

DAYTON LEGAL BLANK INF. FORM NO. 10148

Held Monday, July 9 7:00 p.m. 20 12

CALL TO ORDER:

1. The council meeting was called to order Monday, July 9, 2012 at 7:00 p.m. by President of Council Jon Snyder.

OPENING PRAYER:

2. The opening prayer was delivered by President of Council Jon Snyder.

PLEDGE OF ALLEGIANCE

3. All present recited the Pledge of Allegiance.

ROLL CALL:

4. Mr. Snyder: Madam Clerk, please call the roll.

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

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

CONSIDERATION:

5. Council Meeting Minutes – June 11, 2012
Council Meeting Minutes – June 25, 2012

Mr. Snyder: May we have a motion to consider as presented the council minutes of June 11, 2012 and the council meeting minutes of June 25, 2012.

Mr. Griffith moved and Mr. Peters seconded to approve, as presented, the council meeting minutes of June 11, 2012 and June 25, 2012. All members present voting:

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

No: 0

COMMITTEE MINUTES:

6. Mr. Snyder: May we have a motion and second to approve as presented the following executive session and committee report minutes: The executive session for Personnel and Safety held on July 2, 2012; committee report minutes for Community and Economic Development; Finance and Property; Park and Recreation; and Water, Sewer and Rubbish all held July 2, 2012.

Mr. Griffith moved and Mr. Fox seconded to approve, as presented, the executive session and committee report minutes. All members present voting:

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

Abstain: Fox

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 & Safety held July 2, 2012.

Community & Economic Development: Please refer to the minutes on file in the Council Office of the Community & Economic Development Committee meeting held July 2, 2012.

Finance, & Property: Please refer to the minutes on file in the Council Office of the Finance & Property Committee meeting held July 2, 2012

Park & Recreation: Please refer to the minutes on file in the Council Office of the Park & Recreation Committee meeting held July 2, 2012.

Water, Sewer & Rubbish: Please refer to the minutes on file in the Council Office of the Water Sewer & Rubbish Committee meeting held July 2, 2012.

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.

RECORD OF PROCEEDINGS

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Minutes of

COUNCIL OF THE CITY OF NORTH CANTON

REGULAR

Meeting

DAYTON LEGAL BLANK, INC. FORM NO. 10149

Held

Monday, July 9

7:00 p.m.

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Chuck Osborne: 307 Fairview Street SE, North Canton, Ohio: I don't have prepared comments, I'll just speak extemporaneously here. I am speaking to Ordinance 68-12 tonight, authorizing the Mayor to enter into an industrial and commercial retention grant for Crowl, Montgomery and Clark. We all very dearly love North Canton. We think it's a very special community, but why we continue to feel that we have to pay people to stay in North Canton or to move to North Canton, it's just beyond me. Again, in this situation the little money that you are provided here, I guess it's a little over ten thousand over the course of three years, we've created a new name for giving away more money - more of the public's money, Industrial and commercial Retention Grant. This company has already purchased this property. It's not a make or break to bring them here. They're already in North Canton. They've been here, I guess, for many years. They know the community and as I say they've chosen to stay here. With the downturn in the economy, they've found a bargain on Main Street here, across from the El Rincon and next to Suzanna's Restaurant. There is no reason to provide any kind of discounts or grants to bring about the desired effect. They're here. Their incentive was they found a piece of property at bargain basement prices today with the economy like it is, and they're going to stay. I don't know how many of you all go out and buy a car or a major appliance or something of substantial cost and after you've consummated the deal say, "hey, I like you, I'm going to throw in another ten (10%) percent on top of what we've already agreed to in the sale." And vice versa, would Walchem Auto, after you've consummated a deal, say, "hey, I like you and I want you to keep coming back, I'm going to discount this another \$5,000." It's very easy to sit up here and just give away money like its Monopoly money, but that's what you do time and time again. There is not a single tax abatement or grant you've given that was needed - required to bring about the desired effect. Mr. Bowles has repeatedly makes these offers, and I don't know why this Council and the Mayor pats him on the back and say, "hey, great". Acme Click announced that they were going to expand their stores, expand their liquor department a number of years ago. It was a done deal. And Mr. Bowles runs up there and says, "hey, we can give you \$66,000 over ten years." That's school money you're giving away and they're struggling. There has been a few that we, I've been able to derail or somebody's been able to derail. Mr. Suglio on the opposite side of the street asked for a grant a number of years ago. It clearly violated the requirements that were posted on the City's website and yet this Council approved it. And only under a threat of a fraud report to the Stark County Prosecutors' Office and they backed away. And this Council had to rescind the grant, or the tax abatement. A number of years ago, somebody came up with the bright idea of giving Sherman Williams a tax abatement - a 28 billion dollar a year company. And I spoke against it. And somebody came to their senses and that fell by the wayside. Why are we giving away desperately needed funds to bring about an effect in which the incentive had no bearing on bringing that company or that business to the community? Are we so desperate that we need to make friends that we're just going to hand out the public's money? So, I urge you to spend this money as if it's your own money. And if it's clear that the business that you're talking with cannot make a financial go of it without some incentives to put the project in a positive cash flow or help them, there's no reason to give out the money. Treat it as if it's your money. They've closed on the deal. They own the property. And North Canton is desperately hurting financially. And we've see this all the way up and down the line - from Washington to the State, to the County, to the local community. The reason this federal government is in dire financial shape is because they found ways to absolve people of their monetary contribution to our American way of life. And you're just continuing to follow in the footsteps that we see up and down our government. So I ask please think, is this really necessary? The \$10,000 here, I think \$10,800 - yes 833 would probably pay for your laptops there that you recently got for this new term of council. Thank you.

Mayor Held: Can I ...
Mr. Snyder: Mayor.

Mayor Held: Can I respond to this? You know, Chuck, I respect your opinion and I disagree with it. You know what I'd like to do is just kind of summarize again why we offer incentives to jobs that come to the City. And Chuck, I understand that you disagree with it because you have not agreed with any of the legislation that was approved that offered any grant funding to new businesses ...
Mr. Osborne (speaking from the audience): Inaudible...

Mayor Held: Okay. And this is where I disagree. And I think the proof can be - is demonstrated in the fact that when you have the City that ten years ago had a 7,000,000 - just over \$7,000,000 in income tax back in 2000, and then in 2010 we dipped down to 5.4 million. So you're right, we have declined significantly just like all the other political subdivisions throughout the country. In addition to that, we have reduced the number of employees and reduced our overall expenditures because we went from 116 employees down to 91 and I think now we're at like 95 approximately full-time employees, but we're still significantly lower. So we have reduced our operational costs. In addition to that, our income tax collection bottomed out at 5.4 million, and due to the tax incentives that was offered to new - to companies to expand or relocate now our income tax collection is up to 5.9 million in 2011. And over at the Hoover facility alone, we have 1,250 new jobs. And in addition to that, we have developmental disabilities that has I think, 110. So the model that we're following is, it may not be perfect. We don't - it's not that we enjoy - I enjoy giving away incentive funds, but you have to keep in mind that we are competing with other communities that offer incentive packages. It's how - it's the environment that we're in. And the companies that are looking to

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relocate, they are looking for an inexpensive lease rate. They are looking for any incentive that they can provide. One example is the Schroer Group. The reason they picked the City of North Canton and you can - and this is what their CEO mentioned when they first moved here, we didn't give them a tax incentive, but what we did is we provided State grant funding which helped with the build-out of the Hoover facility. So they had a very competitive lease rate, a lot of the build-outs were paid for, so now they have a state-of-the-art facility. They don't have to pay to park as they did up in Akron, which was another site they were looking at. And Akron's income tax was two (2%) percent and ours is one and a half (1½) percent with a lower, without even a tax incentive. So in some cases we don't have to provide the tax incentives and in other cases we do. But again, I think that you know, it's not like we operate in a perfect operation, but overall I am very proud of the work that the City Council has done. This Council and the previous Councils, because what we are doing is working. Look at the other communities throughout the State of Ohio. How many of them have brought 1,250 new jobs to their community that didn't exist before? And how many of them have increased of any size? And I'll say a municipality of 20,000 or less, how many of them have increased their income tax collection by 500,000 in a down economy. There's not that many. So I appreciate and respect your opinion Chuck, but I disagree with it because I think that what we're doing is working.

Mr. Osborne (speaking from the audience): That's not ...inaudible...

Mrs. Kiesling: Chuck.

Mr. Snyder: Mr. Osborne, you're out of order.

Mr. Osborne (speaking from the audience): If you don't want the truth ...

Mr. Snyder: You're out of order.

Suzanne Burnett: My name is Suzanne Burnett and I live at the Danbury on Applegrove Road. You don't need the street address do you? I have had the privilege of working with Eric Bowles for several years on his committees. No one should ever underestimate how scrupulously careful he is with money and with knowing how to get grants and help. And it breaks my heart to hear someone come up here and castigate the work that this gentleman does and the work that this City has done with the limited funds that they have. I thank you for listening to me. I'm sorry that I'm so irate.

Mr. Snyder: Thank you Mrs. Burnett.

Unidentified: Well said.

Mr. Snyder: Sir.

Ben Wheeler: I'm with the North Canton YMCA. I'll be brief. I just wanted to take a few moments of Council's time to thank you for the opportunity tonight to come speak with you and share some of the great results that we've had at the YMCA over the last week with our 35th annual Fourth of July Race. I know many of you had a chance to attend and be a part of that. And thank you for coming out and supporting the YMCA and this event. As you may know, this last race was our largest ever after 35 years we clipped at 3,000 participant miles which was fantastic. Our previous record was 2,452, so not only did we increase above and beyond, but we blew it away. So we're very proud of the participation and the involvement that we had from the people in North Canton to be a part of the race this year and to come out and enjoy a great Fourth of July day right here in North Canton. So you know one of the families that I had an opportunity to meet during this Fourth of July race had been running the race together with their kids for more than 20 years. And this year was the first time that they actually had three generations running because their kids had kids. So, we had parents, children, and their grandparents all running the race together enjoying the Fourth of July in downtown North Canton. So, it was just a fantastic experience and really a great part of the community on that day. So wanted to just take a quick second and thank some of the people who really were key for us being able to have that 35th annual race and ...inaudible... forward. You know Chief Wilder I can tell you has been integral to our success in this race and the whole Police Department and everything that they've done too to make it happen. Without their support - without their involvement on that day, there's no way that we'd be able to certainly handle the 3,000 participants that we had on that day, as well as the additional spectators that came and stuck around for the parade. Of course, the EMS support and all the support from the City on that day. Jim Davis, Parks and Recreation Departments, was also very helpful for us, helping to make sure that we had recycle bins, make sure that the roads were taken care of and just rally close-knit. Aside from that they both had to attend a number of meetings at the Y to make sure we had all our ducks lined up in a row. Of course, Mayor Held for coming out and kicking off the two-mile race for us. Of course I appreciate that. Getting it started and making it happen from there. But I also just wanted to particularly thank the Council for giving us the opportunity to continue to host that event for 35 years and to shut down the streets and to do what's necessary to make it a safe and

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enjoyable event for everybody in the community who participated. So I just want to say thank you and we're really excited about the 35th annual race already looking forward to our 36th annual next year. So, thank you.

Mayor Held: Thank you Ben.

Mrs. Kiesling: Good job, Ben.

Mr. Cerreta: Jon, can I say something?

Mr. Snyder: Go ahead.

Mr. Cerreta: Hey Ben, we should be thanking you. I mean you guys and I say this to a lot of people but I really mean it, you make us look good. You guys run that thing, you're organized. You guys put a lot of effort into that. When people are here at North Canton, people come into town, they spend their money here, they spend the night here whatever. We should be thanking you, and we all do. We all feel that way. So great job with what you've done over there.

Mr. Wheeler: Thank you.

Mr. Snyder: Thank you. Mr. Albacete, I think.

Mrs. Kiesling: Mr. Daniluk or Albacete. I saw Daniluk so ...

George Daniluk: 502 Werstler. I have great respect for Eric Bowles. He does more work than one man should be required to do. But I recall when they were trying to get this CIC (Community Improvement Corporation) system off the ground, it was specifically stated that they had to go to at least two commercial banks for a loan. If they were rejected they would go to the CIC for a small business loan. That loan must be repaid back to the CIC to create a revolving account. Neither of those things happened. And that's my opinion on it.

Mr. Snyder: The particular company that you're referring to that is looking for the grant, I believe is dealing with the - through our revolving loan funds through the Stark Development Board. In fact, they're having a meeting tomorrow morning for that purpose. This is not a loan. This is a grant based upon the income tax of the employee. So it's money that will have to be earned by the employee. But their money that they're borrowing is from the Stark Development Board, is through the CIC through what we paid back to the revolving loan fund and at the prescribed interest rate. I don't know what the amount is, but I know they're doing that. Mr. Albacete.

M. J. Albacete: Mr. Snyder and Mayor Held and members of City Council. First of all, I'm honored to have the opportunity to be here with you tonight. We have completed the project that we brought to you, I don't know, what about a year ago, suggesting that we wanted to do a celebration of the arts in North Canton using the North Canton Civic Center. So here's just a brief report of what we did: I am M. J. Albacete, the Director of the Museum in Canton, a resident in North Canton. The idea of the project was to involve recycling and we called it A Celebration of the Arts. And the idea called for five projects that we were going to do in North Canton at the Civic Center. The first evening, the first month that we did it, we had the Canton Ballet here and interestingly they brought their entire cast. There were about 15 or 16 dancers who showed up and who performed for the audience. Based on the idea of the recycling grant, we, every one of these presentations was accompanied by the project where the children came were required to or to participate in the building of geometric constructions out of cardboard. Some of the kids brought their parents along and taught their parents how to do this, which I think is a good learning experience for the parents. The second time, a month later, I did a presentation on the discovery of the tomb of King Tut. And we had again, a very large audience for that. We hoped to have a mummy visit on that occasion, but he did not show up and that was a grave matter.

(Laughter)

Mr. Albacete: Okay, I have all of your attention. Good. The third event was the Canton Symphony brass quintet and they did a phenomenal performance. And one thing to stress too, in addition to the GEO art, was the requirement that each of these performers not merely come and play music or to dance, but to explain why they dance. What was the meaning of dance. What the difficulties of playing these musical instruments so that the kids had an opportunity to see another side of the arts, another aspect of the arts. The fourth presentation, we had something over 100 people that showed up for VOCl (Voices of Canton, Inc.) the Voices of Canton for a presentation that they did on their musical Titanic. And then for the fifth event, we had an art adventure where we had representatives of various organizations; some of the kids were making instruments of the orchestra using recycled materials, various scraps and other materials that we brought in. We had a dance group. We had a theater group, and we, of course, did more of those GEO art presentations. Justine, I think from the office here, showed up with her two kids and they kept me quite busy. They are very, very busy little guys. We had refreshments and cookies for all the people that came. All of the services that we have were received with remuneration. I think in every case that we lived up to the expectations of the grant. It was an effective use of the grant

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money. For the last event we had plenty of pizza and pop for everybody. And if City Council is so inclined, we have the enthusiastic support of all of the arts organizations right now. We established a level of credibility with them and they'd like to see this continued and expanded upon. So they have some wonderful ideas to form a committee and to continue to bring presentations like this to North Canton and to enlarge on. And I had hoped to have some photographs of some of these events here tonight, but the processor was a little slow and sluggish, but I'll see that some of them are brought to you at some point. So once again, thank you for that grant. And if you wish to think about another one for the future, we promise to deliver again and even bigger. Okay? Thank you.

Mr. Foltz: Thank you.

Mrs. Kiesling: Thank you.

7. Mr. Snyder: Any questions? Okay. Thank you, Mr. Albacete. Anyone else wishing to speak? If not, we'll move to old business. May we have a motion to read by title only second reading of Resolution No. 61-12.

OLD BUSINESS:

8. Mr. Foltz moved and Mr. Peters seconded to read by title only, second reading of Resolution No. 61-12. All members present voting:
Yes: Griffith, Kiesling, Peters, Snyder, Cerreta, Foltz, Fox
No: 0

Resolution No. 61-12 – 2nd Reading – Finance & Property

A resolution of submission of question of a renewal of a tax levy for the purpose of providing additional funds for the City's portion of ambulance service, emergency medical service or both, in the City of North Canton, Stark County, Ohio, and declaring the same to be an emergency.

Mr. Snyder: This is a renewal of an existing 1.5 mill EMS levy which had a sunset provision to expire December 31st of this year. This one was a two year levy. We're requesting a five year levy single amount 1.5 mills, which will hopefully keep the EMS being able to operate on its own merits along with the transport fees. This is due at the Board of Election I believe around August 6th, so consequently time is of the essence so we will have to suspend the rules and pass on emergency as we won't be in session to file timely. Any questions? I'll entertain a motion to adopt the second reading of Resolution No. 61-12.

Mrs. Kiesling moved and Mr. Fox seconded to adopt the second reading of Resolution No. 61-12. All members present voting:

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

No: 0

Mr. Snyder: As an emergency does exist and time is of the essence, may we suspend the rules of council pertaining to Resolution No. 61-12?

Mrs. Kiesling moved and Mr. Fox seconded to suspend the rules for Ordinance No. 61-12.

All members present voting:

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

No: 0

Mr. Snyder: May we adopt under the suspension of the rules Ordinance No. 61-12?

Mr. Fox moved and Mrs. Kiesling seconded to adopt under suspension of the rules Ordinance No. 61-12. All members present voting:

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

No: 0

9. **Ordinance No. 63-12 – 1st Reading – Finance & Property**
(Tabled prior to the 1st reading 6/25/12)

Mr. Snyder: We're going to leave on the table this next one and move ahead and I would assume on the next one, 67-12, is still going to be tabled.

Mrs. Kiesling: Yeah.

Mr. Griffith: Yes, we're going to continue to work on that throughout the break and we'll have something ready as soon as we get back.

10. **Ordinance No. 67-12 – 1st Reading – Ordinance, Rules & Claims**
(Tabled prior to the 1st reading 6/25/12)

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NEW BUSINESS:

11. Mr. Snyder: Then we'll move to New Business. May I have a motion to read by title only, first reading of Ordinance No. 68-12?

Mrs. Kiesling moved and Mr. Peters seconded to read by title only the first reading of Ordinance No. 68-12. All members present voting:
 Yes: Cerreta, Foltz, Fox, Griffith, Kiesling, Peters, Snyder
 No: 0

Ordinance No. 68-12 – 1st Reading – Community & Economic Development

An ordinance authorizing the Mayor of the City of North Canton to enter into an Industrial and Commercial Retention Grant for Crowl, Montgomery & Clark, Inc.

Mr. Snyder: Chairman Kiesling

Mrs. Kiesling: Yes, this is the property on South Main Street. It's the pink property, if everybody knows what I'm talking about, beside the Laundromat. And we're very excited that the property has been purchased. It's been up for sale for quite a while. It needs some major refurbishment and this retention grant is going towards all of the upgrades that are going to happen inside and outside of the building. So we're very excited about this project. And I motion that we accept.

Mrs. Kiesling moved and Mr. Peters seconded to adopt the first reading of Ordinance No. 68-12. All members present voting:
 Yes: Foltz, Fox, Griffith, Kiesling, Peters, Snyder, Cerreta
 No: 0

12. Mr. Snyder: May we have a motion to read by title the first reading of Ordinance 69-12.

Mrs. Kiesling moved Mr. Cerreta seconded to read by title only the first reading of Ordinance No. 69-12. All members present voting:
 Yes: Fox, Griffith, Kiesling, Peters, Snyder, Cerreta, Foltz
 No: 0

Ordinance No. 69-12 – 1st Reading – Water, Sewer & Rubbish

An ordinance amending Section 3. of Ordinance No.28-12, Water Tower 1 Exterior Painting Project, by an increase in the amount of the allocations for the project, at a total cost not to exceed \$475,000, and declaring the same to be an emergency.

Mr. Snyder: Chairman Cerreta

Mr. Cerreta: When the bids came in, we had this bid out and the bids came in higher than we expected, so we had to add additional funds to that. And this is again on emergency as we need to get going with this project. So I move that we adopt this resolution.

Mr. Cerreta moved and Mr. Fox seconded to adopt the first reading of Ordinance No. 69-12. All members present moving:
 Yes: Griffith, Kiesling, Peters, Snyder, Cerreta, Foltz, Fox
 No: 0

Mr. Snyder: May I have a motion to suspend the rules of council pertaining to Ordinance No. 69-12?

Mrs. Kiesling moved and Mr. Peters seconded to suspend the rules for Ordinance No. 69-12. 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. 69-12?

Mr. Griffith moved and Mr. Fox seconded to adopt under the suspension of the rules Ordinance No. 69-12. All members 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 first reading of Ordinance 70-12?

Mr. Fox moved and Mr. Peters seconded to read by title only first reading of Ordinance No. 70-12. All members present voting:
 Yes: Snyder, Cerreta, Foltz, Fox, Griffith, Kiesling, Peters
 No: 0

DAYTON LEGAL BLANK, INC., FORM NO. 18199

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Ordinance No. 70-12 – 1st Reading – Finance & Property

An ordinance authorizing the Director of Administration of the City of North Canton to advertise and receive bids according to specifications now on file in the office of the Director of Administration and for the Mayor of the City of North Canton to be authorized, through the Board of Control, to enter into a tax-exempt Lease Purchase Agreement; or in the alternative, a Purchase Agreement for the installation and purchase of a telephone system and related communication equipment to establish (and/or enhance) a data and voice network throughout the City, at a cost not to exceed \$100,000, and declaring the same to be an emergency.

Mr. Snyder: Again, this is monies that are brought from the 2012 budget from water, storm, and general capital. It will bring the city's phone system and communication system into the newest technology. It will be used for many things as far as entering and exiting buildings and controlling who does, when and whom they are. I know that the Director of Administration and Finance have worked both together diligently to obtain this state-of-the-art equipment. And that's about it. Any questions? If not, I'll entertain a motion to adopt the first reading of Ordinance No. 70-12.

Mrs. Kiesling moved and Mr. Cerreta seconded to adopt the first reading of Ordinance No. 70-12. All members present voting:

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

Mr. Snyder: Again, as time is of the essence, we will not be in session, so I'd like to suspend the rules of Council for this 70-12.

Mr. Cerreta moved and Mr. Peters seconded to suspend the rules for Ordinance No. 70-12. 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 of Ordinance No. 70-12.

Mr. Griffith moved and Mr. Peters seconded to adopt under the suspension of the rules Ordinance No. 70-12. All members present voting:

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

14. Mr. Snyder: May I have a motion to read by title only the first reading of Ordinance No. 71-12?

Mr. Griffith moved and Mr. Fox seconded to read by title only, first reading of Ordinance No. 71-12. All members present voting:

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

Ordinance No. 71-12 – 1st Reading – Finance & Property

An ordinance authorizing the issuance and sale of an amount not to exceed \$18,500,000 in principal amount of City of North Canton, Ohio Healthcare Facilities Revenue Refunding Bonds, Series 2012 (St. Luke Lutheran Community Project), for the purpose of refinancing costs of hospital facilities; authorizing the signing and delivery of a Base Lease, Lease, and a Trust Agreement to provide for the issuance of, and securing the payment of bond service charges payable on, the bonds; authorizing the signing and delivery of a Bond Purchase Agreement in connection with the sale of the bonds and of certain other documents and instruments in connection with, and the taking of actions necessary or desirable to effect the issuance of, the bonds; and authorizing and approving related matters, and declaring an emergency.

Mr. Nilges: Thank you Mr. Hammersmith for that.

Mr. Snyder: Again, the City is willing to partner with St. Luke's relative to \$18,500,000 worth of bonds. We've done this in the past. St. Luke's is one of our larger corporate citizens. They employ over 300 people. They're a very fine facility on the northeast corner of our city. They bring to the City not only employment, but they bring faith-based community area for people who are no longer able to live on their own. And they provide this service very amiably and we're glad to participate. So I will entertain a motion to adopt the first reading of Ordinance No. 71-12.

Mrs. Kiesling moved and Mr. Peters seconded to adopt the first reading of Ordinance No. 71-12. All members present voting:

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

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Minutes of

COUNCIL OF THE CITY OF NORTH CANTON

REGULAR

Meeting

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Held

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Mr. Snyder: As time is of the essence for them to renew their bond at a favorable interest rate, so we'd like to suspend the rules of council for Ordinance No. 71-12.

Mr. Griffith moved and Mr. Peters seconded to suspend the rules for Ordinance No. 71-12. All members present voting:

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

Mr. Snyder: May we adopt under the suspension of the rules Ordinance No. 71-12?

Mr. Griffith moved and Mrs. Kiesling seconded to adopt under the suspension of the rules Ordinance No. 71-12. All members present voting:

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

REPORTS:

Mr. Snyder: Comments - Director of Law

Mr. Nilges: Well, it's my last meeting and I'll just say very briefly it has been a privilege and an honor to work with each of you. It's not something that I ever thought in my career plan that I would end up doing. I'm still trying to figure out exactly how it happened, but I'm glad it did. And I've learned an incredible lot. You know as you know I am and consider myself a labor and employment attorney. And there are so many things in this job that pushes me outside my comfort zone. Sometimes it's fun, but a lot of times it's scary and not fun. But it was a great privilege to serve the City of North Canton and I thank you for that opportunity. And you know, Mr. Grimes, you and I have worked fabulously together and it has been a particular pleasure working with you as well, and the rest of the Administration. But, Mike and I worked together every day so, I had to say that.

Mr. Snyder: Mr. Administrator

Mr. Grimes: Same thing as an old cop, I hate to say something nice about an attorney, but ...

(Laughter)

Mr. Grimes: I kind of have to. I really did enjoy working with Hans. And you know, wherever he was at, whatever, we'd speed-dial each other, we're talking at 10 at night, we're having disagreements of course on different things, but we were able to work all that out and move forward. And I think the whole goal was to do the best that we could do for the City and that's why I appreciate that your heart was in the right place on that. So I appreciate working with you. I do appreciate you passing the data and telephone ordinance. Finance Director Alger and I have had a ton of meetings on that and I don't want to overpromise anything, but what our goal has been is to recover that money by doing it a better way so that we're not just throwing that \$100,000 out here. It's a big number, but we want to recover some of that back so or more of it if we can. So, but that's what our goal has been. And finally just so you know, we are working on the Dogwood Park. We have signed the purchase orders to get the trees out, the fences up and that sort of thing. So, you know we did have the Park Rec meeting and so we're moving forward on that.

Mr. Foltz: Thank you.

Mr. Fox: That's great news Mike.

Mr. Snyder: Good. Thank you.

Mr. Grimes: Yeah, last but not least, we do have plenty of water. I did check with our drinking water plant, Mr. Steinhebel and he said, yep we have a lot of water even though it's been a drought. But we do - the Fire Chief would like to remind everybody just to be careful because it is dry out there. So, thank you.

Mr. Snyder: Mr. Mayor

Mayor Held: Yes, Hans, I appreciated working with you. It - you know we've really accomplished a lot, I think particularly with the labor negotiations and also the you know, gosh I can go into details of the labor negotiations which really made a significant difference on how we manage our Police Department. But the Lieutenants and the new positions of Sergeants, also the first right of refusal for overtime as well as the allowing part-time police officers, an unlimited amount of part time police officers, to work. I mean that is something that we've wanted to accomplish for years, at least dating back to the time that I was the Administrator, and we were able to accomplish that. And so I appreciate you doing, doing that work. And there's a number of other areas that we've changed that are for the positive and I'm sure that a lot of people may not recognize it, but we're going to benefit for the next 10, 20 and 30 years from that work. So, I appreciate what you've done. And

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also the Ben, I think Ben Wheeler, he may have stepped out, but, the Y – great race, I mean what more can be said. I mean, what amazes me is where do all these people park? Because there doesn't seem to be a real big parking problem, but there's like 3,000....

Mrs. Kiesling: All the streets. All the side streets were full.

Mr. Held: Yeah. I mean, it really – it went very well. It was hot though. It was very hot and everybody made it through. And then lastly, just as a reminder, and I don't want to like pound this point home, but as I was sharing with Chuck earlier, and you know when you look at for example, Montgomery Clark. It's always a very delicate situation to say that, if we don't offer an incentive, this company is going to leave or if we don't offer enough of an incentive, they may go to a town that is adjacent to us or you know even further north or south. But like in this particular case with Montgomery Clark they have roughly 18 employees, a \$750,000 payroll, and they were previously, as I understand, leasing a building in North Canton, the New Berlin Commons, which is a very nice place, but now they're buying a building that to my knowledge has been vacant for four years. And it was in great need of an upgrade, a new roof, a new siding. That makes it difficult for the other property owners and the other businesses in that area to want to invest or to attract a new tenant when you have a vacant building for just over four years. But now what we're doing is they're going to be investing approximately \$40,000 on new siding, a new roof. It was a tough place to lease out because they had limited parking, but they're making improvements to that as well. So we spend, what is it \$3300 approximately for three years, \$10,000? They reinvest \$40,000 into a building that is vacant and we're assured that 18 employees will stay in the City. Now I know that we could argue were they really going to leave or not leave or - but from my perspective, I'd rather not test it. I think that it's a good deal for the City to keep the income tax of \$750,000 payroll. We still have the New Berlin which is a great building. And now we have a vacant building that was in need of repair. It's going to look much nicer and I think what you'll see is that the other businesses, every time we improve one piece of property you see that the other adjacent neighbors begin to start making improvements to their property. So that is what our hope is. And again, Chuck, I very much do respect your opinion, but I think that what we're doing is working. I feel very confident that it's working. And thank you for allowing me to take the time to just restate this.

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

Mr. Benekos: Yes, I do want to express my appreciation to Hans. You've done a lot, and accomplished a lot for the City. I always felt that you had the best interest of the City at heart in everything that we went through. I'll miss you. And if there's anything I can do for you in the future, let me know.

Mr. Nilges: Thank you, Jim.

Mr. Snyder: Mr. Bartos

Mr. Bartos: Well as a big martial arts and UFC fan, I'm really going to miss Hans

(Laughter)

Mr. Bartos: I'm really going to miss Hans because he too is a fan. And not only that, he's a brilliant jujitsu practitioner himself, so...

Mr. Nilges: Which by the way I get to go back to now that I have my Monday nights free.

Mr. Bartos: Exactly. Then he will have his Monday nights free and he can go back to training.

Mr. Held : Well, it sounds like the two of you are like competing against each other.

Mr. Bartos: No. No. I'll miss talking about it with him. But also, as somebody who used to play a lawyer on TV, I felt like I learned a lot from Hans by interacting with him as well. So I appreciate that. So – and just one other point, the Intelligent Community Forum has announced its annual theme and it seems like it's a good theme for us, it's "Innovation and Employment". And they're going to release a white paper on this on July 23rd so we don't know exactly what it's about yet, but if we look at the application, we have a good idea they're kind of taking innovation as a double-edge sword for employment. Sometimes innovation can cause certain jobs to become obsolete. At the same time sometimes innovation can spur the creation of new jobs. And so right in the application process they're basically looking for that. Examples of where the community might have lost jobs due to innovation, at the same time where the community might have gained jobs because of innovation. So it looks like it's something that could be in our wheelhouse here. So, I'll keep you guys posted on that one.

REPORTS – COUNCIL:

Mr. Snyder: Mr. Foltz

RECORD OF PROCEEDINGS

0401

Minutes of

COUNCIL OF THE CITY OF NORTH CANTON

REGULAR

Meeting

DAYTON LEGAL BLANK, INC., FORM NO. 10148

Held Monday, July 9 7:00 p.m. 20 12

Mr. Foltz: Yes, Hans, it's a pleasure working with you. Appreciate what you did with Human Resources, employment issues that you took care of, and union contracts. And I think we're going to try to retain some of those services in the future. So, you did a great job with that. You brought us in the 21st Century with some of our language that we badly needed to revise. So appreciate your work on that. Also, back to some of the Mayor's points with the building there on - with the building there on North Main, I mean this building was sale priced at \$195,000. I don't know what they bought it for, but they're investing in North Canton on South Main Street - I said North Main - it's South Main, \$52,000 in improvements. And then there's going to be some spinoff with Suzanna's or some of the restaurants up there are going to be right there to walk over and get something to eat. So that's going to help, not so much get in the car and drive, but pedestrian walk on Main Street and help those businesses. Sometimes I think we forget that as part of the deal. The more businesses that we have that are occupied or properties on Main Street, south of Main, makes for a more vibrant city as we know. So, thanks for your comments on that.
Mayor Held: Thank you.

Mr. Osborne (speaking from the audience): 168,000.

Mr. Snyder: Mr. Peters.

Mr. Peters: Hans, I want to thank you for all the work you've done. Director Grimes said it perfectly, your heart was in the right place. You worked tirelessly and you were a bulldog for the taxpayers of North Canton and I appreciate that, especially in the collective bargaining agreements. You saved us a ton of money and not only that, the leadership of the bargaining units had nothing but nice things to say. And I think when you take out that adversarial aspect of what had been going on for the last six years, you moved us forward and I think we all really appreciate that. So I look forward to working with you in the future on that. And one other thing, the entry-level examination for radio dispatcher rescheduled to Wednesday, August 15th at 6:00 p.m. in the Mack Room, and the registration will begin July 23rd at 8:30 a.m. and end Monday, July 31st at 3:00 p.m. And that is it.

Mr. Snyder: Thank you. Mr. Fox.

Mr. Fox: Yes. The same with Hans, I want to express gratitude for the council members here Your courtesy and respectfulness and professionalism, not just the members of Council and Administration, but to the citizens as well, speaks volumes for the City as well as our profession. So I certainly want to acknowledge you for that. And again, David Held did a bang-up job of explaining very concisely the economic development plan for how we're looking to move forward for the City. So thanks for boiling that down into an easily understandable format for us.

Mayor Held: Thank you.

Mr. Snyder: Mr. Griffith.

Mr. Griffith: I ...inaudible... with all the wonderful words for Hans, it's been a pleasure working for you and ...inaudible... sometimes challenging to say the least. But you've done a great job here and set us in a good place and for that we are all deeply appreciative. I wanted to say, just to relate a quick story. Wednesday we had a chance to go the Firecracker Run with our little girls who I think have no chance of ever winning that race of course because of the athletic genes that I've failed to pass on to them. But in addition to that of course, they did that, they went to the pool and then we went to the fireworks and my four year old who will turn 4 this week sat in my lap and looked up at me as the fireworks were going on and she said, "Daddy, we live in a really great place, don't we?" And I broke up a little bit as I say it here and I said, yeah we do, we do sweetie, we really do. And I said, you remember that when you grow up if you want to move somewhere else.

(Laughter)

Mrs. Kiesling: Right. Exactly.

Mr. Griffith: But there are a lot of people that deserve the credit for that and I want to say that I really appreciate that as well too. You know I wasn't lucky enough to be born here, but I'm sure as heck glad that our kids were too. So just share that with you.

Mr. Cerreta: Good.

Mr. Snyder: That's nice of you to say that. Thank you.

Mr. Cerreta: Hans, I talked to you already. And you've, in my short period of time I've learned a lot from you. So I appreciate what you've done for this Community and everything. You're a good young man with a lot of talent. You're going to do very well. And I hope to see you somewhere very successful. Just to mention about what Dave talked about too, that we are very competitive.

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This is business and it is a competitive world. There's no cookie-cutters to what you can do in

business. And there are a lot of free agents out there for companies that can go anywhere they want to go. So by in putting ...inaudible... out there that aren't really hurting us as a community, just helping us down the road, I think we are all in agreement that we need to do that down there. And we're going to be very successful doing it too. So nice job with that.

Mayor Held: Thank you.

Mrs. Kiesling: Alright Hans, so I appreciate you taking a leap of faith. And crazy as it was, we tried to warn you that politics isn't all it's cracked up to be as we know. And coming in helping us here though, I know was Jon and Jeff Davies and I who convinced you that this is a great town and you'd love working with us, and I really appreciate you being here the two last years. You've done a great job and we've had a lot of fun doing it. So, thank you very much.

Mr. Nilges: Thank you.

Mr. Snyder: I would also echo that, Hans. I worked with you very closely. Probably as President of this Council, you've afforded me the opportunity to sit in and participate in both settlement negotiations and labor negotiations; which I do love to do is negotiate because that's probably my strongest part of my personality.

Mrs. Kiesling: You mean BS?

Mr. Snyder: Yeah, that's it.

Mrs. Kiesling: I'm sorry. I'm sorry.

(Laughter)

Mr. Snyder: I'm the greatest man in the room.

Mrs. Kiesling: I'm sorry.

Mr. Snyder: But I did and I enjoyed that. We did have - we had some success stories and we twisted some arms, and we jumped up and down and it worked. And we laughed and we cried together and we had some good times. And you're a good man. And I wish you Godspeed. And I know you'll be here for us. And we'll continue to use your services and your firm for selected items that we have on the horizon and we look forward to that. But, you're a compliment to not only your profession, but the integrity of a man. And I wish you well.

Mr. Nilges: Thank you Jon. I don't know what I'm going to do without going through 3 or 4 times a day hearing Tuxedo Junction, this is Jon.

Mrs. Kiesling: Isn't that the truth? It's hard.

Mr. Nilges: It was an absolute pleasure working with you Jon.

Mrs. Kiesling: I went through withdrawal the two years I wasn't on Council. Definitely.

Mr. Nilges: Council withdrawal

(Laughter)

Mrs. Kiesling: It's like you don't talk to Jon every day; this is really weird.

Mr. Nilges: You have to rent a tux. I bought one though that's the problem ...

Mr. Snyder: Inaudible... he could buy it.

Mrs. Kiesling: Oh, I have one more announcement. Only because you know I love to brag. My daughter ended up winning that 5-mile in her age group on Wednesday -- my 11-year-old.

Mr. Cerreta: What's your daughter's name?

Mrs. Kiesling: Leslie.

Mr. Cerreta: Okay, just wanted to make sure.

Mrs. Kiesling: Not Riley, not my

Mr. Cerreta: I know I just don't want to get confused.

Mrs. Kiesling: But she ran the 5 mile and won it in 11 and under.

Mayor Held: That's impressive.

RECORD OF PROCEEDINGS

0403

Minutes of

COUNCIL OF THE CITY OF NORTH CANTON

REGULAR

Meeting

DAYTON LEGAL BLANK, INC. FORM NO. 10148

Held

Monday, July 9

7:00 p.m.

20

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Mrs. Kiesling: It was very impressive. So we had no idea until they called her name up and she had this big huge medal and it was like, oh my gosh she won the 5-mile. So I'm very excited. We had fun running it, those of us that ran it.

Mr. Cerreta: Are you proud about that?

Mrs. Kiesling: I'm very proud.

Mr. Snyder: One thing, we will not be in session now until I think the 20th of August. Is that correct? The Council will be in a Summer Sabbatical. The Personnel Committee will be busy reviewing the applications for Mr. Nilges' position. Hopefully, we may be able to call back the Council for a very short period. Inaudible... the Personnel Committee will go through, will recommend. We'll see what happens. He's agreed to stay at least through the 31st (July) if not longer if we need him. So we'll go accordingly. There being no emergency come up, we probably won't see a lot of you until the 20th of August, but we will be - the Clerk be in touch with you through your computer. I don't think there is anything else that I know of on the horizon. I know that the Engineer tells me that we're going to be doing Main Street here in what, another ten days.
Mr. Benekos: Correct.

Mr. Snyder: So when we return, we'll be working on Main Street, And we will, Mr. Foltz promise you that we'll have those people here making sure to give us updates that we do due what the esthetics that we promised it be done on that.

Mr. Foltz: Yes. Mr. Benekos emailed us. We'll have a meeting and discuss that so we have some direction on that.

Mr. Snyder: So, everything is kept together...

Mr. Foltz: We'll get together after the meeting and discuss it. Thank you.

and we'll move accordingly.

FINAL CALL FOR NEW BUSINESS:

Mr. Snyder: And we'll move accordingly. Being no other business to come before this body, I'll move for adjournment.

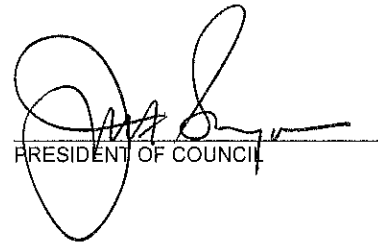
ADJOURN:

Mr. Foltz moved and Mrs. Kiesling seconded to adjourn the council meeting.

Mr. Snyder: Those in favor.

All members present voting:
Aye: Cerreta, Foltz, Fox, Griffith, Kiesling, Peters, Snyder
No: 0

The council meeting adjourned at 7:52 p.m.


PRESIDENT OF COUNCIL

ATTEST:

CLERK OF COUNCIL