

RECORD OF PROCEEDINGS
COUNCIL OF THE CITY OF NORTH CANTON

0245

Minutes of

REGULAR Meeting

DAYTON LEGAL BLANK, INC. FORM NO. 10148

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

CALL TO ORDER

1. The council meeting was called to order Monday, March 12, 2012 at 7:00 p.m. by President of Council, Jon Snyder.

OPENING PRAYER:

2. The opening prayer was delivered by Rev. Steve Stultz Costello, of Faith United Methodist 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, City Engineer Benekos, Director of Administrative Services Bartos, and Clerk of Council Kalpac.

CONSIDERATION:

5. Council Meeting Minutes – February 13 and 27, 2012
Financial Statement – January, 2012
Mayor's Court Receipts – January, 2012

Mr. Snyder: May I have a motion and second to approve as presented the council meeting minutes of February 13th and February 27th, 2012; the financial statement for January, 2012; and the mayor's court receipts presented January, 2012

Mr. Foltz moved and Mrs. Kiesling seconded to approve, as presented, the council meeting minutes; financial statement and mayor's court receipts. All members present voting:
Yes: Foltz, Fox, Griffith, Kiesling, Peters, Snyder, Cerreta
No: 0

COMMITTEE MINUTES:

6. Mr. Snyder: May I have a motion and second to approve as presented the following executive session and committee report minutes: the Executive Session for Finance and Property held the 5th of March, 2012; the executive - Committee Minutes for Finance and Property; Ordinance Rules and Claims; Personnel and Safety all held the 5th of March, 2012.

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

Executive Session – Personnel & Safety Committee: Please refer to the minutes on file in the Council Office for the Executive Session meeting for Personnel & Safety Committee held March 5, 2012.

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

Ordinance, Rules & Claims Committee: Please refer to the minutes on file in the Council Office for the Ordinance, Rules & Claims Committee meeting held March 5, 2012.

Personnel & Safety Committee: Please refer to the minutes on file in the Council Office for the Personnel & Safety Committee meeting held March 5, 2012.

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RECOGNITION OF VISITORS:

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

Chuck Osborne: My name is Chuck Osborne. 307 Fairview Street SE, North Canton, Ohio. I haven't prepared anything, but I do have some contemp - contemporaneous comments. I've always been a big believer in public records, examples: the US Census; birth records; marriage records; military records. They're quite invaluable when you are doing genealogical research. I also enjoy local, municipal records. A lot of information can be derived from those. For a number of years, I've made it a standing request to get copies of the Council of the Whole meetings, which are not transcribed, which are two meetings a month. Basically, I'm just adding to my library of records. They come in handy. I don't always listen to them, but on occasion I will attempt to listen to them. On numerous occasions, I've discovered that they are almost unintelligible. Most recently, I, uh, was very keenly aware - interested in a meeting, and, uh, waited several weeks to get it, which was fine. Uh, when I got it home, couldn't hear it. The volume was so low. I put the speakers off my desk in my ears, and still it was very uncomfortable, undecipherable. I, I suggest that each of you up there have your Clerk of Council make you a recording on a CD, and take it home and try to listen to it. Worthless - utterly worthless. Uh, Mrs. Kalpac was very helpful, and she checked with their - the tech people, and I got an email the other day that said you'd have to have the software that the City I guess uses in order to improve on or amplify or to improve on the quality of the recording. I don't expect the City is going to give every taxpayer a copy of the software every time they make a records request. For a long time, we've heard continual complaints in here about the audio quality. People in the audience can't hear. Uh, if everybody would go up there and look, there is just a little bitty mic, about the size of a quarter that's embedded in the desk. Oftentimes, I'm sure papers are covering it up. You, certainly, if you listen to these recordings, you can hear all the shuffling - that's all you hear. I think if you get two birds with one stone, you need to improve on the audio in this room. You need boom mics, or uh, headsets, uh, and it will kill two birds with one stone. You will be able to be heard here in this chamber number one and number two, it will give you better quality recordings which serve as archival records of the City's transactions. I know former President of Council Revoldt, and this Council was scrambling here about a year or so ago when they were trying to determine what was promised to the City regarding Washington Square when they received their zoning. And, uh, I think it was a huge embarrassment for the City, we didn't have any records to really decipher whether they were complying with the zoning that they were given years ago. So, you're - you're not doing the taxpayers any service when they come in here and pay a buck for a CD, or whatever they are, a dollar and 3 cents or whatever. Is that correct? Or no, it's 40 cents or something? Whatever they are, you come in here and get the CD and you think there is going to be information on there - useless. I was going to burn, uh, burn 7 or 8 CD's and hand them out, but why should I go the expense? You have all these resources available to you, I would suggest that you have the Clerk of Council burn you a CD and see if you could hear anything. So, months go by, maybe years, I think we're destroying those after 2 or 3 years. I think that is a crying shame. But, you think you have information that you can go back and retrieve. You have nothing. Thank you.

Mr. Snyder: Anyone else wishing to speak to the body tonight? I'd Like to say it's great to see all these young people here in attendance, and we do hope you come back to see your government at work. It is always nice to see everybody from the school here. And one other point, as you noticed, there is some cake, and right after this meeting, which should be a very short meeting, you are all welcome to stay here and celebrate the birthday tomorrow of the Council Clerk, Mrs. Gail Kalpac. I think she is around 24, at least that's what she tried to tell us, so that leaves her about 40 odd years here to work, so, we'll have her awhile.

(Laughter)

Mr. Snyder: So, we're in good shape. By then Chuck we'll get the right tape for you. But thank you and please stay and enjoy the refreshments. Old Business, may I have a motion to read by title only, the third reading of Resolution 19-12?

OLD BUSINESS:

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

Resolution No. 19-12 - Third 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 to the North Canton Community Disaster Relief Fund.

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Mr. Snyder: Oh excuse me, Mr. Cerreta

Mr. Cerreta: OK. This is the third reading to approve this committee, and to put together this committee to actually be in charge of the fund itself. And I move that we adopt this third reading of Resolution 19-12.

Mr. Fox: Second.

Mr. Snyder: Any other comments? Call the roll.

Mr. Cerreta moved and Mr. Fox seconded to adopt the third reading of Resolution No. 19-12.

All members present voting:

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

No: 0

Mr. Snyder: Chairman Cerreta, we want to thank you for all your hard work on that and the institution of that committee and that progress and we do wish you the best of luck in the continuation of that.

Mr. Cerreta: Thank you.

- 9. Mr. Snyder: We appreciate that very much. May I have a motion and second to amend Ordinance No. 22-12 repealing of Section 111.05 Moral Claims?

Mr. Griffith moved and Mr. Peters seconded to amend Ordinance No. 22-12, to include repeal of Section 111.05 Moral Claims. All members present voting:

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

No: 0

Mr. Snyder: May I have a motion to read by title only the second reading of Ordinance 22-12 as amended?

Mr. Griffith moved and Mr. Peters seconded to read by title only, second reading, as amended, of Ordinance No. 22-12. All members present voting:

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

No: 0

Ordinance No. 22-12 – 2nd Reading – Ordinance, Rules & Claims

An ordinance amending CHAPTER 111 COUNCIL and CHAPTER 115 RULES OF COUNCIL, of the Codified Ordinances of the City of North Canton to repeal Section 111.05 Moral Claims and Section 115.01(e) Moral Claims and declaring the same to be an emergency.

Mr. Snyder: Chairman Griffith.

Mr. Griffith: This is a technical correction with the update we have that amend both sections to remove the moral claims section as they exist now and put us in a position that under State Statute that we would only be liable for those things which the State Statute would require us to be liable for. We've had good discussion on it in two readings, so I think we are ready to move it. And we want to do this by emergency so that we can get the issue resolved expeditiously.

Mr. Snyder: Any other discussion? May I have a motion to adopt Ordinance 22-12 as amended?

Mr. Fox moved and Mrs. Kiesling seconded to adopt the second reading, as amended, of Ordinance No. 22-12. All members present voting:

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

No: 0

Mr. Snyder: As we feel time is of the essence, may we suspend the rules of council for Ordinance No. 22-12?

Mr. Griffith moved and Mrs. Kiesling seconded to suspend the rules, as amended, for Ordinance No. 22-12. All members present voting:

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

No: 0

Mr. Snyder: May we adopt under suspension of the rules, as amended Ordinance No. 22-12?

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Mrs. Kiesling moved and Mr. Cerreta seconded to **adopt under suspension of the rules, as amended** Ordinance No. 22-12. All members present voting:

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

No: 0

REPORTS:

Mr. Snyder: There being no new business; reports - Director of Law.
Director of Law: None

Mr. Snyder: Director of Finance:

Mrs. Alger: I just wanted to publically thank everyone for passing the Fire and the EMS Levy. And just to let you guys know, I have hired a temporary lady to help Gayle out at the Income Tax Department. So, if you see someone who is kind of new, that's what - she's going to be out there for about two months.

Mr. Snyder: Good.

Mrs. Alger: That's it.

Mr. Snyder: Director of Administration.

Mr. Grimes: Just want to let you know, if you haven't seen it, we have the street sweeper out trying to clean up our city after the winter. But, you know, just be a little patient and we'll get to your street.

Mr. Snyder: Thank you.

Mr. Mayor: Yes, we have -- some of you may have seen it on TV, we had the CBS Evening News that came out and did a special report here in North Canton. And you can put it up, Google it, pull it up on the web. My hope is to play it at some point here in Council, but I think we've got to make sure that we have the sound and the video up on the screen. But it was very impressive because what they did is, they basically did the film on the Suarez Corporation. And they talked about on-shoring jobs from China. And, it was really the Operations Manager from Suarez Corporation that was -- he was really the main focus on what they've done. And they talked about how they had to re-engineer the Eden Pure heater and how they redesigned it so that they minimized the number of steps in order to manufacture the heater right here in the United States. And the way that they made it affordable to put together was by decreasing the steps in the development process. And in addition to that we had ARD which is, I believe the ABC news affiliate in Germany. And they came out last week as well and interviewed myself over here at City Hall. And it was really over the same thing, what is the City of North Canton doing in order to bring jobs back and manufacturing jobs back from China? And basically what I shared with them was that we are a business-friendly community. We try to minimize the regulations and the red tape to attract companies that are willing to work here. And I think one of the other critical steps is that we keep our services high, and we've kept our taxes low. We've kept our income tax where it has been for years, and uh, in addition to that, there are two other companies this summer that plan on filming the North Canton facility. I believe there's new television program called "The Factory" which is produced by American Pickers, that television show, and so they're coming out and they're looking at North Canton as a potential program. And what The Factory Show is about, is where they bring -- they take a look at factories and how old factories, how they've been improved and how they are bringing jobs to the US. And I think we are going to be one - hopefully one of the first episodes. And Larry King has another show on what he calls "On-shoring of Jobs", rather than outsourcing -- they're calling them on-shoring, and he plans on coming out and doing an episode on his new Bravo television station - new program. So, North Canton is getting a lot of attention, and I think it is because we are doing the right things by working with the businesses and the local community, and we're bringing jobs back. So, I think that this Council should really feel very proud of itself and also the Administration that we're working with businesses and trying to make them do whatever we can to make them grow. So very, very positive. In addition to that, we do have the Intelligent Community Forum which we had the Mayor from Stratford, Ontario Canada that came in and spoke at Walsh. They are very progressive. They work very hard to incorporate broadband communication technology. One of the examples that he gave is that they can control all the lights throughout the city from their police department. They can dim them turn them off through an electronic program. And, along with a number of other things that they have implemented and their institute, their world-wide institute is going to be right here at Walsh University in North Canton. So, what we are doing administratively with Mike Grimes and also Bill Bartos, our Assistant Administrator, we're working to get that designation here in North Canton. And I think we would, as we stand right now with the integration of technology in the City and also with our -- it's really the integration that they call "The Triple Helix" where you integrate business, education, and government together. And, I think that we are pretty close to being able to being designated as an intelligent community. That is what our goal is. I believe that they are going to be, they will have a

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new facility here on the Walsh Campus by 2014. So, it is all very positive here in the City. That is all I have.

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

Mr. Benekos: Yes, we opened up the bids for the Landsdowne Waterline Replacement Project. Bids came in at about \$525,000 which is \$40,000 under bid, under budget. Board of Control awarded that tonight and we should start construction here in a few weeks.

Mr. Snyder: Good. Appreciate that. Mr. Foltz.

REPORTS - COUNCIL:

Mr. Foltz: No report.

Mr. Snyder: Mr. Peters.
Mr. Peters: No report, sir.

Mr. Snyder: Mr. Fox.

Mr. Fox: Yes, I just wanted to point out, I read a recent article from Morgan Day at Patch about the Clearmount fifth grade students started a drive for the local animal shelter, and I just wanted to get the word out. It started with the fifth grade students, and now it is a school-wide drive to raise supplies for the local Humane Society for the animals there. It lasted through March 22nd, and they are looking for collars, leashes, dry and canned pet food, stainless steel bowls and other items. And they are looking to encourage folks to volunteer at the animal shelters as well. And, you can get more information on this at www.starkhumane.org. So, I wanted to thank Morgan and Patch for putting that information out there. Thank you.

Mr. Snyder: Mr. Griffith.

Mr. Griffith: I only have a very minor thing. We've gotten some additional information about our housing projects and some of the ordinances that we'd like to put in place. And it looks like a number of other communities are doing some of the things that we are trying to do, so we won't have to completely re-invent the wheel. And maybe we'll have something to talk about in even greater detail next week when we get together. So...

Mr. Snyder: Mr. Cerreta.

Mr. Cerreta: I did attend the Survey Committee in the last week. And just to they are going real strong about getting the survey out and everything, but they would like to know if both Council and Administration would like two or three topics or questions. So, if you would kind of put your brains together, and any questions or topics that you want to ask the people of the Community, and we need to do the same. So, we'll, I'll be talking to everyone about that as we go forward with that. And, that's all.

Mr. Snyder: Thank you. Mrs. Kiesling.
Mrs. Kiesling: No report.

Mr. Snyder: Two things. Again, as the Director of Finance said, speaking for the Council, we are very grateful the electorate for passing those levies overwhelmingly in the excess of 70%. And, that says to us, I would think, that the citizens applaud not only our EMS and fire services, but our Administration and the Council as good stewards of the taxpayer's dollars. We have a fabulous EMS and fire service. That will save transferring money that we will have, hopefully, to move to the 2013 budget to give us ...inaudible... on that, and to continue to operate with a balanced position. Again, last year we transferred \$25,000. This year we're in line to transfer \$342,000, and that money will be returned back to our solvency of our rainy-day fund. But, it has been storming. I felt the tsunami coming in there. So we - we're in a little better shape now than we were; we can breathe. But thanks to that and all the hard work to Chief Bacon, as Chief of both EMS and Fire Service. And if you see the Chief, please pass that on. The other thing, this Thursday will be the second of five events at the Civic Center put on by the grant that the City awarded to the Canton Museum of Art. Last time it was a ballet, they had about 60 people. This one will be done with Tutankhamun. The hour before it is done with the children doing an art - GEOArt with recyclable materials. So, if you have nothing to do on Wednesday or Thursday evening go down to the Civic Center and bring your children down if they want to do the it - and the public likes it. There are refreshments served compliments of Walsh College. So you can see our grant money at work. I think that's all I had. Is there any.....

Mr. Osborne: Mr. Snyder, may I make some final remarks?

Mr. Snyder: Please, make it brief.

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Mr. Osborne: I just finished doing an analysis of all legislation passed. Last year, in 2011, as compared to 2010, 92% of all laws passed in this City in 2010 were passed on an emergency. Last year you improved, only 85% of all municipal legislation was passed on emergency. I have to take issue with Mr. Griffith, there was absolutely no reason to pass the elimination of the, moral claims on emergency. And for those here that don't understand that process, when legislation is passed on an emergency it takes away the taxpayers' opportunity to referendum that issue. And I think this Council continues to take that very cavalierly. Sure, go ahead and pass it on emergency. (Finger snap) You've just taken away the taxpayers' right to referendum that particular legislation. And you're violating State Law, and you just continue to it willy-nilly. And was that actually a true emergency, necessary for the welfare of the City of North Canton that it had to be rushed through on emergency? I think not.

ADJOURN:

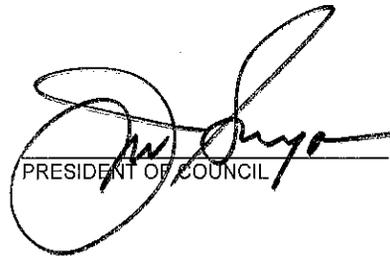
Mr. Snyder: We appreciate your comments, sir. Anyone else wishing to speak? If not, I'll entertain a motion to adjourn?

Mr. Fox moved and Mr. Cerreta seconded to adjourn the council meeting. All members present voting:

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

No: 0

Meeting adjourned at 7:25 p.m.


PRESIDENT OF COUNCIL

ATTEST:


CLERK OF COUNCIL