

DAYTON LEGAL BLANK, INC. FORM NO. 10148

Held Monday, June 4 6:45 p.m. 20 12

CALL TO ORDER:

1. The Special Council Meeting was called to order, Monday, June 4, 2012 at 6:58 p.m. by President of Council Jon Snyder.

Mr. Snyder: This meeting is a special meeting to consider some matters that need to be taken care of, pursuant to roll call taken last week. I'd ask at this time the Clerk to please call the roll.

ROLL CALL:

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

Also present were: Mayor Heid, Director of Administration Grimes, Director of Law Nilges, Director of Finance Alger, Director of Administrative Services Bartos, Director of Permits & Development Bowles and Clerk of Council Kalpac. City Engineer Benekos was not present for the meeting.

3. Mr. Snyder: First, may I have a motion to read by title only the second reading of Ordinance No. 51-12?

Mr. Fox moved and Mr. Peters seconded to **read by title only, second reading** of Ordinance No. 51-12. All members present voting:

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

No: 0

**Ordinance No. 51-12 – 2<sup>nd</sup> Reading – Street & Alley**

An ordinance authorizing the Mayor of the City of North Canton to prepare and submit an application to the Federal Highway Administration ("FHWA") through the Stark County Area Transportation Study ("SCATS") for a grant for the Portage/Charlotte Streets Improvements Project (from Wise Avenue NW to North Main Street); and, authorizing the Mayor, through the Board of Control, to enter into an agreement for said grant, and declaring the same to be an emergency.

Mr. Snyder: Chairman Fox

Mr. Fox: Yes, sir. This is, as stated in ordinance permitting our - our administration to enter into the application for a grant for improving Portage and Charlotte Streets; includes resurfacing the asphalt, cache basins, curbs, replace the sidewalks and provide ADA ramps and upgrade the signal at Hillcrest. We put it in for the special meeting this evening because the - there were some adjustments to the projection of what we needed to fund it. And importantly this is not expending the money, this is just setting money aside just in anticipation that the grant will be approved. And I recommend that it be approved as written. And so we can move forward declare the same to be an emergency.

Mr. Fox moved and Mr. Foltz seconded to **adopt the second reading** of Ordinance No. 51-12. All members present voting:

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

No: 0

Mr. Snyder: May I have a motion to suspend the rules of council for Ordinance No. 51-12?

Mr. Foltz moved and Mr. Cerreta seconded to **suspend the rules** for Ordinance No. 51-12. All members present voting:

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

No: 0

Mr. Snyder: May we have a motion to adopt under suspension of the rules Ordinance No. 51-12?

Mr. Foltz moved and Mr. Fox seconded to **adopt under suspension of the rules** Ordinance No. 51-12? All members present voting:

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

No: 0

4. Mr. Snyder: May I have a motion to read by title only second reading of Ordinance No. 52-12?

DAYTON LEGAL BLANK INC. FORM NO. 16148

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Mr. Fox moved and Mrs. Kiesling seconded to **read by title only, second reading** of Ordinance No. 52-12. All members present voting:  
 Yes: Peters, Snyder, Cerreta, Foltz, Fox, Griffith, Kiesling  
 No: 0

**Ordinance No. 52-12 – 2<sup>nd</sup> Reading – Street & Alley**

An ordinance authorizing the supplemental appropriation of funds of the City of North Canton, Ohio, to be appropriated from the unappropriated resources of the Capital Improvement Fund to the Professional Services and Contract Payments Accounts in the amount of \$500,200 for the current expenses during the fiscal year ending December 31, 2012, and declaring the same to be an emergency.

Mr. Snyder: Chairman Fox.

Mr. Fox: Yes, sir. This is simply the accounting exercise to move those funds that we're setting aside for the grant from the appropriated to the unappropriated resources. And again so we can move this along, we ask that the same to be declared an emergency. I move to go forward as written.

Mr. Fox moved and Mrs. Kiesling seconded to **adopt the second reading** of Ordinance No. 52-12. All members present voting:  
 Yes: Snyder, Cerreta, Foltz, Fox, Griffith, Kiesling, Peters  
 No: 0

Mr. Snyder: As time is of the essence, may we have a motion to suspend the rules of council for Ordinance No. 52-12?

Mr. Fox moved and Mr. Cerreta seconded to **suspend the rules** for Ordinance No. 52-12. All members present voting:  
 Yes: Cerreta, Foltz, Fox, Griffith, Kiesling, Peters, Snyder  
 No: 0

Mr. Snyder: May I have a motion to adopt under suspension of the rules Ordinance No. 52-12

Mr. Cerreta moved and Mrs. Kiesling seconded to **adopt under suspension of the rules** Ordinance No. 52-12. All members present voting:  
 Yes: Foltz, Fox, Griffith, Kiesling, Peters, Snyder, Cerreta  
 No: 0

5. Mr. Snyder: May I have a motion to read by title only, second reading of Ordinance No. 53-12?

Mr. Fox moved and Mr. Peters seconded to **read by title only, second reading** of Ordinance No. 53-12. All members present voting:  
 Yes: Fox, Griffith, Kiesling, Peters, Snyder, Cerreta, Foltz  
 No: 0

**Ordinance No. 53-12 – 2<sup>nd</sup> Reading – Street & Alley**

An ordinance authorizing the Mayor of the City of North Canton to prepare and submit an application to the Federal Highway Administration ("FHWA") through the Stark County Area Transportation Study ("SCATS") for a grant for the West Maple Street Widening Project (from North Main Street to Ream Avenue NW); and, authorizing the Mayor, through the Board of Control, to enter into an agreement for said grant, and declaring the same to be an emergency.

Mr. Snyder: Chairman Fox

Mr. Fox: Yes sir. Similar to the previous one, this is an ordinance to permit the City Engineer, through the Mayor, to apply for a grant from the Federal Highway Association. And this is the widening of West Maple Street from Ream Avenue to Main, including a turning lane, relocating the overhead utilities to underground, and install a new traffic signal at Ream. Again, this is not allocating or spending those funds, it's simply just setting them aside for the application of the grant. And so we can move forward, we ask that this be declared an emergency and that we put it forward as written.

Mr. Fox moved and Mr. Cerreta seconded to **adopt the second reading** of Ordinance No. 52-12. All members present voting:  
 Yes: Griffith, Kiesling, Peters, Snyder, Cerreta, Foltz, Fox  
 No: 0

DAYTON LEGAL BLANK, INC., FORM NO. 7614B

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Mr. Snyder: As time is of the essence, we ask to suspend the rules of council pertaining to Ordinance No. 53-12.

Mrs. Kiesling moved and Mr. Peters seconded to **suspend the rules** for Ordinance no. 53-12. All members present voting:

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

No: 0

Mr. Snyder: May I have a motion to read by title only, the second reading of Ordinance No. 54-12?

Mr. Griffith: Nope. I think - Gail's

Mrs. Kalpac: Excuse me, we still have to adopt it.

Mr. Griffith: We still have to vote on it.

Mr. Snyder: Oh, I apologize. May I adopt under the suspension of the rules Ordinance No. 53-12?

Mr. Peters moved and Mrs. Kiesling seconded to **adopt under the suspension of the rules** Ordinance No. 53-12: All members present voting:

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

No: 0

6. Mr. Snyder: Thank you. Now, may I have a motion to read by title only the second reading of Ordinance No. 54-12?

Mr. Fox moved and Mr. Peters seconded to **read by title only, second reading** of Ordinance No. 54-12. All members present voting:

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

No: 0

**Ordinance No. 54-12 – 2<sup>nd</sup> Reading – Street & Alley**

An ordinance authorizing the supplemental appropriation of funds of the City of North Canton, Ohio, to be appropriated from the unappropriated resources of the Capital Improvement Fund to the Professional Services and Contract Payments Accounts in the amount of \$298,400 for the current expenses during the fiscal year ending December 31, 2012, and declaring the same to be an emergency.

Mr. Snyder: Chairman Fox

Mr. Fox: Yes sir. Again, this is the county exercise to move the funds from the unappropriated to the appropriated capital improvement funds. Again, so we can move forward, we ask the same to be declared an emergency, and we move to accept as written.

Mr. Fox moved and Mrs. Kiesling seconded to **adopt the second reading** of Ordinance No. 54-12. All members present voting:

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

No: 0

Mr. Snyder: As time is of the essence, again may we suspend the rules of council for Ordinance No. 54-12

Mr. Fox moved and Mr. Cerreta seconded to **suspend the rules** for Ordinance No. 54-12. 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. 54-12?

Mr. Fox moved and Mr. Peters seconded to **adopt under the suspension of the rules** Ordinance No. 54-12. All members present voting:

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

No: 0

7. Mr. Snyder: May I have a motion to read by title only second reading of Resolution No. 56-12?

Mr. Fox moved and Mr. Peters seconded to **read by title only, second reading** of Resolution No. 56-12. All members present voting:

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

No: 0

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**Resolution No. 56-12 – 2<sup>nd</sup> Reading – Finance & Property**

A Resolution on submission of request to the Stark County Auditor pursuant to Ohio Revised Code Section 5705.03(B) to certify to the City of North Canton, Stark County, Ohio, as taxing authority for the City of North Canton, Stark County, Ohio the total current tax valuation of the City of North Canton, Stark County, Ohio, as a subdivision and the dollar amount of revenue that would be generated for a renewal tax of one and one-half (1.5) mills pursuant to Ohio Revised Code Sections 5705.19, 5705.191 and 5705.25 for the purpose of providing ambulance service, emergency medical service or both, in the City of North Canton, for a period of five (5) years, tax years 2012, 2013, 2014, 2015 and 2016, commencing 2012, first due in calendar year 2013 and declaring the same to be an emergency.

Mr. Snyder: This is the request to Auditor Harold to provide that information to us. It's part of the three-prong process to place this on the ballot this fall. This would be the renewal of an existing one and one half (1½) mill levy, at present generating approximately, I think, \$683,000 to \$685,000. It represents more than thirty-five (35%) percent of the income generated to support the EMS service. It does have a sunset provision of five years. We believe strongly, as the Council did last time, that we go back to the lectern and earn our stripes that we show them we are spending the money judiciously and properly, that we're not squandering it for anything but the public's good and use. So I'm asking you to pass this motion – or this Resolution so it can be forwarded and continue this along.

Mr. Griffith: Just a quick question.

Mr. Snyder: Yes sir.

Mr. Griffith: A couple of people ask me about this. Our vote tonight really is just a request to the Auditor, what would be generated ...

Mr. Snyder: That's correct.

Mr. Griffith: as opposed to actually putting it on the ballot?

Mr. Snyder: That's correct. The next step would be to move it by the August 8<sup>th</sup> deadline. We would ask that we'll probably pass that on an – we'll have at least two readings on that and then move it to the ballot. And ultimately the lectern must decide whether to pass or not. It will be no new tax burden upon the residents, it will a continuation of the existing tax burden. And the big problem, as we talked about from last week, we're looking at somewhere between 5 and 9% re-evaluation because they have a reevaluation in 2012, and hoping that it still generates sufficient funds to support our operation here. The first year of this levy it was the first time in the history of EMS that it was totally supported on its own entity tax dollars. It was not subsidized by a general fund. Last year we subsidized \$25,000. There is a big difference between that and the 700,000 that we got in the past. So, we have to thank the electorate for that and the help they've given us. Any other questions? If not, may we have a motion to adopt the second reading of Resolution No. 56-12?

Mr. Fox moved and Mr. Peters seconded to **adopt the second reading** of Resolution No. 56-12.

All members present voting:

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

No: 0

Mr. Snyder: May we have a motion to suspend the rules of Council for Resolution No. 56-12 as time is of the essence.

Mr. Fox moved and Mrs. Kiesling seconded to **suspend the rules** for Resolution No. 56-12. All members present voting:

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

No: 0

Mrs. Kiesling moved and Mr. Peters seconded to adopt under suspension of the rules Resolution No. 56-12. All members present voting:

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

No: 0

Mr. Snyder: There being no other business, as we're prohibited and precluded from doing so...

Mrs. Kalpac: You have to adopt under suspension.

Mr. Snyder: Oh, excuse me – to adopt, please give me a motion to adopt under suspension of the rules Resolution 56-12.

RECORD OF PROCEEDINGS

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Minutes of COUNCIL OF THE CITY OF NORTH CANTON SPECIAL

Meeting

DAYTON LEGAL BLANK, INC. FORM NO. 10148

Held Monday, June 4 6:45 p.m. 20 12

Mrs. Kiesling moved and Mr. Peters seconded to adopt under suspension of the rules Resolution No. 56-12. All members present voting: Yes: Snyder, Cerreta, Foltz, Fox, Griffith, Kiesling, Peters No: 0

ADJOURN:

Mr. Snyder: Thank you. Again, there being no other business to be considered and we're precluded for doing said, I will entertain a motion to adjourn this meeting.

Mr. Griffith moved and Mr. Fox seconded to adjourn the Special Council meeting. All members present voting: Yes: Cerreta, Foltz, Fox, Griffith, Kiesling, Peters, Snyder

The Special Council Meeting was adjourned at 7:16 p.m.

[Handwritten signature of President of Council] PRESIDENT OF COUNCIL

ATTEST:

[Handwritten signature of Clerk of Council] CLERK OF COUNCIL

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