

RECORD OF PROCEEDINGS

REGULAR

0251

Minutes of

COUNCIL OF THE CITY OF NORTH CANTON

Meeting

DAYTON LEGAL BLANK, INC. FORM NO. 10148

Held Monday, March 26 7:00 p.m. 12 20

CALL TO ORDER:

- 1. The council meeting was called to order Monday, March 26, 2012 at 7:00 p.m. by President of Council Jon Snyder.

OPENING PRAYER:

- 2. The opening prayer was given by President of Council, Jon Snyder

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: Foltz, Fox, Griffith, Kiesling, Peters, Snyder. Council Member Cerreta was not present for the meeting.

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

CONSIDERATION:

- 5. Council Meeting Minutes – March 12, 2012
Financial Statement – February, 2012

Mr. Snyder: May I have a motion and second to approve as presented the Council Meeting Minutes of March 12, 2012, and the Financial Statement presented February 20, 2012?

Mr. Peters: Mr. President, before you go there, I motion to excuse Member Cerreta.

Mr. Peters moved and Mr. Fox seconded to excuse the absence of Council Member Cerreta. All those present voting:

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

Mr. Snyder: Now, may I have a motion for the council meeting

Mr. Foltz: Motion to approve as presented.
Mr. Snyder: Okay, thank you.

Mr. Foltz moved and Mr. Peters seconded to approve as submitted. Those present voting:
Yes: Griffith, Kiesling, Peters, Snyder, Foltz, Fox.
No: 0

COMMITTEE MINUTES:

- 6. Mr. Snyder: Do we have a motion and second to approve as presented the following Executive Session and Committee Report Minutes: Executive Session for Personnel & Safety; Finance & Property: Housing Review; Personnel Safety; Street & Alley; and Water, Sewer & Rubbish all held on the 13th of March, 2012.

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

Executive Session for Personnel & Safety Committee: Please refer to the minutes on file in the Council Office for the Executive Session meeting for Personnel & Safety held March 19, 2012.

Finance & Property Committee: Please refer to the minutes on file in the Council Office for the Finance & Property Committee meeting held March 19, 2012.

Housing Review Committee: Please refer to the minutes on file in the Council Office for the Housing Review Committee meeting held March 19, 2012.

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Personnel & Safety Committee: Please refer to the minutes on file in the Council Office for the Personnel & Safety Committee meeting held March 19, 2012.

Street & Alley Committee: Please refer to the minutes on file in the Council Office for the Street & Alley Committee meeting held March 19, 2012.

Water, Sewer & Rubbish Committee: Please refer to the minutes on file in the Council Office for the Water, Sewer & Rubbish Committee meeting held March 19, 2012.

RECOGNITION OF VISITORS:

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

Mr. Doug Lane: 509 Summit S.E. Actually, tonight I'm wearing three hats, so if I could have your indulgence. I'm here on behalf of the Chamber, the Master Plan, and TAP (Talk About Potential), because tonight you are going to be considering the Traffic Signal Coordination Contract. And, I do want to remind Council and Administration the importance making North Canton a more pedestrian-friendly City. If you even consider the intersection of Main and Maple and all that is happening around it. You have a new parking lot that will be developed at the old Willis property, the additions to the Main Street Grill, in fact, they were closed today working on that; the Amphitheater at Bitzer Park that the Rotary is working with the City on; the Veterans' Memorial which is being completed; the return of the Farmers' Market here in a month or so; the upcoming trail behind the Hoover Complex, and the Trail Head that is going to be happening at the Y; and the development of the Hoover District and the rebuilding of Maple Street. Literally millions of dollars that are being invested with the idea of getting people to stop, park their vehicles, visit these sites and businesses, and in the Main Street Grill's case having people walk across the street from the East side to the West, and in the case of the Memorial and some of the things that could be happening at Bitzer Park from the West side to the East. And, future development of retail and housing in the Hoover District that can bring the need for another cross-walk, possibly, near Whitworth at some point in time to connect the end of that complex with the Library; further north, the development at the Charlotte Intersection, even more pedestrian traffic at that point in time. People do need to cross Main Street. We ask that you take this into consideration when developing this plan. Look at making the existing, the future crossing safe and educate motorists that North Main is more than just a thoroughfare. So, I would appreciate your keeping that in mind. I know that you've had some discussions on that, and some ideas, and they can run the gamut. And, right now we might not have the same number of pedestrians that we hope to have in the future, but hopefully this \$800,000 plan will allow the flexibility at least to be done as these things happen. Now, if I could, I'd like to take off two of the hats and leave my Chamber hat on, I do want to take a moment to congratulate some deserving individuals, organizations, businesses who were honored recently at our Annual Awards Dinner. Dan Tullis and Larry Owens received our Community Leadership Award for their work in establishing the North Canton Farmers' Market with the help of St. Paul's. North Canton Jaycees got our Community Service Award. Suarez Manufacturing the Economic Development Award. CKP Heating and Cooling, the Business of the Year Award. Ermano's legendary pizza the Chamber Appreciation Award, and Steve Anderson got our Ellen Gray Volunteer of the Year Award. And, I'd also like to thank Councilman Griffith, Chief Wilder, and ED Director Bowles for attending the dinner and representing the City that night. And, I thank you for allowing me to wear so many hats and try to get it done in a short period of time. So, thanks.

Mr. Snyder: You're welcome. Thank you Mr. Lane. Anyone else wish to speak?

Mr. Chuck Osborne: 307 Fairview Street S.E. North Canton, Ohio. Most of us have the understanding, whether one works in the public sector or the private sector, that vacation days must be accrued before they can be taken. To be voted on tonight, titled as Ordinance 24-12, is an ordinance amending Chapter 155 of the City's Personnel Regulations, which will allow the taking of vacation days without the requirement of accrual. I am curious as to what prompted this change in vacation policy and if this change has come about for political expediency. In recent weeks after securing payroll records of an employee recently hired by the City, I found that the employee had taken all their personal days allowed for the year, all their sick leave allowed for the hours worked, and the one vacation day they had accrued on the job. Even with the sick time, personal days, and vacation time taken, the employee lost several days of work due to the need for major surgery. The changes proposed in Ordinance 24-12, would have allowed this new employee to use their ten days of vacation to cover their lost work days even though they had been on the job for only a few weeks. This begs the question. Does the City require a pre-employment physical before hiring an individual for employment and are political appointees made promises as to the availability of medical benefits for known major health problems before they are hired? In recent weeks, I have received two frantic calls from Mayor David Held asking me who is revealing this information. The source of the information is not relevant. But information available says that the new employee was unable to physically perform all the duties of the position from the first day of their employment and has had to undergo major surgery. Mayor Held himself has acknowledged to me that the employee did indeed have

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major surgery and was later readmitted to the hospital shortly after the surgery due to complications. If this information is true, what kind of financial hit does the City's self-insured health insurance plan take with major claims such as was apparently required in this situation? It is, after all, the taxpayers you are asking to foot the bill for an individual who begins their employment with the City, allegedly, needing very expensive surgery and unable to perform the duties of the position from the outset. Hiring individuals needing major surgery drives up the City's healthcare costs and jeopardizes the availability of healthcare for all other individuals covered under North Canton's self-insured health benefits plan. Are North Canton's personnel regulations and policies protecting the taxpayers of the City? North Canton must implement common sense personnel policies in the recruitment, screening, and hiring of city employees and political appointees to minimize the risks to the city and to protect taxpayers. I ask this council to vote down Ordinance 24-12 as it only serves to facilitate manipulation of personnel actions. As recommended to me by the Stark County Prosecutor's Office, I urge this council to ask that the FBI be contacted, as was done recently in Canton, to investigate the events surrounding the recent employment of this individual. Thank you.

Mr. Snyder: Thank you, Mr. Osborne. Mr. Nilges

Mr. Nilges: Just one point to try to clear this point here, but a lot of what Chuck brought up, that to address the policy matter about whether he should or should not allow accrual, that is for you to decide, and that's, but he's talking about an employee of the City's medical situation, which is a, you know, I'll just leave that alone as it is. But, to address this proposal, or apparent proposal of Chuck's not to hire people with medical conditions, or to make sure we screen people out with medical conditions. I'll tell you as an employment lawyer who has been practicing for ten years doing primarily employment law in my private practice it is unquestionably illegal to ask people about their medical conditions prior to hiring them. And then, once you have made an offer to them, you can do a background check of the medical examination, and I understand that is what we do - that is our practice here. But, what you can't do after you learn of a person's medical condition pursuant to one of these pre-employment physicals is discriminate against them based on that medical condition. Um, that would be illegal as well if it rises to a level of a disability and with recent amendments to the ADA, uh, a lot is a disability, a lot. Uh, so the point is, even if this was discovered, first of all, it could not be discovered before we made a conditional job offer. OK. That would be illegal. And, second of all, once it was discovered, it would be illegal for us to withdraw an offer of employment, uh, based on the discovery of that medical condition unless it was job-related and consistent with business necessity. What that means in laymen's terms is, if it's something that would preclude him to do a job with or without a reasonable accommodation. And so I guess the point is, I would strongly discourage you, as an employment lawyer, from following the advice not to hire people with medical conditions because it drives up medical costs. And, make sure it's our practices to continue the practice that we have in place now, which is not to ask people about medical problems before hire, and then to do an examination after hire or after the job offer has been extended, but not withdraw the job offer just based on that unless they can't do the job with or without reasonable accommodations.

Mr. Snyder: Any other comments?

Mr. Grimes: I'd like to comment, sir. I'm the one that does the hiring here, and, uh, the barrister is right, you cannot do that. You cannot just discriminate against folks just like that, and once we make the job offer, then we do send the person out. They do get their fingerprints. We do, do the drivers' license check, obviously because they are going to be driving City vehicles. And, we do, do a medical. We send them down and get clearance from a doctor that they are going to be able to do their job. So, that's the steps that we, you know, went through. I am not going to get into that particular person's medical because you know I can't go there. The other thing is, of course, you know Chuck has been running around all week, you know, saying things, so as due diligence, I did call the insurance company just to let them know for sure that they had the right hire date for the person we are talking about, and make sure that they do check to make sure all that medical is done properly. The other thing you've got to remember, too, is families come into this. So, I can't, you know, call up and ask people what their, what their family, what their wife has, what their kids have, or any of that. That is, that would be illegal. So, you know, there was nothing wrong here. We done it like we were supposed to do it, and he did all of our steps.

Mr. Snyder: OK. Appreciate it.

Mr. Fox: Hans, is it? Mike, is there a period of time when we have a new hire before they qualify for the, the health plan?

Mr. Grimes: Yes, it would be, if we hire somebody, it's the next month that their insurance would kick in. So, if you hired me today, I don't have any insurance, but in April 1st, I would have insurance. So, that is the way it works for everybody.

Mr. Snyder: Thank you. Anybody else wish to speak before the Council?

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Melanie J. Roll: 308 Portage, North Canton. This evening, Council will vote on Ordinance 25-12 on emergency, legislation that could include changes to how the traffic lights at the intersection of Main and Maple could be altered to insure the safety of pedestrians. There are many reasons to ask for this change, and I will list a few. Most of the vehicle parking is located west of Main Street. Citizens need to cross Main Street to attend events for Veterans at the War Memorial. The same is true for programs that will be held in the Amphitheatre. Employees from the Hoover District may want to have lunch at Main Street Grill or visit First Merit or City Hall, all which require crossing Main Street. Families visiting the Library who want to walk to Cafe Gelato will need to cross both Main and Maple. Daycare classes traveling from the YMCA Childcare Building to the Y's main facilities will also need to cross both streets. How many of you have walked any of those distances on foot? School crossing guards provide assistance during select times during the school year, but for the most part citizens young and old are on their own. It has been suggested having illuminated lights on the crosswalks that would be activated when a pedestrian wishes to cross any of the four streets. Laguna Beach, California, has these types of lights stretching through their downtown area. I agree with the local California residents, the lights are very effective at night but much less so in daylight hours. And, how effective would the lights be on snow-covered roads? I propose, when a pedestrian wishes to cross any of the four streets at Main and Maple, and the cross button is activated, traffic stops in all four directions. At that time, the walk sign is illuminated, and the person has at a minimum ten seconds to cross the street, having all traffic come to a stop, even for this abbreviated time, alerts everyone there that a pedestrian is in the crosswalk. With the current traffic light system, citizens have a false sense of security, thinking if the walk sign is illuminated, cars will not cross into their path. But, indeed cars can and do cross - enter into the crosswalk when the walk sign is illuminated. The argument against having a ten second all red zone is, it's a detriment to people's moving through downtown. The Master Plan encourages folks slowing of traffic and having a more pedestrian-friendly downtown. The all-red zone could help accomplish both of those objectives. Everyone in this room, I would hope, is an advocate for pedestrian safety. I ask that Council, this evening, include the all red zone at Main and Maple both in the planning and implementation of the traffic signal project. Thank you.

Mr. Snyder: Thank you.

Ms. Debbie Goldthorpe: 287 Orion N.E. I have a couple of ways of looking at this. One is from the YMCA standpoint where we are bringing 30-60 kids across from the Charlotte Center over to the Y. It is true that our staff there makes somewhat of a human line daring anyone to hit them. However, um, they kind of take the kids across the street, and we've got leaders at both ends, and you've got leaders here, and even if the light changes, nobody goes. Um, so you may say "Well, that's good. That keeps those kids all safe." I'm not sure that it does because of the way people drive, but so far we have been lucky enough not to have any incidents. My concern, personally, is that I feel much safer crossing illegally in front of St. Paul's to get over to the Y or back to this side of the street. And, it's because of the turn lanes, not only the left hand turns that all four of these streets have, but many times when I'm in that crosswalk, the car who is coming and turning ends up turning in front of me. They want to see if they can beat me to the other side - to get across there before I can get to the other side of the street, I don't think that is particularly safe either. And I commend Melanie for her thought on this. But, I want to throw out one other thing that I have seen. In Portsmouth, New Hampshire all lights are red at once, but they also have a diagonal walk. So, you can walk here, here, here, and here. You walk in the square, but you can also walk diagonally during that period of time. And, it was really nice. So, I would encourage us, to maybe take a look at that as something that could be done in the future. Maybe that is rather progressive, but maybe that would be a way if we want to keep foot traffic to really get people to where they are going safely, because it worked very, very well. Thank you.

Ms. Sandy Lang: Good evening. I'm the Director at the North Canton Public Library. And, I am here to speak in favor of the pedestrian. As someone who has fifty employees in the downtown area, I can tell you that every one of our staff has some story about almost being hit crossing at Main and Maple. Um, because people take that curve, and they really do think that the pedestrian in the crosswalk, although they have a walk sign, is there as an intruder. And, as more things are encouraged downtown, I want to open the little art gallery this Summer when they do the "Summer in the City", um, you know that is going to require people to cross the street, and my vision, whenever I think of this issue, is Steve Anderson standing in the middle of Main Street trying to get people across during the Christmas Tree Lighting, and taking his life in his hands even when they have a walk sign. So, please take into account the pedestrian. We would love to see more foot traffic in North Canton. 248,000 people visited the Library last year, and I believe that those people can also visit other places in town if we make it a pedestrian-friendly place.

Mr. Snyder: Thanks for coming.

Mr. Ron Meleg: 517 Wise Avenue SE. To change the subject here, my home was one of the homes that was flooded. And, it was due to water backing up in the sewer. I have had multiple conversations with the Law Director, the Engineer, uh, they know the water came up through the sewer, but they don't know how. Well, they don't believe me that the cause was because of the City lowering the manhole covers at the end of the street due to the request of one neighbor at the cost of \$6,000 to the City, which caused myself and

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my neighbor's house to flood. Now, I find out this week, that neighbor that has only lived on the street for 2 years is selling their house. They have already bought another property off on 7th Street. So, the City has spent \$6,000 to appease one person because they could not back their boat, trailer, and their motor home into their driveway causing myself and my neighbor problems whenever it possibly would rain. And, now they're just going to leave the neighborhood, which I have been in for over twenty-five years, and now we're stuck with the situation. I've talked to both the Law Director and the Engineer, and they were supposed to come up with some type of plan to maybe fix the plumbing and water, but they decided that possibly putting covering the holes in the manhole cover with bolts would hopefully solve the problem. They don't know if that will work, but they're hoping that. My suggestion is that, since that neighbor has moved and the rest of us on the street have no qualms about it, why not just go back, put the manhole covers back where they were originally when they were designed to be that way, raise them up another foot, which they were supposed to end the street where it was supposed to be ended, put the barricades back up and everybody will be happy. But, the City will spend more money trying to figure out, well if it floods again, maybe that must not be the problem. So, why not just go back the way it was. If it wasn't broken, you know, why go and try to put band-aids on the situation? You know, and I would love to tell my Councilmen "Thank you very much for having the Law Director give me a call back", but, you know something has to be done. The City Council, you, the majority of you are here. Why not just vote on it tonight? Just say, hey, let's get the man what he needs. If one person can have it done, another person should have it done. If not, am I being singled out, saying "Tough luck"? You know, the cost of my house is going down because if I ever sell my house, now I'll have to divulge that my house has been flooded. So, just spend the money and fix it the right way.

Mr. Snyder: Thank you sir. Anyone else wishing to speak to him? OK, seeing none, we'll move to Old Business.

Mr. Peters: Jon, excuse me. Before we go forward, in regards to the method that folks that spoke about the pedestrian concerns. We are authorizing to - for advertising to receive bids for this, if we make adjustments to try to accommodate pedestrians, and whether we use their examples or not, is that going to change the cost? Is this something we should look at before we do this, or should we look at it afterwards?

Mr. Benekos: The system that will be installed will be able to accommodate all red at any length of time. So, what we are putting in is flexible to handle that. If we add additional crosswalks in the future, that would tie into the system. So, what we are doing is, has the flexibility to accommodate.

Mr. Snyder: We are authorizing the ability to accept the grant to purchase the equipment that would control that. However, before we began the change, again, you know, the Director of our Signalization, we've talked to him once before about that. That'll have to be studied professionally. Change the flow of the traffic just to accommodate the pedestrian, we cannot do that. First of all, it's a state-bound highway. The traffic has to be studied and it has to be warranted before you change. Kids just go out there and change it and stop all traffic going in all directions. There is a system, and there is a procedure that we will follow. Now, we mechanically can change it, we do that on this system. But, again that will have to be studied. It will have to have the amount of foot-traffic to warrant the actual change. You cannot change the flow of traffic by legislation. It is illegal. You have to have a warrant to substantiate the change of any signalization that impedes or stops traffic. And, that comes through the Director of Administration. He'll authorize the study to change it. We'll study it. If it's warranted, the study, then we can make the change.

Mr. Benekos: I'm glad you said that because that was my next point, because the foot traffic that some people are talking about, we're not realizing that now but once the Amphitheatre, the retail, and you know...the things coming in there....ok.

Mr. Snyder: That's exactly right. And at that point, there will be a change.

Mr. Benekos: President Snyder, I'd like to add this, too. I think whoever we hire, does this through a consultant company. Let's have a meeting so that some of our constituents can attend it and really go over this thoroughly so we all understand what's the best situation we can protect our pedestrian traffic in the City, because I agree. We talked about it last week, we all had different ideas what we might be able to do, and following up with that. But, let's put it out there to see if there is an additional cost, I'm more than willing to support it if we can do some things legally then I agree that's where we are going with the master plan. We want more downtown shopping, downtown pedestrian use, and you're going to have to address that, and also Applegrove. We can't forget about Applegrove, because we have big plans, maybe for some of those parcels North of Applegrove down the road. If things work out in certain parcels. So, that would be my suggestion. We can revisit this again, put some dollars behind it. Alright. Thank you.

Mr. Grimes: And, last time, I think Melanie spoke. I think it was in the Fall, and the Police Chief did send some of his people out to take a survey of that. We knew it was Fall, so we're going to have to look again at the pedestrian traffic. The other thing we did, uh, I think it was about 2 weeks ago. We did change the yellow and red and added a couple of seconds there just to take a look at it. We don't need a warrant to do

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that, you know, on certain things. The other thing we did was that today it was just before 4 o'clock, the Police Chief and I sat down and talked about that intersection, and we're willing to try anything for pedestrian safety. So, just so you know that.

Mr. Snyder: Well, this system will have signalization timing to cross, the exact amount of seconds that you have to cross. The problem that we have to address is you cannot legislate good driving habits. I mean, people come through this City at the speeds, and that is an enforcement situation. At that point, you know, maybe we authorize additional funds for additional police to a particular populated area in our City. And, once that goes through, it won't take them long to figure out if you come through the City in excess of 28-30 mph, you're going to get a ticket. And, they figure that out in about an hour, and that eliminates a lot of that. But, we will - I appreciate your suggestions.

Mr. Benekos: As a follow-up too, you know, we've got the diagonal plan, the four-way stop plan, the lighted crosswalk plan, and maybe have additional time for pedestrian crossing before the arrows to turn left are activated. I don't know if it's done now or not. I don't think it is. So, that you at least give somebody a head start before an arrow comes and then you're crossing from North Main onto West Maple, and you give somebody a chance to start their, their walk, if that make sense.

Mr. Snyder: The gait of a child and the gait of a senior citizen is much slower than the gait of a 30-year-old male or female. And, the next thing you know, you have children crossing here and the senior citizens are walking much slower than the average, and it doesn't take long, so...

Mr. Benekos: There is criteria that determines the length of the walk cycle. And, it is based on, uh, not a teenager sprinting across. So, just to say 10 seconds, if we put a walk cycle in there, an all-walk cycle, there is a certain length of time that's dictated based on the distance from curb to curb. And, if we allow diagonal walking, it is going to increase at all red times. I'm not opposed to it either way. The legislation we're asking for tonight is to actually bid the project, instruct it, to install it. We can have a meeting any time with residents and other community people to determine what we want to do and how we want to time that, and so forth. So, you know this doesn't preclude us from doing that at any time. You know, we can come back after a year. We can put something in, time it a certain way, then come back and say we don't like that, come back and say ok, we want to try this and do that. So, I just want to let you know the flexibility is there. We can change it up anyway we decide as a community.

Mr. Snyder: Jim, on this new system, the controllers, say it was going to be a Mem, say they're going to do something on Memorial Day Weekend, we can go in there on Friday and change it so that the intersection goes all red by typing it into this new system. Is that correct?

Mr. Benekos: Correct.

Mr. Snyder: Then, on Monday morning, you can change it back in the system. So, you can - it has unlimited flexibility to change as you want to change it.

Mr. Benekos: Right. And, they can be pre-set, so we can go, like on a, you know, holiday mode, a parade mode, or that. You just press that in, and it goes to that mode. You know, we have all these presets already set in, so it's a state-of-the-art system, so we'll be able to do a lot with it.

Mr. Snyder: Yes, I do like Mr. Foltz's idea, though, if you get Community input you can find out what the people want. We could try it, you know, try it 60 days at a time or 30 days.

Mr. Benekos: We might not be thinking of one that is available that these traffic consultants know. They say, this can solve this problem right now...So Thank you.

Mr. Snyder: Thank you. Thanks for a good input.

Mr. Benekos: President Snyder, I think you nailed it right away with, right now we already have it enforced - there's no right on red - we have the intersections set up properly according to law. Uh, however it just appears that the residents know that they can turn and compel pedestrians walking across to yield when it's supposed to be the other way around. So, until we put this in force, and we're asking to bid it out now, I'd ask to try to enforce that a little more vigorously because you can see from the number of folks that came out to speak about this, how important it is, and certainly to them. I think one of the other bonuses that we're going to have with this new system is that at each intersection there is a camera system that can be monitored from either the Fire Department or from the Police Department. So, uh, that is something that can be monitored, be able to see when this is occurring and when it's not. Perhaps be able to identify, uh, certain offenders, perhaps repeat offenders, and so forth. So, absolutely try to get everyone behind the program with the ability to not only program it, but actually perhaps enforce it with our pedestrians.

Mr. Snyder: Any other input? If not, we'll move to New Business.

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OLD BUSINESS:

- 8. None

NEW BUSINESS:

- 9. Mr. Snyder: I need a motion to read by title only the first reading of Ordinance No. 23-12.

Mr. Griffith moved and Mr. Peters seconded to **read by title only, first reading** of Ordinance No. 23-12. All members present voting:
 Yes: Kiesling, Peters, Snyder, Foltz, Fox, Griffith
 No: 0

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.

Mr. Snyder: Chairman Griffith.

Mr. Griffith: Well, we had a vibrant discussion about this last Monday, and it's not the first time we've talked about it. I've heard a number of people who have been very supportive of it in the Community, and I appreciate their input. It looks like we need to make a quick adjustment to the height of the grass that will be limited there from 6 inches to 8 inches. And, I'm not just saying that out of self-interest, because of the last couple of weeks. But, it is an adjustment that needs to be consistent among, we will not amend to allow toilets in the front yards. We also had a great suggestion from Miriam who was kind enough to remind us that, if we indeed have a vacancy where someone has registered, that we should take the time and effort to notify the auditor so that the Homestead Exemption can be taken off of that property, and therefore the taxes that are abated because of that will be put back in. So, Miriam, I really deeply appreciate that suggestion, and it's a very helpful one. Uh, I spoke with the auditor, and he was more than happy to do that for us. So, um, but basically I think we are in great shape there and we'd be happy to hear anybody's other comments or thoughts. So. We're going to do a full three readings on this just to make sure we're all set.

Mr. Fox moved and Mr. Foltz seconded to **adopt the first reading** of Ordinance No. 23-12. All members present voting:
 Yes: Peters, Snyder, Foltz, Fox, Griffith, Kiesling
 No: 0

- 10. Mr. Snyder: Thank you. May I have a motion and a second to read by title only the first reading of Ordinance No. 24-12?

Mr. Fox moved and Mr. Foltz seconded to **read by title only, the first reading** of Ordinance No. 24-12. All members present voting:
 Yes: Snyder, Foltz, Fox, Griffith, Kiesling, Peters
 No: 0

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.

Mr. Snyder: Mr. Peters.

Mr. Peters: Yes, thank you. In Section 10, that's 2a and b specifically that we're talking about, it's just to clean up some ambiguous language in regards to vacation and if there's no other further comment, I'll move.....

Mr. Snyder: All right. It appears there is a question here. I noticed in the previous ordinance it did specify that the - it was an accrual basis to obtain vacation. Is there a reason that we eliminated that fact, that you accrue the vacation on a monthly, was it on a monthly basis or not? Was that set up...

Mrs. Kiesling: Bi-weekly, it's an 80-hour... inaudible... it's so many for 80 hours?

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Mr. Snyder: And then we took that out. The purpose, I understand of that is to change, was to give the appointing authority the ability, it called for one week's vacation, and the appointing authority could give an additional week's vacation. That was the purpose of the change. However, in the old ordinance, it did say that you accrue the vacation as you work. And, now if the new ordinance says that, does that conflict with one another? Or, was that the reason for that or just did...

Mr. Nilges: Since I drafter it the way it was written, said the, you got, if you weren't there on January 1st, you could get a maximum number of days up to, if you came in, let's give you an example, um, if you came in, in make it really easy for me - in November, ok...so you came in November. You could, you would only be eligible for the number of vacation days left in the month. OK? Or, in the year, sorry.. The number of months left in the year...ok. So, you would be eligible for one vacation day. And, you get that...obviously, in that case you would get that immediately without having to wait and accrue it. And, in another case, if you came in and, uh, you weren't here on January 1st, but you were here in, maybe like January 15th, you would still have the opportunity to get up to 10 weeks of vacation, and this is where the (or 10 days of vacation) - I'm sorry...laughter....ten days of vacation. Sorry. Let me see how many more times I can mess this up. Ten days of vacation. You get the maximum of two weeks, ten days of vacation. OK? Um, and again, the ambiguity and the inconsistency of how people were remembering the past practice and the legislative intent, and so on and so forth, was whether or not you had to accrue that on a month to month basis or whether or not you got it as a vested benefit. And, I'll tell you, pretty much the way all the other entitled vacation entitlements read, either through collective bargaining or throughout the rest of the code, or the ordinances, it's a, not an accrual, it is a vested benefit on day one. So, that is, it is absolutely correct, that here if you came in January 15th, you could get, at the discretion of the appointing authority, up to ten days - of course, the appointing authority could give you five days, or the appointing authority could give you three days. But, they only have up to a maximum of ten days - but it is a vested benefit on January 15th or whenever you're hire date. So you could then take two weeks of vacation during the first year. I mean, you can do whatever you want with it. If you want to say one week is a vested benefit on day one then you need to accrue the rest of the days. I mean there's all sorts of different things and ways to do it, but...

Mr. Snyder: It is my understanding that the purpose of it in the beginning is the fact, if you're trying to hire a person, and they're leaving, especially in another municipality, if they're leaving a job that has four or five weeks of vacation, and they come to work for you and you give them one week's vacation, it's an incentive to that person to come to work for you. That's the purpose of it. It's, you know, it's an incentive, it's a hiring incentive. It doesn't necessarily mean that you have to give them the full two weeks, like you said.

Mr. Nilges; Right, it's up to the appointing authority, in our case, Council. You know, if it's the Director of Finance it's Council, and the rest of the employees would be Administration. Now, just one other point since, you know there was also a comment that, well, everybody always does accrual. I've seen it both ways, 50/50. Some - about 50% of employers out there have a vested benefit on day one, and about 50% of employers have accrual. So, it is really just kind of a policy thing, and to your point, my conversations with Administration and so on, that was kind of the intent was use it as a recruiting tool and to clarify the ambiguity, is it an accrual or is it not an accrual?

Mr. Snyder: What we do, if we hire someone that is a, non- exempt employee and they start, how does their vacation - do they get one week's vacation? Is that the way it is?

Mr. Grimes: The way that is ruled there is that you get, you accumulate one day per month, a maximum of ten days. So for instance, to use me as an example, when I got hired last year I got hired in March, you know, April, and that's - I would have to wait on those vacation days, so which I did. I didn't take any extra or get anything extra other than that and then, you know, took a vacation at the end of the year in September, so. But, that's the way it works now, except you've got language that talks about a year, not calendar year. You've got language that talks about what the Mayor can do, and then two paragraphs down, it says something different, and that was the, you know, what was getting me is how are we going to treat this?

Mr. Snyder: Now, this change will suffice with need?

Mr. Grimes: Yes sir, it will make it clear.

Mr. Nilges: It is a vested benefit, and whatever amount the Mayor determines to give, up to ten days.

Mr. Snyder: Thank you Chairman. I appreciate that.

Mr. Peters: Any other questions or concerns? If not, I move to approve the first reading.

Mr. Peters moved and Mrs. Kiesling moved to **adopt the first reading of Ordinance 24-12.** All members present voting:

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

RECORD OF PROCEEDINGS
COUNCIL OF THE CITY OF NORTH CANTON

REGULAR

0259

Minutes of

Meeting

DAYTON LEGAL BLANK INC. FORM NO. 10148

	Monday, March 26	7:00 p.m.	12
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No: 0

11. Mr. Snyder: Thank you. May I have a motion to read by title only the first reading of Ordinance No. 25-12?

Mr. Fox moved and Mr. Peters seconded to **read by title only, first reading** of Ordinance 25-12. All members present voting:

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

No: 0

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.

Mr. Snyder: Chairman Fox.

Mr. Fox: Yes, sir. Thank you. This is the Main Street Traffic Coordination Project that brought so many of our residents out. So, we're certainly happy to have this available, and it does address the concern of being able to block off that time period so that pedestrians can cross. It is one of the big benefits for this. It also has the timers on the intersections so those that have set the button to cross, you can see the timer, it will time down to show you how much time you have to cross. It also has a signal system, a camera detection system on those intersections instead of the magnet systems that we have right now and for people who pull up to an intersection for it to recognize the vehicles there, so it will change the light. It has the camera systems for the Police and Fire Department. Another important part of this is that 80% of this \$800,000 contract is through a Federal Grant and 20% is through a State Grant, each of which was acquired by our City Engineer, Mr. Benekos. So, we certainly applaud him for that. And, so we can get started on this right away, I move that we approve this as an emergency.

Mr. Foltz: Second.

Mr. Snyder: Chairman Fox, I have a privileged question. On this, Mr. Benekos, if - when you bid this out, first of all, it will be the person installing that will be the bid, correct? What would be the probability at that point, once the bid is successfully submitted and you've chosen your vendor to allow the Council a, whatever time it is, to have a little public hearing with that particular vendor and invite the public in at that point to address their concerns? Is that possible that we could incorporate that into the bidding process? Is that going to be too big, or maybe we could find out. Because, if they could come into the Council Chambers and speak to the people that are going to install it and let them know and reassure them that these particular things could be addressed without minimal cost to the City. I think it might help out a little bit for us.

Mr. Benekos: The vendor that is going to be installing the equipment would be the person that we would want to talk with. It is going to be the supplier, and we already know who the supplier is going to be. It is going to be Path Master who is, all our other systems are Path Master who is, and we want something that is compliant. The vendor will do the installation, they will put up the new signals as we talked about, they'll put up the cameras, but it's the software that ties into that

Mr. Snyder: That's from Path Master?

Mr. Benekos: That is from Path Master, and you know when they come to program the system after it's all installed, they will be doing the programming of that. You know we can meet with them, but there's no real need the public to meet with them. We can tell them what we want, and they'll come back, or we'll be trained to be able to make those adjustments.

Mr. Snyder: OK. That's all.

Mr. Fox: I think it's pretty clear to the residents what they are looking for is to be able to press the button and cross safely without fear of traffic competing in your path. I applaud Melanie for bringing in the troops to support her because when we first spoke about it, I said Melanie, this is - you're the only person I've heard that has addressed this. So, she did ..

Ms. Roll: You did say that.

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Mr. Fox: what, she did pay attention, and she came in force, so I applaud her for that. I said the more people that come to support it, the more likely we can get people behind it. So wonderful job.

Mr. Foltz: Chairman Fox, I still think we can have a follow-up meeting whatever we decide to do. I want the public to be aware of why we did it this way. I think we owe it to them to just make sure this as safe an intersection as we can make it, this and Applegrove. I know they're all for it, but obviously we could put something together and bring somebody in for \$800,000 and spend an hour with our lovely people that live here. So, that's it.

Mr. Snyder: We'll make sure we do it.

Mr. Peters: There's been a motion and second.

Mr. Fox moved and Mr. Foltz seconded to **adopt the first reading** of Ordinance No. 25-12. All members present voting:
Yes: Griffith, Kiesling, Peters, Snyder, Foltz, Fox
No: 0

Mr. Snyder: There is an emergency existing inasmuch as a timeframe to get the grant and get it utilized. So, I'd like to suspend the rules of Council for Ordinance No. 25-12.

Mr. Fox moved and Mr. Peters seconded to **suspend the rules** for Ordinance 25-12. All members present voting:
Yes: Kiesling, Peters, Snyder, Foltz, Fox, Griffith
No: 0

Mr. Snyder: May we adopt under suspension of the rules Ordinance No. 25-12.?

Mr. Foltz moved and Mr. Fox seconded to **adopt under suspension of rules** for Ordinance No. 25-12. All members present voting:
Yes: Peters, Snyder, Foltz, Fox, Griffith, Kiesling.
No: 0

12. Mr. Snyder: May we have a motion to read by title only, first reading of Ordinance No. 26-12?

Mr. Foltz moved and Mrs. Kiesling seconded, to **read by title only, first reading** of Ordinance No. 26-12. All members present voting:
Yes: Snyder, Foltz, Fox, Griffith, Kiesling, Peters
No: 0

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.

Mr. Snyder: Chairman Fox.

Mr. Fox: Yes, sir. Again, this is our City Engineer looking to bid out the regular maintenance on our roads. This covers our sewer mains, adjusting manholes, and placing a catch basin. And, since the weather is amenable, we're again asking that this be placed as an emergency as well so we can get started.

Mr. Foltz moved and Mrs. Kiesling seconded to **adopt the first reading** of Ordinance No. 26-12. All members present voting:
Yes: Foltz, Fox, Griffith, Kiesling, Peters, Snyder
No: 0

Mr. Snyder: As time is of the essence, may we suspend the rules of Council for Ordinance No. 26-12.

Mr. Foltz moved and Mr. Peters seconded to **suspend the rules** for Ordinance No. 26-12. All members present voting:
Yes: Fox, Griffith, Kiesling, Peters, Snyder, Foltz
No: 0

Mr. Snyder: May we adopt under suspension of the rules Ordinance No. 26-12?

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Mr. Foltz moved and Mr. Peters seconded to **adopt under suspension of the rules** Ordinance No. 26-12. All members present voting:
 Yes: Griffith, Kiesling, Peters, Snyder, Foltz, Fox,
 No: 0

13. Mr. Snyder: Do we have a motion to read by title first reading only Ordinance 27-12?

Mrs. Kiesling moved and Mr. Peters seconded to **read by title first reading only** Ordinance 27-12? All present voting:
 Yes: Kiesling, Peters, Snyder, Foltz, Fox, Griffith
 No: 0

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.

Mr. Snyder: Chairman Fox.

Mr. Fox: Yes, sir. This is our third legislation request from Mr. Benekos. This is the Phase 6 North Main Street Reconstruction Project. This is the center turn lane from Applegrove to Orion. And, again since the weather is permitting, we'd like to get this bid out as soon as possible, so we ask that it be approved as an emergency.

Mr. Snyder: May we have a motion?

Mr. Foltz moved and Mr. Fox seconded to **adopt the first reading** of Ordinance No. 27-12. All members present voting:
 Yes: Peters, Snyder, Foltz, Fox, Griffith, Kiesling

Mr. Snyder: Since time is of the essence, may we suspend the rules of Council for Ordinance No. 27-12.

Mr. Foltz moved and Mr. Peters seconded to **suspend the rules** for Ordinance No. 27-12. All members present voting:
 Yes: Snyder, Foltz, Fox, Griffith, Kiesling, Peters
 No: 0

Mr. Snyder: May we adopt under suspension of the rules Ordinance No. 27-12

Mr. Fox moved and Mrs. Kiesling seconded to **adopt under suspension of the rules** Ordinance No 27-12. All members present voting:
 Yes: Foltz, Fox, Griffith, Kiesling, Peters, Snyder
 No: 0

14. Mr. Snyder: May I have a motion to read by title only Ordinance No 28-12?

Mr. Peters moved and Mr. Fox seconded to **read by title only, first reading** of Ordinance No 28-12. All members present voting:
 Yes: Fox, Griffith, Kiesling, Peters, Snyder, Foltz
 No: 0

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.

Mr. Snyder: Chairman Fox, are you preparing a report on that?

Mr. Fox: Yes, if may I speak for Chairman Cerreta. This is, and we've spoken about this on many occasions, this is the bid out to paint the exterior of the water tower at a cost not to exceed \$400,000. If Mr. Benekos has anything more. No? Okay. Again, weather permitting we should take advantage of this. I move that it be approved as an emergency.

Mr. Fox moved and Mr. Peters seconded to **adopt the first reading** Ordinance No. 28-12. All members present voting:
 Yes: Griffith, Kiesling, Peters, Snyder, Foltz, Fox
 No: 0

RECORD OF PROCEEDINGS
COUNCIL OF THE CITY OF NORTH CANTON

REGULAR Meeting

Minutes of

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

Held Monday, March 26 7:00 p.m. 20 12

Mr. Snyder: As time is of the essence, may we suspend the rules of Council for Ordinance No. 28-12?

Mr. Foltz moved and Mrs. Kiesling seconded to **suspend the rules** for Ordinance No. 28-12. All members present voting:
Yes: Kiesling, Peters, Snyder, Foltz, Fox, Griffith
No: 0

Mr. Snyder: May we have a motion to adopt under the suspension of the rules Ordinance No. 28-12?

Mr. Foltz moved and Mr. Peters seconded to **adopt under the suspension of the rules** Ordinance 28-12. All members present voting:
Yes: Peters, Snyder, Foltz, Fox, Griffith, Kiesling
No: 0

15. Mr. Snyder: May we have a motion to read by title only the first reading of Ordinance No. 29-12?

Mr. Foltz moved and Mr. Fox seconded to **read by title only, first reading** of Ordinance No. 29-12. All members present voting:
Yes: Snyder, Foltz, Fox, Griffith, Kiesling, Peters
No: 0

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.

Mr. Snyder: Chairman Fox.

Mr. Fox: Yes, sir. Once again, Mr. Benekos asked us for legislation to approve and receive advertised bids for the West Maple Street to Florence, uh, the water line replacement for Donner Avenue again because of weather permitting, uh, it's not what we expected but we have the opportunity to take advantage of it, and we ask that it be approved as an emergency.

Mr. Foltz moved and Mr. Fox seconded to **adopt the first reading** of Ordinance No. 29-12. All members present voting:
Yes: Foltz, Fox, Griffith, Kiesling, Peters, Snyder
No: 0

Mr. Snyder: Again, as time is of the essence, may we suspend the rules of Council for No. 29-12?

Mr. Peters moved and Mr. Foltz seconded to **suspend the rules** for Ordinance No. 29-12. All members present voting:
Yes: Fox, Griffith, Kiesling, Peters, Snyder, Foltz
No: 0

Mr. Snyder: May we adopt under suspension of the rules Ordinance No. 29-12?

Mr. Foltz moved and Mr. Peters seconded to **adopt under suspension of the rules** Ordinance No. 29-12. All members present voting:
Yes: Griffith, Kiesling, Peters, Snyder, Foltz, Fox
No: 0

16. Mr. Snyder: May we have a motion to read by title only the 1st reading of Ordinance No. 30-12?

Mrs. Kiesling moved and Mr. Peters seconded and Mr. Peters seconded to **read by title only, first reading** of Ordinance No. 30-12. All members present voting:
Yes: Kiesling, Peters, Snyder, Foltz, Fox, Griffith
No: 0

DAYTON LEGAL BLANK, INC. FORM NO. 10148

Held	Monday, March 26	7:00 p.m.	12
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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.

Mr. Snyder: We had \$100,000 in the budget, and we had an additional \$18,000 in the General Fund budget to transfer over making it within the constraints of the budget. Uh, this is something that has to be done because the present system is antiquated and no longer able to be upgraded or maintained. And, this will move us forward for a few years. We will also do this on three readings plus a 30-day period to decide what we are doing here as we negotiate further on what we're going to do downstairs. Any questions? If not, I'll entertain a motion to adopt the first reading of Ordinance No. 30-12.

Mr. Fox moved and Mrs. Kiesling seconded to **adopt the first reading** of Ordinance No. 30-12.

All members present voting:

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

No: 0

REPORTS:

Mr. Snyder: Director of Law – any report?

Mr. Nilges: No report.

Mr. Snyder: Director of Administration

Mr. Grimes: However, those who don't know the Mayor because of Spring Break had a chance to take his kids on a vacation. I think he took half the neighborhood with him, too, and is driving a tour bus somewhere, but that's why he's not here tonight. The good news is that if the weather keeps up, we may have \$190,000 worth of salt that we can use next year. The bad news is that we're going to have \$190,000 worth of salt that I have to find a place to put it. That is my bad news for me. So, and we are working, you know, you won't be stuck with the plywood floors over there. We are working to get the lights, we had somebody come in to give us quotes, and we do have a quote for carpet and that, so but we want to do the top part first before we work on the bottom, but we are on that.

Mr. Snyder: You know the Mayor is gone, so you might want to leave that salt up on Dillon Circle there in his back yard and when he gets home ...

(Laughter)

Mr. Foltz: Right. He has room in his garage now.

Mr. Grimes: He's gone, but he's in touch with me all the time. Trust me.

Mr. Snyder: I can just see that – surprise, surprise.

Mr. Snyder: Mr. Engineer.

Mr. Benekos: I have no report this evening. Thank you.

Mr. Snyder: Assistant Director of Administration Bartos.

Mr. Bartos: Just two things. As many of you know, I usually wear a suit and tie. I'm a little dressed down today, because I wore more comfortable clothes, but made the drive out of Columbus, Ohio for a Labor Employment Law Seminar taught by Jeff Johnson, the Georgetown Law Director, and President and Founder of Midwest Employment Resources, it's a permit that's important in law training, investigation and mediation services throughout the US, so Mr. Johnson is known nationally for his employment law skills. And I reviewed the information, some of the things we're working on now, we touched on some employee evaluations, some of the other improvements we are looking to make in the Administration Office, so it was a really helpful seminar, got some materials that I brought back with me on that one. And, then on March 15th and 16th, a couple of weeks ago, Jim Davis and I successfully finished a pool operators' seminar. It was a two-day course, and we had a little test at the end. It was taught by Curt Carmen, he's the retired Director of the Aquatics at Ohio State University, so he is still a Buckeye. And a very interesting course, Ohio Aquatic Council in conjunction with the National Swimming Pool Foundation. You know, we got, the weather is getting nicer and soon we'll be opening Dogwood Pool. When Mr. Chufar retired, he had pool certification. So, safety first – that is one of our main goals. So, we both went so we had at least one backup so we are both now certified. I was kind of the backup, as Jim has

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already jumped on several things, and he's doing a good job of getting us ready for the summer. So, that's all I have.

REPORTS - COUNCIL

Mr. Snyder: Thank you. Mr. Foltz.

Mr. Foltz: Question to Jim, you might know, or Mike. Are we - are the asphalt companies - are they making hot mix now, or is it still cold mix?

Mr. Grimes: Still cold. I think it's April...

Mr. Foltz: TTM - what's it called? Do you know? You know what I mean, it's something that is used over the winter months that is going to fill the pothole, but is going to wash out...It's not permanent asphalt-type of material versus the winter one. It's only going to fill in.

Mr. Benekos: Correct. I think it's a

Mr. Foltz: So we're still waiting on it because I know we talked about some potholes on Applegrove and I've had other calls about Rose Lane. I think our Law Director is aware of that one with the claim with a car - cars are hitting them and so forth. So we just want to make the public aware that we will do what we can, but it is not a permanent fix. You put some of the cold mix in and it's going to fly out of there when we get a heavy rain, or...

Mr. Grimes: Middle of April is when they are going to make the mix....

Mr. Foltz: Middle of April. Hopefully they'll move that up with the weather being as nice as it is. So, we're all aware that it's a different approach. And you don't want to spend any more money than you have to, but you want to take care of your streets. But, you don't want to throw your money away if you're going to replace it a month later, you know, with a permanent fix. So, I just wanted to make everyone aware of that. Also, just doing some quick figuring here, we're doing, North Canton is doing what it can for the economy here with these local contractors. Cause, right now, I see in the books between street and water committees \$5,700,000. I mean, that's money that contractors and businesses are going to be involved with to make our community a safer, better place for our constituents. So, I think that it's great that we can attract these grants, we bring it up with Jim, Mike in Administration, Mayor Held when he's here and I know Eric Bowles has done a great job with that. It's money we didn't used to get before. It's very refreshing to see that we can spend that and improve our city. So I just wanted to make that known.

Mr. Snyder: Thank you. Mr. Peters

Mr. Peters: No report

Mr. Snyder: Mr. Fox.

Mr. Fox: Yes, just once again, I want to reiterate, that I'm happy that folks that came out to support the intersection project. That's how the, you know, the lower level city government is supposed to work. If you want something passed, if you want things to move along, show up and get involved. So, I'm glad to see that it's working. Thanks.

Mr. Snyder: Mr. Griffith

Mr. Griffith: Hopefully our project will move along as quickly as the pedestrians have to in order to cross the streets. Quickly, I want to - Doug took his hats and went home, but I wanted to say that how great of a Chamber Dinner it was. I appreciated his effort. We had a chance to watch the Suarez video that was on CBS that Tim sent around to all of us and just what a feeling in the room. It was really, really good and really great. Just underlines just how many wonderful things are going on in the City. So kudos to the Chamber for that as well and to each of the award winners. I think there were a couple of things I wanted to say to Melanie. I hope that snow on the road would never be an issue for in-road lights here in North Canton, So maybe we'll consider another of the other issues, but snow on the road should never be a problem for things here. But, I should say too that we had a great discussion, Jon can talk about this a little bit if he wants to, with the good folks at Plain, a couple of the folks there, about potential extension of some water lines. They were exceptionally amenable and one of the things that I think everybody is looking for right now is the ability for political subdivisions to work together. And I think the tone of the meeting was absolutely outstanding. So, we're going to be talking about it, we're going to have a good discussion about it, but it was a great opportunity to open the discussion and, you know, everybody was not as concerned about turf and mostly concerned about what was the right thing to do, so I hope we continue with that in that way. And, I hope we'll talk about some other stuff as well. I also wanted to make a note of a constituent call that I received about the fact that we don't have a Jake Brake ordinance here in the City. Mike and I had a brief discussion about it. I don't know if that's been discussed by prior councils, not in my memory, but if we don't have one, I know that particularly on

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COUNCIL OF THE CITY OF NORTH CANTON

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PAYTON LEGAL BLANK, INC. FORM NO. 10148

Held	Monday, March 26	7:00 p.m.	12 20
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Applegrove and with the wonderful increased truck traffic that we have going through here, which is a very good thing,...

Mrs. Kiesling: There's a sign on Everhard.

Mr. Griffith: Right. But, I mean enforcement certainly is an issue too, so that might be something that we want to talk about as well. I certainly would be supportive of that if there's been some work done in the past. I just wanted to mention that as well.

Mr. Snyder: So, the amount of the construction that is anticipated, we may want to accelerate that, because it brings that type of truck. And it's a lot easier for those truck ...inaudible... because they work on so much a load that they use that brake to slow themselves down and it is annoying to the residents. When they hit that thing, it squeals like crazy.

Mr. Griffith: Well, whatever we do, we talked about it tonight, enforcement is the bottom line. And if we don't have that tool in the tool belt of the police, I think it will be much harder to enforce, so I think we should give the folks in our local law enforcement that tool as well.

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

Mr. Snyder: Just to reiterate what Mr. Griffith did say, I publically want to thank him for setting that meeting up in Plain. We met for an hour and a half with the Trustee and their Director of Administration along with our Engineer and Director of Administration. It looks like we're moving. They're going to be back here in a couple of weeks with - they've targeted a couple of areas for the possibility of selling some water. We do have water to sell. We have other commodities that we'd like to share with them, and we had a very, very nice open discussion, and we're going to try to build a model to take to other townships and other areas that, as time goes on and we will involve Chairman Kiesling under Economic Development as we move out. We're bringing something concrete that you can give us your blessing on. But, a couple of other things, Director Alger is not here. She, again, her children are on spring break, but she asked me to mention publically - we were the recipient of a grant, funds grant from the St. Paul's Church, Monsignor Clark sent a check to cover the EMS General Fund, the Fire and the Police Fund in the amount of \$300, \$100 each. He sent it over, he had some excess funds. He is very pleased with the safety forces and the responses they give his parishioners and his church. So, he wanted to give that, as well as Director Alger wanted to say, she gives you her personal heartfelt thank you to the Council for stepping up and sending that resolution along with the signature of the Mayor to the State. And she wants to not lose the fact of our ability to control our own destiny of our income tax. But, she wanted to publically thank every member of Council and the Mayor for stepping up and signing that. The other thing I asked Gail to put in your place, this Wednesday, there will another meeting of the Survey Committee. Chairman Cerreta called me and asked me, and I said - and he did speak to Mr. Griffith, he's going to be there. If you have any question, they'd like to have some questions from Council. If you have one, just one or two, just jot on there and please give it to Mr. Griffith, and he'll see that it gets to them. They're looking for ideas, and...

Mr. Peters : What time is it?

Mr. Snyder: I believe it is at 6 in the Administrative Conference Room. They're doing great work. I believe it's a retread of the original committee plus some people that did great work on the first one. They're doing outstanding work on this one. They're moving at light speed. Mrs. Baughman is a member, she'll tell you they're moving twice as fast as they did. But, again they are seasoned and we are very appreciative because, we're hoping to get some input by late spring or early summer so we can take some action with that. Another thing I would like to tell you, I did tell you that we did have over a hundred people at that last little thing at the Civic Center on the Arts. There will be another one coming up with...inaudible.... So, our money is being spent. The children were there. They enjoyed it. And that's about it. Anything else from members?

Mr. Osborne: Mr. Snyder, I have a couple of comments.

Mr. Snyder: Just a quick one.

Mr. Osborne: Very quick. Regarding the vacation accruals this year, we seem to be heading down the path. Have you thought about this, I think you are opening up a Pandora's Box? At the first of the year, every single employee has the availability of their entire year's vacation, on the first day of the year. I would think that would be one hell of a staffing nightmare. You've got your low-time people with two weeks, your more senior with three, four, five, and six weeks of vacation. And, instantly they all have the availability of their entire year's vacation, available the first day of the year?

Mr. Fox: Mr. Grimes, is this something that you're - that leaves, they're approved? I mean I think that the supervisors can manage this and not let everyone take it on the same day, Mr. Osborne.

RECORD OF PROCEEDINGS

Minutes of

COUNCIL OF THE CITY OF NORTH CANTON

REGULAR

Meeting

RAYTON LEGAL BLANK, INC., FORM NO. 10146

Held

Monday, March 26

7:00 p.m.

20 12

Mr. Osborne: OK. If they have it available, if they do not have to accrue the vacation, on the first day of the year, they can just make the decision, "I'm not going to take any time off. I want to just cash it all in, and I want a check for my entire year's vacation."

Mr. Snyder: There is no provision – no, they can't do that.

Mr. Osborne: Well, you're not saying that anywhere. You're opening Pandora's box when you say, "Bingo" folks, you can have this, all your vacation on the first day of the year. And, then, my last point is, if a person leaves, or is planning on retiring, they pick the first day of the next year. Can they instantly have an extra three, four, five, six weeks of vacation paid into them when they pick their retirement date? I just think this is not the age of Hoover anymore. I do not see this City making decisions. Your benefits are extremely overgenerous. And I would caution you not to move ahead with instantly giving those people access to their entire year's vacation at the stroke of midnight.

Mr. Snyder: Ok. Well, let me stop you, and let you actually sit down and I'll tell you what the ordinance does say. It says in the ordinance: "a vacation schedule, based on the seniority standing of the employee will be made up by the department head each year with the vacation period so staggered that the employee's absence will not seriously jeopardize the department's work schedule for the year." That's in the Ordinance.

Mr. Osborne: I understand that it's written in there. But, again, you're giving every single employee, 100 people, or more, instant access on day one of the year, to their entire vacation. What was the obligation on the City? How, has anybody calculated the number of weeks of vacation that the City is suddenly liable for on day one of the year?

Mr. Snyder: You're talking about the three employees that we're changing.

Mr. Grimes: This is an exempt ordinance.

Mr. Snyder: Yes. You're talking about three people. We're talking about three exempt employees.

Mr. Osborne: All three of them. You are serving as an example to the rest of the City.

Mr. Snyder: All three of them.

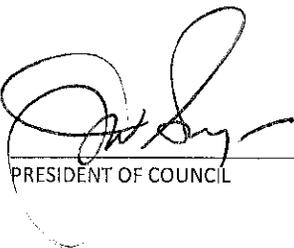
Mr. Osborne: Thank you.

Mr. Snyder: I appreciate it. Anything more to come before the Council? If not, I'll entertain a motion to adjourn.

Mr. Fox moved and Mr. Peters seconded to adjourn the Council meeting. All members present voting:

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

Meeting adjourned at 8:11 p.m.



PRESIDENT OF COUNCIL

ATTEST:



CLERK OF COUNCIL

4/3/12-BP