



City of North Canton, Ohio

Council Office
145 North Main Street
North Canton, Ohio 44720.2587
330.499.3986 - 330.499.2960 Fax

www.northcantonohio.com

email: citycouncil@northcantonohio.com

NOTICE OF MEETINGS

Mr. Daniel Peters, Chairman of the Personnel & Safety Committee of North Canton City Council, has requested a meeting of said Committee Members, Council, Mayor, Director of Administration, Director of Law, Director of Finance and Director of Administrative Services **Monday, March 26, 2012 at 6:50 p.m.** in the Council Chamber at North Canton City Hall.

The purpose of the meeting will be to consider authorizing legislation relating to administration of the Dispatch Department. The meeting **will be open** to the public.

Council Meeting Agenda Monday, March 26, 2012 - 7:00 p.m.

1. Call to Order: 7:00 p.m.
2. Opening Prayer: Rev. Thomas L. Douce, Retired, United Methodist Church
3. Pledge of Allegiance
4. Roll Call
5. Consideration

Council Meeting Minutes – March 12, 2012
Financial Statement – February, 2012

6. Committee Minutes
7. Recognition of Visitors

OLD BUSINESS:

8. None

NEW BUSINESS:

9. **Ordinance No. 23-12 – 1st Reading – Housing Review Committee**
An ordinance amending PART 17 – HOUSING CODE of the Codified Ordinances of the City of North Canton, to include Chapter 1703 – Registration of Vacant Buildings and Certificates of Occupancy for Vacant Buildings.
10. **Ordinance No. 24-12 – 1st Reading – Personnel & Safety Committee**
An ordinance amending Chapter 155 Personnel Regulations of Part One-Administrative Code of the Codified Ordinances of the City of North Canton, as amended, specifically Section 6. PERSONAL DAY ALLOWANCES and Section 10. VACATION REGULATIONS and repealing any and all legislation inconsistent herewith.
11. **Ordinance No. 25-12 – 1st Reading – Street & Alley Committee**
An ordinance authorizing the Director of Administration of the City of North Canton to advertise and receive bids; and, authorizing the Mayor of the City of North Canton, through the Board of Control, to enter into a contract for the Main Street Traffic Signal Coordination Project (Everhard to Orion), at a cost not to exceed \$807,250, and declaring the same to be an emergency.
12. **Ordinance No. 26-12 – 1st Reading – Street & Alley Committee**
An ordinance authorizing the Director of Administration of the City of North Canton to advertise and receive bids; and, authorizing the Mayor of the City of North Canton, through the Board of Control, to enter into a contract for the resurfacing, repaving, replacement, repair and preventative maintenance of certain streets, alleys and city parking lots, at a cost not to exceed \$365,000, and declaring the same to be an emergency.
13. **Ordinance No. 27-12 – 1st Reading – Street & Alley Committee**
An ordinance authorizing the Director of Administration of the City of North Canton to advertise and receive bids; and, authorizing the Mayor of the City of North Canton, through the Board of Control, to enter into a contract for the North Main Street Reconstruction Project – Phase VI, at a cost not to exceed \$4,010,000 and declaring the same to be an emergency.
14. **Ordinance No. 28-12 – 1st Reading – Water, Sewer & Rubbish Committee**
An ordinance authorizing the Director of Administration of the City of North Canton to advertise and receive bids; and, authorizing the Mayor of the City of North Canton, through the Board of Control, to enter into a contract for the Water Tower 1 Exterior Painting Project, at a cost not to exceed \$400,000, and declaring the same to be an emergency.

15. **Ordinance No. 29-12 – 1st Reading – Water, Sewer & Rubbish Committee**
An ordinance authorizing the Director of Administration of the City of North Canton to advertise and receive bids; and, authorizing the Mayor of the City of North Canton, through the Board of Control, to enter into a contract for the Donner Avenue NW Waterline Replacement Project (West Maple Street to Florence Street NW), at a total cost not to exceed \$125,000 and declaring the same to be an emergency.
16. **Ordinance No. 30-12 – 1st Reading – Finance & Property Committee**
An ordinance authorizing the Mayor of the City of North Canton, through the Board of Control, to enter into a professional services agreement by and between the City of North Canton and Creative Microsystems Inc., for the purchase and upgrade of the current software for the computer aided dispatch and records management systems, for use by the Police Department, in an amount not to exceed \$118,000.

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

3/22/12-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
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.

DAYTON LEGAL BLANK, INC. FORM NO. 10148

Held Monday, March 12

7:00 p.m.

12
26

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 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.

RECORD OF PROCEEDINGS

0247

Minutes of

COUNCIL OF THE CITY OF NORTH CANTON

REGULAR Meeting

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

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

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?

Held Monday, March 127:00 p.m.12

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 -s 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

RECORD OF PROCEEDINGS

Minutes of COUNCIL OF THE CITY OF NORTH CANTON

REGULAR

Meeting

DAYTON LEGAL BLANK, INC., FORM NO. 19148

Held Monday, March 12

7:00 p.m.

20 12

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.

RECORD OF PROCEEDINGS

Minutes of COUNCIL OF THE CITY OF NORTH CANTON

REGULAR

Meeting

DAYTON LEGAL BLANK, INC., FORM NO. 10146

Held Monday, March 12

7:00 p.m.

12
20

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



City of North Canton, Ohio

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

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

EXECUTIVE SESSION MEETING MINUTES

The Personnel & Safety Committee of North Canton City Council met Monday, March 19, 2012 at 6:30 p.m. in the Council Chamber at North Canton City Hall.

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

Also present for the meeting were: Mayor Held, Administrator Grimes, Director of Law Nilges, Director of Administrative Services Bartos and Director of Finance Alger.

Upon a roll call vote of Council, all present moved into an executive session at 6:30 p.m. for the purpose of discussing collective bargaining. Subsequent to the discussion, the executive session adjourned at 7:15 p.m.

Respectfully submitted,

Jeff Peters, Chairman

Jon Snyder, Vice Chairman

Mark Cerreta, Council Member

3/20/12-gmk

c: Council, Director of Law
Mayor, D/Administration
D/Finance, City Engineer
Supt. P&I, Police Chief
Fire/EMS Chief, Press

g:\2012 committee report minutes\1-30-12 exec session p&s.docx



City of North Canton, Ohio

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

www.northcantonohio.com

email: citycouncil@northcantonohio.com

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 19, 2012 in the Council Chamber at North Canton City Hall.

Present for the meeting were: Chairman Snyder, Member Cerreta, Council Members Foltz, Fox, Griffith and Peters. Council Member Kiesling was not present for the meeting. Also present were: Mayor Held, Director of Administration Grimes, Director of Administrative Services Bartos, Director of Law Nilges, City Engineer Benekos and Director of Finance Alger.

Items discussed:

- a. Financial Statement – February, 2012: The Financial Statement was reviewed and will be placed on the March 26, 2012 council agenda for formal approval.
- b. Resolution re Municipal Tax Collection: The Committee, Council and Mayor to send a Resolution expressing their opposition to any effort by the State of Ohio to take over the collection of municipal income taxes in Ohio.

A copy of said Resolution is attached to the original minutes.

- c. Professional Services Contract re Police Department Software: The Committee authorized legislation authorizing the Mayor, through the Board of Control, to enter into a professional services agreement by and between the City of North Canton and Creative Microsystems Inc., for the purchase and upgrade of the current software for the computer aided dispatch and records management systems, for use by the Police Department, in an amount not to exceed \$118,000.

Respectfully submitted,

Jon Snyder, Chairman

Mark Cerreta, Member



City of North Canton, Ohio

Council Office
145 North Main Street
North Canton, Ohio 44720.2587
330.499.3986 . 330.499.2960 Fax

www.northcantonohio.com

[email: citycouncil@northcantonohio.com](mailto:citycouncil@northcantonohio.com)

RESOLUTION OF OPPOSITION

A Resolution by the Mayor and Council for the City of North Canton, expressing their opposition to any effort by the State of Ohio to take over the collection of municipal income taxes in Ohio, and declaring an emergency.

WHEREAS: City income tax is the largest source of revenue for all municipalities and any disruption or interference with current collection processes will be harmful to the financial operations; and,

WHEREAS: The prospect of the state control of the municipal income tax collection presents numerous administrative difficulties including, but not limited to: how the state will administer local tax ordinances; how retention of access to tax records will be handled; the timing and frequency of distribution of collected revenues to municipalities; the report of tax collections to municipalities; and the impact of planned budget and staffing cuts on the Ohio Department of Taxation's ability undertake and properly perform such significant new responsibilities; and,

WHEREAS: In the wake of sweeping reductions in the Local Government Fund, municipalities cannot afford another potential loss in revenue.

NOW, THEREFORE BE IT RESOLVED, that we, the Mayor and Council for the City of North Canton, hereby declare our strong opposition to any effort by the State of Ohio to take over the collection of municipal income taxes in Ohio; and urges its Ohio State Legislators to reject and oppose any amendment to pending bills or introduction of any new legislation that proposes to transfer collection and/or control of municipal income taxes to the State of Ohio Department of Taxations.

Section 1. That the Mayor and Council for the City of North Canton opposes any effort by the State of Ohio to take over the collection of municipal income taxes in Ohio.

Respectfully submitted,

David J. Held, Mayor

Doug Foltz, Ward 1

Jon Snyder, President of Council

Daniel Peters, Ward 2

Marcia Kiesling, Vice President of Council

Tim Fox, Ward 3

Mark Cerreta, Council-At-Large

Dan Griffith, Council-At-Large



City of North Canton, Ohio

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

www.northcantonohio.com

email: citycouncil@northcantonohio.com

HOUSING REVIEW COMMITTEE MEETING MINUTES

The Housing Review Committee of North Canton City Council met as part of the Committee of the Whole Monday, March 19, 2012 in the Council Chamber at North Canton City Hall.

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

Also present were: Mayor Held, Director of Administration Grimes, Director of Law Nilges, Director of Administrative Services Bartos, Director of Finance Alger and City Engineer Benekos.

Item discussed:

- a. Registration of Vacant Properties: The Committee authorized legislation, amending PART 17 – HOUSING CODE of the Codified Ordinances, to include Chapter 1703 – Registration of Vacant Buildings and Certificates of Occupancy for Vacant Buildings.

Dan Griffith, Chairman

Mark Cerreta, Vice Chairman

Doug Foltz, Member

3/20/12-gmk

g:\2012 committee report minutes\3-19-12 hr.docx



City of North Canton, Ohio

Council Office
145 North Main Street
North Canton, Ohio 44720.2587
330.499.3986 - 330.499.2960 Fax

www.northcantonohio.com

email: citycouncil@northcantonohio.com

PERSONNEL & SAFETY COMMITTEE MEETING MINUTES

The Personnel & Safety Committee of North Canton City Council met as part of the Committee of the Whole Monday, March 19, 2012 in the Council Chambers at North Canton City Hall.

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

Also present were: Mayor Held, Director of Administration Grimes, Director of Law Nilges, Director of Finance Alger, City Engineer Benekos and Director of Administrative Services Bartos.

Items discussed:

- a. Exempt Ordinance – Section 10 Vacation Regulations: The Committee authorized legislation amending Chapter 155 Personnel Regulations of Part One-Administrative Code of the Codified Ordinances, as amended, specifically Section 6. PERSONAL DAY ALLOWANCES and Section 10. VACATION REGULATIONS and repealing any and all legislation inconsistent herewith.
- b. Discussion – City Dispatching Services: No action taken.

Respectfully submitted,

Daniel Peters, Chairman

Jon Snyder, Vice Chairman

Dan Griffith, Member



City of North Canton, Ohio

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

www.northcantonohio.com

email: citycouncil@northcantonohio.com

STREET & ALLEY COMMITTEE MEETING MINUTES

The Street & Alley Committee of North Canton City Council met as part of the Committee of the Whole Monday, March 19, 2012 in the Council Chamber at North Canton City Hall.

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

Also present were: Mayor Held, Director of Administration Grimes, Director of Finance Alger, Director of Law Nilges, City Engineer Benekos and Director of Administrative Services Bartos.

Items discussed:

- a. Main Street Traffic Signal Coordination Project: The Committee authorized legislation, on an emergency basis, authorizing the Director of Administration to advertise and receive bids; and authorizing the Mayor, through the Board of Control, to enter into a contract for the Main Street Traffic Signal Coordination Project (Everhard to Orion), at a cost not to exceed \$807,250.

- b. 2012 Street Maintenance / Paving Program: The Committee authorized legislation, on an emergency basis, authorizing the Director of Administration to advertise and receive bids and authorizing the Mayor, through the Board of Control, to enter into a contract for the resurfacing, repaving, replacement, repair and preventative maintenance of certain streets, alleys and city parking lots, at a cost not to exceed \$365,000.

- c. North Main Street Reconstruction Project Phase – VI: The Committee authorized legislation, on an emergency basis, authorizing the Director of Administration 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 North Main Street Reconstruction Project – Phase VI, at a cost not to exceed \$4,010,000

Respectfully submitted,

Tim Fox, Chairman

Daniel Peters, Vice Chairman

Doug Foltz, Member

3/20/12-gmk

c: Council, Director of Law
Mayor, D/Administration
D/Finance, City Engineer
Supt. P&I, Police Chief
Fire/EMS Chief, Press



City of North Canton, Ohio

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

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

WATER, SEWER & RUBBISH COMMITTEE MEETING MINUTES

The Water, Sewer & Rubbish Committee of North Canton City Council met as part of the Committee of the Whole Monday, March 19, 2012 in the Council Chamber at North Canton City Hall.

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

Also present were: Mayor Held, Director of Administration Grimes, Director of Law Nilges, Director of Finance Alger, City Engineer Benekos and Director of Administrative Services Bartos.

Items discussed:

- a. Water Tower Exterior Painting Project: The Committee authorized legislation, on an emergency basis, authorizing the Director of Administration to advertise and receive bids; and, authorizing the Mayor, through the Board of Control, to enter into a contract for the Water Tower 1 Exterior Painting Project, at a cost not to exceed \$400,000.
- b. Donner Waterline Replacement: The Committee authorized legislation, on an emergency basis, authorizing the Director of Administration to advertise and receive bids; and for the Mayor, through the Board of Control, to enter into a contract for the Donner Avenue NW Waterline Replacement Project (West Maple Street to Florence Street NW), at a total cost not to exceed \$125,000.

Respectfully submitted,

Mark Cerreta, Chairman

Tim Fox, Vice Chairman

Jon Snyder, Member

RECORD OF ORDINANCES

Dayton Legal Blank, Inc.

Form No. 30043

Ordinance No. 23-12

Passed _____, 20____

3/20/12-han
(Housing Review)

Ordinance No. 23-12

An ordinance amending PART 17 – HOUSING CODE of the Codified Ordinances of the City of North Canton, to include Chapter 1703 – Registration of Vacant Buildings and Certificates of Occupancy for Vacant Buildings.

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

Section 1. That PART 17 – HOUSING CODE of the Codified Ordinances of the City of North Canton, be, and is hereby amended to read as follows:

“Chapter 1703. REGISTRATION OF VACANT BUILDINGS AND CERTIFICATES OF OCCUPANCY FOR VACANT BUILDINGS.

1703.01 DEFINITIONS.

For the purpose of this chapter, words and phrases shall have the following meanings:

(a) "Vacant building" shall be defined for the purposes of this section, as a building which is not occupied by its owner, lessee or other person in lawful possession, or at which substantially all lawful business operations or residential occupancy has ceased, or which is substantially devoid of content.

1703.02 DUTIES OF OWNER.

(a) The owner, lessee, or party in control of any vacant building, or a mortgagee that has filed and is currently maintaining an open foreclosure action regarding a vacant building shall maintain the vacant building as follows:

- (1) Grass and weeds shall be kept at a maximum height of six inches. Shrubbery must be kept trimmed and neat and kept from encroaching on or touching the building.
- (2) All building exteriors shall have adequate weather protection, including paint, siding, and or similar finishes in good condition.
- (3) All buildings and grounds must be secured against trespassers and rodents. This includes maintaining all exterior doors, windows and yard fencing in a good and secured condition. No boards, plywood or similar means or materials may be used to secure windows and doors. Doors, and/or windows that are deemed insecure shall be secured by their replacement with similar, new doors or window units equipped with locking hardware.
- (4) Roofs on all buildings shall be in good, weather tight condition with no leakage.
- (5) Any accumulated trash or debris must be removed from the property immediately.
- (6) Graffiti, tagging or similar markings must be immediately removed or painted over with an exterior grade paint that matches the exterior color of the structure.
- (7) Pools and spas shall be drained and kept dry. Properties with pools and spas must comply with the minimum security fencing requirements of the City.
- (8) Adherence to this section does not relieve the owner or agent in control of the property of any obligations set forth in any covenants, conditions, restrictions, homeowners' association rules and regulations and/or codified ordinances or building codes which may apply to the property.

RECORD OF ORDINANCES

Dayton Legal Blank, Inc.

Form No. 30043

Ordinance No. 24-12

Passed 20

3/20/12-gmk
(Personnel & Safety)

Ordinance No. 24-12

An ordinance amending Chapter 155 Personnel Regulations of Part One-Administrative Code of the Codified Ordinances of the City of North Canton, as amended, specifically Section 6. PERSONAL DAY ALLOWANCES and Section 10. VACATION REGULATIONS and repealing any and all legislation inconsistent herewith.

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

Section 1. That Chapter 155 Personnel Regulations of Part One-Administrative Code of the Codified Ordinances of the City of North Canton, SPECIFICALLY Section 6. PERSONAL DAY ALLOWANCES and Section 10. VACATION REGULATIONS, be, and the same is hereby amended to read as follows:

"GENERAL PERSONNEL REGULATIONS

1. These Personnel Regulations shall apply to all exempt City employees and those non-exempt unclassified personnel who are not subject to a collective bargaining agreement.

2. Full-time exempt and non-exempt personnel shall work the necessary hours to properly discharge all duties involved in their respective positions, subject to the direction and discretion of the appointing authority. Part-time personnel shall work hours as scheduled.

3. All exempt and non-exempt unclassified personnel who are not subject to a collective bargaining agreement are employed "at-will". "Unclassified personnel" means those persons identified as being in the unclassified service by R.C. 124.11(A) and the Rules and Regulations of the Civil Service Commission of the City of North Canton, Ohio.

4. "Full-time" personnel means personnel other than non-exempt Fire, E.M.S. or Seasonal personnel who are regularly scheduled to work at least thirty seven and one half (37.5) hours per week.

5. "Part-time" personnel means personnel other than non-exempt Fire and E.M.S. personnel who are regularly scheduled to work less than thirty seven and one half (37.5) hours per week and non-exempt Fire and cross-trained E.M.S. personnel who are regularly scheduled to work less than fifty-three (53) hours in a seven (7) day tour of duty in an individual job classification.

6. "Seasonal" personnel means persons hired by the City with the expectation that such persons' employment would last no longer than nine (9) months of any calendar year.

Section 2. **ANNUAL UNIFORM ALLOWANCE**

An annual uniform allowance of one thousand (\$1,000.00) dollars shall be paid for the positions of Chief of Police and Chief of Fire and Emergency Medical Services. An annual uniform allowance shall also be paid for the following positions, in the following amounts:

Radio Dispatcher C

First year: \$200.00 paid at time of employment. Each year thereafter, \$200.00 to be paid January 20th.

RECORD OF ORDINANCES

Dayton Legal Blank, Inc.

Form No. 30043

Ordinance No. 24-12

Passed _____, 20____

Special Patrolman

First year: \$300.00 paid at time of employment. Each year thereafter, \$300.00 to be paid January 20th.

Auxiliary Patrolman

First year: \$150.00 paid at time of employment. Each year thereafter, \$150.00 to be paid January 20th.

Section 3. **EDUCATION BENEFITS**

1. The City will provide reimbursement to full-time City employees for tuition, registration and laboratory fees upon successful completion of college, university or other educational courses which are considered applicable and beneficial to the City in the performance of the employee's assigned duties and employment with the City as determined by the responsible departmental authority.

2. This ordinance shall not affect any instruction or training required by State Law.

3. Reimbursement for expenses permitted is contingent upon appropriation of funds.

4. Prior authorization must be given in writing by the responsible departmental authority to qualify for reimbursement. Upon successful completion of education courses so authorized, the departmental authority will authorize the reimbursement to the employee and it shall be paid by appropriated funds. Prior authorization by the departmental authority shall be conclusive that authorized educational courses are applicable and beneficial to the City in the performance of the employee's assigned duties and employment with the City.

5. Under no circumstances will the employee be permitted to take education courses during the normal working hours.

Section 4. **LONGEVITY PAY PLAN**

1. That there shall be a longevity pay plan for full-time employees of the City of North Canton. Annual longevity payments of \$70.00 per year of service shall be made during the first half of the month of December to all permanent, full-time employees who shall have completed at least five (5) years of continuous service and who shall be in the employ of the City as of November 30th of the year in which the longevity payment is made. Determination of longevity pay shall be from December 1st to November 30th.

2. Full-time employees of the City of North Canton, hired after August 1, 2006, shall not receive longevity pay.

Section 5. **HOLIDAY ALLOWANCES**

1. The following paid holidays will be observed by all full-time employees of the City of North Canton and City Offices will be closed on:

New Year's Day
Martin Luther King Day
President's Day
Good Friday
Memorial Day
July 4th

Labor Day
Thanksgiving Day
Friday after Thanksgiving Day
Day before or day after Christmas
Christmas Day

RECORD OF ORDINANCES

Dayton Legal Blunk, Inc.

Form No. 30043

Ordinance No. 24-12

Passed 20

2. Holidays listed in Subsection 1. of the within Section which may fall on Saturday, which is normally not a working day, shall be observed on the preceding Friday.

3. Holidays listed in Subsection 1. of the within Section which may fall on Sunday, which is normally not a working day, shall be observed on the following Monday.

4. Holidays listed in Subsection 1. of the within Section shall be considered as a day worked for accrual of fringe benefits.

5. On or before the first day of November of each year in respect to the holiday of the day prior or the day after Christmas, the Mayor shall, by administrative order, establish which of the days shall be the paid holiday. If the Mayor fails to make such designation by November 1st, the holiday shall be deemed the day prior to Christmas.

Section 6. **PERSONAL DAY ALLOWANCES**

1. Full-time employees shall receive sixteen (16) hours personal time per year off work with compensation; such personal time to be designated by the employee with the approval of the proper departmental authority. (Can be taken in one (1) hour increments.)

2. An employee hired prior to July 1st will receive two personal days that year. An employee hired after July 1st and prior to September 1st will receive one personal day that year and an employee hired after September 1st will receive none for that year.

3. Full-time employees shall receive, in addition, a maximum of three personal days provided they have accrued a minimum of four hundred (400) hours sick leave with the City. Said three personal days to be charged to sick leave. Personal days may be taken in no less than four (4) hour increments.

Section 7. **SICK LEAVE REGULATIONS**

1. Sick leave shall be defined as an absence with pay necessitated by: 1) illness or injury to the employee; 2) exposure by the employee to a contagious disease communicable to other employees; and/or 3) illness, injury or death in the employee's immediate family.

2. Allowance for sick leave for full-time employees of the City of North Canton shall accrue at the rate of 4.615 hours for every 80 hours paid not to exceed 120 hours per year and may accumulate such sick leave to an unlimited amount.

3. Sick leave allowance cannot be converted to vacation leave or used to provide wage extension pay or severance pay upon termination of employment for any reason other than retirement.

4. Upon retirement, a full-time employee of the City of North Canton hired on or before August 1, 2006, shall: (a) be paid for fifty (50%) percent of all sick time accumulated on or before the pay date that ends August 6, 2011, as certified by the Director of Finance, that is not subsequently used; and, (b) shall receive an additional amount equal to twenty-five percent (25%) of all unused sick time accumulated after the pay period ending August 6, 2011, as certified by the Director of Finance, up to a maximum of two hundred forty (240) hours.

RECORD OF ORDINANCES

Dayton Legal Blank, Inc.

Form No. 30043

Ordinance No. 24-12

Passed _____, 20____

5. Upon retirement, an employee hired after August 1, 2006 shall be paid for twenty-five percent (25%) of accumulated unused sick time up to a maximum of two hundred forty (240) hours.

6. Sick leave shall not be used where injury is service connected, but shall be covered by disability pay: DISABILITY PAY Section of this ordinance.

7. Any sick leave day(s) shall be considered as a day(s) worked for accrual of fringe benefits.

8. Sick leave may be taken in one-quarter hour increments.

9. Sick leave shall be effective on the first day of the month following the employee's date of hire.

Section 8: PUBLIC ACCOUNTABILITY SALARY DEDUCTION

To the extent permitted by law, exempt employees who are entitled to accrue personal leave and sick leave will have their salary reduced for absences of less than full work days when accrued leave is not used by an employee because: (1) permission for its use has not been sought or has been sought and denied; (2) accrued leave has been exhausted; or (3) the employee chooses to use leave without pay.

Section 9. RETIREMENT PROVISIONS

1. For the purpose of administering Section 7. of the within ordinance, retirement is defined as eligible retirement as determined by the Public Employees' Retirement System of Ohio and the Police and Firemen's Disability and Pension Fund.

2. Disability Retirement is defined as recognition of eligible disability retirement from the Public Employees' Retirement System and the Police and Firemen's Disability and Pension Fund.

Section 10. VACATION REGULATIONS

1. For the sole purpose of the application of this Section 10., full-time employees who were employed by the City of North Canton in a calendar year prior to January 1, 2003 shall be deemed to have a service date of January 1 of that year in that year in which their employment commenced.

2. Full-time exempt personnel may be granted a paid vacation allowance during the first year of employment up to a maximum of two calendar weeks at the discretion of the appointing authority.

A. Full-time employees having been employed less than one year, but not yet employed on January 1st, may be granted one (1) day of vacation for each full month remaining in that calendar year, to a maximum of ten (10) vacation days, effective on the first day of the first full month of employment during the calendar year, without the requirement of accrual.

B. Full-time exempt employees having been employed less than one year, but employed on January 1st, may be granted a paid vacation allowance of up to two (2) calendar weeks in that calendar year of employment, effective January 1st, without the requirement of accrual.

3. Full-time employees having been employed one through four years by January 1st shall be granted a paid vacation allowance of two calendar weeks in that calendar year of employment.

RECORD OF ORDINANCES

Dayton Legal Blank, Inc.

Form No. 30043

Ordinance No. 24-12

Passed _____, 20____

4. Full-time employees having been employed five through nine years by January 1st shall be granted a paid vacation allowance of three calendar weeks in that calendar year.

5. Paid vacation allowances for those who have been employed ten through fourteen years by January 1st shall be granted four calendar weeks and fifteen through nineteen years by January 1st shall be granted five calendar weeks; twenty years or more shall be granted six calendar weeks.

6. All vacation allowances shall be granted at a time approved by the department head and with concurrence of the Director of Administration or the Director of Finance for the Finance Department or the President of Council or Clerk of Council for the Council Office.

A vacation schedule based on the seniority standing of employees will be made up by the department head each year with vacation periods so staggered that the employee's absence will not seriously jeopardize the departmental work schedule for the year.

7. An extra day of paid vacation allowance will be permitted for all paid holidays falling within a selected vacation period.

8. When the normal work week is forty hours, the paid vacation allowance will be based thereon.

9. Three weeks of paid vacation allowance may be carried over to the next calendar year. The three weeks shall be the maximum amount which may be carried over regardless of the year to which the allowance is attributable.

10. Any employee who shall resign, retire or be laid off shall be entitled to be paid for vacation allowance earned in the previous year and eligible to be taken in the current year plus vacation earned in the current year at the pro-rata amount of one-twelfth (1/12) for each full month worked subsequent to January 1st.

11. Vacation shall be used in increments of one week or more except that vacations may be used in lesser increments when authorized by the proper departmental authority; however, vacation may not be taken in lesser increments than four hours.

Section 11. **MILITARY LEAVE**

Military leave shall be granted in accordance with all federal and state laws, and specifically O.R.C. 5923.05.

Section 12. **DISABILITY PAY**

Any full time employee of the City of North Canton injured in the line of duty, whose claim is allowed by the Bureau of Workmen's Compensation, shall receive from the City the difference between the amount allowed by the Bureau of Workmen's Compensation and his or her regular pay. There shall be a twelve month limit on the amount the City shall pay.

Section 13. **FUNERAL LEAVE**

1. Three days excused absence with pay upon the death of the employee's mother, father, sister, brother, wife, husband, son, daughter, grandparent, mother-in-law, father-in-law, sister-in-law, brother-in-law, daughter-in-law, son-in-law, stepmother, stepfather, stepchildren, grandchild and grandparent-in-law.

RECORD OF ORDINANCES

Dayton Legal Blank, Inc.

Form No. 30043

Ordinance No. 24-12

Passed _____, 20____

2. With permission of the department head and the concurrence of the Director of Administration or the Director of Finance for the Finance Department or the President of Council or Clerk of Council for the Council Office, the employee may be allowed one day for a funeral other than that of a relative. This time off shall not be charged against sick leave or vacation allowance but shall be leave with pay.

Section 14. HOSPITALIZATION, MEDICAL INSURANCE, DENTAL, OPTICAL & PRESCRIPTION DRUG PROGRAMS

Full time personnel, and those part-time personnel designated by Council, shall be eligible for medical benefits in accordance with the City's group health benefits plan, according to the terms of such plan, as amended from time to time.

Section 15. LIFE INSURANCE

Full time personnel, and those part-time personnel designated by Council, shall be eligible for life insurance in accordance with the City's life insurance plan, according to the terms of such plan, as amended from time to time.

Section 16. JURY DUTY LEAVE

1. Any employee who is called for jury duty, either Federal, County or Municipal, shall be paid his or her regular salary, less any compensation received for jury duty, as provided for in the OHIO REVISED CODE when said jury duty conflicts with her or his work schedule.

2. It is understood that Paid Jury Duty Leave will not exceed eighty hours per year without approval of City Council. It will be the employee's responsibility to present to the City the necessary documents, including pay vouchers/check from the Clerk of Courts.

Section 17. MATERNITY LEAVE

This policy shall apply only to those employees not eligible for maternity leave pursuant to Family Medical Leave Act of 1993 ("FMLA"). Employees eligible for FMLA maternity leave shall receive leave pursuant to that Act in the manner described in the City of North Canton Personnel Handbook. Maternity Leave shall include pregnancy, childbirth and related medical conditions.

Upon written request to the Director of Administration, Director of Finance, President of Council or Clerk of Council, whoever is applicable, a pregnant employee may be granted a leave of absence without pay, subject to the following rules.

A. Length of Leave: Leaves of absence for maternity leave shall be limited to the period of time that the pregnant employee is unable to perform the substantial, material duties of the employee's position. This period may include reasonable pre-delivery, delivery and recovery time, as certified in writing by a physician, not to exceed one hundred and eighty days. Such leave shall not include time being requested for the purposes of child care following the recovery of the employee.

B. Physician Certificate: A pregnant employee requesting a leave of absence without pay must present, at the time the request is made, a physician's certificate stating the probable period for which the employee will not be able to perform substantial, material duties of the employee's position due to pregnancy, childbirth or related medical conditions.

RECORD OF ORDINANCES

Dayton Legal Blank, Inc.

Form No. 30043

Ordinance No. 24-12 Passed _____, 20____

2. In respect to the employee's contribution to the Public Employees Retirement System of Ohio, that contribution shall be the employee's contribution to the employee's savings fund defined at Section 145.47 of the OHIO REVISED CODE.

Section 19. LEAVE OF ABSENCE

Leave of Absence without pay may be granted upon written request and approval of the department head. Attendance at job related conferences, meetings, seminars, etc., which result in absence from work, require prior written request and approval from the responsible departmental authority.

Section 20. COMPENSATION

1. Full-Time Schedule of Compensation: Full-time employees shall be paid an amount equal to or less than the amount set forth in the following schedule:

Position	Bi-Weekly Compensation
Director of Administration	\$3,510.86
Director of Administrative Services	\$2,599.32
Director of Finance	\$3,463.99
City Engineer	\$3,463.99
Chief of Police	\$3,210.72
Chief of Fire & EMS	\$3,210.72
Supt., Permits & Inspection	\$2,599.32
Director of Permits & Development	\$2,599.32
Supt., Utilities & Services	\$2,599.32
Supt., Streets & Parks	\$2,599.32
Chief Operator- DWP	\$2,599.32
Supt., Recreation, Buildings & Grounds	\$2,599.32
Operations Managers: Recreation, Buildings & Grounds Streets & Parks Water & Sanitary Sewer Drinking Water Plant	\$ 2,465.68
Clerk of Council/Law Dept.	\$ 2,146.82
Deputy Director of Finance	\$1,962.01
Administrative Assistant/Payroll Clerk	\$1,730.00
Administrative Assistant	\$1,730.00

A. At all times the position of Director of Permits & Development is filled, the person serving in the capacity shall also hold the title of Superintendent, Permits & Inspection at no additional compensation.

RECORD OF ORDINANCES

Dayton Legal Blank, Inc.

Form No. 30043

Ordinance No. 24-12

Passed _____, 20____

2. Part-time Schedule of Compensation: Part-time personnel shall be paid an amount equal to the amount set forth in the following schedule:

<u>Public Safety – FIRE / EMS</u>	
Assistant Fire Chief	\$ 14.96
Fire Captain	\$ 14.60
Fire Captain / EMT – Paramedic	\$ 14.60
Fire Captain / EMT – Basic	\$ 14.60
EMT – Paramedic	\$ 14.60
Firefighter / EMT – Paramedic	\$ 14.60
Firefighter / EMT – Basic	\$ 14.13
Firefighter	\$ 14.13
EMT – Basic	\$ 14.13
EMT Personnel on Standby	\$ 2.21
Manned at Station:	
Firefighter / EMT - Paramedic/Basic	\$ 12.00
EMT 's manned at station will not receive Standby Wages.	
<u>Public Safety – Police</u>	
Dispatcher C	\$ 12.21
School Crossing Guard	\$ 11.77
Auxiliary Police	\$ 11.04
Special Patrolman	\$ 14.96
<u>Financial & Clerical</u>	
Fiscal/Clerical Specialist	\$ 11.88
<u>Department of Engineering</u>	
Engineering Clerk	\$ 10.12
Special Project Inspector	\$ 16.82
<u>Building & Permits</u>	
Building Inspector	\$ 24.08
<u>Municipal Swimming Pool</u>	
Pool Director*	\$5,928.25
Assistant Pool Director*	\$4,398.67
Concession Stand Mgr.*	\$4,610.85
Pool Personnel	\$ 7.40
Lifeguard I	\$ 7.65
Lifeguard II	\$ 7.94
Lifeguard/Instructor I	\$ 8.53
Lifeguard/Instructor II	\$ 8.83
Head Lifeguard I	\$ 9.11
Head Lifeguard II	\$ 9.41
Pool Maintenance	\$ 7.40
*Paid for Season	
<u>General Government</u>	
Summer I	\$ 7.40
Summer II	\$ 7.94
Intern	\$ 9.27
Skilled Worker	\$ 14.50
Hours per Skilled Worker will be limited to a maximum of 1200 per year	

RECORD OF ORDINANCES

Dayton Legal Blank, Inc.

Form No. 30043

Ordinance No. 24-12

Passed _____, 20____

Recreation	
Class "A" Instructor	\$ 11.00
Senior Program Director**	\$ 203.50
**Paid bi-weekly	
In the event the Senior Program Director works less than 20 hours in a bi-weekly pay period, the actual hours worked will be paid at his/her applicable hourly rate.	
There is hereby established an overtime rate of time and one-half after a scheduled eight (8) hours or working a holiday for part-time police officer and part-time radio dispatchers.	

3. Effective January 1 of each year, any employee receiving minimum wage shall have their hourly compensation automatically adjusted to reflect the applicable Federal or State minimum wage, whichever is higher.

Section 21. DRUG TESTING POLICY

1. Drug screening or testing shall be conducted upon reasonable suspicion. This testing shall be solely for administration purposes and the results obtained shall not be used in any criminal proceeding. Under no circumstances may the results of the drug screening or testing be released to a third party for the use in a criminal prosecution against the affected employee. The following procedures shall not preclude the employer from other administrative action.

2. Drug testing shall also be authorized when an employee is involved in an on-duty motor vehicle accident which results in bodily injuries to any vehicle occupants or the employee, or when the employee has discharged a weapon while on duty.

3. All drug screening tests shall be conducted by medical laboratories licensed by the State of Ohio and accredited by the College of American Pathologists or other mutually agreed upon entity. The procedures utilized by the testing lab shall correspond to accepted medical practice. Any positive result shall be confirmed by a mass spectrophotometry procedure (GS-MS), or any approved subsequent state-of-the-art confirmatory test.

4. Drug screening tests shall be given to employees to detect the illegal use of controlled substances as defined in Section 3719 of the Ohio Revised Code. If the initial screening is positive, the employee's sample shall be subjected to a confirmatory test that shall be administered by a medical laboratory licensed by the State of Ohio and accredited by the College of American Pathologists or other mutually agreed upon entity. The employee may have a second confirmatory test of the split sample done at a lab of his choosing, at this expense. This test shall be given the same evidentiary weight as the previous test, provided a neutral chain of custody remains unbroken.

A. If all the screening and confirmatory tests are positive, then the employee involved may be required to enter into rehabilitation referral. The City shall maintain the right to discipline the employee in addition to mandating rehabilitation.

B. Prior to any notification by the Employer for drug screening or testing, an employee may elect to participate in a rehabilitation or detoxification program, as determined by appropriate medical personnel. The cost of the program will be covered according to the provisions of the employee's health insurance plan.

C. An employee who participates in a rehabilitation or detoxification program shall be allowed to use sick leave, vacation leave, or personal days for the period of the rehabilitation. If no such leave credit is available, such employees shall be placed on leave of absence without pay for the period of the rehabilitation leave.

RECORD OF ORDINANCES

Dayton Legal Blank, Inc.

Form No. 30043

Ordinance No. 24-12

Passed _____, 20____

D. Upon completion of the program, and provided that a retest demonstrates that the employee is no longer illegally using a controlled substance, and/or subject to any disciplinary action that may be taken pursuant to this Article, the employee shall be returned to his position. Such employee may be subject to random retesting upon return to his position for a period of one (1) year from the date of his return.

E. Any employee in the above-mentioned rehabilitation program will not lose any seniority or benefits should it be necessary that he be required to take a medical leave of absence without pay for a period not to exceed ninety (90) days.

F. If an employee refused to undergo rehabilitation or detoxification pursuant to a lawful order, or he fails to complete a program of rehabilitation, or if he should test positive at any time within one (1) year after his return to work upon completion of the rehabilitation program, the employee shall be subject to disciplinary action.

G. Except as otherwise provided herein, the cost of all drug screening shall be borne by the City.

H. For the purpose of this Article "periodic" shall mean not more than three times per year, except that a drug test may be performed at any time upon "reasonable suspicion" of drug use. An employee may be tested more frequently during the one (1) year period after his return from a rehabilitation program.

5. For the purpose of implementing the provisions of this Article, each employee shall execute medical releases in order for the City to obtain the results of the drug screening provided for in this Article. The release referred to in this Section shall authorize only the release of examination results pertaining to the drug screening test. Such medical releases shall be provided by the employer."

Section 22. That Ordinance No. 13-11 and any and all legislation inconsistent herewith, be, and is hereby repealed."

Section 23. That this ordinance shall take effect and be in full force from and after the earliest period allowed by law.

North Canton, OH
Passed:

MAYOR

SIGNED: _____, 2012

ATTEST:

CLERK OF COUNCIL

g:\2012 draft legislation\exempt vacation.docx

RECORD OF ORDINANCES

Dayton Legal Blank, Inc.

Form No. 30043

Ordinance No. 27-12

Passed _____, 20____

3/20/12-gmk
(Street & Alley)

Ordinance No. 27-12

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 North Main Street Reconstruction Project – Phase VI, at a cost not to exceed \$4,010,000 and declaring the same to be an emergency.

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

Section 1. That the Director of Administration of the City of North Canton, be, and is hereby authorized to advertise and receive bids, according to the specifications now on file in the office of the Director of Administration for the North Main Street Reconstruction Project – Phase VI.

Section 2. That the Mayor of the City of North Canton, be, and is hereby authorized, through the Board of Control, to enter into a contract for the North Main Street Reconstruction Project – Phase VI, at a cost not to exceed \$4,010,000.

Section 3. That the Director of Finance of the City of North Canton, be, and is hereby authorized to draw funds necessary for the payment of the above specified contract from the following appropriation:

330	CAPITAL IMPROVEMENT FUND	
330.547.5225	Professional Services	\$3,889,700
330.547.5229	Contract Payments	<u>\$ 120,300</u>
		\$4,010,000

Section 4. That if a provision of this ordinance is or becomes illegal, invalid or unenforceable, that shall not affect the validity or enforceability of any other provision of this ordinance.

Section 5. That this ordinance is hereby declared to be an emergency measure necessary for the preservation of the health, safety and peace of the City of North Canton and further necessary for the timely completion of the North Main Street Reconstruction Project – Phase VI; wherefore, provided it receives the affirmative vote of six (6) or more members of Council elected thereto, this ordinance shall take effect and be in full force immediately upon its adoption by Council and approval by the Mayor.

North Canton, OH

Passed:

MAYOR

SIGNED: _____, 2012

ATTEST:

CLERK OF COUNCIL

g:\2012 legislation\27-12 n. main reconstruction project.docx

RECORD OF ORDINANCES

Dayton Legal Blank, Inc.

Form No. 30043

Ordinance No. 28-12

Passed _____, 20____

3/20/12-gmk
(Water, Sewer & Rubbish)

Ordinance No. 28-12

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 Water Tower 1 Exterior Painting Project, at a cost not to exceed \$400,000, and declaring the same to be an emergency.

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

Section 1. That the Director of Administration of the City of North Canton, be, and is hereby authorized to advertise and receive bids, according to specifications now on file in the office of the Director of Administration for the Water Tower 1 Exterior Painting project.

Section 2. That the Mayor of the City of North Canton, through the Board of Control, be, and is hereby authorized to enter into a contract for the Water Tower 1 Exterior Painting project, at a cost not to exceed \$400,000.

Section 3. That the Director of Finance of the City of North Canton, be, and is hereby authorized to draw funds necessary for the payment of the above specified contract from the following appropriation:

650	WATER REVENUE FUND	
650.768.5230	Maintenance of Equipment	\$400,000

upon receipt of vouchers duly approved by the proper departmental authority.

Section 4. That if a provision of this ordinance is or becomes illegal, invalid or unenforceable, that shall not affect the validity or enforceability of any other provision of this ordinance.

Section 5. That this ordinance is hereby declared to be an emergency measure necessary for the preservation of the health, safety and peace of the City of North Canton and further necessary for the timely completion of the exterior painting of Water Tower 1; wherefore, provided it receives the affirmative vote of six (6) or more members of Council elected thereto, this ordinance shall take effect and be in full force immediately upon its adoption by Council and approval by the Mayor. Otherwise, it shall take effect and be in force from and after the earliest period allowed by law.

North Canton, OH

Passed:

MAYOR

SIGNED: _____, 2012

ATTEST:

CLERK OF COUNCIL

RECORD OF ORDINANCES

Ordinance No. 29-12

Passed _____, 20_____

3/20/12-gmk
(Water, Sewer & Rubbish)

Ordinance No. 29-12

An ordinance authorizing the Director of Administration of the City of North Canton to advertise and receive bids; and for the Mayor of the City of North Canton, through the Board of Control, to enter into a contract for the Donner Avenue NW Waterline Replacement Project (West Maple Street to Florence Street NW), at a total cost not to exceed \$125,000 and declaring the same to be an emergency.

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

Section 1. That the Director of Administration of the City of North Canton, be, and is hereby authorized to advertise and receive bids, according to specifications now on file in the office of the Director of Administration for the Donner Avenue NW Waterline Replacement Project (West Maple Street to Florence Street NW).

Section 2. That the Mayor of the City of North Canton, through the Board of Control, be, and is hereby authorized to enter into a contract for the Donner Avenue NW Waterline Replacement Project (West Maple Street to Florence Street NW), at a total cost not to exceed \$125,000.

Section 3. That the Director of Finance of the City of North Canton, be, and is hereby authorized to draw funds necessary for the payment of the above specified contract from the following appropriation:

651 WATER EXP, REPL & IMPROVEMENT FUND
651.767.5502 Facilities - Outside Waterlines \$125,000

upon receipt of vouchers duly approved by the proper departmental authority.

Section 4. That if a provision of this ordinance is or becomes illegal, invalid or unenforceable, that shall not affect the validity or enforceability of any other provision of this ordinance.

Section 5. That this ordinance is hereby declared to be an emergency measure necessary for the preservation of the health, safety and peace of the City of North Canton and further necessary for the timely completion of the Donner Avenue NW Waterline Replacement Project; wherefore, provided it receives the affirmative vote of six (6) or more members of Council elected thereto, this ordinance shall take effect and be in full force immediately upon its adoption by Council and approval by the Mayor.

North Canton, OH
Passed:

MAYOR

SIGNED: _____, 2012

ATTEST:

CLERK OF COUNCIL

RECORD OF ORDINANCES

Dayton Legal Blank, Inc.

Form No. 30043

Ordinance No. 30-12

Passed _____, 20____

3/20/12-gmk
(Finance & Property)

Ordinance No. 30-12

An ordinance authorizing the Mayor of the City of North Canton, through the Board of Control, to enter into a professional services agreement by and between the City of North Canton and Creative Microsystems Inc., for the purchase and upgrade of the current software for the computer aided dispatch and records management systems, for use by the Police Department, in an amount not to exceed \$118,000.

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

Section 1. That the Mayor of the City of North Canton, through the Board of Control, be, and is hereby authorized to enter into a professional services agreement by and between the City of North Canton and Creative Microsystems Inc., for the purchase and upgrade of current software for the computer aided dispatch and records management systems, for use by the Police Department, in an amount not to exceed \$118,000.

Section 2. That said software shall include installation, new mobile interface module, training, licenses, 24-hour technical support and warranties.

Section 3. That the Director of Finance of the City of North Canton, be, and is hereby authorized to draw funds necessary for the payment of the above specified contract from the following appropriation:

330	CAPITAL IMPROVEMENT FUND	
330.101.5500	Equipment	\$100,000
101	GENERAL FUND	
101.101.5500	Equipment	<u>\$ 18,000</u>
		\$118,000

upon receipt of vouchers duly approved by the proper departmental authority.

Section 4. That this ordinance shall take effect and be in full force from and after the earliest period allowed by law.

North Canton, OH
Passed:

MAYOR

SIGNED: _____, 2012

ATTEST:

CLERK OF COUNCIL