder: I just never know what John is going to pull over, but the neat thing about John is that he does look beyond the stop. And that's how we've recovered these drugs. That's how we get knives. That's how we get guns out of the cars. And keeping - doing the best we can to keep our community safe. So, thanks again for indulging me for these few minutes to share some good work that one of our officers is out there doing his work well.

Mayor Held: Thank you.

Mr. Snyder: Thank you Chief.

Chief Wilder: You're welcome.

Mr. Snyder: Indeed the officers are a credit to the community and to the Department. Thank you, Mr. Mayor. At this time the Council will recognize anyone in the audience wishing to speak. Please step forward, state your name and address for the record. All right, seeing none, we'll move to old business. May I have a motion to read by title only, the third reading of Ordinance 1-12?

OLD BUSINESS:

8. Mrs. Kiesling moved and Mr. Peters seconded to **read by title only, third reading of Ordinance No. 1-12**. All members present voting:
 Yes: Fox, Griffith, Kiesling, Peters, Snyder, Cerreta, Foltz
 No: 0

Ordinance No. 1-12 – 3rd Reading – Street & Alley

An ordinance authorizing the vacation of a portion of Alley No. 12, situated approximately 145 feet north of West Maple Street and parallel therewith, beginning at the east side of Mohler Court N.W. and running easterly for approximately 156 feet to Part Lot #23, and located within the corporate limits of the City of North Canton.

Mr. Snyder: Chairman Fox.

Mr. Fox: Yes sir, this is the alley we've discussed on several occasions - the North Minster Presbyterian Church, right behind us. We've had several public hearings on the matter with no opposition. Our Planning Commission has reviewed it and approved it by a vote of 5 to 0. So, I move that we accept it as written.

Mr. Fox moved and Mr. Peters seconded to **adopt the third reading** of Ordinance No. 1-12. All members present voting:
 Yes: Griffith, Kiesling, Peters, Snyder, Cerreta, Foltz, Fox.
 No: 0

9. **Resolution No. 4-12 – 2nd Reading – Water, Sewer & Rubbish**
(Tabled prior to the 2nd reading 1/30/12)

A Resolution amending Resolution No. 58-07, establishing the Drinking Water Source Protection Committee ("SWAP Committee"), by imposing certain duties and responsibilities on the Superintendent of the Drinking Water Treatment Plant or the Chief Operator of the Drinking Water Treatment Plant to

Mr. Snyder: Chairman Cerreta, is this resolution to remain on the table - No. 4-12, sir, - on the SWAP?

Mr. Cerreta: Yes -- alright.

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Mr. Snyder: And, let the record show that that will remain that way until the return of the Chairman of the Swap Committee, Mr. Robert Pattison, which is sometime in the month of April. Not knowing that, as soon as we find out, we will same. Thank you - thanks, Chairman Cerreta. New business - may I have a motion to read by title only, first reading of Ordinance No. 13-12?

NEW BUSINESS:

- 10. Mr. Fox moved and Mr. Peters seconded to **read by title only, first reading** of Ordinance No. 13-12. All members present voting:
Yes: Kiesling, Peters, Snyder, Cerreta, Foltz, Fox, Griffith
No: 0

Ordinance No. 13-12 – 1st Reading – Street & Alley

An ordinance approving, confirming and accepting a Perpetual Public Utility and Sidewalk Easement, known as Parcel No. 9208706, by and between the City of North Canton, an Ohio Charter Municipal Corporation ("City"), and CVS 75959 OH, LLC, a Delaware Limited Liability Company ("CVS"), necessary for the North Main Street Reconstruction – Phase V Project, and declaring the same to be an emergency.

Mr. Snyder: Chairman Fox.

Mr. Fox: Yes, sir. This is a request from our City Engineer to accept the easement for the public utilities and the sidewalk easement for the CVS located on Main and Applegrove, and we request the same as an emergency and to approve as written.

Mr. Snyder: Is there a second?

Mrs. Kiesling: Second.

- Mr. Fox moved and Mrs. Kiesling seconded to **adopt the first reading** of Ordinance 13-12. All members present voting:
Yes: Peters, Snyder, Cerreta, Foltz, Fox, Griffith, Kiesling
No: 0

Mr. Snyder: As the emergency exists, time is of the essence, may we have a motion to suspend the rules of Council for Ordinance No. 13-12?

- Mr. Fox motioned and Mr. Peters seconded to **suspend the rules** for Ordinance No. 13-12. All members present voting:
Yes: Snyder; Cerreta, Foltz, Fox, Griffith, Kiesling, Peters
No; 0

Mr. Snyder: May I have a motion to adopt under the suspension of the rules of Ordinance 13-12?

- Mr. Fox moved and Mr. Peters seconded to **adopt under the suspension of the rules** Ordinance 13-12. All present voting:
Yes: Cerreta, Foltz, Fox, Griffith, Kiesling, Peters, Snyder
No: 0

- 11. Mr. Snyder: May I have a motion to read by title only, first reading of Ordinance No. 14-12?

- Mrs. Kiesling moved and Mr. Cerreta seconded to **read by title only, first reading** of Ordinance No. 14-12. All members present voting:
Yes: Foltz, Fox, Griffith, Kiesling, Peters, Snyder, Cerreta,
No: 0

Ordinance No. 14-12 – 1st Reading – Street & Alley

An ordinance approving, confirming and accepting a Perpetual Public Utility and Sidewalk Easement, known as Parcel No. 9205242, by and between the City of North Canton, an Ohio Charter Municipal Corporation ("City"), and Ermanno DeDominicus and Mary A. DeDominicus, John C. Ghezzi and Patricia L. Ghezzi, necessary for the North Main Street Reconstruction – Phase V Project, and declaring the same to be an emergency.

Mr. Snyder: Chairman Fox.

Mr. Fox: Did you start with 15-12?

Mr. Griffith: I think you said 14.

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Mr. Snyder: I said 14.

Mr. Fox: 14, okay, just double checking. This is, again, as the one previous, this is a request from the City Engineer to accept the easement for public utility and the sidewalk for Phase 5 Project that would be addressed as 1310 Main Street. Request that we accept this as written and the same to be an emergency.

Mr. Fox moved and Mr. Peters seconded to **adopt the first** reading of Ordinance No. 14-12. All members present voting:
Yes: Fox, Griffith, Kiesling, Peters, Snyder, Cerreta, Foltz.
No: 0

Mr. Snyder: Again, as time is of the essence, may I have a motion to suspend the rules of Council for Ordinance 14-12?

Mr. Fox moved and Mr. Cerreta seconded to **suspend the rules** for Ordinance 14-12. All present voting:
Yes: Griffith, Kiesling, Peters, Snyder, Cerreta, Foltz, Fox.
No: 0

Mr. Snyder: May we adopt the suspension of the rules Ordinance 14-12?

Mr. Fox moved and Mrs. Kiesling seconded to **adopt under suspension of the rules** Ordinance No. 14-12. All members present voting:
Yes: Kiesling, Peters, Snyder, Cerreta, Foltz, Fox, Griffith
No: 0

12. Mr. Snyder: May I have a motion to read, first reading of Ordinance No 15-12?

Mr. Peters moved and Mrs. Kiesling seconded to **read by title only, first reading** of Ordinance No. 15-12. All members voting:
Yes: Peters, Snyder, Cerreta, Foltz, Fox, Griffith, Kiesling.
No: 0

Ordinance No. 15-12 – 1st Reading – Street & Alley

An ordinance approving, confirming and accepting a Perpetual Public Utility and Sidewalk Easement, known as Parcel No. 9205051, by and between the City of North Canton, an Ohio Charter Municipal Corporation ("City"), and Nader's Realty, Inc., necessary for the Main Street Reconstruction – Phase V Project, and declaring the same to be an emergency.

Mr. Snyder: Chairman Fox.

Mr. Fox: Yes, sir. As with the other two, this request is from the City Engineer for accepting the easement for the public utilities and the sidewalks for, I believe, the address 1319 Main Street. Request we approve it as written and same to be an emergency.

Mr. Fox moved and Mr. Peters seconded to **adopt the first reading** of Ordinance No. 15-12. All present voting:
Yes: Snyder, Cerreta, Foltz, Fox, Griffith, Kiesling, Peters
No: 0

Mr. Snyder: As time is of the essence, may we suspend the rules of council for Ordinance No. 15-12?

Mrs. Kiesling moved and Mr. Cerreta seconded to **suspend the rules** for Ordinance No. 15-12. All present voting:
Yes: Cerreta, Foltz, Fox, Griffith, Kiesling, Peters, Snyder
No: 0

Mr. Snyder: May we adopt under the suspension of the rules Ordinance No. 15-12?

Mr. Fox moved and Mr. Peters seconded to **adopt under the suspension of the rules** Ordinance No. 15-12. All present voting:
Yes: Foltz, Fox, Griffith, Kiesling, Peters, Snyder, Cerreta.
No: 0

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

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Mrs. Kiesling moved and Mr. Peters seconded to **read by title only, first reading** of Ordinance No. 16-12. All present voting:
Yes: Fox, Griffith, Kiesling, Peters, Snyder, Cerreta, Foltz
No: 0

Ordinance No. 16-12 – 1st Reading – Water, Sewer & Rubbish

An ordinance authorizing the Director of Administration of the City of North Canton to advertise and receive bids; and authorizing the Mayor of the City of North Canton, through the Board of Control, to enter into a contract for the Mt. Pleasant Waterline Extension Project (Pleasantwood to Cleveland Avenue), at a total cost not to exceed \$450,000, and declaring the same to be an emergency.

Mr. Snyder: Chairman Cerreta.

Mr. Cerreta: This is a bid to be put out that our Engineer has asked for and it needs to be an emergency to meet the date that we need to get the bid in. Jim, any comments?
Mr. Benekos: Nope.

Mr. Cerreta: Okay. So I move to - that it be put on an emergency and to be passed.

Mrs. Kiesling: Second.

Mr. Cerreta moved and Mrs. Kiesling seconded to **adopt the first reading** of Ordinance No. 16-12. All present voting:
Yes: Griffith, Kiesling, Peters, Snyder, Cerreta, Foltz, Fox
No: 0

Mr. Snyder: May I have a motion to suspend the rules of Council of Ordinance No. 16-12?

Mrs. Kiesling moved and Mr. Fox seconded to **suspend the rules** for Ordinance No. 16-12. All present voting:
Yes: Kiesling, Peters, Snyder, Cerreta, Foltz, Fox, Griffith
No: 0

Mr. Snyder: May we adopt under suspension of the rules of Ordinance No. 16-12?

Mrs. Kiesling moved and Mr. Fox seconded to **adopt under suspension of the rules** Ordinance No. 16-12. All present voting:
Yes: Peters, Snyder, Cerreta, Foltz, Fox, Griffith, Kiesling
No: 0

14. Mr. Snyder: May I have a motion to read by title only the first reading of Ordinance No. 17-12?

Mrs. Kiesling moved and Mr. Peters seconded to **read by title only, first reading** of Ordinance No. 17-12. All present voting:
Yes: Snyder, Cerreta, Foltz, Fox, Griffith, Kiesling, Peters
No: 0

Ordinance No. 17-12 – 1st Reading – Water, Sewer & Rubbish

An ordinance authorizing the Director of Administration of the City of North Canton to advertise and receive bids; and authorizing the Mayor of the City of North Canton, through the Board of Control, to enter into a contract for the Landsdowne Area Waterline Replacement Project (approximately 4,500 feet of 8" water main on Landsdowne and an additional 575 feet on the north side of Fair Oaks, from Glenwood to Bachtel), at a total cost not to exceed \$565,000, and declaring the same to be an emergency.

Mr. Snyder: Chairman Cerreta.

Mr Cerreta: Same thing. This is a bid that we need to put in to get this project going, and it needs to be an emergency, once again, to get the bid in on time.

Mr. Snyder: Privileged question. Relative to this, I know we've had several water main breaks in that "Pill Hill" area. It's costing the city several thousand dollars monthly to maintain those waterlines. We had extensive problems on Glenwood which we've now corrected and this ties back to that. This was originally put out about six years ago, but unfortunately did not meet the funding requirements - we didn't have the money to do it. So now we do and we want to take care of that. I appreciate that. Thank you, Chairman. We need a motion to adopt this.

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Mr. Cerreta: Motion to adopt this and the same to be an emergency.
Mr. Peters: Second.

Mr. Cerreta moved and Mr. Peters seconded to **adopt the first reading** of Ordinance No. 17-12. All present voting:
Yes: Cerreta, Foltz, Fox, Griffith, Kiesling, Peters, Snyder
No: 0

Mr. Snyder: As time is of the essence, may we suspend the rules of council for Ordinance 17-12?

Mrs. Kiesling moved and Mr. Fox seconded to **suspend the rules** for Ordinance No. 17-12. All present voting:
Yes: Foltz, Fox, Griffith, Kiesling, Peters, Snyder, Cerreta
No: 0

Mr. Snyder: May we adopt under suspension of the rules Ordinance No. 17-12?

Mr. Fox moved and Mr. Peters seconded to **adopt under suspension of the rules** Ordinance No. 17-12. All present voting:
Yes: Fox, Griffith, Kiesling, Peters, Snyder, Cerreta, Foltz
No: 0

15. Mr. Snyder: May we have a motion read by title only, first reading of Ordinance No. 18-12?

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

Ordinance No. 18-12 – 1st Reading – Water, Sewer & Rubbish

An ordinance authorizing the Director of Administration of the City of North Canton to advertise and receive bids; and authorizing the Mayor of the City of North Canton, through the Board of Control, to enter into a contract for the construction of the Rosewood Circle Sanitary and Street Project (from Westview to the cul de sac), at a cost not exceed \$350,000, and declaring the same to be an emergency.

Mr. Snyder: Chairman Cerreta.

Mr. Cerreta: Same type of thing, this is again, put out for bid. This is the Rosewood Circle Area, which we have discussed several times and it is an issue down there. And again it needs to be put into emergency to get the bid in on time. So I move to pass this under an emergency.

Mrs. Kiesling: Second.

Mrs. Kalpac: We need to adopt it first.

Mr. Snyder: Yea, we're going to adopt it. That's just – that was a motion to adopt.

Mr. Cerreta: Adopt it.

Mrs. Kiesling: Adopt it.

Mr. Cerreta moved and Mrs. Kiesling seconded to **adopt the first reading** of Ordinance 18-12. All present voting:
Yes: Kiesling, Peters, Snyder, Cerreta, Foltz, Fox, Griffith
No: 0

Mr. Snyder: Again, time is of the essence as an emergency exists. May we suspend the rules of Council for Ordinance No. 18-12?

Mrs. Kiesling moved and Mr. Peters seconded to **suspend the rules** for Ordinance 18-12. All present voting:
Yes: Peters, Snyder, Cerreta, Foltz, Fox, Griffith, Kiesling
No: 0

Mr. Snyder: May we adopt under suspension of the rules Ordinance No. 18-12?

Mr. Peters: Under suspension.

Mr. Snyder: Under suspension of the rules Ordinance No. 18-12.

Mrs. Kiesling: Whatever he said I motion.

Mr. Foltz: Second.

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Mrs. Kiesling moved and Mr. Foltz seconded to **adopt under suspension of the rules Ordinance No. 18-12**. All present voting:
Yes: Snyder, Cerreta, Foltz, Fox, Griffith, Kiesling, Peters
No: 0

Mr. Snyder: We may want to check the water here tonight. Maybe the lines are a little clogged here too.

(Laughter)

16. Mr. Snyder: May I make a motion to read by title only Resolution No. 19-12?

Mr. Fox moved, and Mrs. Kiesling seconded to **read by title only, first reading of Resolution No. 19-12**. All present voting:
Yes: Cerreta, Foltz, Fox, Griffith, Kiesling, Peters, Snyder
No: 0

Resolution No. 19-12 – 1st Reading – Water, Sewer & Rubbish

A Resolution establishing a North Canton Community Disaster Relief Fund Committee ("NCCDRFC") for the City of North Canton for the purpose of allocating funds for the City of North Canton Community Disaster Relief Fund.

Mr. Snyder: Chairman Cerreta.

Mr. Cerreta: Well, once again, the fund was created. I want to thank the Finance Department and Karen for all her hard work on that and getting that through, and Hans. This is, then, the next step that we need to create a committee then to really create the - for when applications that they'll have to put in - those are a need and then those to make the decisions on awarding the funds to those community members. So, I'd like to make a motion to move to pass this or accept this.

Unidentified: Adopt.

Mr. Cerreta: Adopt this. Okay.

Mr. Cerreta moved and Mr. Fox seconded to **adopt the first reading of Ordinance 19-12**. All present voting:
Yes: Foltz, Fox, Griffith, Kiesling, Peters, Snyder, Cerreta.
No: 0

17. Mr. Snyder: I have a motion to read by title only the first reading of Ordinance 20-12.

Mrs. Kiesling moved and Mr. Peters seconded to **read by title only, first reading of Ordinance 20-12**. All present voting:
Yes: Fox, Griffith, Kiesling, Peters, Snyder, Cerreta, Foltz
No: 0

Ordinance No. 20-12 – 1st Reading – Finance & Property

An ordinance authorizing the Director of Administration of the City of North Canton to advertise and receive bids; and authorizing the Mayor of the City of North Canton, through the Board of Control, to enter into a contract for the construction of the Salt Shed Project, at a cost not to exceed \$500,000, and declaring the same to be an emergency.

Mr. Snyder: As you know, we need a new salt shed to house all the salt that we saved this winter. We have more salt than we needed, so - but seriously we need to build it. It will be built right where the old one was. It meets all the EPA requirements. It's a lot of money, but it should take us right into the next few years and provide our ability to buy more salt at a better price and have it under control and not lose any of it to the elements. So, that's what we hope to do. This was financed through the bond that we sold last summer and that's about it. Any other questions? If not, I will entertain a motion to adopt the first reading.

Mr. Foltz moved and Mrs. Kiesling seconded to **adopt the first reading of Ordinance No. 20-12**. All present voting:
Yes: Griffith, Kiesling, Peters, Snyder, Cerreta, Foltz, Fox.
No: 0

Mr. Snyder: You know, to suspend the rules of council for Ordinance 20-12.

Mrs. Kiesling moved and Mr. Peters **seconded to suspend the rules** for Ordinance No 20-12. All present voting:
Yes: Kiesling, Peters, Snyder, Cerreta, Foltz, Fox, Griffith
No: 0

DAYTON LEGAL BLANK, INC., FORM NO. 10149

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Mr. Snyder: May we adopt under the suspension of the rules of council for Ordinance 20-12?

Mr. Griffith moved and Mr. Peters seconded to adopt under suspension of the rules Ordinance 20-12. All present voting:
Yes: Peters, Snyder, Cerreta, Foltz, Fox, Griffith, Kiesling
No: 0

18. Mr. Snyder: May I have a motion to amend Ordinance No. 21-12 first reading to include \$40,000 to the General Fund which is for the payment of the Master Plan, as we talked about last week. The money was - \$40,000 came in in the form of a grant. It was appropriated and not encumbered, so at the end of that physical year, it was moved back to the General Fund. \$58,000 went to the Capital Fund along with \$113,200 to a Water Revenue Fund and \$29,400 to the Sewer and Revenue Funds. The money there being to take care of some outstanding purchase orders that were not included in the 2011 payments, they were closed out prior to the bills arriving, and those are funds that have to be paid, those were bills that were incurred in fiscal 2011. As well as \$65,900 for one month of garbage service. Unfortunately, we had some new employees in the Finance Department and that bill escaped being paid in 2011. However, the vendor wants paid for that and we owe that, and that was not appropriated. So, it was originally appropriated, but again, not used, was moved back to the General Fund, now it has to be a line item appropriation. So consequently those are the changes that are coming up in your General Appropriations Revenue, which we'll talk about after we amend the current 21-12. Is there a motion to affirmatively do the same, or would we want to discuss that a little more so that you ...

Mr. Cerreta: A couple things. And those are good moves, by the way. That was, I think that's - the Master Plan I wanted to talk about because we - I don't know if we've had a chance to all see the Master Plan, have we? I'd like to maybe bring the Chamber in next week, Tuesday, and actually show us the Master Plan.

Mr. Snyder: That's not a problem. We'll put that as an agenda item.

Mr. Cerreta: If we can do that and take a look at it, and you know, kind of show us what the excitement is about. I've been out and about this whole weekend, and there has been a lot of excitement through ballgames and Rotary and so on, about what is going to be happening with that. And, I'd like everyone to see it, if you haven't done that, so they can see the excitement behind this thing, and what we want to do to put things behind it with that. Now, whether we want to do that before we vote on this, or table this and wait until we see that. It's up to us on that kind of thing. Where are we going with this tonight, Jon? We going to ...

Mr. Snyder: The question is whether we move. The thing is contractually, we've been billed for the \$40,000.

Mr. Cerreta: Okay.

Mr. Snyder: As again, the \$40,000 was through the efforts of the Economic Development Department to secure the grant from the Hoover Foundation, which they gave us. Unfortunately, what happened is originally we were going to appropriate and execute that purchase order for the full amount. Mrs. Kiesling had reservations at that time, and asked that it only be paid as it was completed, which the previous Council agreed to do. And unfortunately, as I say it fell through the cracks. So, we have been billed for this money. In fact, we morally and legally owe it. So I would request that, as Chairman of Finance, that we do amend the certificate and pay it. And, then we will go ahead with the Master Plan and see what next week is - if there's something in that particular plan that you want to go over about. I know that there is some question as to some of the things additionally you'd like to do relative to the Master Plan, which I would like to discuss if we may..

Mr. Cerreta: Sure.

Mr. Snyder: when we go into the actual ordinance - the appropriation ordinance.

Mr. Cerreta: Okay, so this is just to amend it?

Mr. Snyder: Right, this is just to amend it. And then let me explain in a little more detail to you, I know somebody will think we are spending \$100,000 for a phone system. It sounds, you know, you see Verizon ads for \$29.95, you get a cell phone. Unfortunately, it doesn't quite work that way. This system that we presently have is almost 30 years old and it is antiquated at best. This system that they're presently proposing will link every piece of equipment, every building in every institution that we have together under one system. It will all be encrypted so that there's things that are done that are - people tap into it - they don't

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want to know about, plus all of the wiring and cable and the actual equipment. We have difficulty, I know, calling some departments, have difficulty calling both the Council Office and the Mayor's Office, because there's no individual email or voice messaging system. This will all bring us all into total on the thing. As we talked about last week, we run a 40,000,000 - \$45,000,000 corporation, consequently we need this state-of-the-art equipment to maintain it. So, that is what that is all about. And it will be split up between water and sewer, and general revenue dollars, because it is those proprietary ... council support part of that. So, that's what that figure is.

Mr. Foltz: President Snyder, so you're referring to part of that then in Account 336275500 - data and phone communication project, there's \$50,000 and you were saying the other 50,000 is spread out over enterprise funds as they share in the system.

Mr. Snyder: Right, water and sewer, you are right.

Mr. Foltz: So, is that correct?

Mr. Snyder: Exactly, that's correct.

Mr. Foltz: And you've got 40,000, the addition was on page 10, which was under Planning Commission as a head, but Economic Development. That went from 6 to \$46,000.

Mr. Snyder: Exactly.

Mr. Foltz: And we didn't see an account detail change, but maybe that will be updated by the next - the second reading.

Mr. Snyder: Right.

Mr. Foltz: Those are the two we did discuss. Okay, because I'm trying to follow along. And I appreciate it Gail when you gave us hard copies before and maybe we can get another one for the next meeting.

Mr. Snyder: Right. We'll have one coming up.

Mr. Foltz: It's a little easier to try to run through it all when you can write next to the margin.

Mr. Snyder: Absolutely. We're going to hopefully read this once tonight, adopt the first reading, and come back and revisit it again with any changes or anything else that we may want to put in.

Mr. Foltz: And Karen, you did send us an email to that effect, did you not, with some of those changes to explain them?

Karen: Right.

Mr. Foltz: I don't know, I read it and lost it or something, but I appreciate it. Okay, thank you.

Mr. Peters: On the updated hard copy, could we get it where it's highlighted?

Karen: The changes.

Mr. Peters: Yeah, the changes.

Mr. Snyder. Yes, we can redline all those changes so you know exactly where we are at. Absolutely, that is not a problem. Now, may I have the positive motion to amend Ordinance 21-12?

Mr. Foltz moved and Mr. Cerreta seconded to **amend Ordinance No. 21-12, as stated above.** All present voting:

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

No: 0

Mr. Snyder: Now, may I have a motion to read by title only, first reading of Ordinance 21-12, as amended.

Mr. Foltz moved and Mr. Peters seconded to **read by title only, first reading of Ordinance 21-12, as amended.** All present voting:

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

No: 0

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Ordinance No. 21-12 - 1st Reading - Finance & Property

An ordinance to make temporary appropriations for current expenses and other expenditures of the City of North Canton, Ohio, for the period beginning January 1, 2012 and ending December 31, 2012, and declaring the same to be an emergency.

Mr. Snyder: Right, as I say, the general appropriation is, which I don't have in front of me, is about \$44,000,000, which is \$10,000,000 of that, nine million and some is under grants for infrastructure projects. We've amended the certificate to include these items which we spoke of in the amendment, to include the Master Plan which at Mr. Cerreta's request we'll be here next week and we can talk about it. I know that we spoke on the telephone with most members and administration over the last week regarding additional amendment to the certificate to include the participation of the Chamber of Commerce in our economic development. Where the thought and the idea of it is very good, and it's something that we have to work as corporate partners with the Chamber; however, we have a problem and that's called the Ohio Revised Code.

Unidentified: Inaudible...

Mr. Snyder: Excuse me - pardon me. And under the Ohio Revised Code, for the City to send money to an entity that is not controlled by the government of this municipality it's illegal. So, we are precluded from using any money from general revenue. The only monies that we could do that with are monies that are either by fees or permits or excess fees that are not general tax revenue. And now again, that money that we have as fees and other revenues have been assigned to the Suarez Corporation. So, for the next three or four years we - that money, I believe is around 50 some thousand, is it not Mayor, wasn't that - not that they're going to get all that, but it was assigned. So, I will share with you the opinion of the Law Department on that. So, what we are going to have to do is look at this thing a little differently. And so I cannot ask to have this certificate amended to include money going for economic development to the Chamber at this present time. However, we will continue to work with Mayor Held's administration and see where we can partner there and see what we are able to do. Mr. Mayor.

Mayor Held: There's a - first off when it comes to the plan that was put together, I think as Councilman Cerreta has mentioned, having a presentation here at the City Council would be an excellent idea. I know that some of you had an opportunity to attend the meeting where they had made the presentation. And really the plan exceeded my expectations, because oftentimes you see plans that are put together here in the City and it's one area to have a plan put together, but then it's a whole other subject to actually try to implement the objectives in the plan. And just from the preliminary review that we had at the presentation, I mean, there are objectives that we can certainly meet here in the next couple of years. And, I had lengthy conversations with Councilman Griffith and also Councilman Cerreta about how - and Councilman Fox - actually I talked to all of you about this over the past few days. And I think maybe what we can do in light of the funding situation with the Chamber, we may be able to look at some alternatives as far as providing funding to meet those objectives, which could be grant funding that we might have available or another avenue; just something for Council to consider.

Mr. Snyder: Well, what we hope will happen, Mr. Mayor, and I appreciate your support, is that we will be able to turn over to Councilwoman Kiesling's Committee, this plan and we will take it apart piece by piece, at least adopt something to start with. Let's just take it one piece at a time and adopt what we can - able to adopt and get behind it. I know we don't want us to bootstrap the enthusiasm of the members of Council behind this or the members of the community and the Chamber and Mr. Bowles' department, and that's, I know that both Councilman Cerreta and Griffith have a general ideas of particular parts of this plan they want adopted immediately. And I'm sure that Mrs. Kiesling's Committee will take that venture on and we'll all support that. So, we'll actually discuss that in detail next week. Which - so if you have some general ideas of some things that you want to do, we're going to get behind it and we're going to get it done. How we're going to get it done, I really don't know yet financially, but we're going to work on it and see what we can possibly get. Mr. Cerreta.

Mr. Cerreta: Well, we've been through this before. Most of the people in this room remember the Imagined North Canton with Walsh - the wonderful people at Walsh. Rich Jusseaume came here, I was in the audience, everyone else here and they gave that presentation to people, and as a citizen it was very disappointing that it never went any further. We can't have that do that again. And I think everyone feels that this plan is a good plan. I hope those that haven't seen it will see it next week. And that we look and it does more than just put little pillars and signs and everything, it creates an excitement and attitude to say, "hey, jump on board, get going with us." Dave's (Mayor Held) done a great job in his - in the administration of creating jobs and bringing them here and in collecting revenue and this is the next step that we need to - it is the attitude that says other people will help us out. Already the Rotary has jumped in forward and taken on some of this - the Lions Club, and that is the attitude. But, we need to lead the way. We need to start it. We need to start right here, and be the ones to say, "we'll appropriate some things to help you get going on this thing." And, I hope that we all agree with that. I think we all have the right attitude that we want to do that. We just need to get it, you know this paper here, is the first time I've seen this paper come

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through about it. So, we need to look at that. But, we can't do the same thing that we did in the past here. We've a good future going here. The economic times, hopefully, will get brighter and we will be leading the way with that.

Mr. Snyder: I agree. And, the Mayor has told me over the weekend here that he supports the program, he'll support us and our efforts. And I'm moved by the enthusiasm of every member. And I'm glad to be on this team, because I think as we say, if you take one piece at a time, as you gentlemen have pointed out, take one part of that plan at a time, hopefully implement it, because the City, as evidence, just the little bit we're doing with the arts down there at the Civic Center, it's a need, and the people want it. And if we're about to spend \$40,000 of their money, even though it was gifted to us, we spent \$23,000 of our own money to match it. And I'm sure Mrs. Kiesling will drive this thing. And she's been involved from its infancy and it will work. But I do appreciate everybody's hard work and their support, and we will do this. We won't let it sit on the shelf and collect dust. We have enough projects here that we've engineered and unfortunately not been able to do them and that is not the answer. The answer is - Rosewood is there, we've been working on that, but we did finally get it off the ground and hopefully we can launch this one a little quicker. Anything else anyone would like to share us? Mr. Foltz.

Mr. Foltz: No, I appreciate Councilman Cerreta's enthusiasm. And I do have a copy of it, but I welcome to see on the big screen.

Mr. Cerreta: Let's do that. Maybe come in early next week on Tuesday?

Mr. Foltz: Let's reinforce this, let's go over it. What else I want to say, we have done some things the past years, we haven't been sitting on our hands the former councils...

Mr. Snyder: No.

Mr. Foltz: and administrations, especially with the Main Street corridor and the Hoover - the Hoover complex and we've done some great things here and CIC. e've perform Council and Administration, especially with the Main Street Corridor and Hoover Complex and we've done some great things here and CIC. Inaudible... partner that with bringing in some other organizations and being very creative with those. So we don't want to forget that we have been thinking out of the box on a lot of issues. And I look forward to discussing this further and fine tuning it and see where we are at as council and where we're at financially. As you know, I'm a park guy and also, like I said, we've done some great things with Jim Benekos and Eric Bowles and grant opportunities in the past and I applaud them for that. It's a matter of seeing what grants might be available to help pay for some of this. That's what it comes down to how are we going to pay for anything? How are we going to best use taxpayers' dollars and apply for more grants to make some of this happen? That's the way I see it. So, I welcome that and look forward to those discussions.

Mr. Snyder: Not to deviate from the budget, but each and every one of you and especially Mayor Held's administration must - and the people have to understand that over the last few years there have been 800 plus jobs brought into the Community. There was a carryover of over \$500,000 from increased revenues and income tax. There's not many municipalities in the State of Ohio that can boast of that. We lost 3300 jobs, we've replaced 25% of them, and we'll continue to do that through the help of his administration and our support, we're going to make this thing work. But again, let's keep our shoulder to the wheel, and we'll make it work. Is there any other discussion on this first reading? As I said, we'll read it again. You'll be given a hard copy redlined so you know. If there's any questions or anybody from the community wants to know about it, you'll have the answers. I think, if you get the opportunity, we should thank all our bargaining units that took zero pay increases that provided us the ability to present a balanced budget. We forgot about those people. They did not take a wage increase. They sucked it in and thank God they've done that, and we've been able through the hard work of Administration, the Council, Finance Department, and our loyal and dedicated workers. So, I am very proud of those workers, as I told you last week. Anything else? If not, I'll entertain motion to adopt the first reading of Ordinance No. 21-12.

Mr. Peters: As amended?

Mr. Snyder: Excuse me.

Mr. Peters: As amended?

Mr. Snyder: As amended. Thank you.

Mr. Peters moved and Mrs. Kiesling seconded to adopt the first reading, as amended, of Ordinance No. 21-12. All present voting:

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

No:

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REPORTS:

Mr. Snyder: Okay, reports, Mr. Engineer.

Mr. Benekos: The first project that we're letting out for bid - Landsdowne waterline will be March 2nd at 11 o'clock. If any of the new council members are interested, it's a really exciting time to open bids for half a million dollars. But, if you have any questions on the bidding process, feel free to ask anytime. But so I just wanted to let you know that's the first project coming up.

Mr. Snyder: Good. Mr. Mayor

Mayor Held: Yes, we do have two new special patrolmen. They're part-timers that we swore in today - two young fellows that actually went out after the swearing in ceremony at 6 o'clock, and went out to dinner with their families. What is nice about this is that we've got young people coming in to augment our service at the Police Department. And when we - now we're in a position because of the labor agreements that were approved by this Council, we're able to hire part-timers and more than four part-timers - we're able to utilize them. That keeps our costs down in the Police Department, and so we are very proud to have two new police officers. I'm sorry that they're not here so that I could introduce them, but I'm sure you'll meet them at some point in the near future. And they're both big fellows too - one is 6'5" and the other I think is 6'2". So - and they're in good shape which is what we like here in the City. And they're nice, which is also pleasant.

Mr. Snyder: They got any go-carts - two go-carts?

(Laughter)

Mayor Held: And then, secondly, we've got these two bottles here that I'd love to pass around so that people can take a look at them. In this jar here, we've got a vegetable oil. It's produced out in Hartville. There is a company in Hartville where they actually raise the vegetables, they create the vegetable oil, it is a company called Environmental Lubricants. And what they do, is they sell this vegetable oil so that it can be utilized in the hydraulics in our dump trucks and also our snow plows, and the front-end loaders and the backhoes. This is the stuff that we were presently using and the vegetable oil is about a thousand dollars for fifty-five gallons and the present hydraulic fluid is about seven hundred dollars for a fifty-five gallon drum. In order to convert all the trucks in the City, it's about 40 to 60 gallons per truck when you include the plows. The reason we went to this is that we had a hydraulic line that broke and this hydraulic oil spilled on the ground. It cost the City about \$7500 to clean up an environmental cleanup. And it wasn't that many gallons, it's just that when you have this oil that hits the ground and if it's wet it spreads. Just like when you are at the gas station and a few drops hit the ground, it spreads quickly. So it is very expensive to clean up. So what we did is we came across this company that we're going to convert all the trucks to vegetable oil. We do have all the trucks in the Street Department, the snow plows, and so when it spills on the ground it's biodegradable. You can cook french fries with it, this is food grade. So it's healthy for the environment. And really converting all the trucks over is going to be less expensive than one cleanup. And we came across this at the recycling district, as we put it in all our trucks because we had a spill with one of the recycling trucks over at the Diamond drop-off and that was an \$8,000 cleanup - it's very expensive. And so we learned the hard way, but we're not going to allow that to happen again. And so I'll pass this around if anybody wants to take a look at it. Thank you.

Mr. Snyder: Mr. Administrator.

Mr. Grimes: While we're on the salt trucks, I know we like to say we save - we're saving money this year, but the little thing we had over the weekend, we used 600 tons of salt on that. So it just depends on how that comes, but you know, we do sometimes have to spend some of that out there. The phone system, I know, we mentioned one hundred grand. That's not in stone, that's a high estimate from us. We're still looking at it. We want to see what we'll get, how much we're going to save. We're talking about phone circuits we can do away with. It's there for the internet, and then connection of the buildings. So we're still looking at that. Obviously, we wouldn't do anything until we clear it and see what our return would be before doing it. Our phone system is antiquated, and you know, I get calls all the time that are supposed to go to the Engineering and they end up in, you know, in my office and you don't want me as your engineer. So, one of the other things is we would like - we are writing a letter asking maybe for a public meeting on March 5th at 6:00 so that we can discuss some ideas we have about the Fairways and the water runoff there, and how to control some of that.

Mr. Snyder: Okay.

Mr. Grimes: So, we would - we'll be getting a letter to your office on that.

Mr. Cerrera: What time is it?

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Mr. Snyder: March 5th.

Mr. Grimes: March 5th. 6:00 if it's available.

Mr. Snyder: That's a – is that a Monday?

Mr. Grimes: Yes

Mr. Snyder: Okay.

Mr. Grimes: And another thing that I - it's a little premature, but the Chief and one of his bargaining units are thinking about doing some reorganizing. They're working out some details and they're going to come to our office, but if it works out, we'll save another 9% in some of their salaries there. So, they're willing to work with us on that. So, that's good for them, and us. And last is on Officer Hemric, you know I worked with him a lot of years, I was his Chief and Lieutenant and that, and he is a really, really good officer. And he's one of those people that, whether it's raining, whether - whatever, he does the same thing every day, he's up for it every day and it doesn't matter what the weather is, you know, what happened to him before he came to work, he's the same officer. So, he is really a great officer. Thank you.

Mayor Heid: Very good, thank you.

Mr. Snyder: Thank you, sir. Director of Finance

Mrs. Alger: The State Auditors will be in tomorrow to start the 2011 audit. So I just want to let you know that if you have any questions they'll be here.

Mr. Snyder: Thanks. We appreciate that. Director of Law.

Mr. Nilges: No report.

REPORTS – COUNCIL:

Mr. Snyder: Member Foltz.

Mr. Foltz: I didn't get a chance because I went out of town early Friday, but the Survey Committee..

Mr. Cerreta: Yeah, I was going to mention that.

Mr. Foltz: Were you there?

Mr. Cerreta: I was able to go.

Mr. Foltz: Did somebody – I'd just like to fill in you know if anybody went to the meeting...

Mr. Cerreta: Yeah, okay.

Mr. Foltz: How that went. Is there going to be a follow up meeting? I want to try to attend that one. Or....

Mr. Cerreta: It went very well. There were a lot of members from the last time - a few new people that were there. They said they voted in their Chairman and the rest of the folks, the Secretary and so on. They are going to meet, I believe, this Thursday at 6 o'clock...

Mr. Foltz: Okay, good.

Mr. Cerreta: also to get started. I believe it's 6 o'clock.

Mr. Snyder: The 16th, yes.

Mr. Cerreta: And again, that is for to kind of relook at the questions we had last time and kind of see where we are and maybe add some - a couple of new things to that. But they'll

Mr. Foltz: They're looking for some input from other questions maybe to – for our citizens to review and get back to us on.

Mr. Cerreta: Yes, so anybody can make ...

Mr. Foltz: Thank you. Appreciate that.

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Mr. Snyder: One of the questions I asked that be included in the survey is to the residents, because infrastructure is a problem for us financially, and would they be interested in some type of an assessment share to get their properties - to have curb and gutter and street repair, would they consider? And hopefully we'll put that in the survey and we'll be able to take their temperature whether we are able to proceed with that because going forward, you know, it's over a million dollars to do a street today. And we just - I don't know when we're going to be able to get back on that aggressive curb and gutter program. So, if you can attend - first of all Mark was there, I was there. They were grateful that for - because these again are very hardworking citizens. They don't want to see their work - and the last time, what was it, almost 20% of return on the...

Mr. Foltz: Sure

Mr. Snyder: And, so, it's, it's...

Mr. Foltz: It was very positive, it gave us some direction from just...

Mr. Snyder: Absolutely. And I know, as I mentioned the Mayor...

Mr. Foltz: people that can't make it to council meetings...

Mr. Snyder: Right.

Mr. Foltz: to see what's important to them. I also wanted to maybe, Mike, we get together this week, I'd like to go over the full capital improvement project there. Maybe include some survey questions on that. I know Councilman Cerreta has been apprised of some of those improvements, too. But it's something we started last year and it kind of went to the wayside and I know it's fairly expensive, but I would love to see that the public's input on what they think of the direction of the pool. I mean, we could acquire some additional property or working with the high school and we do have, at least from my vantage point, envision a pool down the road that's going to attract members and is going to be vibrant with new improvements to it. And I was at a few Rec Board Meetings where we do have some input from some of the people that use the pool - some participants there. So, I'd like to see some kind of format for the pool on the survey. That's why I bring that up.

Mr. Cerreta: About the survey, you know, everybody - everybody, they talked about this, you know, everybody wants them to ask all these questions. Well, number one, I think they need, and we agreed, they need to ask the same questions, so they can see the difference how we've grown and all that. And, they're trying to keep it to front and back. So, anymore than that, you can't get anymore. So, we need to find ways to work that in if that's real important. But, we need to be very conscious of that, you know the right questions.

Mr. Foltz: Alright, thanks.

Mr. Snyder: Member. Peters.

Mr. Peters: Yes, North Canton Civil Service Commission will be conducting open examinations for the purpose of establishing eligible list for position of police officer. That test is Tuesday, February 28th at 6:00 p.m. at the Civic Center. Registration - well you must register in person here at City Hall and registration is the rest of this week 8:00 a.m. to 3:00 p.m. and next week Tuesday, Wednesday, Thursday from 8:00 to 3:00 p.m. If the press wants a copy of this, I will provide you with one. Thank you.

Mr. Snyder: Member Fox.

Mr. Fox: Yes sir, for those that want some more information on what Mayor Held had talked about, the change-over from the hydraulic fluid to the vegetable oil, there's a nice article in the *Akron Beacon Journal*, February 10th, that kind of walks through some quotes from Mayor Held and Rich Rhodes, and it's just another example of the Administration being proactive in their approach to doing business. Simply, one hydraulic leak will - this program pays for itself. So ...inaudible..

Mr. Snyder: Member Griffith.

Mr. Griffith: Then again the City smells a little more like french fries, which I certainly don't mind good, that's for sure.

Mr. Cerreta: The obese City.

Mr. Griffith: I wanted - we don't have to eat french fries, just smell them. I wanted to say publically that I really appreciate the work that Mr. Bartos and Eric have provided and the Mayor, his assistants as well with the Housing Committee. We've looked at into a number of different statutes, and ordinances, and I think we will be presenting some stuff to our Committee members here pretty soon. But there's been a lot of leg work done and I really, really appreciate what's been

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done there, too. There is a lot of enthusiasm, I think for this. I think we are going to really move forward here, but we want to do so deliberately and carefully for sure. So, I wanted to say that thank publically.

Mr. Snyder: Thank you very much. Member Cerreta.
Mr. Cerreta: Nothing more.

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

Mr. Snyder: I have nothing - oh, excuse me, we do -- was it the wish of the Council that we did meet 15 minutes early next week? We did move the meeting

Mr. Foltz: To Tuesday.

Mr. Snyder: Tuesday - Monday is a holiday, the building will be closed. So, we'll move it to Tuesday at 7:00 p.m.

Mr. Cerreta: We'd better give it some time, at least probably 6:30.

Snyder: Yeah, if we do 15 minutes, we'll meet at 6:45 p.m.

Mr. Cerreta: 6:45 - think that's enough to...

Mr. Snyder: Well along with the work load should be good because...

Mr. Cerreta: Alright.

Mr. Snyder: until we officially pass the budget in two weeks it should be a relatively low work load so we'll try that.
Mr. Cerreta: Okay.

Mr. Snyder: So we'll start 15 minutes early next week, 6:45. And we'll you be kind enough to extend an invitation to the Chamber?
Mr. Cerreta: Yes.

Mr. Snyder: And have them here and go accordingly. Anything else to come before this Council? Seeing none, I'll entertain a motion to adjourn.

ADJOURN:

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

Meeting adjourned at 7:50 p.m.

PRESIDENT OF COUNCIL

ATTEST:

CLERK OF COUNCIL

2/13/2012 - BP

RECORD OF PROCEEDINGS

Minutes of

COUNCIL OF THE CITY OF NORTH CANTON

REGULAR

Meeting

DAYTON LEGAL BLANK INC. FORM NO. 10148

Held Monday, February 27, 2012 7:00 p.m. 20 12

CALL TO ORDER:

1. The council meeting was called to order Monday, February 27, 2012 at 7:00 p.m. by President of Council Jon Snyder.

OPENING PRAYER:

2. The opening prayer was delivered by Fr. James A. Clarke, St. Paul's Catholic Church.

PLEDGE OF ALLEGIANCE:

3. All present recited the Pledge of Allegiance.

ROLL CALL:

4. The following members of Council responded to roll call: Cerreta, Foltz, Fox, Griffith, Kiesling, Peters and Snyder. Also present were: Mayor Held, Director of Administration Grimes, Director of Law Nilges, Director of Finance Alger, Director of Administrative Services Bartos, Fire/EMS Chief Bacon and Clerk of Council Kalpac. City Engineer Benekos was not present for the meeting.

Mr. Snyder: At this time, I would ask that we have a moment of silence. Unfortunately, we lost a very good friend of the City and City Council, Mrs. Helen Harper, last week. Mrs. Harper has been a regular attendee, who was kind enough many times to bake us a cake, which we all enjoyed. Unfortunately, Mrs. Harper passed away, I believe, last Thursday. And, my thanks to Miriam Baughman for letting me know that. So, we just ask for a moment of silent prayer in respect to Helen Harper. Thank you.

(Moment of Silence)

CONSIDERATION:

5. Council meeting minutes – January 30, 2012

Mr. Snyder: Thank you. At this time I would like consideration to admit the Council meeting minutes for January 30, 2012.

Mrs. Kiesling moved and Mr. Peters seconded to **approve, as presented**, the council meeting minutes for January 30, 2012.

Mr. Snyder: Any additions or corrections? If none,
All members present voting:
Yes: Foltz, Fox, Griffith, Kiesling, Peters, Snyder, Cerreta
No: 0

COMMITTEE MINUTES

6. Committee minutes

Mr. Snyder: May I have a motion to approve and second as presented the following Committee Report Minutes: Community and Economic Development; Finance and Property; the Housing Review; and Ordinance, Rules and Claims: all held 2/21/12.

Mr. Griffith moved and Mr. Peters seconded to **approve, as presented**, the Executive Session and committee report minutes. All members present voting:
Yes: Fox, Griffith, Kiesling, Peters, Snyder, Cerreta, Foltz.
No: 0

Executive session for Personnel & Safety: Please refer to the minutes on file in the Council Office of the Executive Session meeting for Personnel & Safety held January 30, 2012.

Finance & Property: Please refer to the minutes on file in the Council Office of the Finance & Property Committee meeting held February 6, 2012.

Ordinance, Rules & Claims: Please refer to the minutes on file in the Council Office of the Ordinance, Rules, & Claims Committee meeting held February 6, 2012.

Park & Recreation: Please refer to the minutes on file in the Council Office of the Park & Recreation Committee meeting held February 6, 2012.

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Street & Alley: Please refer to the minutes on file in the Council Office of the Street & Alley Committee held February 6, 2012.

Water, Sewer & Rubbish: Please refer to the minutes on file in the Council Office of the Water, Sewer & Rubbish Committee meeting held February 6, 2012.

7. Recognition of Visitors

Mr. Snyder: At this time the Council will entertain anybody who would wish to speak to it, please step forward. State your name and address for the record.

Tim Shetzer: 2625 Aylesbury Street, North Canton. I am the YMCA Director. I just want to introduce to you tonight, if I can take a few minutes, the new YMCA Director in North Canton. We are happy to have Ben Wheeler join us. This is his 11th day, so please go easy on him. Thank you.

Mr. Wheeler: I appreciate the opportunity to speak tonight. I just wanted to introduce myself, again as Mr. Shetzer said, Ben Wheeler. I am brand new to the North Canton area, and proud to be the Executive Director of the North Canton YMCA down here at Council. I have had a great experience so far, really enjoying the town, and I know that the City of North Canton and the YMCA maintain a strong relationship for many years and will continue to in the future. I am looking forward to getting to know all of you individually. I hope that is in a short period of time and in the future, and looking forward to working with you all as we keep moving forward. So, I just wanted to say hello and thank you.

Mr. Snyder: Ben, welcome.

Mr. Cerreta: Congratulations, Ben.

Mr. Snyder: Please don't be a stranger to us. Come back.

Mr. Wheeler: Thank you.

Mr. Snyder: Anyone else wishing to speak? OK, at this time, the Council would like to recognize Chief Bacon. The Chief is Chief of both Fire Suppression and the EMS Service, and he is going to, along with some of his men, present a little overview of the Fire and EMS. As you know, we have a levy coming up next Tuesday, and the Chief has been kind enough to come and bring us up-to-date on what is going on in the Fire Department. Chief,

Chief Bacon: Thank you. Chris has given everyone handouts. OK. Thanks for allowing me come up here tonight. I'm here to talk about the Fire and EMS, about the current levy that is going to be going on a week from tomorrow, and why we think we need it. And, hopefully to answer any questions anybody might have on this. To start off with, we are going to go through the thing, I'm going to talk about Fire and EMS. Even though it is one department, we are two separate divisions. So, throughout the whole thing, we will go with the combined, and then I'll go into the individual, as you'll see with your slides. First one we are going to talk about is Station One, which is Fire Division, which houses all the fire trucks and the back-up ambulance. Total personnel for the entire department, this is both, is 52. We have, out of the full time we have 3, and this does not include myself. This includes the three inspectors, fire inspectors. They do fire inspections, they answer EMS calls during the day, and they answer fire calls during the day. We have, at Station One 36 part-timers, 14 that are just firefighters, 16 that are firefighter/EMT's that cross over, and 6 that are firefighters/paramedics. And those are part-time. We have a total, combined, 22 out of the firefighters at Station One that do both fire and EMS. The equipment that we have at Station One - we have 4 engines. They date from, they range from date 1989 to 2007, one ladder truck which is an '09, one rescue which carries our ...inaudible.. tools, airbags, any kind of rescue equipment that we need is a '92, and then our staff vehicles, which includes mine which is a 2001 all the way up to the newest one which is a 2011. And, we are still using two retired cruisers, one of which I asked for in this budget to try to get it replaced because of the wear and tear. That is Station One to the Fire Station. Station Two, which is EMS, again working off a total of 52 personnel, we have 9 full-timers. (That does not include myself). We have 26 part-timers, 18 of them are EMT's, 8 of them are paramedics, and out of that total 15 of them do both Fire and EMS. So, when I talk to you about Fire and EMS people, I give you the count of 52, but a lot of those are split because some do the Fire, some do the EMS, some do both Fire and EMS. We have tried since 2007-2008 to have as many people combined over on both sides. We offer the training so if somebody shows up, they might show up one day on the ambulance and the next day they may be on the fire truck, because our part-timers cross over as much as we can, cause it saves us money. We have four squads that are pictured, the oldest one being on the left side of the screen. That is a 1992 all the way up to the far right side, and that is a 2010. Jon, you will remember the two center ones are the Chevys that we tried to

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start using to reduce costs back in '07. They are lasting, but they're not lasting as long. That is why we went back to the Internationals, the bigger ones, because it lasted a little longer and we could get more money for it. We have one staff vehicle. It is a 2001 Suburban that they use for small things. The next is the services that we provide, of course, full fire, full rescue, for everything we need to do for fire and rescue we do. EMS, we provide full ALS service. Education - we go - we do the programs, we do the risk watch in the schools, we go to high schools, we do the talks. Every year, we have Kindergartners come to our fire station. We are a full, operation program. Anything that needs done publically, we go out and do. The inspections, our inspectors - we have 3 of them - they do all the building permitting, all the building inspections, they are in the restaurants twice a year, they are in the schools once a year, they go into the daycares, they go to any building that is built Gary reviews the blueprints, works directly with the building department. Car seats - that is a big thing now. People get their car seats - we have four certified installers, they have to be certified, that is the only way we can do it. We work through the Safe Kids - we are certified. We have four of them. People call us up, they need their car seats installed. They have been pregnant for nine months, and they need it today. So, we do it for them whenever we can. CPR - there was just an article in the past, not too long ago, about everybody that gets CPR training. We are a certified instructing site. We do CPR instructing. We do it for the public, we do it for other fire departments, we're a certified site to do that. Now we get into the combined Fire/EMS revenue. This is the revenue that we bring in. The first one is combined, and the next slide I will break into the fire, and then I'll go into the EMS. So, this is the combined. You will see in 2009, it is a green - it was a general fund, in 2010 and 2011, it dropped off because of the way we are trying to move money around, like better utilizing our personnel, better utilizing our money. The other, believe it or not, since 2009 we've tried to rework our CPR training program. This is why it went from \$3,000 to \$7,000. I talked to Karen and that is the money that we take in for some of the classes we teach, it goes back into our revenue. The EMS billing, which was \$461,000 in 2009, that is based on the transports that we do for out-of-town and in-town. We soft-bill our residents who have insurance, okay, and if they don't, we forfeit. But, anybody outside the City, we bill and then they pay us. Any questions on the combined? Next slide is the Fire Fund. This is the trickiest part for me. You can see that the new grants, we weren't real lucky enough in '09 and 2010, but we really pushed it hard in 2011. Property tax dropped off, General Fund 2009 revenue was \$641,000; 2010 was \$615,000; 2011 is \$591,000 and that is the revenue. Next slide is EMS. Again, we've dropped off. 2009 we had a total of \$1,516,409; 2010 we had \$1,336,000; 2011 we had \$1,355,169. Cost per runs, which is the big question. Cost per runs in 2011 averaged \$600 a run with reduction of overtime, with reduction of, again, moving our part-time personnel around, using more part-timers in different positions, working with the union, getting a good collaboration between us and the union administration. This helped to save a lot of money. Now, the next one is combined Fire and EMS expenditures. In 2009, we had a total of \$1,937,108; 2010 \$1,960,000; 2011 \$2,234,000. Now, that includes the grants that we got. So, that is a little high at the end there, but we got quite a few grants that last year that really helped us buy some equipment. Next one is just the fire expenditures in 2009, and this is for a fully-operational fire department, 2009 was \$584,000; 2010 was only \$576,000; 2011 expense jumps up to \$721,000. Again, there was grant money that we used to buy stuff in there. Next is EMS, 2009 expenditures were \$1,352,000; 2010 was \$1,384,354; 2011 was \$1,513,000.16. Fire and EMS worked a lot with the City, they were the first union to offer up a zero percent on their raise - they took a zero percent the first year, they were the first union to offer that. They also worked with us on part-timers. A lot of part-timers are filled for overtime spots. They were the first ones to offer that up. That has saved a lot of money. It has taken a lot of the overtime. We haven't saved that money, because you have to remember that even though a full-timer is not there, that pays for 2 part-timers. So, when a full timer is off, we have to bring a part-timer in, but we still have to use that money, because even though a full-timer is off, we have a part-timer in that spot. It is just not costing us as much to have that part-timer in that spot. Again, with the cost per run, at \$600 in 2011, our billing makes up for a lot. Next one is number of calls. In 2009, we had 424 fire calls; we had 2,014 EMS calls, for a total of 2,438 in 2009, and it progressively goes up. In 2010 we had 406 and 2144 for a grand total of 2550; 2011 we had 493 fire calls, 2231 EMS calls and 2724 total. That is our number of calls. That ranges from everything from CO calls, patient lists, everything. We do not charge for patient lists. If somebody calls, say they fell and they can't get up, we go, we pick them up, that's what they pay taxes for. The next thing, education, I put this in the 2009 audit - the state audit that the city had done. We were compared to Tallmadge, the city of Tallmadge Fire Department. This was just published in The Ohio Firefighter 2012, I just got it last month and they are working on - they have 13 full-timers, 45 part-timers, they operate a 17,000 population, very similar to us. That is why the audit used it. They operate on a 3.75 mil continuing levy. We are doing the same thing for 1-1/2 mil. Next one is your education. Again, we go into the schools. We have the kindergartners at the fire department. We had the safety trailer come in with the second and third graders every year. We are working on

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grants. We're working on everything we can do to stay within our limits of what you have us work with. Anything that the public would require from this department, they get. We collaborate as much as we can, but everything else we provide in-house with that fire truck. Any questions? Okay. What we're here for - Issue 1. It is a replacement mills, continuous \$168,000 per year annual cost to an owner of a \$100,000 home would be \$15.31 per year compared to what they are paying now. In the 1980's, the Fire Department last time that was looked at was 1983. The ambulance is a replacement 1 mil. The last time that continuous was looked at was 1982. So, we've been operating on that same issue since 1982. Last one is just a picture of the fire department on the back side. I think we are getting (knock - knock - knock) from the City, and we get a great bang for our buck. We've been through Fire Department and EMS, have been through two audits, not only the state audit, but we also were audited independently by Joe Concatto. He came in for the City and did it. We got good ratings. Part-timers save us a lot of money. The full-timers work for the city the best they can. The union works with us, and I just think this is really needed for the city. And, I think it is a good deal.

Mr. Snyder: Chief, I think it is important that the electorate understand this is not a new levy. It is a replacement of the levies voted in over 30 years ago. They're only going to be for the new values of the properties, which is actually lower. That is the reason that we are seeking the additional funding, because from the City Council's standpoint, we commend you and your departments. Last year the transfer from General Funds of \$25,000. The previous year was almost \$79,000. So, your credit to your men and your department for your work in saving us in overtime and your efficiency in answering the calls, I mean, it's unbelievable. It is probably two of the most efficient-run department in our City. We are very proud of you, and we hope the electors support you in your efforts. And, new ambulances...what's a new ambulance? Say, a couple hundred thousand dollars, I'm guessing.

Chief Bacon: Yes, sir.

Mr. Snyder: So, I mean - it is the cost. It's not as if it's going into wages or wasted time eating donuts in a coffee shop. We are very fortunate in the services that we have you provide, and we're very grateful to you for that.

Chief Bacon: We try to push our equipment to the limit when we can.

Mr. Snyder: Well, the problem is that I think people don't realize that old equipment, and the maintenance on that equipment is actually more costly than a new ambulance would be to put into service. I know. I get to see those bills come in, and they are horrendous because, unfortunately you are putting them together with old equipment and parts, and so forth. They are wearing out. We do have a request for a new ambulance, and hopefully this levy passes and we will be able to suffice and get that in the works. It takes, what, like six months to get one, sometimes more.

Chief Bacon: It will take six to eight months to get it.

Mr. Snyder: But, again, I mean, what you've saved in overtime, it is unbelievable. We are proud of you for that. Thank you for that.

Chief Bacon: It should be noted, also, that Chris Massouh, who put this together with me, did 99% of the work. Part-time, and did most of the thing on his own time. There was no, very little City time used for that.

Mr. Snyder: Thank you Chris, we appreciate that.

Mr. Cerreta: Dutch, Dutch, you do a great job with the part-timers. I think we all appreciate that, and the part I think everyone realizes is that when you look at reasons why people move to North Canton, your service is at the top three. You're talking about our community, our schools, and our police and fire. So, wonderful job at that. And, with our aging population, getting even more and more, it is going to be more and more important. So, thanks for presenting that, and, you know, I think we all pretty much support what you say and what you do. So, thank you very much.

Chief Bacon: Thank you.

Mr. Foltz: Jon, I just want to bring this up. I applaud Dutch. I've known him for years. He has done a great job. As we know, fire and EMS is the cornerstone of our city. But, if you look at the replacement levy here, for hundred thousand dollar homes, the increase, I just did some short math, it is like \$27 more for a hundred thousand dollar home, taxation. It is a little over \$2.00 a month. I mean, that's all we are asking for. I mean, it's going to maintain our services for years to come. I don't think that is asking a lot for the professionalism and the great departments that we get, and the service that we get from our fire and EMS. I thought I'd touch on that. Just wanted to put that in perspective for the taxpayers.

Mr. Snyder: Thanks, Doug. Appreciate it. Anyone else? Mr. Mayor, do you have anything?

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Mayor Held: Yes, one thing that I wanted to make note of is that, you know we oftentimes talk about North Canton's Fire Department and EMS Department. And, we do have excellent service, because, I think what makes the difference is our response time, and the availability of the personnel that we have. We really run our fire and EMS department with a, it's a combination department where we do have full-timers, full-time fire inspectors that are there during the daytime to answer fire calls. But, the fire calls in the evening are answered by part-timers that voluntarily show up. They voluntarily show up to these calls, and then once they are there, they're paid. In addition to that, with the EMS Department, we do have a standby part-time EMS that can be on at the station. But, then we also have that support team which is about, how many part-time EMS do we have?

Chief Bacon: 26

Mayor Held: 26. And how many part-time fire fighters?

Chief Bacon: We have 32.

Mayor Held: 32. So, when you compare, because we did have our city's fire and EMS operation compared in the performance audit, we really are one of the most cost-effective fire and EMS departments in the State of Ohio when you look at other municipalities our size. Because we operate with part-time fire and EMS. So, when it comes to a service that has been sensitive to cost-efficiency and effectiveness, which has been a goal of ours for the past six years. The fire department epitomizes service that is cost-efficient and effective, and I think we've been very, very responsible with the money that the people in our community give us to operate, and when you look at the 2009 survey, (that's one of our fire trucks now – they like us) but when you look at the 2009 survey, 88% of the residents that responded to the survey give our Fire and EMS Department a good to excellent rating. And, uh, when you're in need of the Fire and EMS Department, then you, that is when you really realize what a service that they provide, and there have been thousands of people in our community that have been in need of their services. You folks do an excellent job.

Chief Bacon: Thank you.

Mayor Held: Great presentation.

Mr. Snyder: Is there, has there ever been a study done on the actual savings to the homeowner with the rating of your Fire and EMS services as far as like a percentage vs. you know, I know you're fire insurance is predicated on the ability...

Chief Bacon: Everything is based on ISO. Your ISO ...inaudible... we're at level 4. We were evaluated, I think it's been two years ago now, and costs go to a level 4 to a level 1. It's just astronomical. We would have to strictly go full-time and stuff like that. Really, with what we operate with, with part-time combination, 4 is about the best we could do.

Mr. Snyder: I would like to see in some of the outlying communities, they're what a 6, 7, 8 or something in that area?

Chief Bacon: Some of them because they don't have the hydrants. That is where you really lose a lot, is with your water systems and stuff like that, but comparing to the neighbors, our budget is half of one and a third of the other, that's on either side of us. That is why we picked Tallmadge, because we get along with Jackson, we get along with Plain. We work with them as much as we can. So, I wanted to pick something that was a city that was close to us, close to size, close to population to see what they operated on with their personnel. Tallmadge is almost a mirror of North Canton.

Mr. Snyder: And, we operate at 50% less than what they do, cost-wise. So, I'm sure the homeowners realizing somewhere between 15 to 25% savings on their insurance vs., which is three to four hundred dollars on their property, maybe more. So, it makes a nice savings, so the little bit of increase is well offset by the savings in the insurance, so it's not a bad product. Plus, when you call, you get an answer, and someone will show up.

Chief Bacon: We are always there 24 hours a day.

Mr. Snyder: You don't get a recording though. Are we that far along that we answer electronically if we don't do that.

Chief Bacon: No. We have a live person. For fires, press one.

Mr. Snyder: For heart attack, press 9 and hold. Does anybody have any other questions for the Chief, or ..inaudible.. say anything else?

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Mr. Grimes: Just that, we do appreciate the part-timers, obviously, but also let's not forget the full-timers. I think they were the first union to go zero percent and help us out a couple of years ago, and as Administrator, I don't get grievances or anything from those folks. They just come to work, and they come to play. So, they do a good job.

Mr. Snyder: Chief...

Chief Bacon: We're really trying this year to get the rating above the Police Department. They beat us, but we're trying this year.

(Laughter)

Mr. Snyder: We could have two guys sell tickets for a little rope-pull here this afternoon.

Chief Bacon: When the surveys come out,

(Laughter)

Chief Bacon: Thank you for the time.

Mr. Snyder: Chris, thank you very much again. Any other comments? If not, we'll move to old business. May I have a motion to read by title only the second reading of Resolution of 19-12?

OLD BUSINESS:

8. Mr. Cerreta moved and Mrs. Kiesling seconded to **read by title only the second reading of Resolution 19-12**. All present voting:
Yes: Griffith, Kiesling, Peters, Snyder, Cerreta, Foltz, Fox
No: 0

Resolution 19-12 – 2nd Reading – Water, Sewer & Rubbish

A Resolution establishing a North Canton Community Disaster Relief Fund Committee (NCCDRFC) for the City of North Canton for the purpose of allocating funds for the North Canton Community Disaster Relief Fund.

Mr. Cerreta: Yes. This is the next step, and we created a committee, or we created the plan, the fund. Now, we need to go ahead with the Committee and create it. And, so, the next step after that is that we will put that Committee together and form a couple more of the applications that will go with it and how the distribution of the funds will occur. But, this is the plan that we need to or the ordinance that we need to complete the Committee. So, I move to adopt the second reading of this Ordinance No. 19-12.

Mr. Cerreta moved and Mrs. Kiesling seconded to **adopt the second reading of Resolution No. 19-12**. All present voting:

Yes: Kiesling, Peters, Snyder, Cerreta, Foltz, Fox, Griffith.
No: 0

9. Mr. Snyder: I have a motion to read by title only, second reading of Ordinance No. 21-12 as amended.

Mr. Foltz moved and Mr. Peters seconded to **read by title only, second reading of Ordinance No. 21-12**. All present voting:

Yes: Peters, Snyder, Cerreta, Foltz, Fox, Griffith, Kiesling
No: 0

Ordinance No. 21-12 – 2nd reading – Finance & Property

An ordinance to make appropriations for current expenses and other expenditures of the City of North Canton, Ohio, for the period beginning January 1, 2012 and ending December 31, 2012, and declaring the same to be an emergency.

Mrs. Kalpac: Do you want to amend that, or did you?

Mr. Snyder: I just answered "as amended".

Mrs. Kiesling: He said "as amended"

Mr. Snyder: Because we amended it before. Last week we amended it, and we discussed it, we thoroughly vented it.

Mr. Foltz: Councilman - President Snyder, wasn't there changes.

Mr. Snyder: There were changes that were made last week. Yes, excuse me, there was a change.

Mr. Foltz: Do you want to elaborate on that, sir?

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Mr. Snyder: I will. Normally, the line item is a ...inaudible... that we have to pay, it's a pass-through for sewer connection. Normally, that figure does not exceed 20 or 21 thousand dollars. However, Walsh College has a tap alone that is going to be about \$55,000, and there is an additional tap to go to Walsh College, so their tap fee to the City, which ultimately will pass from the County, will exceed \$75,000. So, rather than have another meeting, we amended this certificate to include the additional increase in sewer tap fees. And, that will be offset by the end-user, which will be Walsh College, and I think someone else. So, for the sake of time and convenience to the members, we did not call for an additional Council Meeting of the Whole to present that small business. And, I thank Councilman Foltz for bringing that up. I did talk to both the Engineer and the Director of Finance last week, so when I said it was amended, it was amended to include that as well as the money for the City plan and a couple of other items that we had. And, any additional amendment to the appendix will be done on an individual basis throughout the calendar, or excuse me, the fiscal year as we operate. Any other questions on that? Any questions or comments from the Director of Finance to the budget?

Mrs. Alger: No.

Mr. Snyder: I'm going to ask for a motion to **approve as amended Ordinance No. 21-12.**

Mr. Foltz moved and Mrs. Kiesling seconded to **adopt the second reading of Ordinance No. 21-12.** All present voting:

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

No: 0

Mr. Snyder: I would like to suspend the rules of council pertaining to Ordinance No. 21-12. As time is of the essence, we have to have this filed and down to the County, so I'm asking you to suspend those rules.

Mr. Foltz moved and Mrs. Kiesling seconded to **suspend the rules for Ordinance No. 21-12.**

All present voting:

Yes: Snyder, Cerreta, Foltz, Fox, Griffith, Kiesling, Peters.

No: 0

Mr. Snyder: May I adopt under the suspension of the rules Ordinance No. 21-12?

Mrs. Kiesling Moved and Mr. Peters seconded to **adopt under suspension of the rules Ordinance No. 21-12.** All present voting:

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

No: 0

Mr. Snyder: I would just publically like to thank our Director of Finance, the Finance Committee, member of Council, members of Administration, for this work on this budget. It was an arduous budget, a very large budget, one of the largest we have ever passed. It is balanced. We are able to finance it. And, once again, a thanks to the collective units, the bargaining units of the city that took the positions they took, allowing us to put it within our budget in a balanced position. Again, thanks everybody for all the help on that. I very much appreciate it. Eric, thank you for that...I appreciate it. Mr. Snyder: May I have a motion to **read by title only** - pardon me, before I get to that, I think we have to amend this piece of legislation. There was an additional section in the Rules of Council -

NEW BUSINESS:

10. Mr. Nilges: It's actually an additional - it's under Title III Legislative 111.05 Moral Claims, and we could just amend this particular ordinance to also include 111.05 Moral Claims to repeal that as well. And its, just, there is the authorizing and you have in the Rules of Council the procedure.

Mr. Snyder: And, we also want to abolish that in the Rules of Council procedures, is that correct?

Mr. Nilges: Right. That is what 115.01(e) would address.

Mr. Snyder: And, this new one addresses what?

Mr. Nilges: Uh, it's actually just the substantive of authorizing legislation for the enabling legislation for moral claims, and it just says, it defines, you know, another procedure for following violations of the moral claims.

Mr. Snyder: May I have a motion to **read by title only the first reading of Ordinance 22-12.** First, we need a motion to amend it, pardon me, ...

Mr. Nilges: To include 111.05, a repeal of 111.05.

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DAYTON LEGAL BLANK, INC., FORM NO. 10148

Held Monday, February 27, 2012 7:00 p.m. 20 12

Mr. Snyder: And, to also to repeal an amendment without minutes to the Council Meeting. As a rules of the Council requires minutes to be typed and presented prior to. So, we need to amend it to allow it to be read first time reading. So, we need two pieces – suspend the rules, because they have to be read through the Council – they have to be enacted throughout Council as a whole.

Mr. Nilges: The legislation has been. It just about amending the legislation to include another section.

Mr. Snyder: OK. So then we don't have to worry about ...

Mrs. Kaipac: Can't you just repeal it and say "inconsistent herewith"

Mr. Nilges: Yes, but...good suggestion Gail, but I would say that it's probably safer just to amend it or repeal the 111.05 in its entirety. To the extent, you know, they don't conflict with each other, one does something more than the other.

Mr. Griffith: I think we, I mean I understand that Jon you want to take this in an expedient manner to make sure that we kind of end the process, and I'm sensitive to that but I think it probably is worth taking the time to make sure we've read the sections that you noted there So, maybe

Mr. Snyder: I'm with you. So you request that we, you want to table this whole piece of legislation or you want to...

Mr. Griffith: I'm comfortable reading it once, I just think before we put the amendment in place, we should be comfortable with that. That's what everybody else....

Mr. Snyder: That's fine. It's your committee and I'll defer to your committee on that. So, you want to read it the first time, and then we'll go through next Monday night the other portion that he is talking about and we'll discuss it under your Committee at that time.

Mr. Griffith: Yes, absolutely. As long as everybody is ... you know.

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

Mr. Griffith: So, I move that we read it the first time...

Mr. Peters: As amended.

Mr. Griffith: on the minutes.

Mr. Snyder: We'll consider the amendment next time.

Mr. Griffith moved and Mrs. Kiesling seconded to **read by title only first reading of Ordinance No. 22-12**. All members present voting:

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

No: 0

Ordinance No. 22-12

An ordinance amending Chapter 115 Rules of Council, 115.01 RULES ADOPTED of the Codified Ordinances of the City of North Canton to repeal Section 115.01(e) Moral Claims and declaring the same to be an emergency.

Mr. Snyder: Chairman Griffith

Mr. Griffith: As we discussed, and I thought we had a healthy discussion about this last week, it is a matter of clarification. Of course, we remind everyone that liability that exists by state statute by our ordinances exists whether or not our Moral Claims period is in place. And I should say that Hans and I did have a good discussion about, maybe making – putting some claims materials together so that people who are making claims understand what liability the City does have, and so that we can follow up with those things in an even more appropriate manner, and this will allow us to do this as well.

Mr. Snyder: Do we have a motion to **adopt the first reading of Ordinance 22-12?**

Mr. Griffith moved and Mr. Cerreta seconded to **adopt the first reading of Ordinance 22-12**. All present voted:

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

No: 0

REPORTS:

Mr. Snyder: Thank you. Reports – Director of Law
Director of Law: No report

DAYTON LEGAL BLANK, INC. FORM NO. 10149

Held Monday, February 27, 2012 7:00 p.m. 20 12

Mr. Snyder: Director of Finance

Director of Finance: We are having audits started and it is going well. Just want to let you know. I also want to thank everyone for helping out with the budget. It went smooth this year, and I appreciate all the help the Department Heads, Administration and Council.

Mr. Snyder: Director of Administration.

Director of Administration: Couple of things. I will miss Helen Harper because she came out at least twice a month to make sure I was, didn't forget about Dogwood Park. And, uh, those of you who vote there will probably miss seeing her sitting inside. She was kind of a fixture there, so on election day. The snow and stuff that we had here over the last weekend, we still used about 335 tons of salt. So, we're still using that out there, and, uh, for those of you who are used to calling the permits and inspection and hearing Judy Juenemann's voice on the other end, and you know, her helping in getting you the information that you need, she is retiring after 29 ½ years with the City here this Wednesday. So, you know, after that we probably won't hear the familiar voice over there anymore. So. And, one other thing we would like to do is, if Council would entertain the thought, of either before Council Meeting on March 12th or March 19th, the City Engineer, Jim Benekos, does have an idea for some of the water runoff on Fairways that is running towards Heatherwood or Wilkshire, and he would like to maybe take about a half hour to present some ideas. But, we would like to have enough time so that we can let those residents that we will be publically talking about their area. So, thank you.

Mr. Snyder: Mr. Mayor.

Mayor Held: Yes. First off, I would like to welcome our new YMCA Director, Ben Wheeler. He hasn't already shared this with you, but he has three small kids at home, which is nice. Perfect place to work – the YMCA. And, also Tim Shetzer, for those of you who didn't get a chance to meet Tim, Tim has been the area Director for the YMCA, and North Canton has one of the best YMCA's in the country, because we are nationally ranked. And, so you have come to the right place, and we welcome you. And, our road race continues to grow every year. So, I think we have, like how many people in that race.

Mr. Wheeler: It is the largest race in Stark County.

Mayor Held: The largest race in Stark County. So, welcome to the City of North Canton. And, then also we have good news from an economic development perspective. We have caught the attention of the international media, and also the national media. CBS Evening News came into the City of North Canton on Friday, and they did a story on the Suarez Corporation and how they have brought jobs back from China and they called that in-sourcing rather than out-sourcing. Jobs have been outsourced and now they are being in-sourced back in, particularly to here to North Canton, and there was a story in the Columbus Dispatch where they mentioned the Suarez Corporation. And, then there's a number of other media outlets that are going to be coming through here this week, and they're going to be filming. There is a German company that is very interested in the American economy, uh, and she had called me – one of their affiliates they work with, ABC News, and it's in their country of Germany. So, they're going to be coming up this week, and filming the Hoover District as well as the Suarez Corporation. And, another outlet from a Scandinavian Country, I don't recall the name right now, but a lot of attention is being brought here to the City of North Canton, and what's happening as far as, you know, small town, it's lost manufacturing, and through public/private partnerships, which is the State of Ohio, the grant that we received, and also of the tax incentives that this Council has offered to Meyers Control Power for the Gantry Cranes. They are very interested in that, as far as what we are doing to build our local economy after we took a big hit. So, it's positive news, and there is an interest not only in this country, but outside the countries. We will keep you posted as we get more information. That is all we have right now. Thank you.

Mr. Snyder: Good stuff. Mr. Foltz.

REPORTS - COUNCIL

Mr. Foltz: Yes. I'm glad you acknowledged Mrs. Harper. She was very pleasant, she came here to discuss the City of North Canton, and I'm sure she will be watching over us. Along with Mr. Grimes, we do all those projects here at Dogwood and Rotary Park, so it would be a nice way to remember her, to get that done. Second thing, I will miss Judy Juenemann, and I thought she was an excellent employee. They are going to have, I say they, at the Engineering Building, Wednesday from 1:30 to 4:00 p.m. if you want to wish her well, stop by and have some cake and punch there. But, I wish her the best. I know she has always done a great job for us in the past, and we'll miss her, but we wish her well in the future. Thank you, Jon.

Mr. Snyder: Thank you. Member Peters.

DAYTON LEGAL BLANK, INC., FORM NO. 10148

Held Monday, February 27, 2012 7:00 p.m. 20 12

Mr. Peters: Yes, I just echo Doug's comments. We are really going to miss Helen. She was a big advocate for North Canton Parks and for what we do here, and uh, she was a good friend of ours. I remember her at my polling stations since I was, began voting. And, we are going to miss Judy's wealth of knowledge. I wish her well.

Mr. Snyder: You know, maybe we could find some - a few dollars and put a plaque up there at Dogwood for Mrs. Harper to remember her, memorialize her in some fashion. I'm sure she would appreciate that. She could be the patron saint of Dogwood. We'll look into that. We'll let the Chairman of the Parks think about that for a little bit.

Mr. Foltz: We could plant some trees there.

Mr. Snyder: That would be very nice. If someone likes to put a little memorial there, I'm sure you'd welcome a tree or two. Member Fox

Mr. Fox: Yes, sir. Just, again, want to thank Chief Bacon for coming out and speaking to us this evening. Time and again, those in my Ward had told me how important it is the Fire and EMS Services and how much they are appreciative of your reference and how well you do, and I'm certain that if the word is out, and they understand how important this is on election day, that they will support it. So, I encourage those that are here and heard the message to try to spread that news to your friends and neighbors.

Mr. Griffith: I echo that as well. I am at the time in life when I have a lot of good excuses to go visit the fire station for pleasant reasons, which is wonderful. I pretend like it's the kids are the reason that I go, but I do enjoy it for myself as well. And, what I am continually struck by is the professionalism that is there. And, frankly, maybe this is a reflection on my own uptake from my vehicles, but how long the vehicles last there, how well they take care of cars and trucks and everything else like that, they really do a beautiful job, and use those taxpayer dollars extremely well. So, I credit them and hope that the voters will see that benefit as well. Thanks for coming tonight, guys.

Mr. Snyder: Thank you, Member Cerreta.

Mr. Cerreta: The master plan group is out there, still giving their talk. Doug Lane's gone to a couple of other associations and so on, so that is very strong right now. We are really getting the excitement. And, everywhere that that is out there, people coming up and really excited about it. Now, I think there is a resolution that's down - and Marcia was going to - do we have that resolution?

Mr. Snyder: Yes, sir, I do.

Mr. Cerreta: Ok, can Marcia read it here? We're gonna...

Mrs. Kiesling: Where is it?

Mr. Cerreta: We're looking for it. It was up here.

Mrs. Kiesling: Did it get back to you, Jon?

Mr. Cerreta: Did it get back? Cause we talked about a resolution. I want to make sure that is out there so people know that we really back this thing, and we want this thing to move forward, and we think it is very, very important both the Administration and the Council are part of this...inaudible...

Mrs. Kiesling: The resolution of support states: "The resolution by North Canton City Council expressing their support and endorsement of the final draft of the North Canton Master Plan 2012. Whereas, the North Canton City Council believes the North Canton Master Plan will help promote the City as a good place to live, work, visit, and establish a business. And, whereas, development of the North Canton Master Plan was based on community feedback, and the North Canton Master Plan will help identify potential developmental uses for properties in the City, and the North Canton City Council will review the North Canton Master Plan in September of each year for a period of five years to consider enactment of the various aspects of said plan, based on the availability of funds, and the Mayor and Administration of the City of North Canton will also review and place as a budget consideration any items discussed at the annual September Meeting." We all signed it.

Mr. Snyder: Very good. Any other comments? Chairman Kiesling.

Mrs. Kiesling: No report ...

Mr. Snyder: A couple of things. March 8th, there is a meeting of the Survey Committee in the Administrative Conference Center. Anybody wishing to attend from Council, they are welcome, and they encourage that, and, from Administration or the public, they would welcome it. The other thing is, in the Council office, is an additional plaque, given by the Auditor of the State, to our Finance Director, Karen Alger. This is the twenty-third time consecutively that we have received this plaque. And, the wall back there can't hold anymore, so we're going to start putting them in the Mayor's office and see if we can redo that. But, no - congratulations Karen on a job well done, and that's for reporting on the Annual CAFR. They are studying right now getting ready to, hopefully do

0244

RECORD OF PROCEEDINGS

Minutes of

COUNCIL OF THE CITY OF NORTH CANTON

REGULAR

Meeting

DAYTON LEGAL BLANK, INC., FORM NO. 10148

Held Monday, February 27, 2012 7:00 p.m. 20 12

number 24, so they are here and we paid them, I think, or they are paid partially. They are not inexpensive, so Auditor Yost is good at his job. I think that is all I have. If nothing else, any other business coming before this body? Seeing none, I'll entertain a motion to adjourn.

ADJOURN:

Mr. Foltz moved and Mr. Griffith seconded to adjourn the Council Meeting. All members present voting:

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

No: 0

The council meeting adjourned at 7:50 p.m.

PRESIDENT OF COUNCIL

ATTEST:

CLERK OF COUNCIL

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City of North Canton, Ohio

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EXECUTIVE SESSION MEETING MINUTES

The Finance & Property Committee of North Canton City Council met Monday, March 5, 2012 at 6:30 p.m. in the Council Chamber at North Canton City Hall.

Present for the Meeting were: Chairman Snyder, Chairperson Kiesling, Member Cerreta, Council Members Foltz, Fox and Griffith. Council Member Peters was not present for the meeting.

Also present for the meeting were: Mayor Held, Director of Administrative Services Bartos and Director of Law Nilges. Director of Administration Grimes and Director of Finance Alger were not present for the meeting.

Upon a roll call vote of Council, all present moved into an executive session at 6:30 p.m. for the purpose of discussing pending/imminent litigation. Subsequent to the discussion, the executive session adjourned at 7:00 p.m.

Respectfully submitted,

Jon Snyder, Chairman

Marcia Kiesling, Vice Chairperson

Mark Cerreta, Member

3/6/12-gmk

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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, March 5, 2012 in the Council Chamber at North Canton City Hall.

Present for the meeting were: Chairman Snyder, Vice Chairperson Kiesling, Member Cerreta, Council Members Foltz, Fox and Griffith. Council Member Peters was not present for the meeting.

Also present were: Mayor Held, Director of Administrative Services Bartos, Director of Law Nilges, City Engineer Benekos and Director of Finance Alger. Director of Administration Grimes was not present for the meeting.

Items discussed:

- a. Financial Statement – January, 2012: The Financial Statement was reviewed and will be placed on the March 12, 2012 council agenda for formal approval.
- b. Mayor's Court Receipts – January, 2012: The Mayor's Court Receipts were reviewed and will be placed on the March 12, 2012 council agenda for formal approval.

Respectfully submitted,

Jon Snyder, Chairman

Marcia Kiesling, Vice Chairperson

Mark Cerreta, Member



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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, March 5, 2012 in the Council Chambers at North Canton City Hall.

Present for the meeting were: Chairman Griffith, Vice Chairman Foltz, Member Kiesling, Council Members Cerreta, Fox, and Snyder. Council Member Peters was not present for the meeting.

Also present were: Mayor Held, Director of Law Nilges, Director of Finance Alger, City Engineer Benekos and Director of Administrative Services Bartos. Director of Administrator Grimes was not present for the meeting.

Items discussed:

- a. Disposition of Pending Moral Claims: Item was discussed. No action taken or required.
- b. Moral Claims – Proposed Repeal: Council to consider amending Ordinance No. 22-12 at their March 12, 2012 meeting.

Respectfully submitted,

Dan Griffith, Chairman

Doug Foltz, Vice Chairman

Marcia Kiesling, Member



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PERSONNEL & SAFETY COMMITTEE MEETING MINUTES

The agenda was amended to include a meeting of the Personnel & Safety Committee of North Canton City Council as part of the Committee of the Whole Monday, March 5, 2012 in the Council Chambers at North Canton City Hall.

Present for the meeting were: Vice Chairman Snyder, Member Griffith, Council Members Cerreta, Foltz, Fox and Kiesling. Chairperson Peters was not present for the meeting.

Also present were: Mayor Held, Director of Law Nilges, Director of Finance Alger, City Engineer Benekos and Director of Administrative Services Bartos. Director of Administration Grimes was not present for the meeting.

Item discussed:

- a. Exempt Ordinance – Section 10 Vacation Regulations: Item was discussed and will be placed on the March 19, 2012 Committee of the Whole agenda for further consideration.

Respectfully submitted,

Jon Snyder, Vice Chairman

Dan Griffith, Member

3/8/12-gmk

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