

RECORD OF PROCEEDINGS

Minutes of COUNCIL OF THE CITY OF NORTH CANTON

REGULAR

Meeting

DAYTON LEGAL BLANK INC., FORM NO. 10149

Held Monday, September 10 7:00 p.m. 20 12

CALL TO ORDER:

- 1. The council meeting was called to order Monday, September 10, 2012 at 7:02 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, Griffith, Kiesling, Peters and Snyder.

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

CONSIDERATION:

- 5. None

COMMITTEE MINUTES:

- 6. Mr. Snyder: May we have a motion and second to approve the following Executive Session and Committee Report Minutes? The Executive Session for Personnel & Safety held 8/27, 29, 30, and 9/4/12; Finance and Property; Ordinance, Rules and Claims; Park and Recreation; Water, Sewer and Rubbish all held September 4, 2012.

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

Executive Session for Personnel & Safety: Please refer to the minutes on file in the Council Office of the Executive Session for Personnel & Safety Committee meetings held August 27, 29, 30 and September 4, 2012.

Finance & Property: Please refer to the minutes on file in the Council Office of the Finance & Property Committee meeting held September 4, 2012.

Ordinance, Rules & Claims: Please refer to the minutes on file in the Council Office of the Ordinance, Rules & Claims Committee meeting held September 4, 2012.

Park & Recreation: Please refer to the minutes on file in the Council Office of the Park & Recreation Committee meeting held September 4, 2012.

Water, Sewer & Rubbish: Please refer to the minutes on file in the Council Office of the Water, Sewer & Rubbish Committee meeting held September 4, 2012.

VOICE VOTE: AUTHORIZING THE DIRECTOR OF LAW TO PROCEED WITH THE FORECLOSURE OF TWO CITY PROPERTIES

- 7. Mr. Snyder: May we have a motion and second to authorize the Director of Law to proceed with the foreclosure of the two city properties requested by the Superintendent of Permits, Inspection and Development.

Mr. Peters moved and Mr. Cerreta seconded to authorize the Director of Law to proceed with the foreclosure of two city properties. All members present voting:
Yes: Griffith, Kiesling, Peters, Snyder, Cerreta, Foltz
No: 0

RECORD OF PROCEEDINGS

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Minutes of

COUNCIL OF THE CITY OF NORTH CANTON

REGULAR

Meeting

DAYTON LEGAL BLANK, INC., FORM NO. 10148

Held Monday, September 10 7:00 p.m. 20 12

RECOGNITION OF VISITORS:

8. 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'll move ahead. At this time, Mayor Held has a request and announcement. Mayor.

Mayor Held: Yes. Thank you. Jane if you wouldn't mind standing up. Yes, Council and residents here this evening, we have, I'm very proud to announce that we have Jane Housos who is going to be joining us here in the City of North Canton. She'll be serving as our Clerk of Courts for the Mayor's Office, and also assisting in the daily operations of the City. As some of you might know, Theresa Dolan had recently resigned and took a job over in Canal Fulton as the Clerk of Courts in Canal Fulton. And so whenever you have a vacancy the biggest challenge is to find the best possible person we can for the position. And what we try to do is find somebody, number one that has the competency for the position, but then also has the ability and heart to serve other the people in a respectful manner. And it's kind of - how this transpired is that - it was last year at a pie tasting contest over at the Zion Lutheran Church, and Jane had invited me. She was responsible for managing the program. And I had known Jane years earlier because she actually graduated with my wife, Sharon, at Hoover High School. And so she invited me to the pie tasting contest. And of course I'm observing this process and I recognized that I was there an hour early, which that itself was unusual. But it was because started I think at two and I was there an hour early. And so I'm sitting there and Jane was as cool as a cucumber and just kind of managing the whole thing, because the people that were supposed to be there weren't. And then she also, I noticed too that she was not giving away whose pies was whose. And I'm thinking well she has integrity, she's cool under pressure, and I thought we need somebody like her working in the City. And then so then here it is now more than a year later when the position opened up, I had - she's the first person that popped into my mind. And I asked my wife, I said - and I - by the way I didn't even talk to Jane at all, I said, what about Jane Housos for the new position. And my wife said she's perfect. And then I called Jeff Peters and he said perfect also. And then I called Mark Cerreta, and he said perfect. And then I - and this is no joke, they all said she would be perfect. And then I called Rich Rhodes. So after you know four or five phone calls, I decided that she probably would be the perfect fit for the position. Jane went to Orchard Hills Elementary. And she's number four out of five daughters to Cy and Stella Moore. And they've lived here on Glenwood since 1966. So not only does Jane understand the North Canton Community, but her entire family does. And then went to Hoover Middle School, Hoover High School, and then to Akron University where she obtained her finance degree in 1984. And then married George Housos; they were married for 27½ years. And they have a daughter Jessica who is a geometry teacher at Hoover this year. First year, right.

Mrs. Housos: First at Hoover.

Mayor Held: At Hoover, yes. And then Joey is a sophomore at OU (Ohio University), and a former football standout in North Canton. So I'd like to welcome Jane, We're glad to have you.

(Applause)

Mrs. Housos: Thank you. I'm very blessed with getting this job. I thank you so much and I really look forward to it. I've been here a week and I've - I already can feel it's the right place for me. So I look forward to meeting some of you as you come in. And I know some of you, but I'll get to know you better. And again, I'm looking forward to it.

(Everyone welcomed Jane).

Mr. Snyder: Thank you, Mr. Mayor.

Mayor Held: Thank you.

OLD BUSINESS:

9. Mr. Snyder: At this time we'll move to Old Business. May I have a motion to read by title only third reading of Ordinance No, 68-12?

Mr. Foltz: We need to do a voice vote.

Mrs. Kiesling: Oh do you want to do the votes on ...

Mr. Snyder: Oh, excuse me.

Mr. Foltz: What about the voice vote on the foreclosure of properties?

Mr. Snyder: Oh yes, I apologize. We didn't vote on that yet?

Mrs. Kiesling: We're getting ready to right now.

Mr. Snyder: But I went ahead and let the Mayor...

Mrs. Kiesling: Yeah.

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Mr. Snyder: I apologize. Madam Clerk, we have a motion and second.

Mrs. Kiesling: Did we vote on that?

Mrs. Kalpac: Yeah, we voted on that.

Mrs. Kiesling: Did we?

Mrs. Kalpac: Yeah.

Mrs. Kiesling: I don't remember doing that.

Mr. Foltz: The foreclosure to two city properties?

Mrs. Kalpac: Yes.

Mrs. Kiesling: Oh my gosh we did. Maybe we all thought we were...

Mr. Cerreta: I thought I was here.

Mr. Foltz: We're so thorough we were going to do it twice.

Mr. Snyder: Well as long as we voted we alright. Then we will move to ...

Mrs. Kiesling: That's not a good sign.

Mr. Cerreta: That's the quickest vote I've ever had.

Mr. Peters: Okay, I'll motion to read 68-12.

Mr. Snyder: Retake the vote.

Mrs. Kiesling: I'll Second. Are you sure we did that?

Mr. Griffith: Gail is sure, yes.

Mr. Peters moved and Mrs. Kiesling seconded to **read by title only, third reading of Ordinance No. 68-12.** All members present voting:

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

No: 0

Ordinance No. 68-12 – 3rd 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.

Mrs. Kiesling: Yes, this is the third reading. The property already is being renovated, if you drive by it on Main Street. And I'm very excited. I motion we accept.

Mrs. Kiesling moved and Mr. Peters seconded to **adopt the third reading of Ordinance No. 68-12.** All members present voting:

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

No: 0

10. Mr. Snyder: May I have a motion to remove from the table Ordinance No. 67-12?

Mr. Griffith: So moved.

Mr. Batista: Just so you know, what I suggested to Gail was this was that little

Mr. Snyder: Oh, so we want to just let it – kill it?

Mr. Batista: Either leave it on the table or kill it because you'll see the graffiti ordinance...

Mr. Griffith: Well I think our - my suggestion was that, just to clarify it for everyone out there, this was the original you know ordinance that we didn't actually even read but put on the table right away. We've done a substantial rewrite and revision. So I think it's appropriate for us to remove this from the table and defeat it, if that is the body's wish, and then to read by title only, in its entirety, the new one which will then proceed through the three readings as would be appropriate. Is that all right?

Mr. Snyder: That will be fine. Let's remove it from the table if we can then.

Mr. Griffith: Is that alright; if that's acceptable to the body. So I would move to remove it from the table.

Mr. Griffith moved and Mrs. Kiesling seconded to **remove Ordinance No. 67-12 from the table.** All members present voting:

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

No: 0

Mr. Snyder: Now we request, I will call for a motion to read by title only the first reading of Ordinance No. 67-12. I would ask you to vote in the negative. That way it will not have to come out of, off the floor.

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Minutes of

COUNCIL OF THE CITY OF NORTH CANTON

REGULAR

Meeting

DAYTON LEGAL BLANK, INC., FORM NO. 10146

Held	Monday, September 10	7:00 p.m.	20	12
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Mr. Griffith moved and Mr. Peters seconded to **read by title only, first reading** of Ordinance No. 67-12. All members present voting:
 Yes: 0
 No: Cerreta, Foltz, Griffith, Kiesling, Peters, Snyder
 No: 0

Ordinance No. 67-12 was defeated.

NEW BUSINESS:

11. Mr. Snyder: Now we'll move to New Business. May I have a motion to read by title only first reading of Ordinance No. 81-12?

Mr. Foltz moved and Mrs. Kiesling seconded to **read by title only, first reading** of Ordinance No. 81-12. All members present voting:
 Yes: Foltz, Griffith, Kiesling, Peters, Snyder, Cerreta
 No: 0

Ordinance No. 81-12 – 1st Reading – Park & Recreation

An ordinance amending Chapter 555 Parks and Playgrounds, specifically Section 555.14 PARK REGULATIONS of the Codified Ordinances of the City of North Canton.

Mr. Snyder: Chairman Foltz.

Mr. Foltz: Yes, as we discussed at Committee, Administrator Grimes brought some additional language to strengthen our park regulations. I think we were all in favor of that to give us the opportunity to have better enforcement and just some clarity for our residents, whoever uses our parks. So if there aren't any questions, I'll make a motion to pass the first reading.

Mr. Foltz moved and Mr. Cerreta seconded to **adopt the first reading** of Ordinance No. 81-12. All members present voting:
 Yes: Griffith, Kiesling, Peters, Snyder, Cerreta, Foltz
 No: 0

12. Mr. Snyder: May I have a motion to read by title only first reading of Ordinance No. 82-12?

Mr. Griffith moved and Mrs. Kiesling seconded to **read by title only, first reading** of Ordinance No. 82-12. All members present voting:
 Yes: Kiesling, Peters, Snyder, Cerreta, Foltz, Griffith
 No: 0

Ordinance No. 82-12 – 1st Reading – Water, Sewer & Rubbish

An ordinance approving, confirming and accepting Perpetual Public Water Main Easement, situated in the City of Green, County of Summit, State of Ohio, and known as being part of the Southwest Quarter of original Green Township Section 36, by and between the City of North Canton, an Ohio Charter Municipal Corporation its successors and assigns, ("Grantee") and the Akron-Canton Regional Airport Authority ("Grantor"), for and in consideration of One Dollar (\$1.00) and other good and valuable consideration.

Mr. Snyder: Chairman Cerreta

Mr. Cerreta: Yes, We discussed this last week. As Jim stated, that this is the brand new waterline at the Akron/Canton Airport. So I propose that we go ahead with this and move with it.

Mr. Cerreta moved and Mr. Foltz seconded to **adopt the first reading** of Ordinance No. 82-12. All members present voting:
 Yes: Peters, Snyder, Cerreta, Foltz, Griffith, Kiesling
 No: 0

13. Mr. Snyder: May we have a motion to read by title only first reading of Ordinance No. 83-12.

Mr. Foltz moved and Mr. Peters seconded to **read by title only, first reading** of Ordinance No. 83-12. All members present voting:
 Yes: Snyder, Cerreta, Foltz, Griffith, Kiesling, Peters
 No: 0

DAYTON LEGAL BLANK, INC., FORM NO. 10148

Held Monday, September 10 7:00 p.m. 20 12

Ordinance No. 83-12 – 1st Reading – Water, Sewer & Rubbish

An ordinance approving, confirming and accepting Perpetual Public Waterline Easement, being part of Parcel No. 9204151, situated in the City of North Canton, County of Stark and State of Ohio; and being part of City Lot 1506 of C.H. Corbett's Donner Road Addition (P.B. 25, Pg. 19); also being part of parcel of land, now or formerly in the name of John H. Schen, Jr. and Kathleen Shanabruch 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 John J. Schen Jr. and Kathleen Shanabruch ("Grantors"), for and in consideration of One Dollar (\$1.00) and other good and valuable consideration.

Mr. Snyder: Chairman Cerreta

Mr. Cerreta: Yes, this is at Mount Pleasant, I believe. Jim had stated that this actually has three dead ends for us as an easement. So this is a good thing for us as we adopt. So I move that we adopt this resolution – what number is that I don't have it on my ...

Mrs. Kiesling: 83-12

Mr. Snyder: 83-12

Mr. Cerreta moved and Mr. Peters seconded to **adopt the first reading** of Ordinance No. 83-12. All members present voting:

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

No: 0

14. Mr. Snyder: May I have a motion to read by title only the first reading of Ordinance 84-12?

Mrs. Kiesling moved and Mr. Peters seconded to **read by title only the first reading** of Ordinance No. 84-12. All members present voting:

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

No: 0

Ordinance No. 84-12 – 1st Reading – Water, Sewer & Rubbish

An ordinance approving, confirming and accepting Perpetual Public Waterline Easement, being part of Parcel No. 9201864, situated in the City of North Canton, County of Stark, and State of Ohio, and being part of City Lot 1505 of C.H. Corbett's Donner Road Addition, also being part of a parcel of land, now or formerly in the name of Laura Brison, 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 Laura Brison ("Grantor"), for and in consideration of One Dollar (\$1.00) and other good and valuable consideration.

Mr. Snyder: Chairman Cerreta.

Mr. Cerreta: This is one of two that we need to do on Donner. They're replacing the waterlines on Donner and this is just a new easement for them. And so I move that we adopt Resolution 85-12.

Mr. Peters: 84-12.

Mr. Cerreta: 84-12

Mr. Cerreta moved and Mr. Peters seconded to **adopt the first reading** of Ordinance No. 84-12. All members present voting:

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

No: 0

- 15 Mr. Snyder: May I have a motion to read by title only first reading of Ordinance No. 85-12?

Mr. Griffith moved and Mrs. Kiesling seconded to **read by title only, first reading** of Ordinance No. 85-12. All members present voting:

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

No: 0

Ordinance No. 85-12 – 1st Reading – Water, Sewer & Rubbish

An ordinance approving, confirming and accepting Perpetual Public Waterline Easement and Waterline Easement Vacation, being part of Parcel No. 5503229, situated in the Northeastly Quarter of Section 8, Township of Plain (T-11, R-8), County of Stark, and State of Ohio, by and between the City of North Canton, an Ohio Charter Municipal Corporation its successors and assigns, ("Grantee") and The Inn at Whitewood Village Limited ("Grantors"), for and in consideration of One Dollar (\$1.00) and other good and valuable consideration.

RECORD OF PROCEEDINGS

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Minutes of **COUNCIL OF THE CITY OF NORTH CANTON** **REGULAR** Meeting

DAYTON LEGAL BLANK, INC. FORM NO. 19146

Held Monday, September 10 7:00 p.m. 20 12

Mr. Snyder: Chairman Cerreta.

Mr. Cerreta: This is a relocation of water line over there behind Fishers. They originally set it up for condos and now they are putting in a retirement village there. So this will help them. So I move that we adopt Resolution No. 85-12.

Mr. Cerreta moved and Mrs. Kiesling seconded to **adopt the first reading** of Ordinance No. 85-12. All members present voting:
 Yes: Peters, Snyder, Cerreta, Foltz, Griffith, Kiesling
 No: 0

16. Mr. Snyder: May I have a motion to read by title only first reading of Ordinance No. 86-12?

Mr. Griffith moved and Mr. Peters seconded to **read by title only the first reading** of Ordinance No. 86-12. All members present voting:
 Yes: Snyder, Cerreta, Foltz, Griffith, Kiesling, Peters
 No: 0

Ordinance No. 86-12 – 1st Reading – Water, Sewer & Rubbish

An ordinance approving, confirming and accepting Perpetual Public Waterline Easement, being part of Parcel No. 5500203, situated in the Northwest Quarter of Section 6, Township of Plain (T-11, R-8), County of Stark, and State of Ohio, also being part of a 1.00 acre parcel owned now or previously owned by Kenneth S. Cantrell as recorded in Official Record 668, Page 876 of the Stark County Recorder's records 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 Kenneth S. Cantrell ("Grantor"), for and in consideration of One Dollar (\$1.00) and other good and valuable consideration.

Mr. Snyder: Chairman Cerreta

Mr. Cerreta: It's just another replacement. And so I move that we adopt Ordinance No. 86-12.

Mr. Cerreta moved and Mr. Peters seconded to **adopt the first reading** of Ordinance No. 86-12. All members present voting:
 Yes: Cerreta, Foltz, Griffith, Kiesling, Peters, Snyder
 No: 0

17. Mr. Snyder: May I have a motion to read by title only first reading of Ordinance No. 87-12?

Mr. Griffith moved and Mrs. Kiesling seconded to **read by title only the first reading** of Ordinance No. 87-12. All members present voting:
 Yes: Foltz, Griffith, Kiesling, Peters, Snyder, Cerreta
 No: 0

Ordinance No. 87-12 – 1st Reading – Finance & Property

An ordinance authorizing the Director of Administration of the City of North Canton to advertise and receive bids; and authorizing the Mayor of the City of North Canton, through the Board of Control, to enter into a contract for the transport, disposal and payment of all related disposal fees for the remediation of the premises located 4215 Portage Street NW, North Canton, Ohio at a cost not to exceed \$100,000, and declaring the same to be an emergency.

Mr. Snyder: As we have a stipulated order from the County Health Department to clean up that site. At the best guesstimate our bid was \$100,000 on the outside and we hope to do somewhere south of that. And we'd like to do it on an emergency basis as time is of the essence to clean that up as public health and safety is an issue. There being no questions, I'll entertain a motion to adopt the first reading of Ordinance No. 87-12.

Mr. Peters moved and Mrs. Kiesling seconded to **adopt the first reading** of Ordinance No. 87-12. All members present voting:
 Yes: Griffith, Kiesling, Peters, Snyder, Cerreta, Foltz
 No: 0

Mr. Snyder: May I have a motion to suspend the rules of council for Ordinance No. 87-12?

Mrs. Kiesling moved and Mr. Peters seconded to **suspend the rules** for Ordinance No. 87-12. All members present voting:
 Yes: Kiesling, Peters, Snyder, Cerreta, Foltz, Griffith
 No: 0

Held Monday, September 10 7:00 p.m. 20 12

Mr. Snyder: Can we adopt under the suspension of the rules Ordinance No. 87-12?

Mrs. Kiesling moved and Mr. Cerreta seconded to **suspend the rules** for Ordinance No. 87-12. All members present voting:

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

No: 0

18. Mr. Snyder: Thank you. May I have a motion to read by title only first reading of Ordinance No. 88-12?

Mr. Griffith moved and Mr. Peters seconded to **read by title only, first reading** of Ordinance No. 88-12. All members present voting:

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

No: 0

Ordinance No. 88-12 – 1st Reading – Finance & Property

An ordinance authorizing the Mayor of the City of North Canton, Ohio, to enter into a contract with a financial institution that has been designated as the central depository for active funds for the City of North Canton, pursuant to Ordinance No. 81-97, for the period commencing January 1, 2013 and terminating December 31, 2015.

Mr. Snyder: Again, we're required every three years to declare the depository that we're going to use and that's what this is about. And this will authorize the Director of Finance through the Mayor to put that into place. There being no questions, I'll entertain a motion to adopt the first reading of Ordinance No. 88-12.

Mr. Snyder moved and Mrs. Kiesling seconded to **adopt the first reading** of Ordinance No. 88-12. All members present voting:

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

No: 0

19. Mr. Snyder: May I have a motion to read by title only the first reading of Ordinance No. 89-12?

Mrs. Kiesling moved and Mr. Peters seconded to **read by title only, first reading** of Ordinance No. 89-12. All members present voting:

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

No: 0

Ordinance No. 89-12 – 1st Reading – Finance & Property

An ordinance amending Chapter 195 Investments, specifically Section 195.01(e)(3) INVESTMENT POLICY of the Codified Ordinances of the City of North Canton, Ohio.

Mr. Snyder: This will empower the Director of Finance making sure that all depository funds are covered under the FDIC or a related institution; I think up to \$250,000. As many institutions, we have more than that invested in several different accounts, and each account be designated to wholly insure the and protect people's investment of funds. There being no question, I'll entertain a motion to adopt the first reading of Ordinance No. 89-12.

Mr. Cerreta moved and Mrs. Kiesling seconded to **adopt the first reading** of Ordinance No. 89-12. All members present voting:

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

No: 0

20. Mr. Snyder: May I have a motion to read by title only the first reading of Ordinance No. 90-12?

Mr. Griffith moved and Mrs. Kiesling seconded to **read by title only, first reading** of Ordinance No. 90-12. All members present voting:

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

No: 0

Ordinance No. 90-12 – 1st Reading – Finance & Property

An ordinance amending Chapter 191 Administrative Code, specifically Section 191.22 INTEREST AND PENALTIES, of the Codified Ordinances of the City of North Canton, and declaring the same to be an emergency.

RECORD OF PROCEEDINGS

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Minutes of

COUNCIL OF THE CITY OF NORTH CANTON

REGULAR

Meeting

DAYTON LEGAL BLANK, INC. FORM NO. 10148

Heid Monday, September 10 7:00 p.m. 20 12

Mr. Snyder: This is for failure to file income tax in a timely manner. I believe we went to \$50.00 on the first filing and \$100 subsequent filing. The Director did give us companion notes on other municipalities, what they enact. It seems to be – that seems to be the benchmark - \$50.00 for filing,\$100.00, second at least. Some do require civil penalty and criminal penalties and fines in excess of \$1,000.00. It would be my suggestion that we try this first and see if it does clear up. We've had great luck, through her department, through the young lady that works in that department bringing people to the Mayor's Court and cleaning up these different things which means money to us. So that's maybe how we'll start out. And if it doesn't seem to get their attention with a \$50 penalty and a \$100 penalty, we'll enact some other types of remedial penalties that we can apply. Is that director comfortable with both those numbers?

Mrs. Alger: Very well.

Mr. Griffith: I made a suggestion last week about a percentage as the penalty. And Karen and I had a chance to talk off line. And I think it's important to distinguish here between – what we're penalizing here is the failure to file...

Mr. Snyder: That's correct.

Mr. Griffith: Not the failure to pay, which of course is a percentage penalty. So in essence what I think we all had consensus on is already a law, We're just making sure that if someone forgets to file, even if they have paid that we're penalizing them too. So, I think it's a good move.

Mr. Snyder: The other thing is, you know, through her efforts and her department and being a strong advocate, we've been put into credit cards now. So people have the ability to clean those up. And if they like to finance it over a period of time with their institution, they're able to do that. But we can get them done and it is moving some money, so we're doing that.

Mr. Cerreta: We do send reminders though, right?

Mr. Snyder: Oh I think initially, yeah.

Mrs. Alger: Absolutely.

Mr. Cerreta: I mean it's just not the day after the 16th we're giving them. So just make that clear.

Mrs. Alger: Oh, no. These are the ones that...

Mr. Cerreta: Right.

Mrs. Alger: usually are the one habituals too. You'll see them year after year, and we do send - it goes with a return. And you get a first one, and a second one is a little stronger. So...

Mr. Cerreta: Good.

Mr. Snyder: Alright? So may I have a motion to adopt the first reading of Ordinance 90-12?

Mr. Kiesling moved and Mr. Peters seconded to **adopt the first reading** of Ordinance No. 90-12. All members present voting:

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

No: 0

Mr. Snyder: As time is of the essence to allow her department to clean these up as quickly as possible, we'd like to suspend the rules of council for Ordinance No. 90-12.

Mrs. Kiesling moved and Mr. Peters seconded to **suspend the rules** for Ordinance No. 90-12. All members present voting:

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

No: 0

Mr. Snyder: May we adopt under the suspension of the rules Ordinance No. 90-12.

Mrs. Kiesling moved and Mr. Peters seconded to **adopt under the suspension** of the rules Ordinance No. 90-12. All members present voting:

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

No: 0

21. Mr. Snyder: May I have a motion to read by title only, first reading of Ordinance No. 91-12?

RECORD OF PROCEEDINGS

Minutes of COUNCIL OF THE CITY OF NORTH CANTON REGULAR Meeting

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

Held Monday, September 10 7:00 p.m. 20 12

Mr. Griffith moved and Mrs. Kiesling seconded to **read by title only, first reading** of Ordinance No. 91-12. All members present voting:
 Yes: Foltz, Griffith, Kiesling, Peters, Snyder, Cerreta
 No: 0

Ordinance No. 91-12 – 1st Reading – Ordinance, Rules & Claims

An ordinance defining "Graffiti" establishing offense and penalties for the application of Graffiti and provide for the abatement of Graffiti and establishing a civil penalty for the failure of property owners for the abatement of Graffiti.

Mr. Snyder: Chairman Griffith

Mr. Griffith: This is a great rewrite. Roy has done a beautiful job with this, as he has with so many things. And basically as we talked about before, we're now treating graffiti as any other nuisance under the, you know, under the zoning laws. Basically if there is a problem that comes up, if we find there is a problem or violation, Eric will be informing them that, you know, something needs to be cleaned up. If they don't do that in the period of time, then they'll be given further notice, and basically it will be abated. If there are costs associated with that then those will be charged just like somebody who fails to mow their lawn or do any of the other issues that, you know, we have for billing. I think it's a very fair treatment. It goes back to not punishing the victim in this case, but also make sure that we get those things taken care of as well. And I really appreciate the rewrite. We did discuss the last time some additional language to put in place – put in place situations to deal with situations that you might have extreme profanity, or...

Mr. Batista : Yeah, I did make that change to add the incendiary language.

Mr. Griffith: Right. Do you want to talk about that a little bit?

Mr. Batista: Well other than the fact that it permits the Director of Administration to move within twenty-four (24) hours if there is any profanity, sexually explicit language or racial or ethnic derogatory remarks, and are visible from adjoining property.

Mr. Griffith: I think that's the key, too. And obviously we're probably going to have people who are more than happy to jump in and take care of those things under any circumstances, but obviously those are the kinds of things we want make sure that are not here in North Canton. So...

Mr. Batista: Yeah, the problem I had with that was twenty-four (24) hours there's – the problem you've got is if you have an absentee landlord, you're going to be stuck with the same ten (10) days.

Mr. Griffith: Right.

Mr. Batista: So, I put in 24 hours which may become problematical in the future, but let's go with it.

Mr. Griffith: But you also have in the ordinance too the ability for the City to basically enter onto the property if there is a failure to comply which would be true with any nuisance violation or abatement. And I think that's, you know, you're right, there could be an issue there, but I think you've come up with a pretty good solution to that too, Roy. So, I would move its adoption.

Mr. Griffith moved and Mr. Cerreta seconded to **adopt the first reading** of Ordinance No. 91-12. All members present voting:
 Yes: Griffith, Kiesling, Peters, Snyder, Cerreta, Foltz
 No: 0

REPORTS:

Mr. Snyder: Okay, reports. Director of Law

Mr. Batista: No report.

Mr. Snyder: Director of Finance

Mrs. Alger: Yes, I have some good news. The Finance Department has saved the City about \$96,000 with correcting some Worker's Comp. categorizing. When Chris was put into a new position, she questioned and then investigated some. And Worker's Comp came in and agreed with us that \$65,000 will give us credit for the last two years and then from now on, \$31,000 with the correct categories of the Worker's Comp.

Mr. Snyder: Good work.

Mrs. Alger: That's some good news.

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DAYTON LEGAL BLANK, INC. FORM NO. 1014B

Held Monday, September 10 7:00 p.m. 20 12

Mr. Snyder: Please tell Chris that we appreciate that.
Mrs. Alger: Yes.

Mr. Snyder: That's good work. Director of Administration

Mr. Grimes: A couple of things, Mr. President. I know it is old news but I'd like to go on the record that the collective bargaining agreement that we had with the fire; you know they were very cooperative in the room and very straight forward. And you know I think that was good on their part. And also a couple of Council people that we called to get advice and that, we appreciate that.. We know we were bothering you during the day, but we do appreciate that. So there's going to be some noise around the water tower because we are painting the water tower at Rose Court. You'll see them there getting ready and squaring off some stuff there. So they are cognizant that that's in an area with churches and that type of thing too. So, we did discuss that with them. I reminded the Fire Chief how old I am, so we did place an automatic defibrillator out front here. And one of the Council meetings, before that it's about a 15 minute training on how to use it. It's very easy, but we're going to have some training here if anybody is interested, even the folks that attend Council meeting all the time can come and see how those things work. So we'll get that done.
Mrs. Kiesling: Do you think they'd save one of us if they had the opportunity?

Mr. Grimes: There are also some activity that you'll see around the 7th Street Retention Basin, around Hillcrest and Seventh. We want to get that working more properly than it was. So, there will be some activity. So if you see some people there where we're getting that back into shape so that it drains and works properly. There's a pump problem there and I think the way it was draining somebody came up with a different idea. So we'll get that going. We'll be announcing the free leaf bag pretty soon and get that started with the residents. If you missed it, our old salt bin is now no longer there, it's gone. And we have started to get ready for the new salt bin out there. So and the park now has a new fence around the skate parks and that and the basketball courts.

Mr. Foltz: It looks great.

Mr. Grimes: And for those folks doing the citizen survey, if you haven't seen before, it is on our web page. So they can go there and go to the online, like the committee, you know, I think that's a great idea by the committee, and we put it on our website so you can easily get there. So, thank you Mr. President.

Mr. Snyder: Thank you. Mr. Mayor

Mayor Held: Yes, I would like to thank the Council Members for their support in putting up the new fence over at Dogwood because it really was run down and didn't look to the standard that we have here in North Canton. But, it really looks nice right now. Big difference. And also I wanted to let the Council Members know that we're continuing to work with IRG across the street to try to bring new jobs to the City. We don't have anything official to report right now, but there's a number of companies that are looking at the facility. And we still have Job Ready Sites Grant funding that's available, which we're still working on that. But, as we get more information, we're going to make sure and keep you all posted on that. That's all I have.

Mr. Snyder: Thank you, Mr. Mayor. Director of Administrative Services

Mr. Bartos: I'd just like to echo the comments that the Mayor made earlier and welcome Jane aboard. I was given the task of debriefing Teresa before she left and with that comes the task of working with Jane and getting her comfortable with her duties. And after a week I can already tell that she is going to be easy to work with and she's a pleasure to have in the office. So welcome aboard. And as a testament to the kind of character that Teresa has, she said that even though she was leaving, let me know if you need to get in touch with me and you have any questions. So I'm sure there will be a couple of things that we'll have to contact her about. But really I think so far the first week has gone pretty well and I look forward to working with Jane in the future.

REPORTS – COUNCIL:

Mr. Snyder: Thank you very much. Member Foltz.

Mr. Foltz: I appreciate the improvements in the parks as the Mayor eluded to and then Mr. Grimes. We're just getting started. I think we're going to really visit all of them and see what we can do - do as much as the budget allows, obviously. So - but I'm looking forward to that process to continue. I wanted to thank the crews. They were out near my street a couple of neighbors over replacing some catch basins, some storm catch basins and they did good work - they do good work. You know, that's a lot to do and it's - that road is widely traveled as a cut-through to

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Held Monday, September 10 7:00 p.m. 20 12

Woodrow. So they had their hands full with the traffic. And I know they're not quite finished yet, but I was impressed because I was around to see their schedule and they did it in a timely fashion and professional fashion. So, I wanted to pass that along to the guys. And you know we take for granted sometimes what our employees do. But they're all over the City doing the job that need to be done for the constituents. So, I'll pass this around those favorable comments for them. That's it. Thank you.

Mr. Snyder: Thank you, sir. Member Peters

Mr. Peters: Yes, to echo Doug's comments, great job on the fence over there. I got a few phone calls. Very happy to see that happen. It looks great and I look forward to what else we're going to be doing. I think the residents are going to be pleasantly surprised looking at our parks moving forward. And welcome Jane. That's it.

Mr. Snyder: Thank you. Member Griffith

Mr. Griffith: Jane, welcome as well. I wanted to say, there are just a few quick items. Number one, a public thanks to the Rotary for their flag project. And I think it's been really, really neat. And I know I heard, because Hoover was playing the Canadian team, that a couple of those flags may have made their way to the football stadium, but whatever helps, I guess, it worked out well. So - but I think that's a nice project and that's a neat thing to do. I know other communities have done it and I want to thank Rotary for that. That's really nice. I wanted, we've kind of glossed over it, but I wanted to thank everybody here too for initiating some of the tear down work that we approved earlier in this meeting. I think that's really important. There is a visible difference. And we're going to be able to do some big stuff. And I hope that is just the tip of the iceberg. So thanks to everybody here, the Administration for that as well, I think that's important. And I want to echo Mike's comments about the public unions that we've had. We were so blessed here to have unions that are cooperative and helpful. I was talking to a guy from out of town just today, and I said, in no other town, other than North Canton, do you have the North - the Chamber of Commerce next door to the Union Hall. You just don't have it. But we're lucky here and I think that's been very ...inaudible... obviously very helpful. And I want to say a public thanks to them as well.

Mr. Snyder: Very good. Mr. Cerreta.

Mr. Cerreta: Next week, as part of the Master Plan, we'll be presenting a new entryway sign that we seemed to agree on here. I think everybody will be happy about that and the directional sign; some information about the directional signs with that. So we'll carve out about 15 minutes, we'll do a presentation on that; do a Power Point to show everyone. Outside of that, welcome Jane again. Don't want to embarrass you anything - anymore. But that's about it then. Thank you.

Mrs. Kiesling: Just welcome Jane. Glad to have you. No report

Mr. Snyder: Thank you. A couple of things. I have some pictures I'm going to pass on to the Mayor. Possibly some of them could get onto the website. As you know, we gave a grant of \$5,000 to the Canton Art Institute for the arts and the development of using recycled paper. They've had the attendance of anywhere from as low as 60 to 125 people there for the different venues of art that they put on. He - I know he's coming back and asking additionally to do it again this coming fall and winter. Although he did tell me one Thursday in late October he will come back again and he's doing the Sistine Chapel. That's the final one and he'll be doing that. So the public will know that they can go there and have a lecture on and slides. Mr. Albacate was at the top of - one of the few people ever permitted to be inside the Sistine Chapel and to climb to the roof and take photographs of the Sistine Chapel. They prohibit that because of the artwork there. But he'll be doing that. And these pictures are great, you see the kids building things. And it's the Solid Waste District Grant that we appreciate, Mr. Mayor. And you may want to pass that on to your Board because it's money well spent. The other thing, I'm both proud and pleased to say that Mrs. Kiesling did pass her Boards. So I'm going to make a special honorary committee of that defibrillator. We'll put it under her committee since she's the closest thing to a doctor that we have that sits with us here at the Council. But you're both to be commended on your hard work and you're a tribute, and I respect you, and I'm glad for you.

Mrs. Kiesling: Thank you.

Mr. Snyder: That's very nice to go through that. That's quite an accomplishment. You should be proud of yourself. Other than that, I have nothing. Anything else to come before this body? If not, I'll entertain a motion to adjourn.

FINAL CALL FOR NEW BUSINESS:

RECORD OF PROCEEDINGS

Minutes of

COUNCIL OF THE CITY OF NORTH CANTON

REGULAR

Meeting

DAYTON LEGAL BLANK, INC., FORM NO. 10148

Held Monday, September 10 7:00 p.m. 20 12

ADJOURN:

Mr. Foltz moved and Mrs. Kiesling seconded to adjourn the council meeting. All members present voting:

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

No: 0

Meeting adjourned at 7:36 p.m.



PRESIDENT OF COUNCIL

ATTEST:



CLERK OF COUNCIL

9/13/12-bkp