



City of North Canton, Ohio

Council Office
145 North Main Street
North Canton, Ohio 44720-2587
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NOTICE OF PUBLIC HEARING AND MEETINGS

Notice is hereby given that public hearings will be held by the Council of the City of North Canton on Monday, May 14, 2012 at 6:15 p.m. in the Council Chamber at North Canton City Hall. Any person interested will be provided an opportunity to be heard.

A request for an amendment to the North Canton Zoning Ordinance was submitted by Ronald S. & William P. Postiy requesting a zone change for the premises with frontage on Applegrove Street NW. The premises are presently zoned R2F, Two Family District and it is requested that the premises be rezoned to GB-A, General Business District.

The North Canton Planning Commission, at their March 27, 2012 meeting, by a voice vote 5-yes and 0-no, has recommended that the property be rezoned from R2F to GB-A.

A request for an amendment to the North Canton Zoning Ordinance was submitted to amend Section 1125.02(b)(83) and Section 1137.03(d)(2) by the addition of: "...but specifically excluding tattoo and/or body piercing businesses and the like".

The North Canton Planning Commission, at their March 27, 2012 meeting, by a voice vote 5-yes and 0-no, has recommended that Section 1125.02(b)(83) and 1137.03(d)(2) be amended to exclude "...but specifically excluding tattoo and/or body piercing businesses and the like".

Final action thereon, according to law, will be taken by the Council of the City of North Canton subsequent to the date of said public hearing.

Mrs. Marcia Kiesling, Chairperson of the Community & Economic Development 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, Director of Administrative Services and City Engineer **Monday, May 14, 2012 immediately following the public hearing**, in the Council Chamber at North Canton City Hall.

The purpose of the meeting will be to consider authorizing legislation to amend the Zoning Ordinance for the premises with frontage on Applegrove Street NW to rezone said premises from R2F to GB-A; and, to amend Section 1125.02(b)(83) and Section 1137.03(d)(2) to exclude tattoo and/or body piercing businesses. The meeting **will be** open to the public.

Council Meeting Agenda
Monday, May 14, 2012 - 7:00 p.m.

1. Call to Order: 7:00 p.m.
2. Opening Prayer:
3. Pledge of Allegiance
4. Roll Call
5. Consideration

Council Meeting Minutes – April 23, 2012
Mayor's Court Receipts - February, 2012

6. Committee Minutes
7. Recognition of Visitors

OLD BUSINESS:

8. **Ordinance No. 24-12 – 3rd 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.

NEW BUSINESS:

9. **Ordinance No. 43-12 – 1st Reading – Water, Sewer & Rubbish Committee**
An ordinance approving, confirming and accepting a Perpetual Public Utility Waterline Easement, known as Parcel No. 16-19961, by and between the City of North Canton, an Ohio Charter Municipal Corporation and any Public Utility regulated by the Public Utility Commission of Ohio ("PUCO") its successors and assigns (collectively "Grantees"), and JSG Investment Group, Ltd., an Ohio limited liability company, ("Grantor") in accordance with the Belden-Whipple Plaza No. 2, for and in consideration of One Dollar (\$1.00) and other good and valuable consideration.
10. **Ordinance No. 44-12 – 1st Reading – Water, Sewer & Rubbish Committee**
An ordinance authorizing the Mayor of the City of North Canton, through the Board of Control, to enter into an Supplemental Sewer Agreement by and between the City of North Canton ("North Canton") and the City of Canton ("Canton") for improvements to the Canton Water Reclamation Facility, and to amend the March 22, 1974 Agreement and the series of supplements thereafter, and declaring the same to be an emergency.

11. **Ordinance No. 45-12 – 1st Reading – Water, Sewer & Rubbish Committee**
An ordinance appointing Jake Tovissi to a three (3) year term; Marcy Klee to a four (4) year term; Ronald Reolfi to a five (5) year term; and designating the Chairperson of the Water, Sewer & Rubbish Committee as the Council Representative on the North Canton Community Disaster Relief Fund Committee for the City of North Canton and declaring the same to be an emergency.

12. **Resolution No. 46-12 – 1st Reading – Water, Sewer & Rubbish Committee**
A resolution establishing a Neighbors Helping Neighbors Program for the City of North Canton to assist the greater North Canton community when special needs present themselves, and declaring the same to be an emergency.

13. **Ordinance No. 47-12 – Personnel & Safety Committee**
An ordinance authorizing the Mayor of the City of North Canton to enter into a WENS Services Agreement by and between the City of North Canton (“City”) and Inspiron Logistics Wireless LLC, an Ohio Corporation (“Inspiron Logistics”) to provide an Emergency Notification System for the City of North Canton, commencing June 1, 2012, and declaring the same to be an emergency.

REPORTS:

Director of Law
Mayor

Director of Finance
City Engineer

Director of Administration
Dir. of Administrative Services

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



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Final action thereon, according to law, will be taken by the Council of the City of North Canton subsequent to the date of said public hearing.

BY THE ORDER OF THE COUNCIL OF THE CITY OF NORTH CANTON, COUNTY OF STARK, STATE OF OHIO:

Gail M. Kalpac
Clerk of Council

Published in the Repository: April 9, 2012

RECORD OF ORDINANCES

Dayton Legal Blinn, Inc.

Form No. 30343

Ordinance No. _____

Passed _____, 20____

5/9/12-gmk
(Comm. & Econ. Dev.)

An ordinance amending Ordinance No. 50-03, Zoning Ordinance of the City of North Canton, to change the zoning district of the premises situated with frontage on Applegrove Street NW and known as Parcels 9208626, 9208743, and 9204594 and located in the City of North Canton from R2F, Two Family District, to GB-A, General Business District.

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

Section 1. That Ordinance No. 50-03, Zoning Ordinance of the City of North Canton, be, and the same is hereby amended to change the zoning district of the premises situated with frontage on Applegrove Street NW and known as Parcels 9208626, 9208743, and 9204594 and located in the City of North Canton from R2F, Two Family District, to GB-A, General Business District.

Section 2. 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

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RECORD OF ORDINANCES

Dayton Legal Blank, Inc.

Form No. 30043

Ordinance No. _____ Passed _____, 20____

5/9/12-gmk
(Comm. & Econ. Dev.)

An ordinance amending Personal Services (b)(83) of Section 1125.02 Definitions of CHAPTER 1125 DEFINITIONS and Land Use Category (d)(2) of Section 1137.03 SCHEDULE OF PERMITTED USES of CHAPTER 1137 Business District Regulations of Ordinance No. 50-03, Zoning Ordinance of the City of North Canton, to exclude tattoos and/or body piercing businesses and the like.

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

Section 1. That Personal Services (b)(83) of Section 1125.02 Definitions of CHAPTER 1125 DEFINITIONS of Ordinance No. 50-03, Zoning Ordinance of the City of North Canton, be, and the same is hereby amended to read as follows:

"SECTION 1125.03 DEFINITIONS

- (a) Words used in this Ordinance are used in their ordinary English usage.
- (b) For the purpose of this Ordinance the following terms, whenever used in this Ordinance, shall have the meaning herein indicated:
 - (1) ACCESS DRIVE: A paved strip which provides a vehicular connection between off-street parking spaces and a public street.
 - (2) ADULT DAY CARE FACILITY: An establishment that during any part of the normal business day provides supervised educational, recreational and social activities to elderly and/or handicapped adults, but not including persons suffering from acute or chronic alcoholism or other drug dependency and persons who regularly require restraint.
 - (3) ADULT FAMILY HOME: A residence licensed according to Chapter 3722 of the Ohio Revised Code to provide accommodations to not more than 5 unrelated adults and which provides supervision and personal services to at least 3 of those adults, where the adults live as a single housekeeping unit and the residence serves as the adults' sole, bona fide permanent residence.
 - (4) AUTOMOBILE SERVICE STATION (See also Gasoline Station): A building, part of a building, structure or space which is used for the retail sale of lubricants and motor vehicle accessories, the routine maintenance and service and the making of repairs to motor vehicles, except that repairs described as major repairs in VEHICLE REPAIR FACILITY shall not be permitted.
 - (5) BASEMENT: A portion of a building story all or partly underground having at least one-half of its clear height below the average finished grade.
 - (6) BED AND BREAKFAST: Guest bedrooms within a private dwelling unit which are offered for compensation by the day, week or month, for lodging, or meals and lodging, and in which no cooking or similar housekeeping equipment is provided.
 - (7) BERM: An earthen mound designed to provide visual interest, screen undesirable views, and/or decrease noise.
 - (8) BLOCK FRONT: All the property on one side of a street between two (2) intersecting streets (crossing or terminating) measured along the line of the street, or, if the street is dead ended, all the property abutting on one (1) side between an intersecting street and the dead end of a street.
 - (9) BOARD: The Zoning Board of Appeals of the City of North Canton.
 - (10) BUFFER: A combination of physical space and vertical elements, such as plants, berms, fences, or walls, the purpose of which is to separate and screen incompatible land uses from each other.
 - (11) BUILDING: Any structure, affixed to the land having one or more floors and a roof supported by columns or walls, designed or intended for the enclosure, shelter or protection of persons, animals or property.

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Passed _____

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- A. **BUILDING, ACCESSORY:** A subordinate building detached from, but located on the same lot as, the principal or building, the use of which is incidental and accessory to the principal building or use and which is constructed subsequent to the principal building or the main use of the land.
- B. **BUILDING, PRINCIPAL:** A building occupied by the main use of the lot on which said building is located.
- C. **BUILDING LINE:** An imaginary linear extension of the building wall parallel to the street right-of-way line defining the limits of the front yard, or in the case of a corner lot, the corner side yard.
- (12) **BUSINESS SERVICES:** Establishments primarily engaged in rendering services to business establishments on a fee or contract basis, such as advertising and mailing; building maintenance; employment services; protective services; equipment rental and leasing; commercial research; personal supply services.
- (13) **CAMPUS DEVELOPMENT:** A development that contains a number of buildings and supporting ancillary uses planned, developed and operated as an integrated facility with coordinated circulation, parking, access, building design, landscaping and aesthetics.
- (14) **CAR WASH:** A building or enclosed area that provides facilities for washing and cleaning motor vehicles, which may use production line methods with a conveyor, blower, or other mechanical devices and/or which may employ hand labor.
- (15) **CEMETERY:** Land used or intended to be used for the burial of the human dead and dedicated for cemetery purposes, including columbariums and mausoleums when operated in conjunction with and within the boundaries of such cemetery.
- (16) **CHILD DAY CARE:** Administering to the needs of infants, toddlers, pre-school children and school children outside of school hours by persons other than their parents or guardians, custodians, or relatives by blood, marriage, or adoption for any part of the twenty-four hour day in a place or residence other than a child's own home.
- (17) **CHILD DAY CARE CENTER:** Any place other than a family day-care home in which child day-care is provided.
- (18) **CIVIC FACILITY FOR PUBLIC ASSEMBLY:** Buildings and facilities owned by a not-for-profit entity for a social or educational purpose, such as a YMCA or YWCA.
- (19) **CLUB:** A group of people organized for a common purpose to pursue common goals, interests or activities and usually characterized by certain membership qualifications, payment of fees and dues, regular meetings, and a constitution and by-laws.
- (20) **COMMISSION:** The Planning Commission of the City of North Canton.
- (21) **CONDITIONAL USE PERMIT:** A permit issued by the Superintendent of Permits and Inspection upon approval by the Planning Commission to allow a use other than a principally permitted use to be established within the district on a specific parcel. See also; Use, Conditional.
- (22) **COUNCIL:** City Council of the City of North Canton.
- (23) **DENSITY:** The number of dwelling units permitted per acre of land.
- (24) **DRIVE-THRU FACILITY:** Any portion of a building or structure from which business is transacted, or is capable of being transacted, directly with customers located in a motor vehicle during such business transactions. The term "drive-thru" shall also include "drive-up" and "drive-in" but shall not include Car Wash, Gasoline Station, and Automobile Service Station.
- (25) **DRIVEWAY, PRIVATE RESIDENCE:** A paved drive extending from the street pavement to a private garage or garages on a residential lot, the width of which is equal to or less than the width of the garage, and which is used by residents of the lot for vehicular access to and from such street and for the temporary storage of registered and licensed motor vehicles.
- (26) **DRY CLEANING AND LAUNDRY COUNTER OUTLETS:** A business that provides, home-type washing, drying and/or ironing machines for use by customers on the premises, or serves as a drop-off for dry cleaning or laundry.

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- (27) DWELLING: Any building or portion thereof containing one or more dwelling units designed for or occupied exclusively for residential purposes.
- (28) DWELLING, DETACHED SINGLE-FAMILY: A dwelling unit designed and used for one (1) family situated on a lot having a front, side and rear yard and separated from all other dwelling units by open space from ground to sky.
- (29) DWELLING, MULTI-FAMILY: A dwelling designed for three (3) or more dwelling units, occupied by three (3) or more families living independently of each other.
- (30) DWELLING, TWO-FAMILY RESIDENTIAL: A dwelling designed for or converted to contain two (2) dwelling units, occupied by two (2) families living independently of each other.
- (31) DWELLING UNIT: A group of rooms comprising living, dining, sleeping room or rooms, storage closets, as well as space and equipment for cooking, bathing and toilet facilities, all used by only one (1) family.
- (32) ESSENTIAL SERVICES: Services and utilities needed for the health, safety, and general welfare of the community, such as underground, surface or overhead gas, electrical, steam or water transmission or distribution systems, collection, telephone, supply or disposal systems, including poles, wires, mains, drains, sewers, pipes, conduit cables, fire alarm boxes, police call boxes, traffic signals, hydrants, and other similar equipment and accessories in connection therewith and including buildings which are reasonably necessary for the furnishing of an adequate level of service for the area in which the service is located, but not including wireless telecommunication towers.
- (33) FAMILY: One individual, any number of individuals related by blood, adoption or marriage plus no more than two (2) unrelated individuals; or not more than three (3) unrelated individuals occupying a dwelling unit and living as a single housekeeping unit, but not including groups occupying a hotel or motel as herein defined.
- (34) FAMILY DAY CARE HOME, TYPE B: A permanent residence of the provider in which child day-care or child day-care services are provided for one to six children at one time and in which no more than three children may be under two years of age at one time. In counting children for the purposes of this division, any children under six years of age who are related to the provider and who are on the premises of the type B home shall be counted. "Type B family day-care home" does not include a residence in which the needs of children are administered to, if all of the children whose needs are being administered to are siblings of the same immediate family and the residence is the home of the siblings, nor does it include any child day camp.
- (35) FENCE: Any structure composed of wood, iron, steel, masonry, stone or other material and erected in such a manner and in such location as to enclose, secure, partially enclose or secure, provide privacy, decorate, define or enhance all or any part of any premises.
- (36) FLEET VEHICLES: Trucks, vans, and other vehicles, including motorized equipment, which are used as part of the operation of a principal use, but not including privately owned customer or employee vehicles.
- (37) FLOOR AREA, DWELLING UNIT: The sum of the gross horizontal area of a building devoted to residential use measured from the exterior faces of exterior walls or from the center line of common walls separating two dwelling units. It shall not include unfinished basements, attached garages, attics, terraces, breezeways, open porches, and covered steps.
- (38) FLOOR AREA, GROSS: The total number of square feet of all floor space contained within the outside surface of the exterior walls of a building or from the center line of a common wall separating two buildings but not including space in cellars or basements, space in machinery penthouses or floor space used for accessory off-street parking. However, if the cellar or basement is used for business or commercial purposes, it shall be counted as floor area in computing off-street parking requirements.

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- (39) **FUNERAL HOME:** A building or part thereof used for human funeral services. Such building may contain space and facilities for: (a) embalming and the performance of other services used in preparation of the dead for burial; (b) the performance of autopsies and other surgical procedures; (c) the storage of caskets, funeral urns, and other related funeral supplies; and (d) the storage of funeral vehicles, but shall not include facilities for cremation. Where a funeral home is permitted, a funeral chapel shall also be permitted.
- (40) **GARAGE, PARKING:** A principal or accessory building or an enclosed space within the principal building in which motor vehicles owned by the general public are parked, including facilities operated as a business enterprise with a service charge or fee paid to the owner or operator of such facility, with no facilities for mechanical service or repair of a commercial or public nature.
- (41) **GARAGE, PRIVATE:** A detached accessory building or portion of the principal building designed to store motor vehicles and other normal household accessories of the residents of the principal building, with no facilities for mechanical service or repair of a commercial or public nature.
- (42) **GASOLINE STATION (See also Automobile Service Station):** An establishment where liquids used as motor fuels are stored and dispersed into the fuel tanks of motor vehicles by an attendant or by persons other than the station attendant and may include facilities available for the sale of other retail products.
- (43) **GRADE, FINISHED:** The average level of the finished surface of ground adjacent to the exterior walls of the building after final grading and normal settlement.
- (44) **GRADE, NATURAL:** The elevation of the undisturbed natural surface of the ground prior to any recent excavation or fill.
- (45) **HANDICAPPED:** A physical or mental impairment, as defined in 42 U.S.C. 3602 (h) that substantially limits one or more of such person's major life activities so that such person is incapable of living independently. However, "handicapped" shall not include current illegal use of or addiction to a controlled substance, nor shall it include any person whose residency in a home would constitute a direct threat to the health and safety of other individuals.
- (46) **HEIGHT:** The vertical distance measured from the average elevation of the finished grade to the topmost element of the structure when the structure is not a building.
- (47) **HEIGHT, BUILDING:** The vertical distance measured from the average elevation of the proposed finished grade at the front of the building to the highest point of the roof for flat roofs, to the deck line of mansard roofs, and the mean height between eaves and ridge for hip and gable roofs.
- (48) **HOME FOR HANDICAPPED PERSONS, FAMILY:** A residential facility that provides room and board, personal care, rehabilitative or habilitative services, and supervision in a family setting for 4 to 8 handicapped persons. (See HANDICAPPED.) One to 3 persons, including resident staff, living in such a residential facility constitute a family for the purposes of this Zoning Ordinance (see FAMILY), and are not subject to the conditional use regulations for family homes. The term "family home for handicapped persons" shall not include a home for persons who are currently addicted to alcohol or narcotic drugs, or are criminal offenders serving on work release or probationary programs, or a nursing home.
- (49) **HOME FOR HANDICAPPED PERSONS, GROUP:** A residential facility that provides room and board, personal care, rehabilitative and habilitative services, and supervision in a family setting for at least 9 handicapped persons. (See HANDICAPPED.) The term "group home for handicapped persons" shall not include a home for persons who are currently addicted to alcohol or narcotic drugs, or are criminal offenders serving on work release or probationary programs, or a nursing home.
- (50) **HOME OCCUPATION:** A business enterprise conducted within the confines of a dwelling unit which is subordinate and incidental to the use of the premises as a dwelling, and which is carried on by a person who resides in such dwelling unit.

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Passed _____, 20____

- (51) **HOSPICE FACILITY:** A licensed inpatient care facility that provides care and services to hospice patients, and their families in order to meet the physical, psychological, social, spiritual, and other special needs that are experienced during the final stages of illness, dying, and bereavement, including but not limited to nursing care, physical, occupational, or speech or language therapy, medical social services, and physician's services.
- (52) **HOTEL (OR MOTEL):** A building in which lodging is provided and offered to the public for compensation on a daily rate and which is open to occupancy for periods of less than one week.
- (53) **INDOOR RECREATION:** An indoor facility for any number of uses such as game courts, exercise equipment, exercise and/or dance floor area, pools, locker rooms, spa, whirlpool or hot tub, and which may include an accessory retail shop for the sale of related equipment.
- (54) **JUNK YARD:** The use of more than twenty-five (25) square feet of any land, building, or structure, whether for private and/or commercial purposes, where waste, discarded, or salvaged materials such as scrap metals, used building materials, used lumber, used glass, discarded motor vehicles or parts of motor vehicles, plastic, iron, paper, rags, rubber, cordage, barrels, or other similar materials, are sold, stored, bought, exchanged, baled, packed, sorted, disassembled, dismantled, or handled.
- (55) **LANDSCAPED AREA:** An area that is permanently devoted to and maintained for the growing of trees, shrubs, grass or other plant material.
- (56) **LOADING SPACE, OFF-STREET:** An area located completely outside of any public right-of-way, located on the same lot with a building or contiguous to a group of buildings, for the temporary parking of vehicles entering the premises for picking up and making delivery of goods and materials.
- (57) **LOT:** A parcel of land of sufficient size to meet minimum zoning requirements for use, coverage and area and to provide such yards and other open spaces are herein required. The term "zoning lot" is used synonymously with "lot" in this Zoning Ordinance. A lot may consist of:
- A. A single lot of record.
 - B. A portion of a lot of record;
 - C. A combination of complete lots of record, of complete lots of record and portions of lots of record, or of portions of lots of record.
- (58) **LOT AREA:** The area contained within the lot lines exclusive of any portion of the right-of-way of any public street.
- (59) **LOT, CORNER:** A lot abutting two streets at their intersection where the angle of the intersection is not more than 135 degrees.
- (60) **LOT COVERAGE:** The ratio of enclosed ground floor area of all buildings on a lot to the horizontally projected area of the lot, expressed as a percentage.
- (61) **LOT DEPTH:** The horizontal distance from the midpoint of the front lot line to the midpoint of the rear lot line, or the rear most point of the lot.
- (62) **LOT, INTERIOR:** A lot abutting or with frontage on only one street.
- (63) **LOT LINE:** The boundary line defining the limits of the lot. Lot line is synonymous with "property line."
- A. **LOT LINE, FRONT:** The line separating an interior lot from the street right-of-way on which the lot fronts. In the case of a corner lot, the front lot line separates the lot from the street upon which the major pedestrian entrance of the building fronts.
 - B. **LOT LINE, REAR:** The lot line opposite and most distant from the front lot line; or in the case of triangular or otherwise irregularly shaped lots, a line ten feet in length entirely within the lot, parallel to and at a maximum distance from the front lot line.
 - C. **LOT LINE, SIDE:** Any lot line other than a front or rear lot line.

RECORD OF ORDINANCES

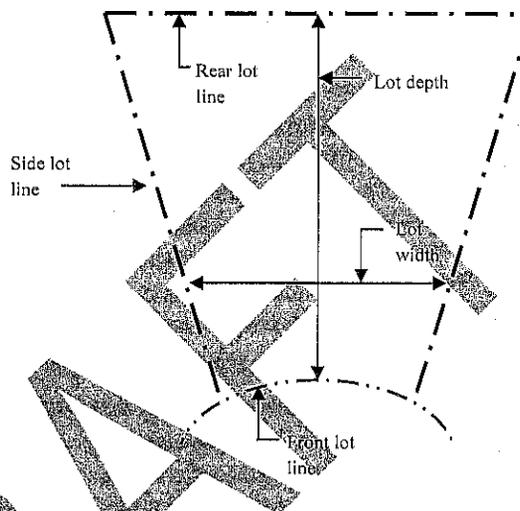
Dayton Legal Blinn, Inc.

Form No. 30043

Ordinance No. _____

Passed _____, 20____

- (64) LOT OF RECORD: A lot that is part of a subdivision recorded in the office of the Stark County Recorder, or a lot or parcel described by metes and bounds, the description of which has been so recorded.
- (65) LOT, THROUGH: A lot other than a corner lot, having frontage on two streets, also called a double frontage lot.



LOT WIDTH: The horizontal distance between the side lot lines, measured at the required setback line along a straight line perpendicular to the lot depth.

- (66) LOT WIDTH: The horizontal distance between the side lot lines, measured at the required setback line along a straight line perpendicular to the lot depth.
- (67) MAINSTREAM MEDIA SHOP: A retail outlet offering media for sale or rent for consumption off the premises, including video stores, bookstores, and newsstands, provided that any shop meeting the definition of adult media shop shall be regulated as an adult media shop.
- (68) MASSAGE STUDIO: An establishment offering massage therapy and/or body work by a massage therapist licensed under the ORC or under the direct supervision of a licensed physician.
- (69) MEDIA: Anything printed or written, or any picture, drawing, photograph, motion picture, film, videotape or videotape production, or pictorial representation, or any electrical or electronic reproduction of anything that is or may be used as a means of communication. Media includes but shall not necessarily be limited to books, newspaper, magazines, movies, videos, sound recordings, cd-roms, other magnetic media, and undeveloped pictures.
- (70) MEMBERSHIP SPORTS/FITNESS CLUB: An indoor facility for any number of uses such as game courts, exercise equipment, pools, locker rooms, spa, whirlpool or hot tub, and which may include an accessory retail shop for the sale of related equipment.
- (71) MINI/SELF STORAGE: A self-service storage facility comprised of individual storage units available for rent restricted to personal, private access.
- (72) NONCONFORMING LOT: A lot lawfully existing on the effective date of this Zoning Ordinance or any amendment thereto, which on such effective date, does not conform to the lot area, width or frontage requirements of the district in which it is located.
- (73) NONCONFORMING SITE CONDITION: Any structure lawfully existing on the effective date of this Zoning Ordinance or any amendment thereto, which, on such effective date, does not conform to the yard regulations, parking requirements, sign regulations, landscaping or screening requirements or other development standards of the district in which it is situated.

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- (74) **NONCONFORMING STRUCTURE:** A building or other structure existing when this Ordinance or any amendment thereto became effective which does not conform to the regulations governing structures of the district in which it is located.
- (75) **NONCONFORMING USE:** A use of a structure or land which was lawful when this Ordinance or any amendment thereto became effective but which does not conform to the use regulations or performance standards of the district in which it is located.
- (76) **NURSING HOME:** An extended or intermediate care facility which provides skilled nursing and dietary care for persons who are ill or incapacitated or which provides service for the rehabilitation of the persons who are convalescing from illness or incapacitation, excluding homes or similar institutions or facilities for persons suffering from acute or chronic alcoholism, or other drug dependency, or persons who are mentally incapacitated from causes other than simple senility or who regularly require restraint. The term "nursing home" shall also include the terms "rest home" and "home for the aging".
- (77) **OUTDOOR DISPLAY:** The placing of merchandise in an outdoor area that is open to the general public when the merchandise on display is removed from its shipping packaging and is representative of merchandise that is available for purchase inside the building and/or is available for purchase by the general public directly from the display area.
- (78) **OUTDOOR STORAGE:** The keeping in an area outside of a building, of any goods, material, merchandise, or vehicles in the same place for more than 24 hours, except for merchandise placed in an area for outdoor display.
- (79) **PARKING:** The temporary storage of registered vehicles in operable condition.
- (80) **PARKING LOT:** A paved area made up of marked parking spaces. Also known as a parking area.
- (81) **PARKING SPACE:** An open or enclosed area outside the public street right-of-way that is used for the parking or temporary storage of registered and licensed motor vehicles.
- (82) **PERFORMANCE STANDARD:** A criterion established to control enclosure, dust, smoke, fire and explosive hazards, lighting, glare and heat, noise, odor, toxic and noxious matter, vibrations and other conditions created by or inherent in uses of land or buildings.
- (83) **PERSONAL SERVICES:** Any legal enterprise conducted for gain which offers services directly to the public at the site of the business, and which includes but is not limited to shoe repair, watch repair, barber shops, beauty parlors, photography studios and massage studios as herein defined, but specifically excluding tattoo and/or body piercing businesses and the like.
- (84) **PLACES OF WORSHIP:** A building, structure, or other indoor or outdoor facility used for public worship. The word "place of worship" includes the words "church," "chapel," "synagogue" and "temple" and their uses and activities that are customarily related.
- (85) **PLAN, DEVELOPMENT:** Drawing(s) and map(s) illustrating the proposed design, layout and other features for the development of one or more lots.
- A. **GENERAL DEVELOPMENT PLAN:** Drawings and maps including all the elements set forth in Section 1175.05.
- B. **FINAL DEVELOPMENT PLAN:** Drawings and maps including all the elements set forth in Section 1175.06.
- (86) **PROJECT BOUNDARY:** The boundary defining the tract(s) of land that are included in a proposed development to meet the minimum required project area for a multi-family development. The term "project boundary" shall also mean "development boundary".
- (87) **PUBLIC SAFETY FACILITY:** A governmentally owned and operated facility established to provide local police or fire safety services to the surrounding area.
- (88) **PUBLIC SERVICE/MAINTENANCE FACILITY:** A governmentally owned and operated facility that provides for the upkeep and maintenance of the community such as but not limited to a service garage, maintenance building, and salt dome.

RECORD OF ORDINANCES

Dayton Legal Blank, Inc.

Form No. 30043

Ordinance No. _____

Passed _____, 20____

- (89) RECREATION, CONCENTRATED OUTDOOR COMMERCIAL: A recreational land use conducted outside of a building, characterized by potentially substantial impacts on traffic, the environment and the surrounding neighborhood, including but not limited to uses involving firearms including high powered air rifles; paint ball activities, motor-cross and/or go-cart tracks/racing; outdoor/drive-in movie theatres; and amusement parks.
- (90) RECREATION, OUTDOOR COMMERCIAL: An outdoor area operated for profit and devoted to facilities and equipment for recreational uses, upon the payment of a fee or service charge, and which may include an accessory retail shop for the sale of related equipment. The term "outdoor commercial recreation" shall not include concentrated outdoor commercial recreation uses as defined herein.
- (91) RECREATIONAL VEHICLE/EQUIPMENT: A portable structure designed to be mounted on or drawn by a motor vehicle or trailer, or built on a chassis, and intended to be used for recreational use. For the purposes of this Code, recreational vehicle/equipment shall include a recreational vehicle, boat, boat trailer, pick-up truck camper, motorized home, snow mobile, folding tent trailer, or other camping or recreational equipment, and any trailer that may be used to convey such vehicle or equipment.
- (92) RESEARCH AND TESTING LABORATORY: A building or group of buildings for scientific research, investigation, testing or experimentation, but not facilities for the manufacture or sale of products, except as incidental to the main purpose of the laboratory.
- (93) RESIDENTIAL CARE FACILITY: A facility that provides a combination of residential accommodations for seventeen or more unrelated individuals, congregated dining facilities and a licensed, certified or otherwise state-approved care facility that provides supervision and personal care services for at least 20 percent of such unrelated individuals due to their being dependent on the services of others by reason of age or physical or mental impairment.
- (94) RESTAURANT - COUNTER SERVICE: A retail service establishment whose principal business is the sale of foods, frozen desserts, or beverages in ready-to-consume individual servings, for consumption either within the restaurant building or for carry-out, and where customers are not served their food, frozen desserts, or beverages by a restaurant employee at the same table or counter where the items are consumed.
- (95) RESTAURANT - TABLE-SERVICE: A retail service establishment wherein the entire business activity, or substantially all of the business activity, consists of the sale of food and service to patrons seated at tables for consumption within the building.
- (96) RETAIL ESTABLISHMENT: An establishment engaged in the selling of goods or merchandise to the general public for personal or household consumption, which is open to the general public during regular business hours and which has display areas that are designed and laid out to attract the general public. In determining a use to be a retail use, the Planning Commission may consider the proportion of display area vs. storage area and the proportion of the building facade devoted to display windows.
- (97) RIGHT-OF-WAY: A strip of land taken, dedicated, or otherwise recorded as an irrevocable right-of-passage for use as a public way. In addition to the roadway, it normally incorporates the curbs, lawn strips, sidewalks, water and sewer lines, lighting, and drainage facilities, and may include special features (required by the topography or treatment) such as grade separation, landscaped areas, viaducts, and bridges.
- (98) RIGHT-OF-WAY LINE: The line between a lot, tract, or parcel of land and a contiguous public street, and demarcating the public right-of-way. "Right-of-way line" also means "street line."
- (99) SCHOOL FACILITIES: Publicly or privately owned facilities providing full-time day instruction and training at the elementary, junior high and high school levels in accordance with the requirements of Chapter 3313 of the Ohio Revised Code; or publicly or privately owned facilities providing kindergarten or nursery school training and care which are operated by a board of education or an established religious organization.

RECORD OF ORDINANCES

Dayton Legal Blank, Inc.

Form No. 30043

Ordinance No. _____

Passed _____

20____

- (100) **SCHOOL, BUSINESS AND TRADE:** A higher education facility primarily teaching useable skills that prepare students for jobs in a trade.
- (101) **SCREEN:** A method of reducing the impact of noise and unsightly visual intrusions with more harmonious elements, such as plants, berms, fences, walls, or a combination thereof, in compliance with this Ordinance.
- (102) **SETBACK:** The required minimum horizontal distance between a lot line and a structure as established by this Ordinance.
- (103) **SETBACK LINE (See also "Yard, Required"):** A line established by this Zoning Ordinance generally parallel with and measured from the lot line, defining the limits of the required yard in which no building, or structure may be located above ground, except as may be provided in this Zoning Ordinance. The term "setback line" shall also include "required setback line."
- (104) **SIGN:** Any identification, description, illustration or device which is affixed to or integrated into a building, structure or land, or otherwise situated on a lot and which is intended to direct or attract attention to, or announce or promote a product, place, activity, person, institution or business by means of letters, words, designs, colors, symbols, flags, banners, fixtures, images or illuminations.
- (105) **SIMILAR USE:** A use not specifically listed in any of the schedules of permitted uses of any district, but which may be found similar by the Planning Commission and added to a schedule for a particular district.
- (106) **STREET, ARTERIAL:** A street primarily for through traffic usually on a continuous route. This facility provides for through traffic movement between areas, across the county, and to and from expressways.
- (107) **STREET, COLLECTOR:** A street that primarily carries traffic from local to arterial streets, including the principal entrance and circulation routes within residential subdivisions.
- (108) **STREET, LOCAL:** A street primarily for providing access to residential or other abutting property.
- (109) **STREET, PRIVATE:** A local private way which provides vehicular access to more than one residential structure that is not and will not be dedicated to public use but which is owned and maintained by an Association.
- (110) **STREET, PUBLIC:** An existing State, County, or City street or public road shown on the recorded subdivision plat.
- (111) **STRUCTURE:** Anything constructed or erected, the use of which requires location on the ground or attachment to something having a fixed location on the ground including buildings, walls or fences.
- (112) **STUDIOS FOR INSTRUCTION:** A building or portion thereof that is used or intended to be used for nonacademic group instructional purposes, which include, but are not limited to arts, crafts, dance and computer instruction.
- (113) **SWIMMING POOL:** An outdoor structure capable of containing in excess of two feet of water at its deepest point and having more than 100 square feet of water surface.
- (114) **TRUCK OR TRANSFER TERMINAL:** A building, including accessory buildings and uses, in which merchandise and freight from various sources brought by motor truck is assembled, sorted or reloaded for shipment by motor truck.
- (115) **USE:** The purpose for which land, a building or structure is arranged, designed, intended, maintained or occupied; or any occupation, activity or operation carried on in a building or structure or on land.
- A. **USE, ACCESSORY:** A use of land incidental to the principal use of a lot or building located on the same lot.
- B. **USE, CONDITIONAL:** A use permitted in a district, other than a principal use permitted by right, which is allowed only under certain conditions as set forth in Chapter 1145, and which requires a conditional use permit and approval of the City Planning Commission, in accordance with the standards and procedures set forth in Chapter 1177.
- C. **USE, PERMITTED:** A use that is authorized by this Zoning Ordinance as either a use permitted by right, a conditional use or an accessory use.

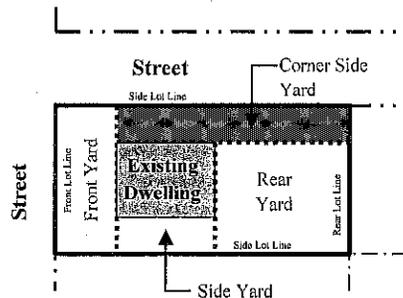
RECORD OF ORDINANCES

Ordinance No. _____

Passed _____

, 20__

- D. USE PERMITTED BY RIGHT: A permitted use that is approved administratively when it complies with the standards and requirements set forth in the Zoning Ordinance, the approval of which does not require a public hearing.
 - E. USE, PRINCIPAL: The primary or main use or activity of a building or lot.
- (116) VARIANCE: A grant by the Board of Zoning Appeals to a property owner authorizing the property owner to vary from the literal terms of the relevant regulations where such variance will not be contrary to the public interest.
- (117) VEHICLE/FARM IMPLEMENT SALES AGENCY: Any establishment engaged in activities such as displaying, offering for sale and selling vehicles or farm implements, and which may include operating an accessory service facility to perform repairs and maintenance on vehicles and farm implements, offering for sale and selling vehicle or farm implement parts at retail, offering for sale and selling used vehicles and farm implements at retail, but only as incidental to the sale of new vehicles and farm implements, and conducting all other acts that are usual and customary to the operation of a new vehicle and farm implement dealership.
- (118) VEHICLE REPAIR FACILITY: The repair, rebuilding or reconstruction of motor vehicles or parts thereof including collision service, painting, washing and steam cleaning of vehicles.
- (119) VETERINARY HOSPITAL: A place where animals are given medical or surgical treatment and the boarding of animals occurs only as an incidental use.
- (120) WALKWAY: A public way, four or more feet in width, for pedestrian use only, which may or may not be located along the side of a road.
- (121) YARD: An open space on the same lot with a principal building or structure extending between the lot line and the extreme front, rear or side wall of the main building or structure.
- A. YARD, CORNER SIDE: On a corner lot, the yard between the principal building and the side lot line adjacent to the street and extending from the front yard to the rear lot line. See illustration below.



- B. YARD, FRONT: The area across the full width of the lot between the front of the principal building and the front line of the lot.
- C. YARD, REAR: The area between the rear of the principal building and the rear line of the lot across the full width of the lot, except that for corner lots, the rear yard extends from the interior side lot line to the corner side yard.
- D. YARD, REQUIRED (See also Setback Line): The open space between a lot line and a setback line for a building, parking area or use that is Corner lots, the rear yard extends from the interior side lot line to the corner side yard.

RECORD OF ORDINANCES

Ordinance No. _____ Passed _____ 20____

- E. YARD, REQUIRED (See also Setback Line) The open space between a lot line and a setback line for a building, parking area or use that is the minimum area required to comply with the regulations of the district in which the lot is located, and within which no structure shall be located except as expressly permitted in this Zoning Ordinance.
- F. YARD, SIDE: The area between the main building and the side line of the lot extending from the front wall to the rear wall of the main building, except as otherwise defined for corner side yards.

Section 2. That Land Use Category (d)(2) of Section 1137.03, SCHEDULE OF PERMITTED USES of CHAPTER 1137 Business District Regulations of Ordinance No. 50-03, Zoning Ordinance of the City of North Canton, be, and the same is hereby amended to read as follows:

SECTION 1137.03 SCHEDULE OF PERMITTED USES

Land Use Category	Office Building District	Main Street District	General Business District	
	OB	MSB	GB-A	GB-B
(a) Residential				
(1) Multi-family dwellings	P		P	P
(2) Residential units accessory to a commercial use		C	C	C
(3) Residential care facility	C		C	C
(b) Office and Professional Services				
(1) Offices, including administrative, business and professional	P	P	P	P
(2) Sales office with only samples of products	P	P	P	P
(3) Banks or banks with accessory drive-through lanes	C	P	P	P
(c) Medical Facilities				
(1) Medical or dental office	P	P	P	P
(2) Hospital	C		C	C
(d) Retail/Services				
(1) Retail in completely enclosed building	A, subject to Section 1137.09	P	P	P
(2) Personal service establishment including barber, beauty shops, and repair shop for personal items such as shoes, watch, camera, but excluding tattoo and/or body piercing businesses and the like	A, subject to Section 1137.09	P	P	P
(3) Business equipment and supplies			P	P

P = Principal use permitted by right
 C = Conditional use
 A = Accessory use

*Amended 11-14-03; Ord. 107-03

RECORD OF ORDINANCES

Dayton Legal Blank, Inc.

Form No. 30043

Ordinance No. _____

Passed _____, 20____

Land Use Category	Office Building District	Main Street District	General Business District	
	OB	MSB	GB-A	GB-B
(4) Studios for instruction	C	C	P	P
(5) Drive-through facility in association with a permitted use		C	C*	C*
(6) Dry cleaning counter service		P	P	P
(7) Funeral home, mortuary	P	C	P	P
(8) Furniture, home furnishing, office equipment and office supplies store			P	P
(9) Motels, hotels	C		C	P
(10) Mainstream media shop in compliance with Section 1137.13		P	P	P
(11) Photographic reproduction services		P	P	P
(12) Restaurant in completely enclosed building		P	P	P
(13) Outdoor dining		C	C	C
(14) Self serve laundry facility			P	P
(15) Veterinary hospitals with associated cages, runs and kennels			C	P
(16) Adult uses				C
(g) Automotive Transportation				
(1) Parking as principal use (lot or garage)		P	P	P
(2) Vehicle and farm implement sales, lease, and/or rental facility				P
(3) Car wash			C*	C*
(4) Gasoline station			C*	C*
(5) Automobile service station			C*	C*
(6) Vehicle, repair facility				P
(f) Entertainment, Recreation, Community Facility				
(1) Clubs, lodges, or other assembly halls	C	C	P	P
(2) Civic facility for public assembly		P	P	P
(3) Day care facility, adult	C	C	P	P
(4) Day care facility, child	C	C	P	P
(5) Indoor recreation facility			P	P
P = Principal use permitted by right		*Amended 11-14-03; Ord. 107-03		
C = Conditional use				
A = Accessory use				

RECORD OF ORDINANCES

Dayton Legal Blank, Inc.

Form No. 30043

Ordinance No. _____ Passed _____, 20____

Land Use Category	Office Building District	Main Street District	General Business District	
	OB	MSB	GB-A	GB-B
(6) Library, museum	P	P	P	P
(7) Outdoor commercial recreation			C	P
(8) Motion picture and theatrical playhouse			P	P
(9) Public parks and/or playgrounds	P		P	P
(10) Places of worship	C	C	P	P
(11) School, public or private	C	C	P	P
(12) Business and trade school		C	C	C
(13) Safety facility, public	P	P	P	P
(14) Service facility, public	P		P	P
(g) Wireless telecommunications facility	See Chapter 1157			
(h) Accessory uses				
(1) Off-street parking and loading areas	A	A	A	A
(2) Fencing and screening	A	A	A	A
(3) Outdoor display of merchandise for sale		C	A	A
(4) Outdoor storage of goods and supplies				A
(5) Outdoor swimming pools, other recreational facilities in connection with motels	A	A	A	A
(6) Signs	A	A	A	A
(7) Trash receptacles	A	A	A	A
P = Principal use permitted by right C = Conditional use A = Accessory use"				

Section 3. 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

RECORD OF PROCEEDINGS

Minutes of

COUNCIL OF THE CITY OF NORTH CANTON

REGULAR

Meeting

DAYTON LEGAL BLANK, INC., FORM NO. 10148

Held Monday, April 23 7:00 p.m. 20 12

CALL TO ORDER:

1. The council meeting was called to order Monday, April 23, 2012 at 7:07 p.m. by President of Council Jon Snyder.

OPENING PRAYER

2. The opening prayer was delivered by Harold Oswald.

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, Cerreta.

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

CONSIDERATION:

5. Council Meeting Minutes of April 9, 2012.
Financial Statement -- March 2012.

Mr. Snyder: May I have a motion and second to approve, as presented, the Council Meeting Minutes of April 9, 2012 and the Financial Statement of March 2012.

Mr. Foltz moved and Mr. Peters seconded to approve as presented the council meeting minutes and financial statement. All members present voting:
Yes: Fox, Griffith, Kiesling, Peters, Snyder, Cerreta, Foltz.
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 Personnel & Safety held 4/9/12, Committee Report Minutes for Personnel and Safety held 4/9 and 4/16/12, and the Finance & Property; Ordinance Rules & Claims; Street and Alley; Water Sewer & Rubbish all held the 16th of April, 2012.

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

Executive Session for Personnel & Safety: Please refer to the minutes on file in the Council Office of the Executive Session meeting for Personnel and Safety held April 9, 2012.

Finance & Property: Please refer to the minutes on file in the Council Office of the Finance & Property Committee meeting held on April 16, 2012.

Ordinance, Rules & Claims: Please refer to the minutes on file in the Council Office of the Ordinance, rules & Claims Committee meeting held on April 16, 2012.

Personnel & Safety: Please refer to the minutes on file in the Council Office of the Personnel and Safety Committee meetings held April 9, 2012 and April 16, 2012.

Street & Alley: Please refer to the minutes on file in the Council Office of the Street & Alley meeting held on April 16, 2012.

Water, Sewer & Rubbish: Please refer to the minutes on file in the Council Office of the Water, Sewer & Rubbish minutes held on April 16, 2012.

RECORD OF PROCEEDINGS

0287

Minutes of

COUNCIL OF THE CITY OF NORTH CANTON

REGULAR

Meeting

DAYTON LEGAL BLANK, INC. FORM NO. 10148

Held

Monday, April 23

7:00 p.m.

20

12

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. Seeing none, we will move to Old Business, may I have a motion to read by title only the third reading of Ordinance No. 23-12?

OLD BUSINESS

- 8. Mr. Foltz: So moved.
 Mr. Peters: You might want to...
 Mrs. Kalpac: You have to amend it.
 Mr. Snyder: Do we need to amend that for the grass?
 Mr. Peters: For the grass...
 Mrs. Kiesling: Take it back to 8 inches.
 Mr. Nilges: Yea, we're raising it...

Mr. Snyder: First before we do that, may I first have a motion to amend Ordinance No. 23-12 as presently presented?

Mr. Foltz moved and Mr. Cerreta seconded to **amend Section 1703.02(a)(1) of Ordinance No. 23-12 to increase the grass height from 6 inches to 8 inches.** All members present voting:

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

Mr. Snyder: Now may I have a motion to read by title only, third reading of Ordinance No. 23-12, as amended.

Mr. Griffith moved and Mr. Foltz seconded to **read by title only, third reading, as amended** of Ordinance No. 23-12. All present voting:

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

Ordinance No. 23-12 – 3rd 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: We've had lots of great discussion about this. I think we're ready to move forward. We've had some helpful insight relative to the grass. And we've had some good discussions; Miriam and I talked about it today actually. So I think we're ready to move forward and I want to thank everybody for their patience on this first step of many. I know a lot of people are excited about it and I think we're ready to move forward. So, I move that it be accepted.

Mr. Griffith moved and Mr. Foltz seconded to **adopt the third reading, as amended,** of Ordinance No. 23-12. All present voting:

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

Mr. Snyder: I'd like to publically thank the Housing Committee. They did an excellent job, along with Mr. Fox there and with Eric Bowles. And they put into place a very good tool that I think over the years is going to help enhance the City of North Canton and its housing stock. Gentlemen, we very much appreciate that. Thank you. May I have a motion to remove from the table Ordinance No. 24-12?

- 9. Mr. Peters moved and Mrs. Kiesling seconded to **remove from the table** Ordinance No. 24-12. All members present voting:

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

Mr. Snyder: Now may I have a motion to read by title only second reading of Ordinance No. 24-12?

Mr. Peters moved and Mrs. Kiesling seconded to **read by title only, second reading** of Ordinance No. 24-12. All members present voting.

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

RECORD OF PROCEEDINGS

Minutes of

COUNCIL OF THE CITY OF NORTH CANTON

REGULAR

Meeting

DAYTON LEGAL BLANK, INC., FORM NO. 10148

Held Monday, April 23

7:00 p.m.

20 12

Ordinance No. 24-12. 2nd 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: Chairman Peters.

Mr. Peters: Yes, thank you. After further discussion we decided to leave the wording as is to allow the appointing authority to disburse the vacation as they see fit. So, I have nothing further to add. I will motion to approve the second reading of 24-12.

Mr. Peters moved and Mr. Fox seconded to adopt the second reading of Ordinance 24-12.

All members present voting:

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

No: 0

10. Mr. Snyder: May I have a motion to read by title only second or excuse me, third reading of Ordinance No. 30-12.

Mr. Fox moved and Mrs. Kiesling seconded to **read by title only, third reading** of Ordinance No. 30-12. All members present voting:

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

No: 0

Ordinance No. 30-12. 3rd 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: As we talked about on this particular software there was \$100,000 in the budget for it, it came in at 118, the other 18 came from the general fund. Consequently it's well within the projected budgetary constraints. And this will bring us closer to our ability to dispatch much more efficiently without the reliance on outside dispatch centers and no matter where we go with it, this will enhance our system and ultimately enhance our residents receiving the services that they so desperately like and so desperately have come to expect. There being nothing else to discuss, I will entertain a motion to adopt the third reading of Ordinance No. 30-12.

Mr. Cerreta moved and Mrs. Kiesling seconded to **adopt the third reading** of Ordinance No. 30-12. All members present voting:

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

No: 0

11. Mr. Snyder: Alright, may I have a motion to read by title only the first reading of Ordinance No. 38-12.

Mr. Fox moved and Mrs. Kiesling seconded to **read by title only the first reading** of Ordinance No. 38-12. All members present voting:

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

No: 0

Ordinance No. 38-12 – 1st Reading – Personnel & Safety Committee

An ordinance authorizing the Mayor of the City of North Canton to enter into a professional services agreement by and between the City of North Canton and V. Margaret Loretto to provide services to the City of North Canton as Interim Director of Finance and declaring the same to be an emergency.

Mr. Snyder: Chairman Peters

Mr. Peters: Yes. As it reads it's authorizing the Mayor to enter into an agreement with Ms. Loretto for her services unless she wants to donate them.

(Laughter)

Mr. Peters: So I have nothing further to add.

Mrs. Kiesling: You can always ask.

RECORD OF PROCEEDINGS

0289

Minutes of

COUNCIL OF THE CITY OF NORTH CANTON

REGULAR

Meeting

DAYTON LEGAL BLANK #00, FORM NO. 10148

Held Monday, April 23 7:00 p.m. 20 12

Mr. Peters: So I will motion to approve 38-12.

Mr. Peters moved and Mr. Cerreta seconded to **adopt the first reading** of Ordinance No. 38-12. All members present voting:
 Yes: Snyder, Cerreta, Foltz, Fox, Griffith, Kiesling, Peters.
 No: 0

Mr. Snyder: As time is of the essence, an emergency does exist, we'd like to suspend the rules of council for Ordinance No. 38-12.

Mrs. Kiesling moved and Mr. Peters seconded to **suspend the rules** for Ordinance No. 38-12. All members present voting:
 Yes: Cerreta, Foltz, Fox, Griffith, Kiesling, Peters, Snyder
 No: 0

Mr. Snyder: May we adopt under the suspension of the rules Ordinance No. 38-12?

Mr. Fox moved and Mr. Peters seconded to **adopt under the suspension of rules** Ordinance 38-12. All members present voting:
 Yes: Foltz, Fox, Griffith, Kiesling, Peters, Snyder, Cerreta
 No: 0

- 12. Mr. Snyder: May I have a motion to read by title only the first reading of Ordinance No. 38-12; 39-12, excuse me.

Mr. Fox moved and Mr. Peters seconded to **read by title only, first reading** of Ordinance No. 39-12. All members present voting:
 Yes: Fox, Griffith, Kiesling, Peters, Snyder, Cerreta, Foltz
 No: 0

Ordinance No. 39-12 – 1st Reading – Personnel & Safety Committee

An ordinance authorizing the Mayor, the Director of Administration, and the Personnel & Safety Committee of North Canton City Council to enter into a Collective Bargaining Agreement between the City of North Canton and the Ohio Patrolmen's Benevolent Association ("OPBA") Full-Time Dispatchers and Chief/Lead Dispatcher, repealing any and all legislation inconsistent herewith and declaring the same to be an emergency.

Mr. Snyder: Chairman Peters.

Mr. Peters: Yes, thank you. I have nothing further to add. I'll make a motion to approve 39-12.

Mr. Peters moved and Mrs. Kiesling seconded to **adopt the first reading** of Ordinance No. 39-12.
 All members present voting:
 Yes: Griffith, Kiesling, Peters, Snyder, Cerreta, Foltz, Fox
 No: 0

Mr. Snyder: Again, as time is of the essence, I'd like to suspend the rules of council for Ordinance No. 39-12.

Mr. Peters moved and Mr. Fox seconded to **suspend the rules** for Ordinance No. 39-12. All members present voting:
 Yes: Kiesling, Peters, Snyder, Cerreta, Foltz, Fox, Griffith.
 No: 0

Mr. Snyder: May we adopt under the suspension of the rules Ordinance No. 39-12?

Mr. Peters moved and Mr. Fox seconded to **adopt under the suspension of the rules** Ordinance No. 39-12. All member present voting:
 Yes: Peters, Snyder, Cerreta, Foltz, Fox, Griffith, Kiesling
 No: 0

- 13. Mr. Snyder: May I have a motion to read by title only 1st reading of Ordinance No. 40-12?

Mr. Griffith moved and Mrs. Kiesling seconded to **read by title only, first reading** of Ordinance No. 40-12. All members present voting:
 Yes: Snyder, Cerreta, Foltz, Fox, Griffith, Kiesling, Peters
 No: 0

RECORD OF PROCEEDINGS

Minutes of

COUNCIL OF THE CITY OF NORTH CANTON

REGULAR

Meeting

DAYTON LEGAL BLANK INC. FORM NO. 10148

Held Monday, April 23

7:00 p.m.

20 12

Ordinance No. 40-12. 1st Reading – Finance & Property Committee

An ordinance declaring that certain Fire Department equipment owned by the City of North Canton, Ohio, is no longer required for municipal purposes and authorizing the Mayor of the City of North Canton to sell said Fire Department equipment; namely, three (3) Lifepak Defibrillators for Six Thousand Dollars (\$6,000) to the Paris Township Fire Department, and declaring the same to be an emergency.

Mr. Snyder: As you know, we purchased three brand new ones with a grant. These were three that were no longer in service to the City. Chief of the Fire Suppression did contact Paris Township Fire Department and did dispose of them properly, well within the law, and also the Charter of North Canton. And if you do run across the Chief, thank him for his good work in obtaining that grant and disposing of said equipment in a proper manner. And I'll entertain a motion to adopt the first reading of Ordinance 40-12.

Mr. Griffith moved and Mrs. Kiesling seconded to **adopt the first reading** of Ordinance 40-12. All members present voting:

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

No: 0

Mr. Snyder: As a true emergency does exist the department Chief does need that equipment, so we'd like to suspend the rules of council for Ordinance 40-12.

Mr. Fox moved and Mr. Peters seconded to **suspend the rules** for Ordinance No. 40-12.

All members present voting:

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

No: 0

Mr. Snyder: May we adopt under the suspension of the rules Ordinance No. 40-12?

Mrs. Kiesling moved and Mr. Cerreta seconded to **adopt under the suspension of the rules** Ordinance No. 40-12. All members present voting:

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

No: 0

14. Mr. Snyder: May we have a motion to read by title only first reading of Ordinance No. 41-12?

Mr. Fox moved and Mr. Peters seconded to **read by title only, first reading** of Ordinance No. 41-12. All members present voting:

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

No: 0

Ordinance No. 41-12 – 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 for the Mayor of the City of North Canton to enter into a contract for the cleaning of five sludge lagoons and one wash water lagoon at the North Canton Drinking Water Plant for a period of three (3) years and declaring the same to be an emergency.

Mr. Snyder: Mr. Cerreta.

Mr. Cerreta: Yes, as a part of our treatment plant lime has created a part of the offspring of that, and we need those lagoons. They go into the lagoons and the lagoons need to be cleaned out, and this is up for bid. So I recommend that we - we adopt this and also under emergency.

Mr. Cerreta moved and Mrs. Kiesling seconded to **adopt the first reading** of Ordinance No. 41-12. All members present voting:

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

No: 0

Mr. Snyder: As the Chairman pointed out, time is of the essence, they need to continue the contract so we'd like to suspend the rules of council for Ordinance 41-12.

Mr. Griffith moved and Mr. Fox seconded to **suspend the rules** for Ordinance No. 41-12. All members present voting:

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

No: 0

Mr. Snyder: May we adopt under the suspension of rules Ordinance No. 41-12?

RECORD OF PROCEEDINGS

0291

Minutes of

COUNCIL OF THE CITY OF NORTH CANTON

REGULAR

Meeting

DAYTON LEGAL BLANK INC. FORM NO. 10148

Held Monday, April 23 7:00 p.m. 20 12

Mrs. Kiesling moved and Mr. Fox seconded to adopt under the suspension of rules Ordinance No. 41-12. All members present voting: Yes: Snyder, Cerreta, Foltz, Fox, Griffith, Kiesling, Peters No: 0

15. Mr. Snyder: May I have a motion to amend the agenda for Ordinance No. 42-12 without minutes.

Mr. Griffith moved and Mr. Peters seconded to amend the agenda to include Ordinance No. 42-12 and to waive the rules of Council requiring a committee report. All members present voting: Yes: Cerreta, Foltz, Fox, Griffith, Kiesling, Peters, Snyder No: 0

Mr. Snyder: May I have a motion to read by title only, first reading of Ordinance No. 42-12.

Mrs. Kiesling moved and Mr. Cerreta seconded to read by title only, first reading of Ordinance No. 42-12. All members present voting: Yes: Foltz, Fox, Griffith, Kiesling, Peters, Snyder, Cerreta No: 0

Mr. Nilges: Okay. Before I do this, the Clerk did say - asked me if it was too wordy and as I look at this, I think it is. This is going to be tough. Here we go.

Ordinance No. 42-12 - 1st Reading - Finance & Property Committee

An ordinance granting a perpetual drainage easement from the City of North Canton ("City") to Mullinax Ford of North Canton, Inc. ("Mullinax") located and known as being part of Out Lot 212 within the City of North Canton, Stark County, Ohio, which is no longer needed for municipal purposes, in consideration of Ten Dollars (\$10.00) and other good and valuable consideration, the receipt, adequacy and sufficiency of which is hereby acknowledged, recorded in Plat Book 70, Page 10 of the Stark County, Ohio Records Office Imaging No. 2000002588, and declaring the same to be an emergency.

Mr. Snyder: Again, we talked about this earlier. I was - I thought we were on flat rate for our legal...

Mr. Nilges: Buy it by the letter, obviously.

(Laughter)

Mr. Snyder: As we talked about, they want to close on this property and this is just clearing up some ambiguity in the title it's somewhat clouded right now and so we are going to do that to get it done. Any questions for the Council or the Committee? If not, may I have a motion to adopt the first reading of Ordinance No. 42-12?

Mr. Griffith moved and Mr. Cerreta seconded to adopt the first reading of Ordinance No. 42-12. All members present voting: Yes: Fox, Griffith, Kiesling, Peters, Snyder, Cerreta, Foltz No: 0

Mr. Snyder: Again, time is of the essence so we need to suspend the rules of council for Ordinance No. 42-12.

Mr. Cerreta moved and Mr. Peters seconded to suspend the rules for Ordinance No. 42-12. All members present voting: Yes: Griffith, Kiesling, Peters, Snyder, Cerreta, Foltz, Fox. No: 0

Mr. Snyder: May we adopt under the suspension of the rules Ordinance No. 42-12?

Mrs. Kiesling moved and Mr. Peters seconded to adopt under suspension of the rules Ordinance No. 42-12. All members present voting: Yes: Kiesling, Peters, Snyder, Cerreta, Foltz, Fox, Griffith. No: 0

Held Monday, April 23 7:00 p.m. 20 12

Mr. Snyder: Before we go to reports, I'd just like to remind Council, Administration, as well as the people in attendance in the audience, next Monday would be the fifth Monday of the month. And Council meets only four Mondays a month so we will not be back in Chambers here for a meeting regularly scheduled until May 7th at 7:00 p.m. So next Monday you are on a sabbatical. So I'm sure you'll keep within the 6inches of the ordinance or 8inches now of the ordinance to mow your lawn, so you'll be in good shape. I just wanted to point that out.

REPORTS:

Mr. Snyder: Director of Law.
Mr. Nilges: No report.

Mr. Snyder: Director of Finance.

Mrs. Loretto: I just wanted to say that Karen got through her operation, and she is doing very well.

Mr. Snyder: Good. When you talk to her, please send our best from the Council.

Mrs. Loretto: I told her that everybody asks about her all the time and you know...

Mr. Snyder: Mr. Mayor.

Mayor Held: Thank you. Yes. With the two promotions that we just had. We had Chad Marceric who is a special patrolman, or part-time patrolman, he was here for two years. And under our new testing with the Civil Service, if you work for a minimum of one year in the City of North Canton as a part-time police officer, that gives you additional points on the test. And then that also gives the City an opportunity to work with the officer to see that they would be a good fit for the department and in service to the residents. So Chad is our new full-time patrolman. He has been with us for two years, does an excellent job. He's working like 35 hours every week for the past two years. And then we had Doug Cardwell who has been with us now for thirteen years and he'll be one of our new Sergeants. And as you all know, as Council had approved, we used to have six lieutenant positions, now we're going to have one lieutenant position, and we will have five sergeant positions. And really what that does, it still provides the same level of leadership, but it does save the City approximately 9% on salary and administrative - salary and wages and other benefits. We are also going to have - we have four more vacancies in the Police Department now that we have to fill. These are existing positions, they're not added positions. We had five, but as of today we now have four. And we do have a number of people on the list that are eligible for that position. We have some that are in training right now. But sometime over the next few months, the Chief is going to be doing interviews, and then he'll be sending up a recommendation. So sometime within the next year we'll be filling at least four more positions. And then on May 9th, Walsh University has offered to host the State of the City at Walsh University, which is nice when you consider that Walsh University that I believe now, is our number one employer, our largest employer in the City of North Canton. So, President Richard Jusseaume offered to host it this year, and so you know you're all welcome, we would certainly like to have you there. And the main focus is going to be the City's finances and also our present status on the jobs, which is looking good here in the City.

Unidentified (speaking from the audience): What time is it?

Mayor Held: It will be at May 9th, Wednesday, May 9th at 7:00 p.m. And that's all I have.

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

Mr. Benekos: Yes, the Landsdowne waterline project has begun. We're making good progress. They should be completed here within the next couple of weeks. That's it for now.

Mr. Snyder: Have you completed Hines and Westfield already -- the waterline?

Mr. Benekos: Hines is completed and Westfield we have not completed that yet.

Mr. Snyder: Just one section of it, the other across the street you're working on yet. Is that it? Across Everhard you're going to just do it on the one side.

Mrs. Kiesling: Westfield.

Mr. Snyder: Westfield.

Mr. Benekos: On Westfield, just on the one side.

Mr. Snyder: Okay. Director Bartos, anything?

RECORD OF PROCEEDINGS

0293

Minutes of

COUNCIL OF THE CITY OF NORTH CANTON

REGULAR

Meeting

DAYTON LEGAL BLANK, INC., FORM NO. 19148

Held Monday, April 23 7:00 p.m. 20 12

Mr. Bartos: Just two things: The general insurance for the City was set to expire on April 15th, so we took bids on that. Evans Insurance Agency it was determined gave lowest and best bid. They're great to work with. They were our agency beforehand, so everybody is excited to work with them again. I just thank Teresa Dolan for helping me out with that. She really deserves more credit than I do as far as getting those bids in and getting Evans back in. Also, Price Park if you're out there you will see the new walkway leading from the main walkway to the restrooms. It makes it more handicap accessible and makes it easier for people who might find it difficult to walk through the grass to get to the restrooms. That's all I have.

REPORTS – COUNCIL:

Mr. Snyder: Okay. Mr. Foltz?

Mr. Foltz: A couple of things. I want to compliment Administration on a lot of catch basins being replaced. Also, seeing some crew members out along Ward 1 on the West Side of Main Street blowing off the sidewalks and curbing, I think that's great because you know, we get a lot of grit and salt and debris, and just people love to walk through our City and it's nice to see it cleaned up, and just passing along those accolades to them. Also, I believe Jim Davis we're working with and hopefully we can do this, is open the pool Memorial Day weekend. Because other years it just hasn't been open. And I think if it's a hot weekend, we'll want it open if we can do it and have the manpower. So, I know I discussed this with him about a month ago and hopefully we can pull that off. I've got the right personnel. It might not be open through the week, but at least the weekend there.

Mrs. Kiesling: Great.

Mr. Foltz: I think that would be wonderful.

Mr. Fox: Great idea.

Mr. Foltz: And if you guys see the pool memberships going on sale and hopefully people take will take advantage of the "early bird specials", so to speak. I think that's it. I thank you.

Mr. Snyder: Thank you, Mr. Foltz. Mr. Peters

Mr. Peters: No report.

Mr. Snyder: Mr. Fox

Mr. Fox: No report, sir.

Mr. Snyder: Mr. Griffith.

Mr. Griffith: I want to thank everybody again on the Housing Committee. It's been a great ride, and of course we're just starting. I talked with Eric today, who's again been supportive. We've got a first draft of our version of the International Building Code which is another important tool. But of course, that is something that is going to need a lot of work. We're going to get together a committee of professionals, people who are in the trades and a couple of other folks in the community who are going to help us work through that. So, before a draft hits our desk, we are going to make sure it gets through that gauntlet as it were, and that is one of the things we're working on right now. In addition to which we're going to hopefully be introducing here soon is our next big piece, pieces of legislation that will give Eric a little more authority to authorize tear-downs of houses that are really very, very problematic. There are a number in the City right now and we want to make sure that we can actually seek some action on those as well. So, everyone is willing, it's just not able at this point and we're going to be working on this as well. So, that is kind of what is next on the report. Other than that, that's all I have.

Mr. Snyder: Thank you, appreciate that. Mr. Cerreta

Mr. Cerreta: No report

Mr. Snyder: Mrs. Kiesling

Mrs. Kiesling: Yes, I actually would love to thank the Administration. We had the Viking Victory Run this weekend. Where - since we're rearranging all the grade schools this weekend, or this next year, they needed to raise some money for the PTA's; they're all going to be separated out. So they put on this 5K and the One-mile Fun Run, and wow, it was absolutely amazing. They made over \$17,000 in the finance for the fundraiser. And I - the Police Department, they were our lead and they were - actually it was Doug Cardwell because I was a volunteer on the corner and I was like, "hey Doug" at the beginning and then "hey Doug" at the end. So it was very nice that they helped out and led the procession, and then ended the procession in the stadium. And, on another note, my 11-year-old won the 5k in her division.

Mr. Foltz: Very good.

Mrs. Kiesling: So yeah, it was pretty cool actually.

RECORD OF PROCEEDINGS

Minutes of COUNCIL OF THE CITY OF NORTH CANTON REGULAR Meeting

DAYTON LEGAL BLANK, INC., FORM NO. 10148

Held Monday, April 23 7:00 p.m. 20 12

Mr. Snyder: No conflict there.

(Laughter)

Mrs. Kiesling: No. I was a volunteer and I had nothing to do with it.

(Laughter)

Mrs. Kiesling: It was a Subway Challenge series, I mean they had their pins on, you know. It was professionally done.

Mr. Snyder: And you weren't the timekeeper.

Mrs. Kiesling: No, I was not the timekeeper.

(Laughter)

Mrs. Kiesling: I wasn't even near her.

Mr. Foltz: Hey Jon, something was promised though cause ...inaudible...

Mrs. Kiesling: I actually was shocked. I had no idea. When she came around the corner, it was like, holy cow, she was at the front of the pack, and my husband was way in the back.

(Laughter)

Mrs. Kiesling: So, it was a great day for everybody and it sounded like it went very well. \$17,000 in just, you know...

Mr. Cerreta: Yeah, that's terrific.

Mrs. Kiesling: it was really fun. So, thank you.

Mr. Snyder: Again, the only other thing on May the 8th here in Council Chambers we will be having a Neighborhood Crime Watch for the area of Everhard, Westfield and that area. There seems to be a few more burglaries than normal there – and home burglaries, And Lieutenant Strausser has been very kind with the blessing of the Chief of Police to bring the people in from the Prosecutor's Office, and the residents and the Administration in here. So any member of Council is more than welcome to come. If you've not been to one of those crime watches, they're very very informative. They do touch on mostly preventative things that you can do in the home too. And anybody in the City is welcome, even though that it's called for that area. And if any council member would like to have that done, we'll gladly offer the Chambers or anything we can to do that. I don't think there's anything else that I know of. Oh, Mr. Mayor.

Mayor Held: If I could – I'd just like to thank our Council and particularly the Housing Committee. You know that has been something the City has talked about for years. And we've got it done and this is really going to make a difference because we do have – we've got to find a way to – which we've done now to address you know vacancies and also rental units and I know there's a lot more work that you folks are working on. So, very nice job.

Mr. Foltz: Just to follow up, Especially – it takes administrative leadership not just Council to make this happen. So, Eric Bowles deserves a lot of credit because he's the one that puts the ...

Mr. Griffith: Absolutely.

Mr. Foltz: pen to the paper so to speak. Also, whatever he needs I feel in that department, personnel part-time, summer help, whatever, we should give it because it's all about enforcement as we know. We're going to have these rules on the books and we've got to have a tool for him to use because we can't have him going out and trying to do it all. So let's develop new rules and ordinances to abide by. Hopefully Council will all support that if he asks for more money.

Mayor Held: Yes, thank you. Inaudible...

Mr. Foltz: Okay.

Mr. Snyder: And I will have to attest, usually every morning around 7 I hear from the Mayor and about 7:10 or 15 I hear from Eric Bowles. So I do know that they're both working and earning their salaries every day. And in fact Hans and I had breakfast with Eric this morning and he was on the run and he ran out before the bill got paid.

Mr. Nilges: Yeah, that's true. So...

RECORD OF PROCEEDINGS

0295

Minutes of

COUNCIL OF THE CITY OF NORTH CANTON

REGULAR

Meeting

DAYTON LEGAL BLANK, INC. FORM NO. 1014B

Held Monday, April 23 7:00 p.m. 20 12

Mr. Peters: Imagine that.

(Laughter)

FINAL CALL FOR NEW BUSINESS:

Mr. Snyder: He said he had to get going. No, but he's a good guy and he works hard. Is there any other business to come before the Council? If not, I'll entertain a motion to adjourn.

Mr. Griffith moved and Mr. Cerreta seconded ...

Mr. Osborne (speaking from audience): Mr. Snyder ...

Mr. Snyder: Yes sir.

Mr. Osborne (speaking from audience): May I make some comments?

Mr. Snyder: Shortly, quickly.

Mr. Osborne: My name is Chuck Osborne. 307 Fairview Street, SE - North Canton, Ohio. I'm very disappointed that you moved ahead with 24-12. There was never any doubt that political appointees of the Mayor were going to get their two weeks' vacation, but to actually vest it to them on their very first day of work, nobody in this room has ever seen a job, I wouldn't expect that access to their vacation on their first day of work, the entire year's vacation.

Mr. Fox: Where I work Chuck they do that. Where Dan works they do that.

Mr. Griffith: Yeah, that's true.

Mr. Fox: United States Air Force does that.

Mayor Held: If I can just clarify that ...

Mr. Osborne: The City's benefits are overly generous as it is and allow the Mayor to ...

Mr. Snyder: Now wait a minute Chuck, I can't allow you to attack an elected official.

Mr. Osborne: This is not an attack, this is...

Mr. Snyder: You cannot malign the man of what his duties are as Mayor. You have a right of...

Mr. Osborne: I'm discussing the duties of the Mayor.

Mr. Snyder: But please ...

Mr. Osborne: It's his public ...

Mr. Snyder: please do not infer that's there's any impropriety in the Mayor's operation. I can't - I've been kind enough to allow you...

Mr. Osborne: I didn't say that.

Mr. Snyder: But you inferred that.

Mr. Osborne: Buy I'm saying the Mayor is able to offer these exempt people, which are basically political appointees a position and two weeks' vacation and say hey, these two weeks are available to you on your very first day of work.

Mayor Held: Yeah, that's exactly right. If I - when you're done I would like to comment.

Mr. Snyder: Okay.

Mayor Held: If you don't mind. And it's okay, I just want to clarify something once you're done.

Mr. Osborne: So it's shocking, I mean we had this Performance Audit a number of years ago, a number of ways to save money. I don't know if we're going to create a revolving door of these various political appointments if there's a change in the mayor's - whoever's mayor. But the person, obviously on their way out the door can, if they haven't already probably taken all their vacation, they're going to grab it. Vacation everywhere is earned, you earn it. The sick leave is in the regulations, you earn it. I think it's like 4.65 hours every 80 hours.

Mr. Fox: Mr. Osborne, everywhere...

Mr. Osborne: But you're turning around.

Mr. Fox: Where are you referring to everywhere?

Mr. Osborne: I'm sorry.

RECORD OF PROCEEDINGS

Minutes of

COUNCIL OF THE CITY OF NORTH CANTON

REGULAR

Meeting

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

Held

Monday, April 23

7:00 p.m.

20 12

Mr. Fox: Where are you referring to when you say everywhere? It's earned everywhere? Where are you referring to?

Mr. Osborne: Nobody gives you your vacation on day one...

Mr. Fox: I told you where I work they do and all places that I know, professional organizations, it's available - they're professionals that they hire, they're leaders that they hire and they don't expect their very first day they're going to say I'm taking my two weeks leave. They trust them with that. They're vetted.

Mayor Held: And...

Mr. Osborne: I've got more ...inaudible... well I guess you probably have more military time than I've got.

Mr. Snyder: Okay, Mr. Osborne, that's - I've allowed you the courtesy, now if you'd kindly sit down and let the Mayor respond, because unfortunately we have to vacate here because we're going to have some workers come in on this equipment. But thank you, we appreciate your comments.

Mr. Osborne: Vacation time is earned. I can't believe you're allowing access on it on day to a city employee who knows nothing about the city and it's an appointee of the Mayor. You're creating labor issues because the classified people are going to say, we don't get those benefits.

Mr. Snyder: Thank you, Mr. Osborne, appreciate your comments. Mr. Mayor.

Mayor Held: Yeah, just to clarify this, you know this is not, this benefit that the exempt employees have, number one, this has been in place prior to myself serving as the administrator. This has been the rule for well over 12 years that the exempt personnel ...

Mrs. Loretto: Prior to when I started here in 1980.

Mayor Held: So 1980.

Mrs. Loretto: Correct.

Mayor Held: Prior to that. So it's been in place for over 30 some years that an exempt employee as part of the benefit package, so that you can hire competent people, and offer a competitive salary and also benefits package. This is nothing more than clarifying what has already been in existence and what has already been given to the employees that we hired in these positions. The challenge came because we had an opinion from the Law Director, because he didn't understand the history of where we were at, and so we had to clarify that. And so now we're back in place. I'm very confident with the people that we've appointed, because it is the right of the Mayor to appoint leadership in the departments. And I do appreciate the City Council taking the time to clarify this. And Chuck, as always, I thank you for your comments.

Mr. Snyder: Well one thing and then we will adjourn on the 14th of May we will have the privilege of having with us Representative Renacci. He will come to speak here to the Council. And as I noticed here there's a member, there's a resident who is in the Zimber Ditch area and I would encourage anybody of questions you may have relative to that or anything that you have that might impact your constituency and make a little note. But we've extended that invitation, but I don't think he's accepted officially, but I believe he'll be here on the 14th. The Mayor had some conversation with him and was courtesy enough to tell me and we dropped him a note. So pen that on your diary that he'll be here on the 14th. If not, I'll entertain a motion to adjourn.

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

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

No: 0

The meeting adjourned at 8:43 p.m.

PRESIDENT OF COUNCIL

ATTEST:

CLERK OF COUNCIL



City of North Canton, Ohio

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North Canton, Ohio 44720-2587
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FINANCE & PROPERTY COMMITTEE MEETING MINUTES

The Finance & Property Committee of North Canton City Council met Monday, April 23, 2012 in the Council Chamber at North Canton City Hall.

Present for the meeting were: Chairman Snyder, Vice Chairperson Kiesling, Member Cerreta, Council Members Foltz, Fox, Griffith, and Peters.

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

Item discussed:

- a. Mullinax Drainage Easement: The Committee authorized legislation, granting a perpetual drainage easement from the City of North Canton to Mullinax Ford of North Canton, Inc. located and known as being part of Out Lot 212 within the City of North Canton, Stark County, Ohio, which is no longer needed for municipal purposes, in consideration of Ten Dollars (\$10.00) and other good and valuable consideration, the receipt, adequacy and sufficiency of which is hereby acknowledged, recorded in Plat Book 70, Page 10 of the Stark County, Ohio Recorders Office, Official Imaging No. 2000002588.

Legislation to contain an emergency clause and is subject to suspension of the rules of council requiring committee report minutes.

Respectfully submitted,

Jon Snyder, Chairman

Marcia Kiesling, Vice Chairperson

Mark Cerreta, Member

5/10/12-gmk



City of North Canton, Ohio

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FINANCE & PROPERTY COMMITTEE MEETING MINUTES

The Finance & Property Committee of North Canton City Council met as part of the Committee of the Whole Monday, May 7, 2012 in the Council Chamber at North Canton City Hall.

Present for the meeting were: Chairman Snyder, Vice Chairperson Kiesling, Member Cerreta, Council Members Foltz, Fox, Griffith, and Peters.

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

Item discussed:

- a. Mayor's Court Receipts – February, 2012: The Mayor's Court Receipts were reviewed and will be placed on the May 14, 2012 council agenda for formal approval.

Respectfully submitted,

Jon Snyder, Chairman

Marcia Kiesling, Vice Chairperson

Mark Cerreta, Member

5/10/12-gmk



City of North Canton, Ohio

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ORDINANCE, RULES & CLAIMS COMMITTEE MEETING MINUTES

The Ordinance, Rules & Claims Committee of the North Canton City Council met as part of the Committee of the Whole Monday, May 7, 2012 in the Council Chambers at North Canton City Hall.

Present for the meeting were: Chairman Griffith, Vice Chairman Foltz, Member Kiesling, Council Members Cerreta, Fox, Peters, and Snyder.

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

Item discussed:

- a. Amendment to PART 17 – HOUSING CODE re Unsafe Buildings: No action taken. At the request of Chairman Griffith item to be placed on the May 21, 2012 Committee of the Whole for further consideration.

Respectfully submitted,

Dan Griffith, Chairman

Doug Foltz, Vice Chairman

Marcia Kiesling, Member



City of North Canton, Ohio

Council Office
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PERSONNEL & SAFETY COMMITTEE MEETING MINUTES

The Personnel & Safety Committee of North Canton City Council met as part the Committee of the Whole Monday, May 7, 2012 in the Council Chambers at North Canton City Hall.

Present for the meeting were: Chairperson Peters, Vice Chairman Snyder, Member Griffith, Council Members Cerreta, Foltz, Fox and Kiesling.

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

Item discussed:

- a. Discussion – Stark County Emergency Notification System: The Committee authorized legislation, on an emergency basis, authorizing the Mayor to enter into a WENS Services Agreement by and between the City of North Canton and Inspiron Logistics Wireless LLC, to provide an Emergency Notification System for the City of North Canton, commencing June 1, 2012.

Respectfully submitted,

Daniel Peters, Chairman

Jon Snyder, Vice Chairman

Dan Griffith, Member

5/10/12-gmk

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City of North Canton, Ohio

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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, May 7, 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, Kiesling and Peters.

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

Items discussed:

- a. Perpetual Public Utility Easement (Parcel No. 16-19961): The Committee authorized legislation, approving, confirming and accepting a Perpetual Public Utility Waterline Easement, known as Parcel No. 16-19961, by and between the City of North Canton and any Public Utility regulated by the Public Utility Commission of Ohio its successors and assigns, and JSG Investment Group, Ltd., an Ohio limited liability company, in accordance with the Belden-Whipple Plaza No. 2, for and in consideration of One Dollar (\$1.00) and other good and valuable consideration.
- b. West Side Interceptor Rehabilitation Project (Canton WWTP): The Committee authorized legislation, on an emergency basis, authorizing the Mayor, through the Board of Control, to enter into an Supplemental Sewer Agreement by and between the City of North Canton and the City of Canton for improvements to the Canton Water Reclamation Facility, and to amend the March 22, 1974 Agreement and the series of supplements thereafter.
- c. Disaster Relief Fund Committee: The Committee authorized legislation, appointing Jake Tovissi to a three (3) year term; Marcy Klee to a four (4) year term; Ronald Reolfi to a five (5) year term; and designating the Chairperson of the Water, Sewer & Rubbish Committee as the Council Representative on the North Canton Community Disaster Relief Fund Committee for the City of North Canton.

Legislation to contain an emergency clause.

- d. Discussion – Neighbors Helping Neighbors Program: The Committee authorized legislation, on an emergency basis, establishing a Neighbors Helping Neighbors Program for the City of North Canton to assist the greater North Canton community when special needs present themselves.

Respectfully submitted,

Mark Cerreta, Chairman

Tim Fox, Vice Chairman

Jon Snyder, Member

5/10/12-gmk

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

RECORD OF ORDINANCES

Dayton Legal Blank, Inc.

Form No. 30043

Ordinance No. _____ Passed _____, 20____

5/8/12-gmk
(Water, Sewer & Rubbish)

Ordinance No. 43-12

An ordinance approving, confirming and accepting a Perpetual Public Utility Waterline Easement, known as Parcel No. 16-19961, by and between the City of North Canton, an Ohio Charter Municipal Corporation and any Public Utility regulated by the Public Utility Commission of Ohio ("PUCO") its successors and assigns (collectively "Grantees"), and JSG Investment Group, Ltd., an Ohio limited liability company, ("Grantor") in accordance with the Belden-Whipple Plaza No. 2, for and in consideration of One Dollar (\$1.00) and other good and valuable consideration.

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

- Section 1. That a Perpetual Public Utility Waterline Easement, to lay, re-lay, construct, install, maintain, operate, alter, inspect, repair, remove, replace, and renew at will, storm sewers, sanitary sewers, water mains, or any other utility regulated by the PUCO with the right of ingress and egress at any time to and from such utility and all appurtenances thereto on, under and through the property known as Parcel No. 16-19961, by and between Grantees and Grantor in accordance with Belden-Whipple Plaza No. 2, in consideration of One Dollar (\$1.00) and other good and valuable consideration, be, and the same is hereby approved, confirmed and accepted.
- Section 2. That attachments to this easement are attached hereto and incorporated herein as if fully rewritten herein.
- Section 3. 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

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RECORD OF ORDINANCES

Dayton Legal Blank, Inc.

Form No. 30043

Ordinance No. _____ Passed _____, 20____

5/8/12-gmk
(Water, Sewer & Rubbish)

Ordinance No. 44-12

An ordinance authorizing the Mayor of the City of North Canton, through the Board of Control, to enter into an Supplemental Sewer Agreement by and between the City of North Canton ("North Canton") and the City of Canton ("Canton") for improvements to the Canton Water Reclamation Facility, and to amend the March 22, 1974 Agreement and the series of supplements thereafter, 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 Mayor of the City of North Canton, through the Board of Control, be, and is hereby authorized to enter into Supplemental Sewer Agreement by and between the North Canton and Canton for improvements to the Canton Water Reclamation Facility, and to amend the March 22, 1974 Agreement and the series of supplements thereafter.

Section 2. 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 appropriations:

652 SEWER REVENUE		
652.779.5501	Facilities – Sewer Lines	\$70,000

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

Section 3. 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 4. 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 implementation of the Supplemental Sewer Agreement and improvements to the Canton Water Reclamation Facility; 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

Ordinance No. _____ Passed _____, 20__

5/8/12-gmk
(Water, Sewer & Rubbish)

Ordinance No. 45-12

An ordinance appointing Jake Tovissi to a three (3) year term; Marcy Klee to a four (4) year term; Ronald Reolfi to a five (5) year term; and designating the Chairperson of the Water, Sewer & Rubbish Committee as the Council Representative on the North Canton Community Disaster Relief Fund Committee for the City of North Canton 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 Jake Tovissi, be, and is hereby appointed to a three (3) year term on the North Canton Community Disaster Relief Fund Committee beginning June 1, 2012 and terminating December 31, 2015.
- Section 2: That Marcy Klee, be, and is hereby appointed to a four (4) year term on the North Canton Community Disaster Relief Fund Committee beginning June 1, 2012 and terminating December 31, 2016.
- Section 3: That Ronald Reolfi, be, and is hereby appointed to a five (5) year term on the North Canton Community Disaster Relief Fund Committee beginning June 1, 2012 and terminating December 31, 2017.
- Section 4. That the Chairperson of the Water, Sewer & Rubbish Committee, be, and is hereby designated as the Council Representative on the North Canton Community Disaster Relief Fund Committee.
- Section 5. 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 6. 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 appointment of the North Canton Community Disaster Relief Fund Committee members; 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. _____

Passed _____

, 20____

5/8/12-gmk
(Water, Sewer & Rubbish)

Resolution No. 46-12

A resolution establishing a Neighbors Helping Neighbors Program for the City of North Canton to assist the greater North Canton community when special needs present themselves, and declaring the same to be an emergency.

WHEREAS, the City of North Canton can facilitate the organization of individuals, groups, associations, clubs, schools and churches that are willing to "step up" when there is a call for volunteers; and,

WHEREAS, the North Canton community has a desire to serve and the Neighbors Helping Neighbors Program will allow those to assist those in need; and,

WHEREAS, the Neighbors Helping Neighbors Program will continue to bring our community together and make it a better place to live, learn, work, and play.

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

- Section 1. That a Neighbors Helping Neighbors Program for the City of North Canton to assist the greater North Canton community when special needs present themselves, be, and the same is hereby established.
- Section 2. That the Chairman of the Water, Sewer & Rubbish Committee shall serve as Chairman of said Program and coordinate volunteers with those in need.
- Section 3. That any and all legislation inconsistent herewith, be, and the same is hereby repealed.
- Section 4. 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 to establish the Neighbors Helping Neighbors Program in a timely manner; wherefore, 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. _____ Passed _____, 20____

5/8/12-gmk
(Personnel & Safety)

Ordinance No. 47-12

An ordinance authorizing the Mayor of the City of North Canton to enter into a WENS Services Agreement by and between the City of North Canton ("City") and Inspiron Logistics Wireless LLC, an Ohio Corporation ("Inspiron Logistics") to provide an Emergency Notification System for the City of North Canton, commencing June 1, 2012, 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 Mayor of the City of North Canton, be, and is hereby authorized to enter into a WENS Services Agreement by and between the City and Inspiron Logistics to provide an Emergency Notification System for the City of North Canton, commencing June 1, 2012.
- Section 2. 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 3. 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 effectiveness of the WENS Services Agreement and to ensure the continued efficient operation of the City of North Canton; 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