



City of North Canton, Ohio

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NOTICE OF MEETINGS

North Canton City Council will present its first annual "State of the Council" (review of 2012 issues and actions of City Council Members) **Monday, January 28, 2013 at 6:30 p.m.** in the Council Chambers at North Canton City Hall.

The meeting **will be open** to the public.

Council Meeting Agenda Monday, January 28, 2013 - 7:00 p.m.

1. Call to Order: 7:00 p.m.
2. Opening Prayer: Rev. Gary Plauger, Hope Christian Fellowship Church
3. Pledge of Allegiance
4. Roll Call
5. Consideration

Council Meeting Minutes – January 14, 2013
Special Council Meeting Minutes – January 22, 2013
Financial Statement – December, 2012
Mayor's Court Receipts – December, 2012

6. Committee Minutes
7. Recognition of Visitors

OLD BUSINESS:

8. **Ordinance No. 3-13 – 2nd Reading – Finance & Property Committee**
An ordinance amending Ordinance No. 70-12, thereby authorizing the Director of Administration ("Director") of the City of North Canton to advertise a request for proposals according to specifications now on file in the office of the Director, and for the Mayor of the City of North Canton to be authorized, through the Board of Control, to enter into a proposed lease or purchase agreement for the installation and lease or 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.

NEW BUSINESS:

9. Ordinance No. 7-13 – 1st Reading – Finance & Property Committee

An ordinance to make appropriations for current expenses and other expenditures of the City of North Canton, Ohio, for the period beginning January 1, 2013 and ending December 31, 2013 and declaring the same to be an emergency.

REPORTS:

Director of Law
Mayor

Director of Finance
City Engineer

Director of Administration
Dir. of Administrative Services

REPORTS – COUNCIL:

Mark Cerreta At Large
Dan Griffith At Large
Marcia Kiesling At Large

Doug Foltz Ward 1
Daniel Peters Ward 2
Stephanie Werren Ward 3
Jon Snyder Ward 4

FINAL CALL FOR NEW BUSINESS:

ADJOURN:

Gail M. Kalpac
Clerk of Council

1/24/13-gmk

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

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Minutes of

COUNCIL OF THE CITY OF NORTH CANTON

REGULAR

Meeting

DAYTON LEGAL BLANK, INC., FORM NO. 10149

Held

Monday, January 14

7:00 p.m.

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Call to Order:

1. The council meeting was called to order Monday, January 14, 2013 at 7:07 p.m. by President of Council Jon Snyder.

Opening Prayer:

2. The opening prayer was delivered by Rev. Melvin Lindberg (Retired) United Methodist Church.

Pledge of Allegiance:

3. All present recited the Pledge of Allegiance.

Roll Call:

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

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

Also present were: Mayor Held, Director of Administration Grimes, Director of Law Fox, Director of Finance Alger, City Engineer Benekos, Director of Permits & Development Bowles, Director of Administrative Services Bartos, and Clerk of Council Kalpac.

Consideration:

5. Council Meeting Minutes -- December 10, 2012
Special Council Meeting Minutes -- December 19, 2012
Financial Statement -- November, 2012
Mayor's Court Receipts -- November, 2012

Mr. Snyder: May I have a motion and a second to approve, as presented, the council meeting minutes dated December 10, 2012; special council meeting minutes, December 19, 2012; financial statements of November, 2012; and the mayor's court receipts presented November of 2012.

Mr. Foltz moved and Mr. Peters seconded to approve as presented the council meeting minutes, special council meeting minutes, financial statement and mayor's court receipts. All members present voting:

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

Committee Minutes:

6. Mr. Snyder: May I have a motion and a second to approve the following executive session and committee report minutes: the Executive Session for Personnel and Safety held on the 7th of January, 2013; committee report minutes for the Special Finance and Property meeting held the 19th of December, 2012; Finance and Property; and Water Sewer and Rubbish both held January 7, 2013.

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

Yes: Griffith, Snyder, Werren, Cerreta, Foltz
No: 0
Abstained: Kiesling, Peters

Executive Session for Personnel & Safety Committee: Please refer to the minutes on file in the Council Office of the Executive Session for Personnel & Safety Committee meeting held January 7, 2013.

Special Finance & Property Committee: Please refer to the minutes on in the Council Office of the special Finance & Property Committee meeting held December 19, 2012.

Finance & Property Committee: Please refer to the minutes on in the Council Office of the Finance & Property Committee meeting held January 7, 2013.

Water, Sewer & Rubbish Committee: Please refer to the minutes on In the Council Office of the Water, Sewer & Rubbish Committee meeting held January 7, 2013.

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REGULAR

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Voice Vote – Appointment of Mr. Terrance Seeberger as North Canton’s Representative to the Stark County Board of Health:

7. Mr. Snyder: I'd like a motion and a second to approve the appointment of Mr. Terrance Seeberger as the North Canton's representative to the Stark County Board of Health for a five-year period commencing March 2013 through March 2018. Mr. Seeberger presently serves in that capacity as the appointment of Mayor David Held.

Mr. Griffith moved and Mrs. Kiesling seconded to approve the appointment of Terrance Seeberger as North Canton's Representative to the Stark County Board of Health.

Mr. Snyder: Any questions? Clerk, please call the role.

All members present voting:

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

No: 0

Presentation: Northeast Ohio Public Energy Council

Mr. Snyder: My apologies to Mr. Keiper from Northeast Ohio Public Energy Council ("NOPEC"). We were running a little late tonight and I apologize that we didn't get started on time. So, at this time we'll hear your presentation to Council. And at that - right after that we'll have the public speaks. Mr. Keiper.

Mr. Keiper: Thank you, Mr. President, Madam Vice President, Honorable Mayor, great to see you again; Members of Council, Administration and City of North Canton residents. Thank you for having us. I want to tell you a little about aggregation tonight and specifically about electric aggregation and about the Northeast Ohio Public Energy Council whom I represent. You can just go ahead and bang the slides out here. The first one really, I think, my staff put in is just a little summary of North Canton. The 16,500 people will be important later and I'll tell you why. But, you know you've done such a great job with your downtown here. It's very vibrant. I think I've had a good opportunity over the years to come by. In fact, I ate at my favorite North Canton restaurant tonight for dinner, Varity's, and had way more than I should have, as is want to happen when you go there. But we think that aggregation might be a great compliment to some of the other things that you have going. So we know that you're doing that for gas and we want to tell you about it for electricity. Just in terms of an overview, let me give you a real brief overview of how deregulation led to aggregation in the State of Ohio. A number of years ago the State Legislator decided that they were going to try to create a free market in the State of Ohio for both natural gas and electricity, and began the process to deregulate both, starting with natural gas in 1997 followed shortly thereafter in 2001 with what was then known as Senate Bill Three to deregulate electricity. Natural gas is a little more advanced at this point because it's been operating. In fact, you might have read in the newspaper over the weekend that the PUCO (Public Utilities Commission of Ohio) has given two gas carriers the ability now, natural gas carriers, to sell directly without regulation. So they're going to try portions of that through 2013 and see how it goes. That's ultimately where electric sales will be going, probably over the next ten years. Ohio is one of nineteen (19) states in the nation that allow, or have deregulated both natural gas and electricity. Thank you. Basically what happens with regulation anywhere is that the product that we used to know, and let's just use electricity as an example, we got one bill that had one component, it was a price, it was a rate. The rate was approved by the Public Utilities Commission of Ohio whose job it is not to represent customers, or not to represent utilities, but to act in place of the market and to bring forces to bear that the market would have brought if there weren't regulation. So the PUCO ordered a separation of the components into the three components that you see on the screen: Generation, which includes a set aside for future reserves for capacity so that on the hottest day or the largest draw of electricity day, you can still get the power you need; Transmission, which is how it gets from the plant where it is generated to you; and then retail delivery, how it gets from the street, the line at the street into your home. Aggregators, like NOPEC really aggregate at the retail delivery level. That is our function. Utility companies are still regulated in each state by the Public Utilities Commission of that state. And again, the goal is to try to get safety and reliable, safe and reliable energy to your home. Governmental aggregation is what we hope to be a game changer. It transforms small components of people and business, both residential and business customers, to potent buying groups. We allow buying groups to negotiate better deals, demand better service, and in the case of a government and individuals who don't have to shop, save you time, energy and money in the process. The supplier benefits because they have a more reliable amount of power that they can plan on bringing to bear. We - aggregation also allows experts to do the negotiation. We know that, I know that you guys do lots of things in your jobs here. You have mostly day jobs too, I assume. And there is a certain expertise and negotiating energy prices. In fact, I want to tell you, you guys probably have the best natural gas rate I've ever seen. So, I don't know who did that, if you did that or you had someone do it for you, but kudos to you all. It's a great, great rate that you brought to your community, and you should be congratulated for that. We'll show you what our rates are natural gas in a little bit. But - really the best practice of uniting with other governments. We always hear about regionalism. Aggregation allows you to work in a regional way and then share in the lowest possible overhead structure, which also helps to keep

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rates down. It gives you the strongest possible voice for your residents and your businesses in both Columbus and Washington and really creates a win/win scenario for all of the parties. Opt-out aggregation is what the law allows in Ohio. What that means is a majority of the voters would approve the idea of uniting their voices as one, and forming an aggregation. If approved by a vote of the people, you would have a couple of administrative hearings that would explain to the general public how you would chose to manage and operate your aggregation. We would hope that that would be with NOPEC, and we can walk you through that process. Once you have that plan in place and it's approved by the Council at the hearings - hearing level, then each customer must make a choice to aggregate or not aggregate. They would receive a notice and unless they affirmatively take an action to not be a part of the group or opt-out, they would be left in the group. So they would receive a mailing. The mailing would require them to take a physical action. We actually now allow it a couple of ways. You can do it online or you can do it by sending a card back in. The law still requires an initial opt-out that there be a physical traceable route and only recently have - has the PUCO allowed us to use electronic signatures, which we have to go through several verification steps for. So unless a person or small business affirmatively choose to not be part of the group, they would be considered a part of the group. So if they take no action upon receiving the notice, they would be - remain as a member of the aggregation and would get their power through your aggregation group. Clear as mud so far? I think I just went through that. Education is key to really having your residents do that and we can help you do that as well. So now let me tell you a little about NOPEC. NOPEC stands for the Northeast Ohio Public Energy Council. Really an out group - outgrowth of the work of the Northeast Ohio Mayor and Mangers' Association back in the late '90s. They formed a working group to study aggregation, to study what the law changes might be; mostly really out of Cuyahoga and Lake Counties. They decided that they wanted to put an opt-out aggregation clause in the law. They were successful in doing that. And those initial mayors fanned out across northeast Ohio to get other communities to vote. What happened initially was that about ninety (90) communities in six (6) counties voted to join NOPEC and to put it on their ballots, and began to receive in 2000 electricity and natural gas under those contracts. Our mission statement is here: "NOPEC is an organization of local governments in Northeast Ohio that were cooperatively to provide competitive environment for energy cost savings for individual customers." And the mission - I'm sorry - and the vision, NOPEC is the premier organization of local governments working cooperative to achieve lower energy costs for its customers. Because NOPEC does not have a profit motive, and our stockholders are our communities and their residents and small businesses, the goal of NOPEC is very simple and very uncomplicated, simply we exist to bring the lowest cost energy we can to the residents of the business and businesses of the northeast - of northeast Ohio and to be their voice in all things that would interfere with achieving that goal. We are the largest collective voice for energy consumers in the state. We spend time, energy, and money on a daily basis. We have people in Washington, We have people in Columbus, who we pay by contract to follow everything even remotely energy related, and we try to get a voice at every one of those tables. What I would tell you is aside from saving money in a rate structure, NOPEC has been successful in saving literally millions of dollars from being put into the Ohio rate schedules and in the tariff schedules. Be happy to detail to the how that happened and what those are. It's very complicated and would probably add an hour to this presentation. But it has been literally tens and almost hundreds of millions of dollars. We represent a little over a half million electric customers in 173 communities in ten (10) counties. I've got them listed there; just slightly under 300,000 natural gas customers in that same footprint and about 72,000 small business customers. Since 2000, NOPEC has saved customer utility bills more than \$160,000,000 just in electricity alone. It is much harder to quantify gas savings, but we can quantify those fairly easy. We are governed by a General Assembly. We are a council of governments made up of one voting member from each and every community who has voted to join NOPEC. That group meets once a year at a general assembly meeting and is governed by a board of directors. Each two-year period each county caucus comes together within the NOPEC Annual meeting and votes for a representative from their county to sit at the NOPEC Board of Directors. We are currently governed by a ten (10) member Board of Directors, one member from each of the counties that has a community within the NOPEC footprint. Because North Canton, if you choose to move forward, would be our first Stark County Community, you would represent the addition of an additional county to that count. And as such, you would be automatically given a seat, both at the General Assembly and at the Board of Director Level until such a time as other Stark County Communities might join - in which case there would be a caucus vote for a member at that time. But, initially you would be given a seat at that board table. Okay? Good. I told you I'd very briefly tell you what our gas prices are. Again, you guys have a great rate. I think you're - are you \$4.65? Is that what you are?

Mrs. Kiesling: Yeah.

Mr. Keiper: something like that - \$4.65? You can see that our pricing in the fall was about \$4.22; it was a very challenging market this year, \$4.70 for December; \$5.09 is our current rate; and going back to \$4.98 in May. If we wait average that for our customers in natural gas, that's \$4.98 give or take weighted average for the entire winter season. Yes Mayor.

Mayor Held: Now, can you describe the blue line and the red line?

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Mr. Kelper: Yes. I'm going to do that right now. The blue line are the numbers I just told you, they correspond to this. The red line is our variable rate. We offer a variable rate to all of our customers who would like to take it. It currently is the best deal in the state of Ohio at \$3.93. It adjusts pretty much every month. It was - you can see here - the last month it was a little higher. In November it was \$3.95. In September it was closer to \$3.14. So this number, we negotiate directly from the market - the NYMEX Market in New York. And we buy that variable there directly and have it distributed currently by Dominion Retail to our customers whether they are in a Dominion footprint or Columbia National Gas. We have customers in both. We believe that is the best deal in the State of Ohio. A lot of folks don't want to watch on a monthly basis or worry about it, so they opt for the other. But probably fifteen (15%) percent of our customers choose that variable rate and the rest are on the fixed rate. Electric pricing is a little different animal. Under state law, each utility has to have established what is known as a "price to compare" or a PTC. NOPEC's current customer base receives six (6%) percent off the price to compare for residential customers and four (4%) percent for small business customers. You'll see on both of those it says "plus an additional one (1%) percent". NOPEC's operating revenues are paid annually by negotiation by the people from whom we purchase power, whether it's natural gas or electricity. So no member community pays a dime. No residential customer or business customer pays a penny. At the end of every year, however, there's always an overage. And then that overage is then examined, and the Board has traditionally provided those monies back in an additional one (1%) buy-off for the last two years. It's been higher and lower over the years depending on the managerial needs of the organization. That comes to about an additional \$4,000,000 across our footprint that we give directly back to our customers in the terms by way of an additional discount. So, you would receive, if you were a NOPEC customer today, six (6%) percent plus one (1) for a total of seven (7%) off the price to compare. I'm going to talk about your specific case in just a moment. But I want to tell you also about some things that we've done that we think are very unusual and new in the marketplace. We routinely try to talk with our customers. We routinely try to figure out what they want. They've told us over the course of the last eighteen (18) months that they are very worried about the increasing price pressures on their electric and natural gas bills, and that they really wanted a price stabilization project or property. We've provided the very first of its kind in the industry to provide a stable price for two (2), three (3), and seven (7) years. In fact, First Energy Solutions, who is currently our delivery partner and who - from whom we buy electricity, has offered the same programs to their non-NOPEC customers at the higher rate. But we were the first to offer it in the market. What that does, if you can imagine, there is pressure on prices and if you believe pricing is going to go up at an angle, and you can fix the price so that you're paying a little more than the market is today for a short period of time, in the hopes of getting a much better deal by having a flat price as the market rises. So we've put that together seven (7) years through 2019, August, I think, is the month. Currently, that's at \$6 - .675 cents per kilowatt hour. That's probably about eighteen (18%) percent more than the current market rate. We believe that over the next two (2) years, that will be at market rate, and then for the five years below that it will be under market rate. If we are wrong about that, we will allow folks to move at no cost to any of our other products, at which time they've kind of realized that there's no change. We think that will be within two (2) years. Price pressures, if you read the papers, are already increasing. And from when this project - when product rolled out, which was in August, we've probably seen prices go up about a half a penny already. So we believe as capacity pricing continues to increase, this will become a more popular product. But this is a total choice, no one's got to choose it if they don't want to. On our website is a much better explanation. On First Energy's website there is a much better explanation. And you can get on our website and see that. We are under construction, I want to tell you. So I'm not sure what pages will be working or not today. We have a very large rollout of a new initiative that's coming in the middle of the first quarter of 2013. I'll tell you a little about that. So if you get on our website you might have to be a little patient because the web builders are taking pages up and down as they see fit to bring our new product on. We also offer, you may recall some of the angst and anger about First Energy Proper's relinquishing of all-electric home rates after a very long period of time, and then really kind of tripling and quadrupling people's rates. NOPEC responded with a two (2) year seasonal offer for all electric home customers within our footprint. And that is currently, I won't say it's the best deal on the market, but we've only found one that is slightly what we think is a little better than that. But by and large we think that's a great rate for all electric homes as well. Thank you. North Canton has a slightly different situation for us because you are in a different tariff territory than our current territory. All of our current electric customers are in First Energy tariff territories. You guys are in AEP's (American Electric Power) tariff territories. So we would have to conduct a new negotiation on your behalf. We are confident that that would result in great numbers as well. But we would have to do that. The NOPEC Board, again, typically has the six (6%) percent off price product currently. We think that we can do at least that and maybe better in your negotiations. So we will be willing to provide a guarantee to that if we move forward. The NOPEC Board, again, gives money back - \$4,000,000 this year for the additional one (1%) percent. We would also make that available to you immediately even though it's - even though it is something that typically happens from last years' revenues. If you join us, we would allow that extra one (1%) percent to be added to your customers, our customers from North Canton as well. Okay. Powering Our Communities Grant Program is a program that we developed in cooperation with First Energy Solutions. I think that I sent this Annual Report to you all. Did you all get to see this? I have more copies. In fact, if anyone in the public would like one, I brought about a dozen copies. But what we did with all our electric customer communities was that we provided a grant for energy efficiency. There's a list of what those are. It's about

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sixteen (16) million, just under sixteen (16) million dollars. About 14.8 per – 14.8 million dollars have currently been spent and implemented on energy efficiency projects ranging from solar panels, to better fire engine efficient pumps, to street lighting, to aqua lighting. You name it, the City has found a way to make it work for them. We've provided those dollars. Grant application is required. And other than – other than really, it has to be for energy efficiency, you all would get to choose what you want to do with that. In your case, we think that that would be about \$200,000 give or take. The way that the dollars are calculated are thirty (\$30) dollars per customer. So what we would do is figure out the number of residential meters that you have, the number of small business meters that you have, add those together, multiply times thirty (30), ballpark and I'm going to say it's between two and two hundred thousand dollars probably based on what we've seen in other communities your size. As soon as the first electric bills are out, you would be eligible to make application for those dollars. We have a staff that could help you do that and help you implement it as well if you like. But my guess is that you have your own resources here as well. We are also expanding our services in a number of ways that I think are important for you to know. I told you already that we are rebuilding our web site in a pretty profound way. At the end of the first quarter of 2013, we will be entering the demand reduction energy efficiency business. We have always been in the supply side portion of electricity and natural gas. That is we source it, find it, negotiate for it, and deliver it - supply. We believe that by having smarter, more engaged, more energy conscious customers, that we become a better aggregation. We believe that there's more value in our aggregation when we do that. And so we are initiating and have been now, this is the end of about a two and a half year process, to begin to really aggressively engage our customers, inform our customers, teach our customers and bring them saving opportunities that they haven't been able to otherwise get. You will be, for example, able to purchase on a NOPEC website, and I hope eventually in a couple of big box retailers we're negotiating with, probably the two biggest that come to mind as we speak, I'm prohibited from saying their names, but you get a good notion, but you'll be able to purchase on our site at a minimum initially, and then hopefully at a local retail shop near you, a number of items that we have vetted and examined and believe can have a positive impact on your energy efficiency. For example: we have found a modlet, a small little plug item that's manufactured by an Ohio manufacturer that would go into your plug. You could control it by your iPhone and turn your in the wall air conditioner on or off, so you don't have to leave it on all day in August when it's 85 degrees outside. And you could turn it on ninety (90) minutes before you get home and still come home to a cool house without wasting all that extra energy. We think those things are kind of smart. That item sells for about \$80.00. You'll be able to buy it on our website for about \$28.00 because we've negotiated and packaged it and brand it. And those are the kind of initiatives that we hope to bring to our customers. We don't think any other aggregators in the nation that we could find are doing those kind of things. We believe it's important in the long run for you to make better choices about how, when, where, and why you invest your energy dollars. We also have 72,000 or so small business customers. And we have begun over the last fourteen months to aggressively negotiate, source the funds for, and begin to create a small business revolving loan funds for energy efficiency. I believe that sometime toward the end of 2013, perhaps as late as the first quarter of 2014, that product will roll out. It is designed to make our local businesses more competitive and cost efficient. It is an economic development tool. We will provide a low cost dollars for small businesses - the restaurant I ate in tonight, a beauty shop, a legal office, a small office, the Canton - North Canton Shoe Repair, my favorite place to get my shoes resoled. All those kind of places. With the opportunity to replace their lighting, their fixtures, their windows, at a - currently the target is two (2%) percent rate of dollars. And with a little success, we hope to have it no more complicated than your standard car loan and you can pay that back on your energy bill. We're in the midst of negotiations. We're a long way from having that part done. You probably have read from time to time that lots of folks resist that thought. But because these are dollars that NOPEC is bringing and going to finance, it is not on bill financing – it's simply on bill repayment. And we're getting a different level of dialogue. That will only be available to businesses in the NOPEC communities. So I guess in the end why NOPEC? I think that you probably could use the \$200,000. We think that we're very price competitive. We are not always the lowest. I want you to know that. We strive very hard to be. And we work really hard at it every day. We have a volunteer board that spends lots of hours and we have lots of professional help to assist us. But we're not in this just to be low priced. It is our goal. But it is mostly our goal to make sure that citizens get a fair shake and a fair voice at the table and that the regulators never are given an opportunity or reason to turn their backs on what makes a difference to the standard mom and pop operator and the mother and father who are trying to raise their kids or to the seniors who have spent a lifetime serving the community. We think that it's a good partnership to join with all the other voices in our 173 communities. We'd love to have you join us as members. We think that there's a great value in having - to us in having you join. And we hope to you for joining as well. I think that we bring a level of advocacy that very few organizations are able to bring, both at the state level and in DC. And finally, because North Canton would get a voice directly at the table. That said, my last slide, I think, is just whatever questions you might have, I'll try to answer. And I'd be happy to come back, if you want, to your utilities committee or wherever it is you do this from. But we certainly appreciate the Mayor reaching out to us and allowing your, as a group, allowing us to come in and tell our story. We' sure love to have you as members.

Mr. Snyder: Mr. Kelper, you mentioned that it is an opt-out program similar to our gas aggregation. If my memory serves me this past summer and early last spring, the AEP sent out requests for people to sign for long term gas aggregation. Those people are locked in to the

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contractual obligation, some of them as much as five (5) to six (6) years. What happens to those people? Should they leave there, they're penalized for leaving that service and joining the NOPEC? Would they be forced to join the North Canton Service or is it similar to the gas, if you are already in a program, it excludes you.

Mr. Keiper: I don't know on the electric law whether you are excluded. I think everybody goes in the aggregation and I think that the law probably has a provision for that. I have to look that up for you sir. But I do know that you can always choose to opt-out. There is no cost to opt-out initially. We could probably help you identify who's got those kind of arrangements so that we can pay special attention to those people so they get an extra nod. I don't know how we find that out, but we'll try to figure that out with you.

Mr. Snyder: I know that there were many people that call their utility departments last spring and summer asking. And there was heavy penalty once they initially signed with those - with the AEP and then if they would choose to leave before the termination date. So we'd have to know that because we have an elderly population and some of those people don't understand that. We'd have to make sure that we coach them along those lines because they could end up owing several hundred dollars..

Mr. Keiper: We totally understand that. First of all, it can be very confusing. And we know that without the right attention to the mailing that they get, we work really hard to make sure it's un-confusing, you would get a chance to see that, the PUCO has to approve it. So the process would be that we would take all of those concerns, try to put them onto the notice. We tried - the law requires a two (2) week aggregation period, we typically do a month so that there's plenty of time for folks to get here, ask the question. And then we're very liberal, at least on our side, if people feel that they've made a mistake, we have the lowest exit fees in the business, period. No one has a lower fee. And we're really careful in that initial period to give lots of leadway. Remember, we're very different than an AEP or a First Energy. We take very seriously our role in representing you. We are the City of North Canton when we come here. And we take nothing more seriously than making sure that your residents, our residents, are treated with as much understanding and kindness and respect. Even if there is confusion our general default is always to fall in favor of the customer whether we like their choice or not. It is their choice. We want them to have that. In fact, we celebrate choice. We believe that we compare and measure up to anything that's in the market. Again, I've already told you, we're not the lowest price every time. You'll find us in the top ten (10%) percent all of the time. We've never been off, I don't think, more than that. But you'll never find anybody who's less profit motivated, who's more community oriented and minded and that's really where we think our shaft and our wheat separate.

Mr. Snyder: Any other questions?

Mr. Griffith: Chuck, I really appreciate the information. I think it's very detailed and you did a great job. Allow me to understand, from the natural gas standpoint, if I understand correctly, you're suggesting that we have an option as to whether or not we would say, we're going to negotiate for a fixed period of time and a fixed price or we could do what you guys - sounds like uniquely do, which is kind of have a floating rate that's been negotiated as well. We, as a community would chose that, or you guys just do the work?

Mr. Keiper: Well, we're, you've already got an aggregation in place with gas. I assume you've got a contract. I don't know what that is. And so I didn't come here to try to sell you on our aggregation program, but - for natural gas. But we do, do it, it's what we do. We do think that we're unique in that regard. Not a lot of aggregations offer a floating rate like that. Our Board shows, because of the nature of the natural gas market, you'll notice when we showed you the slide on the fixed and variable rate, that our fixed rate varied a lot through this fall as well. The market was very challenging with announcements of new coal shut downs and other things, and it was almost - it was going up and down by ten (10), twenty (20), thirty (30) cents a day and then coming back down the next day. So it's really kind of crazy. We - it's very complicated. There is no more volatile thing on the planet to buy than natural gas. We're lucky in Ohio, it's a lower price than other places. It's probably going to stay slightly compressed. But we are - we know that there are forces that are driving that up. Coal plants are shutting down. They're converting to mixed use. They're going to burn gas, etc., etc. Our customers do get to choose. And they can move back and forth once without cost between those two things. So,

Mr. Griffith: So it's the customers - I hate to interrupt, but it's the customers that make that selection. We wouldn't have to decide.

Mr. Keiper: Customer's choice.

Mr. Griffith: Okay, very good.

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Mr. Keiper: We offer it to the customer. And what we do is, as soon as the opt-out period for natural gas ends, we send the notification about our variable rate program and if people want to move into it they do. We began the variable rate negotiation after about three (3) years in the natural gas business when people, particularly seniors said, I - you know I can get a better rate if you'll find a floating rate. And so we investigated it, we negotiated it, and now it is a standard part of our offering. Like I said, about fifteen (15%) percent of our people use it. We do have a limit on how many people we'll put into that because at the end of the day we still have to have suitable numbers to negotiate the fixed rate price. So it's a balance for us. Bu, right now we probably have - we could probably triple the number of people we have in our variable rate with no impact.

Mr. Snyder: Inaudible...

Mr. Foltz: Now the variable rate and the fixed rate, that's just gas? You don't have - do you have a variable for electric?

Mr. Keiper: All the electric currently in the State of Ohio is sold as a variable rate.

Mr. Foltz: Okay.

Mr. Keiper: It is sold off of what's - I should have explained that and I apologize. It's based on a price to compare which is set annually by the PUCO for each service territory. So you are in an AEP service territory. Most of my customers are in First Energy's ANCY territory and so they have different tariff structures. But - and they vary. In First Energy's case, it happens to be the first of every year. I would have to find out what AEP's varies. But they lock in and you can sell it on a price to compare. The only fixed rate in the market at first was the one that NOPEC offered when we offered our two (2) year, three (3) year, and seven (7) year fixed rates. We were the very first people in the industry to do it because we heard from our seniors and our small businesses actually that they were desires of being able to budget and they wanted something predictable for as many years as we could provide the predictability. So we had a number of focus groups we went through that we chose at random from around our footprint. And we went through a whole process and we negotiated with First Energy Solutions, created that product. They immediately offered it to their own aggregation, non-governmental aggregators, or aggregator communities who were non-NOPEC, although it's at a higher rate. We do have and most of these companies, because we are, for example, First Energy Solutions largest customer, Dominion East Ohio's second largest customer, we have most favored nations clauses in our contracts that forbid them to sell it lower to anybody. If they go lower somewhere else, our customers would get an adjustment. So we've gotten really, really good at using mass negotiation - mass purchasing techniques to negotiate very good contracts.

Mr. Foltz: Okay. I ...inaudible... when I look at my bill, I brought one in, and the price to compare will show me my kilowatt hour rate? Is that correct?

Mr. Keiper: That's correct.

Mr. Foltz : So if I'm looking at that figure, I can compare it to the electrical pricing sheet you gave us concerning the price stability program and so forth. Is that correct?

Mr. Keiper: It's - yes, it's partially correct.

Mr. Foltz : That's negotiating in another area.

Mr. Keiper: Yes, correct.

Mr. Foltz: Not this area. We'd be the first one. So you can't say these will be our per kilowatt costs until you

Mr. Keiper: I'm hoping that I can do a lot better.

Mr. Foltz: You're hoping that you can do better than that.

Mr. Keiper: I'm really excited about doing it, I have to tell you.

Mr. Foltz: Then the ones you show us here, the electrical pricing, you can do a lot better than what AEP is giving us now?

Mr. Keiper: I don't know what AEP is giving you now. But I'm pretty sure that we can do that. We have a relationship with AEP. It is to my customers' everywhere an advantage for me to have a relationship with every retailer there is. So I can tell you that we spend an enormous amount of time doing that. NOPEC feels very strongly that the reason that competition in Ohio has done so well so quickly is because of us. There were no outside of the state retailers in the history of the state of Ohio until NOPEC brought the first out-of-state retailer company called Green Mountain Energy to Ohio in 2000. There was never an out-of-state generator who ever did business in the state of Ohio until NOPEC in 2007 brought Florida Power and Light to the State of Ohio. And the cost for our customers went down because First Energy suddenly wanted to come back to the table

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and negotiate, bought out the Florida Power and Light contract, provided our people with about a sixty million dollar savings over a four (4) year period of time. So competition and the American way works folks if we let it work for us. And we think a big key to that is numbers. And we would love to add your numbers to our numbers. We think that it would be good for all of us.

Mr. Foltz: My last question is then, so if I look at the price to compare rate, that's reflected then - the cost we're talking about, would that be under the generation service, or the distribution service? I'm looking at my bill.

Mr. Keiper: This is distribution service.

Mr. Foltz: So, that price would be reflected...

Mr. Keiper: Generation is controlled by the PUCO. So...

Mr. Foltz: There's transmission, there's customer, there's other charges, but you're saying the distribution service is where everyone would on their bill to compare.

Mr. Keiper: That's correct. That's correct.

Mr. Foltz: Okay. Thank you.

Mr. Keiper: Thank you. Other questions? I appreciate very much the opportunity to come and speak with you. Thank you very much. And if I can answer any questions, just give us a holler. Thank you Mayor.

Recognition of Visitors:

8. Mr. Snyder: Thank you sir. We appreciate it very much. At this time, the Council will entertain anybody wishing to speak this evening. Please step forward, state your name and address for the record.

Michael Sahadi: 104 Walsh Avenue SE. Good evening Mr. Mayor, Councilmen, Councilwomen. My name is Michael Sahadi. I live at 104 Walsh Avenue in North Canton here. The reason why I'm speaking this evening is I understand they are going to be doing some renegotiation with the ballpark across the street. And I want to talk to Council and Administration and address a couple of issues. Back when the ballpark was first announced that they were going to build it, they came out with a rendering of the ballpark. I think it was Mr. Boyajian that first approached us. And he showed a very nice picture of the ballpark. But the ballpark wasn't going to be where it's at today, it was much further back. And then for some reason it got flipped around. The walking trails went into the back part of the ballpark and the ballpark came out to the street. That's okay, I didn't have a problem with that. In fact, I enjoy the ballpark. It's a very nice facility. However, the City has fallen down and not done what it's supposed to do. They appropriated monies to build a privacy mound running from the west side by the creek all the way to the entrance of the ballpark on the east side along East Maple. That never happened properly. In fact, some of the trees that were supposed to be on that mound have disappeared over a period of time either by disease or got broken somehow. They were never replaced. Every time I've ever asked about what happened to that mound, it was always, the City doesn't have enough funds. It's incumbent that the City honor its agreements with the citizens by appropriating the money or finding the money somehow to finish that mound appropriately and put the trees on top of that for the visual privacy of the neighbors across the street. The second thing that I feel the City has fallen down on is the parking. It is my understanding, I didn't get to see the lease properly, but the lease itself calls for no on-street parking. I'm assuming that is also in my neighborhood on Walsh as well as on East Maple. It has considered - considerable amount of parking has been added to the park. However, people still drive over the mounds, park across the street, it's creating a hazard. People coming in and coming out aren't expecting cars driving over the mound out into the street. And I live in a very unique, quiet neighborhood. Most of the people on my street are either retired, elderly, or empty nesters. There's very few children that live on my street. And it's been that way historically. And as a result the only parking that we have for our neighbors is when our neighbors have a family get together is on-street parking. And I enjoy it, my neighbors enjoy it. However, there is an invasion of cars that come each summer, okay, from outside the City and park in front of our homes. I have elderly neighbors that see me outside, they call me over, they ask, can you help us; call somebody from the City. I've done that several times. Unfortunately, nothing ever happens. It's not that I'm opposed to people parking there, but they take advantage of it. There's a gate in the middle of the fence and it's a quick entrance and exit for people who don't want to park at the park, they use this as a convenient cut-through. And it shouldn't be. The other part has to do with the noise. Normally the ballpark is very quiet park, even when it's in session and the people are playing - the children are playing and so forth, you don't hear too much. Unless you're outside you hardly ever hear them cheering. What I do hear is the loud speakers. You do have, on council here, the City had passed two noise ordinances and one of them has to do with the fact that my neighbors and myself can enjoy our homes, our property without the disturbance of loud noises. Back in the early, late 2000 - late 1990's and early 2000's I had an instrumental in bringing the Mullinax property into

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North Canton. One of the things that then Mayor Rice and Mr. Benekos were adamant about, is no speakers are to be at that commercial facility because they did not want to disturb the neighbors who are several hundred yards behind the facility itself. Plus the light stanchions had to be lowered so there was no light pollution to those neighbors. I'm only asking for the same consideration that the loud speakers aren't there to call the game, aren't there to announce constantly who's up to play, what the score is and so forth. This isn't Jacobs, well I should say Progressive Field now, this is for the children. It's the adults that asked for this and that's - the adults get this. As far as the lights go, I'll hold my judgment out until I understand what the lights are all about. Okay. Until I can see personally how they're going to be put or erected, and what hours are going to be there. The park situation that Mr. Foltz has, am I correct that the parks are closed at a certain period of time every night?

Mr. Foltz: Yes.

Mr. Sahadi: What time is that?

Mr. Foltz: Oh we just revisited with the Administrator and I think it's - I think it's 10, depending on what activity is going on in the park.

Mr. Sahadi: Okay.

Mr. Foltz: So if you're saying - if we're looking at the ball fields, if there's games, that's a unique situation I think we'd have to address.

Mr. Sahadi: So it's going to be like from 8 to midnight - from 8 in the morning to midnight then ...

Mr. Foltz: No. I would have to say there'd be some parameters on that as there would Dogwood Park ...

Mr. Sahadi: Okay.

Mr. Foltz: as far as games being played there. Obviously we're not going to be playing games at midnight when we ...

Mr. Sahadi: Well there's an opportunity these things being held over because of ties or...

Mr. Foltz: Well I understand your concerns.

Mr. Sahadi: weather related issues.

Mr. Foltz: That's a good question which should be addressed.

Mr. Sahadi: Okay. Like I said, I'm going to keep an open mind. But I feel it's incumbent upon this City to do what they promised us first, enforce the laws, enforce the parking ban, and also enforce the noise. And I appreciate your time. Thank you.

Mr. Foltz: Alright. Thank you.

Mr. Snyder: Thank you, sir. Anyone else wishing to speak?

Rick McLaughlin: Hello. Rick McLaughlin. 1129 Override Avenue SE. A few comments on the ballpark. I was a 3rd Ward Councilman at the time the ballparks went in. In fact I think the night we had the open house, I want to call it, for the people to come in to talk about it, and this whole place was jam-packed. And one of the promises that John Boyajian made them, and I don't know if it's in the contract or I've - I have been out of it so long I don't know what it reads, but I thought it said there would be no lights over there period. And I think that's one of the things that the residents looked at, they've wanted. I don't think it's a necessity for the lights to be there. There's plenty of time during the day to get your ballgames in. During the summer time it doesn't get dark until 9:30, 10:00. I just think it's a waste of money. I really do. And I think you're opening up a can of worms again and upsetting a lot of these people over there - that are going to be over there. I mean once Washington Square opened up with their lights people went nuts. I think people in College Estates and everything else are going to do probably more than that. But I'm just saying here I was - served on council with a few of you guys. You were there when it happened. I'm just saying I got a few phone calls saying, hey come and say a few words, see what you can do. It's up to you guys but really I'm asking don't go against what the contract and the people wanted before. That's all I'm asking.

Mr. Snyder: Thanks, Mr. McLaughlin. Anyone else wishing to speak to us this evening? Mrs. Pucci.

Delma Pucci: Do I have five minutes? My name is Delma Pucci and I live at 1338 East Maple Street. We live directly across the street from the ball fields, we have two homes there. We've lived in North Canton for 45 years. I haven't complained the last few years. I did when the mall was proposed and so forth. But they promised us - Mr. Boyajian promised us, he met with all the people in the neighborhood several times. He gave me a copy of the Lease at that time from December 1998 and promised us - the biggest thing was no lights at the fields. If you read this

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Lease it was signed by Mayor Revoldt, it was former Mayor William Hines witnessed it, Council had approved it, talked about it I'm sure. And for some reason I believe that the Mayor at that time represented the citizens of North Canton. The Lease would be enforced he said and there would be no lights at the fields. Mr. Giammarco and Mr. Young, they also agreed and they signed that Lease. It was prepared by our Law Director so everything was legal in it. Condition No. 3 in that Lease says, "...there shall be no lighted fields. The fields shall be used by the members of the North Canton Little League during daylight hours." The Little League Handbook states, "...Little League ages are 7, 8 and 9 year olds." We do not need lights for them to play at night. Ages 10 through 12 are called Major League. Over 12 years old they are called Junior League. Our Lease states it's with the Little League. So I'm hoping I read that correctly and the Law Director can look at that. But it says right at the top, it's for the North Canton Little League. Back in 2010 this was brought up by Council to light all the fields. And at that time it was turned down. There were a number of people here from our neighborhood. We are getting elderly unfortunately in our neighborhood. And, many could not be here tonight. So, here we go again. Now they want to light up the eighth field to play after dark. Not only the lighting would be a nuisance but the loud speakers, their music they play, the traffic especially going in and out all evening would disturb all the neighborhood. The park signs say it closes at 8 o'clock from I believe it is September to April I think it is. It closes at 8:00. So, we should abide by that. But, also the increased police calls we have there. There are sirens, and the EMS comes, the fire trucks come. They have all been a part of the scene during the past. We don't need these disturbances after dark. And, I'm sure that our past police chief, I see David Held under your name, past police chief knows the traffic and the accidents and whatever we have going up Maple Street. And, it's increased. I think it was ten thousand a day back three years ago. We don't need this. But, the loud motivational music that they play every night, every Saturday before these league plays - it's just not, as Mr. Sahadi said, we have ordinances. It is supposed to give us lawful nighttime use and enjoyment of our properties. Little League has a tournament planned for Memorial Day weekend. It's advertised that there's going to be sixteen to twenty-four teams from all over Ohio will be playing for three days. If you read Condition No. 11 in the lease, "The playing fields shall be available for use by the North Canton Little League participants who shall be residents of the City of North Canton and are attending the North Canton School Districts." I don't think that sixteen to twenty-four teams from all over Ohio goes along with that paragraph there. Little League is non-profit. I found out they don't pay any taxes whatsoever. They don't pay any services by the City. They don't pay for any police protection. They don't pay for our street levies. They don't pay for any services. I was told they haven't even paid for water or sewer the past - I don't know how long it's been. So, I don't know what they contribute outside. I do love the baseball fields. I have nine grandchildren. They play sports and whatever. None of them play at night with lights. I don't think we need that across the street. So please read these lease agreements. And it states also, the biggest one that I found states a maximum of seven fields. I've walked over there and I've watched a couple of games. When and where did the eighth field come from? There is no addendums for it. Was it a mistake that someone made? Did the Mayor and the Council not know how to read the lease, that there was a maximum of seven fields there - former Mayor. We would not purchase - they would not have to purchase the adjoining two homes for a parking if the older athletes didn't play there. If we had cut it out and just put it to Little League or even that Major League, we wouldn't need all those extra parking places. They wouldn't have to extend the second ball field fence. They've already extended one, now they want to extend the other, and it's 293 feet long. Minimum for Little League is 200 feet. So, I don't know why you want to extend it again, it will go back by our walking trail. But there's a lot of fields here in North Canton for the kids to play on. There's a new field up there on 7th Street. They could consider Walsh College, they have ball fields. They could maybe make contract with Walsh College and go over there for their fields. I also found Edgewood Community Center has ball fields or will be constructing more fields. Mr. Giammarco could come contract with them and have the older players there. That would alleviate a lot of our parking situation. So, there are six signs over there in that emergency exit which says, "No Parking". We've had a constant, constant problem with that. Now they go in there and they just drop their kids off, push them up over the fence, walk them around, and then they drive up to the parking lot. So, when they come to pick them up they zoom out of that park - they back out, sorry, one minute - they back out of that parking place there, which isn't a parking place at that emergency entrance, and that's where they cause accidents. Thank you very much. I just have one question. We're concerned that the lease is not being enforced. We wonder if we can trust our Council.

Mr. Fox: Madam. Mr. Chair. I just want to point out, she's just about two minutes over.

Mr. Snyder: Okay.

Delma Pucci: Oh, I'm sorry. Don't wish to go over. I follow rules. Thank you very much.

Mr. Snyder: Anyone else wishing to speak?

Barbara McCallan: Hi. I'm Barbara McCallan. I live at 411 Woodside Avenue NE, North Canton, about centerfield of our football field. We've had the football field, the baseball field, the fair, the fireworks - I wasn't here for that this reason. But we all have to set aside a little time for our community, our children and yes, sometimes it's annoying when the speakers are so loud, and when the lights are so bright, but they really, in my lifetime it's been there. I've learned to tolerate

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it. I've learned to deal with it. And everybody has children that want to play, or grandchildren that want to play. We have to offer them something in North Canton and it can't all be on 7th Street and Wise. We do have to have it in other areas. But the reason I'm here is the same reason I was here last year, as a matter of fact, concerning the parking and use of residential property by a business. Unfortunately, I have received information and letters on this just today as I walked in the council meeting. So I'm not really overly prepared to talk about it. But the people have been informed of what they're doing and they responded with a letter denying that it is being used as a business use. That the only cars are parked there are owned by them, their visitors or friends. Now, I have in my possession photos of the cars up there. They have their business name on them. And granted yeah, I guess they own them, but they own them through a business purpose, not a personal purpose. And they're also in business with a co-owner, I understand, a Officer Hipp that is indeed a police officer in North Canton. So them stating one thing when they know that when they titled those vehicles, and income tax time I'm sure they take off every expense that they can for a deduction on those vehicles, they are in fact business vehicles. They should not be allowed to park there. They own a business on Main Street, park them up there. In the letter, it says that they will, if there are any concerns from legitimate complaints, feel free to contact them. I am legitimate and my complaints are in fact hard copy, there's evidence of what's going on. All I'm asking is they don't do it. I back in the '80's, again as I was a mere child, I did in fact work with City Council to get home occupations allowed. There were limitations on vehicles then and there was only one person in the entire neighborhood that refused to sign the petition I took around to verify that my neighborhood was not upset about me doing this. And that in fact was the father of this person that has his business up there. He said it was opening a can of worms and I see there is only one worm climbed out. But anyhow, I appreciate your time. I will be discussing this with Attorney Fox for his advice because I will not allow this to go on. And there are other matters that I think we better take them one at a time. I thank you so much.

Mr. Snyder: Thank you madam.
 Mayor Held: Thank you.

Carl Young: Good evening. My name is Carl Young. I live at 8428 Market Street. And I'm here to address the lights. A couple of facts that we want to maybe straighten out. First of all, Little League is a national organization and it really starts at age seven and goes all the way to eighteen. It's all underneath the Little League umbrella. Second of all, there was a comment made that the Little League does not pay for services from the City of North Canton nor have they paid for their water and sewer. We have been paying for water and sewer for many - as many years as we've been in there. Just recently, in the last year or two, we drilled a well and we continue to pay the cost of that well too. So, I just wanted to straighten the record out. Also, the purpose - the request for the lights, the lights have always been a conversation when we first built the fields. That was always our goal and our desire to do that. For various reasons we went ahead and signed the lease with the idea that eventually at some point in time that lease would be changed. The reason we want to change it is two-fold: First of all, by having lights - first of all the season - the Little League season is only 75 days, it starts in April, ends in the middle of July. So they basically play May, June and half of July. The first couple months, the first couple of weeks of the season when the kids are still in school, it gets dark really early. Consequently, we end up in a dangerous situation with the kids, because as dusk rises at 6:30, 7, 8:00, they're not done with their games. So oftentimes we actually end games. They can't finish them because it gets too dark. Lights would eliminate it. There was a question about the timing of the lights. Our anticipation of the lights would be a rule, sort of like no inning starts after 9:30, lights are off at 10:00. We do have kids eight years old to twelve. They don't need to be out really, really late. I do, would like to point out this ordinance though, the way it's worded would only - it depends on how you define it, but it would only cover one field. Our intention was really to light Field No. 8, No. 1, and No. 2, the two fields around the concession stand. That's where a lot of the activity is. The good news about lights today, Musco now has lights, they're directional lights, they're not the big, broad lights. So, chances are if you're driving down East Maple Street with those ramp - with the hill there and those pine trees, you wouldn't even see the lights even if you were driving by the fields because the lights are directional. Why do we want it? Number one: once season starts, our kids don't get to practice because we have no fields. You know, the fields are 100% playing time and the kids do not have an opportunity to practice. They practice the month of April, and as soon as the games start those fields are used every single night and there's just not a field available for those kids. So the only time they get to practice is Saturday night or on Sunday when we don't play games. So by having lights we'll be able to start earlier and they will still be able to get some practice time in. We can double up some games on some of the fields. Number two: there was a comment about a Memorial Day Tournament. When my son first started playing Little League it would cost you \$25 to join the North Canton Little League. Today it's \$120. This organization, it costs - it costs the Little League roughly \$90,000 to run the program. That's uniforms, that's the kids, that's paying for the water. We do all the landscaping. You know, we do all the maintenance of those fields. One hundred and twenty dollars is a lot of money for a lot of people. We have scholarships that we end up giving kids. By having the lights and the Memorial Day tournaments, it's an opportunity to raise money to help run the program. I already mentioned a safer environment. We've got a couple of opportunities to run a state tournament. We can hold the state tournament in North Canton if we have lights. The new requirement now for the state tournaments is you have to have lights. And the reason you need to have lights is the same exact reason, if you run out of - you know bad

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weather, you've got to be able to have the opportunity to make up your games because those state tournaments - you know everybody watches the Little League World Series, and the kids start someplace in a city like North Canton and end up in Williamsport. So having the lights would enable us to bring tournaments to the City of North Canton. And finally and probably - it's not the most important, but it is really important, we have one of the best facilities in the State of Ohio and probably in the country. If we had lights, we would have the best.

Mr. Snyder: Mr. Young, the two questions I have or one, how many children are involved in this program?

Mr. Young: There's about 600. You know, and this is another thing too, at one time we had a girls' program. But the girls actually had to leave our program because we didn't have enough fields for them. We didn't have enough opportunity for them to play.

Mr. Snyder: And then when you're speaking of lighting Fields 1, 2 and 8, 8 being the furthest northern field in the facility ...

Mr. Young: Right.

Mr. Snyder: which is at the very back which is the one that the fence was moved on.

Mr. Young: Right.

Mr. Snyder: The fields 1 and 2, now the candle power that those lights would produce, would that spill out over to the mound and over onto the street where...

Mr. Young: No. I don't think it would. We would make sure, you know, Mosco, we've checked into that and the lights would be facing toward the stadium and they would be shining down. I would not anticipate any spill over on East Maple at all.

Mrs. Werren: How much do you anticipate making from the Memorial Day Tournament? Do you remember what your profit was last year?

Mrs. Kiesling: I think it was...

Mr. Young: Five or six thousand dollars.

Mrs. Kiesling: Right. My husband is on the Board and has run the tournament the last few years. We make, yeah, it's about five or six thousand.

Mr. Young: Yes, I think the biggest year we've had was about eight.

Mrs. Werren: Okay.

Mr. Young: So, that's - I mean that's about 10% of the budget.

Mr. Snyder: And these renovations of lights and the - on these three fields, the cost will be borne by the association - that's the intent?

Mr. Young: Yes. We've had donors lined up for about ten years to do it. I don't know if they're still living. But, we'll figure it out.

Mr. Snyder: Okay. Anyone else wishing to speak to us this evening?

Joe Pucci: Yes, my name is Joe Pucci. And I also live right across from the ball fields. And I guess he answered my question right there, it's not for North Canton anymore. It's for state tournaments it what sounds like. And to me it sounds like it's going to be a for profit operation over there because they want to rent the fields out and get as many people as they can over there to make money off of it. Alright. The parking is the worst because, yeah, they're parked all over the street, all over the mounds. Nobody seems to care. Okay. The City bought a lot, I take it, of a house that somebody died and purchased. I was assumed or was told it was going to be to protect the water fields. Does the City plan on putting a parking lot on that lot for more cars for all the people that are going to be coming to this field?

Mr. Snyder: That's, that, the initial plan that particular lot was purchased with water funds to protect the integrity of that water field behind there. That's true. Using it as an alternative surface parking for to support those fields is probably in the best interest of the City for the people that live there.

Mr. Pucci: Okay, now, what happened to the City a little bit ago about the City street sweepings, dumping them on Mathie's property and now we're in a big to do about removing all this stuff that's dumped down there. What happens with all these new parking lots, all these cars that are leaking oil, dirt, gas, stuff, that get washed into a storm sewer, get washed into the creek that's right there, and we have all our water wells right there. The City has to think about that with all the people coming in there. Number of fields, that's the big thing again, number of fields. There's eight fields over there, and there was only supposed to be seven. Trying to figure, parking lot and my last question, or last thing is, I can state for you, probably in my sleep, the Little League Pledge

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because I've heard it for the last how many years, and it is blaring. And I guess that's my final thing.

Mr. Snyder: Thank you, sir. Sir.

Gary Giammarco: Good evening everybody. Gary Giammarco, President of North Canton Little League. Just to refute a couple of things. If there isn't anything greater than the Little League Pledge, I don't know what it is besides the National Anthem. These are kids. Alright? It's about the kids of the community we're trying to take care of. Two: at no time do we plan on making this a for profit organization. It is strictly a nonprofit organization. We take care of those nineteen acres by raising money, sometimes it comes out of our own pockets. We do our own work. The City is not involved in anything and as Mr. Young said we pay for the water and sewer and the well that's going in there. We are not going to rent the fields out to unknown people. Walsh College wants to play intermural over there and we tell them no. So there is no idea that we're going to rent those fields out to anybody. They're for the North Canton Little League's use. And yes, we do have a Memorial Day Tournament for fund raising only, and most of those, all of those teams are Little League Teams from like Tallmadge, Cuyahoga Falls, Steubenville, Dover, and from all over. And those people come up here and spend money in this Community, because sometimes they have to come back Friday, Saturday, and Sunday, and they're (ball games) at dinnertime and they're hungry and Best Burger over there does a great business from the North Canton Little League. And so I think we bring a lot of money into this community. I could probably say some other things, but that's enough. Thank you.

Mr. Snyder: Anyone else wishing to speak to us this evening?

Lisa Pucci: Yes, one more. I might as well join my family up here. My name is Lisa Pucci. I live at 717 Briar Ave. NE in North Canton. I do not live near the ball fields. But I have a question since I've missed a lot of these meetings and I haven't heard it answered yet. How did the eighth ball field happen?

Mr. Fox: I can't say. It happened before my time. But if you look at the drawing that went with the first Lease Agreement there was a - where I guess would it - perhaps it's a seventh field, there was an open area between - if you're facing the trail, one on the far left, one on the far right and in the center was an open area that they called the practice area. And it appears that a field was placed in that practice area. I don't know when it was placed there, but perhaps when they decided to practice there, they decided that a way to practice was to actually place the field so they could actually pitch and hit and so forth. So the eighth field did not expand the area of the Lease, it simply placed another field in the same area that was open.

Ms. Pucci: But legally they didn't have to ask for that or get it approved, or - I mean a contract is a contract. I work with contracts ...

Mr. Fox: Right.

Ms. Pucci: and I understand that that was an agreement.

Mr. Fox: So, you would understand what your damages were then.

Ms. Pucci: I'm sorry.

Mr. Fox: Then you'd understand what the damages were then with that extra field.

Ms. Pucci: The damages?

Mr. Fox: Right.

Ms. Pucci: No. I don't know what you mean. I'm sorry.

Mr. Fox: Well, well, you're arguing there's some harm with that additional field.

Ms. Pucci: Well, I mean as a contract. There was an agreement ...

Mr. Fox: Right.

Ms. Pucci: for seven ...

Mr. Fox: Okay.

Ms. Pucci: and now we've got eight. It doesn't matter whether ...

Mr. Fox: Right.

Ms. Pucci: the land shrinks or larges - or gets larger...

Mr. Fox: Right.

Ms. Pucci: It's - the Agreement originally was there would be seven.

Mr. Fox: Right.

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Ms. Pucci: My other question – my other concern, just as a human being, is there was an agreement that people trusted that was being made about the lights. And those people, some of those people are still there. And that's my concern is if all those people were gone that were originally there and you wanted to change it for the economy or the Little League, you know, that's fine, but you're effecting people that, like people said, are older, that don't necessarily pay attention to the newspaper, don't know about it, and it's not really fair to them to have something change that was originally agreed to by the people. And now it's being changed and they're still there and they're being affected by it. And if you could go and ask each one of them do they – would they rather have the lights, or not have the lights, maybe they would vote to it and say yes. But I just think that it's - when there is an agreement made, it should be continued and it should not be changed because somebody just wants to change it. There has to be a legal standing that you agree to it and you keep it in context.

Mr. Fox: Right and I think that's why we're having ...

Ms. Pucci: I'm rambling because I wasn't prepared to speak. I just was wondering – No. 1: where did the eighth field come from; and, No. 2: there was an original agreement, no lights. Can we please keep the no lights? I think that there's a long enough daytime - time of daylight that they could play. And the parking, the other thing is I like to walk and go to the walking trails I can't get a parking space. If I want to drive from my home all the way over to walk through the walking trails because there is no place to park because of the ballgames. So thank you very much for listening.

Mr. Snyder: Thank you very much.

Mr. Fox: And I think that you had stated that you work with contracts, I imagine that you understand sometimes they contemplate changes in the future and indeed that's why they have amendments and that is simply why we're asking to have the public meeting. I'm a resident over there. I live just a couple of houses down from Mike Sahadi and I face the same thing. But I think that's absolutely the purpose is to make the people aware of what they're proposing to amend this contract and ask for feedback. And that's why we ask for everyone to show up this evening in support or to raise their concerns with the Little League. And I'm - it appears that they absolutely did.

Ms. Pucci: Okay. Thank you.

Mr. Fox: Thanks.

Mr. Snyder: Thank you. Anyone else wishing to speak? Okay, seeing none, we'll move to Old Business. May I have a motion to read by title only, the third reading of Ordinance No. 105-12?

Old Business:

9. Mrs. Kiesling moved and Mr. Cerreta seconded to **read by title only, third reading of Ordinance No.105-12.** All members present voting:
Yes: Kiesling, Peters, Snyder, Werren, Cerreta, Foltz, Griffith
No: 0

Ordinance No. 105-12 – 3rd Reading – Community & Economic Development

An ordinance amending Ordinance No. 50-03, Zoning Ordinance of the City of North Canton, to change the zoning district of the premises situated on the rear part of Parcel No. 9208743 on Applegrove Street NW and located in the City of North Canton from R-2F, Two Family District, to R-70, Single Family District.

Mr. Snyder: Chairman Kiesling.

Mrs. Kiesling: Yes. This is our third and final reading of an agreed upon zoning amendment. I am so excited. It took us like what, almost ten years I think, but I just - Any questions, concerns? I motion we adopt.

Mrs. Kiesling moved and Mr. Foltz seconded to **adopt the third reading of Ordinance No. 105-02.** All members present voting:
Yes: Peters, Snyder, Werren, Cerreta, Foltz, Griffith, Kiesling
No: 0

10. Mr. Snyder: May I have a motion and second to read by title only, third reading of Ordinance No. 106-12.

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Mrs. Kiesling moved and Mr. Peters seconded to read by title only, third reading of Ordinance No. 106-12. All members present voting: Yes: Peters, Snyder, Werren, Cerreta, Foltz, Griffith, Kiesling No: 0

Ordinance No. 106-12 - 3rd Reading - Community & Economic Development

An ordinance amending Ordinance No. 50-03, Zoning Ordinance of the City of North Canton, to change the zoning district of the premises situated at 234-236 West Maple Street and known as Parcel No. 9200578 and located in the City of North Canton from GB-A, General Business District to R-2F, Two Family District.

Mrs. Kiesling: Yes. This one is a little simpler on West Maple. Any questions or concerns? I motion we adopt.

Mrs. Kiesling moved and Mr. Peters seconded to adopt the third reading of Ordinance No. 106-12. All members present voting: Yes: Snyder, Werren, Cerreta, Foltz, Griffith, Kiesling, Peters No: 0

- 11. Mr. Snyder: May I have a motion and second to read by title only, third reading of Ordinance No. 107-12?

Mrs. Kiesling moved and Mr. Peters seconded to read by title only, third reading of Ordinance No. 107-12. All members present voting: Yes: Werren, Cerreta, Foltz, Griffith, Kiesling, Peters, Snyder No: 0

Ordinance No. 107-12 - 3rd Reading - Community & Economic Development

An ordinance amending Ordinance No. 50-03, Zoning Ordinance of the City of North Canton, to change the zoning district of the premises situated with frontage on Applegrove Street NW and known as Parcel No. 9208717 and located in the City of North Canton from R-2F, Two Family District, to GB-A, General Business District.

Mr. Snyder: Chairman Kiesling.

Mrs. Kiesling: Third reading. This makes GB-A contiguous, there on Applegrove and something we've worked on for a little bit as well. So, I motion we adopt.

Mrs. Kiesling moved and Mr. Peters seconded to adopt third reading of Ordinance No. 107-12. All members present voting: Yes: Cerreta, Foltz, Griffith, Kiesling, Peters, Snyder, Werren No: 0

New Business:

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

Mrs. Kiesling moved and Mrs. Werren seconded to read by title only, first reading of Ordinance No. 1-13. All members present voting: Yes: Foltz, Griffith, Kiesling, Peters, Snyder, Werren, Cerreta No: 0

Ordinance No. 1-13 - 1st Reading - Water, Sewer & Rubbish

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 for the collection of residential garbage, rubbish, recyclables, and yard waste in the City of North Canton for a three (3) year period commencing July 1, 2013 and terminating June 30, 2016, and declaring the same to be an emergency.

Mr. Snyder: Chairman Cerreta

Mr. Cerreta: Yes, this is to open up bids for our rubbish for our Director of Administration to accept bids. And because of the short date, I'd like to put it on an emergency clause. So, I'd like to move to approve this.

Mr. Cerreta moved and Mr. Peters seconded to adopt the first reading of Ordinance No. 1-13 under an emergency clause. All members present voting: Yes: Griffith, Kiesling, Peters, Snyder, Werren, Cerreta, Foltz No: 0

Mr. Snyder: As so stated, time is of the essence, may I suspend the rules of council for Ordinance No. 2-13.

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Mr. Foltz moved and Mrs. Kiesling seconded to **suspend the rules** for Ordinance No. 2-13.

All members present voting:

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

No: 0

Mr. Snyder: May I have a motion to adopt under suspension of the rules Ordinance No. 1-13?

Mrs. Kiesling moved and Mr. Cerreta seconded to **adopt under suspension of the rules** Ordinance No. 1-13. All members present voting:

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

No: 0

13. Mr. Snyder: May I have a motion to read by title only the first reading of Ordinance No. 2-13?

Mr. Griffith moved and Mr. Peters seconded to **read by title only the first reading** of Ordinance No. 2-13. All members present voting:

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

No: 0

Ordinance No. 2-13 – 1st Reading – Water, Sewer & Rubbish

An ordinance amending Section 3. of Ordinance No.18-12, Rosewood Circle Sanitary and Street Project (from Westview to the cul de sac), by an increase in the amount of the allocations for the project, at a total cost not to exceed \$351,784, and declaring the same to be an emergency.

Mr. Snyder: Chairman Cerreta

Mr. Cerreta: Yes. We had some issues there with some soil. So we did run over some costs on that so we'd like to increase the allocation. And again this is a time is of the essence to get this project finished, so I'd like to put it on emergency. So I move that we approve this Ordinance 2-13, first reading or an emergency with it.

Mr. Cerreta moved and Mrs. Werren seconded to **adopt the first reading** of Ordinance No. 2-13.

All members present voting:

Mrs. Werren: Yes.

Mr. Cerreta: Yes.

Mr. Foltz: We're just voting on first reading, correct?

Mr. Peters: No, this is 2-13, right?

Mr. Snyder: You're talking on the ...

Mr. Peters: Is this 2-13?

Mrs. Kalpac: Yes.

Mr. Peters: 2-13

Mrs. Kiesling: 2-13

Yes: Foltz, Griffith, Kiesling, Peters, Snyder

No: 0

Mr. Snyder: May we suspend the rules of council for Ordinance No. 2-13?

Mrs. Werren moved and Mrs. Kiesling seconded to **suspend the rules** for Ordinance No. 2-13. All members present voting:

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

No: 0

Mrs. Snyder: May I adopt under suspension of the rules, Ordinance No. 2-13?

Mrs. Kiesling moved and Mr. Cerreta seconded to **adopt under suspension of the rules** Ordinance No 2-13. All members present voting:

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

No: 0

14. Mr. Snyder: May we have a motion and second to read by title only, first reading of Ordinance No. 3-13?

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Mrs. Werren moved and Mr. Peters seconded to read by title only, first reading of Ordinance No. 3-13. All members present voting:

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

No: 0

Ordinance No. 3-13 – 1st Reading – Finance & Property

An ordinance amending Ordinance No. 70-12, thereby authorizing the Director of Administration ("Director") of the City of North Canton to advertise a request for proposals according to specifications now on file in the office of the Director, and for the Mayor of the City of North Canton to be authorized, through the Board of Control, to enter into a proposed lease or purchase agreement for the installation and lease or 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: We originally were going out to bid for this particular phone system here in this building and throughout the City. And, when the Director of Administration further reviewed, found that there are many things available in the community in data and digital communications that were sorely lacking in the particular bid specifications. Hence, requested that we amend the Ordinance which would allow him to send out requests for bids with his actual specifications developed by himself and his staff and other integral department heads in the Administration determining what they would like to have in this system. And consequently - so we're going to - it's not changing the actual dollar value of the original 2012 budget item, but it would just give them more latitude to develop a system that would be a little more in line with what their particular needs would be.

Mr. Cerreta: Jeff.

Mr. Peters: Yes, if I could request something.

Mr. Snyder: Sure.

Mr. Peters: And that's okay, I'm not opposed to putting that out for bid. Can we have at least two readings on this?

Mr. Snyder: We absolutely can.

Mr. Peters: And forego the..

Mr. Snyder: Absolutely, absolutely.

Mr. Griffith: We're going to approve whatever comes back as the RFP (Request for Proposal). You're going to come back and say what makes the most sense.

Mr. Snyder: You would approve the ability of the Mayor to enter into contract to purchase the equipment, right?

Mr. Peters: Right.

Mr. Griffith: After you guys approve everything.

Mr. Snyder: After they determine what they want to purchase.

Mr. Griffith: Right. Which I think is ..

Mr. Peters: Yeah, but I'd just like to have like an extra week on it.

Mr. Snyder: Absolutely.

Mr. Peters: Because I think we're going to have some concurrent discussions that pertain to that. So...

Mr. Snyder: No problem. Absolutely. So in other words, you to pass the first reading and then the second reading if it is something you so desire to pass on emergency. Okay, that's fine, no problem. Any other questions? May I have a motion to adopt the first reading of Ordinance No. 3-13?

Mrs. Kiesling moved and Mr. Peters seconded to adopt the first reading of Ordinance No. 3-13. All members present voting:

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

No: 0

15. Mr. Snyder: May I have a motion to read by title only, first reading of Ordinance No. 4-13?

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Mr. Griffith moved and Mr. Peters seconded to read by title only, first reading of ordinance No. 4-13. All members present voting:

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

No: 0

Ordinance No. 4-13 – 1st Reading – Finance & Property

An ordinance authorizing the Mayor of the City of North Canton ("Mayor") to submit a Participation Agreement and request authority for the City of North Canton to participate in the Ohio Department of Transportation's ("ODOT") contract for the purchase of sodium chloride (rock salt) for the 2013-2014 winter season, and declaring the same to be an emergency.

Mr. Snyder: We historically purchase salt through the ODOT (Ohio Department of Transportation) system. We've done that for several years except one year we did miss it, hence the timeliness and the emergency exists that we're out there in plenty of time to get the bid in for the 2014 season. We've built a new salt bin as you know, so we're able to purchase more salt and store it; and purchased it a very favorable price. So normally, we unfortunately once waited too late and were unable to buy it. There is only so much salt to purchase, so we want to be right at the front of the line when they call for it's time to eat. So, that's what we want to do. So there'd be no questions, may I have a..

Mrs. Kiesling: Time to eat?

Mr. Peters: Yeah.

Mr. Snyder: Well, it's time to get there and get called if we want to be first in line. Everybody shows up to eat.

Mrs. Kiesling: That woke me up, I haven't had dinner yet. So I like it.

Mr. Snyder: So, may I have a motion to adopt the first reading of Ordinance No. 4-13?

Mr. Griffith moved and Mr. Peters seconded to **adopt the first reading** of Ordinance No. 4-13. All members present voting:

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

No: 0

Mr. Snyder: May we have, as time is of the essence, may we suspend the rules of council for Ordinance No. 4-13?

Mr. Griffith moved and Mr. Peters seconded to **suspend the rules** for Ordinance No. 4-13. All members present voting:

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

No: 0

Mr. Snyder: Coming on this next ordinance ...

Mr. Cerreta: Yeah, I'd like to make a comment about that.

Mr. Snyder: Please, go ahead.

Mr. Cerreta: I think maybe we should table that because there has been some confusion and some issues.

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

Mr. Fox: We still have to adopt...

Mr. Snyder: I've got to adopt the ordinance.

Mr. Fox: Adopt under suspension.

Mr. Snyder: Under suspension. I need a motion to adopt under the rules – suspension of the rules of council Ordinance No. 4-13.

Mr. Griffith moved and Mr. Peters seconded to **adopt under suspension of the rules** Ordinance No. 4-13. All members present voting:

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

No: 0

16. **Ordinance No. 5-13 – 1st Reading – Finance & Property**

An ordinance authorizing the Mayor of the City of North Canton to enter into a Second Addendum to the Lease by and between the City of North Canton ("Lessor") and the North Canton Little League ("Lessee"), executed on December 26, 1998, and the Addendum to the Lease executed on June 28, 2010, to permit lighting only on the most northeastern field, as indicated by the crosshatched field displayed on the Exhibit to the Second Addendum, and security lighting to the concession stand and declaring the same to be an emergency.

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Mr. Snyder: Now go ahead, Mr. Cerreta. Relative to the ordinance, you wanted – you had a comment.

Mr. Cerreta: Actually I didn't mean to interrupt. Sorry.

Mr. Snyder: No. That's the problem. Originally this ordinance was reading - there's a couple of things missing from it. We should put it back through the Committee next week.

Mr. Cerreta: Let's talk about it next week.

Mr. Snyder: Right, because there's additional two fields involved. There is a situation where the lease needs to be amended to allow for the eighth field that has already been placed there. So - and secondly, I think what we do need is some type of either some literature or somebody from that lighting firm to be here to advise us as to the lumen power of those lights, because if you're thinking about lighting those front fields, it will spread a lot of light onto the road. And I don't know – we'll have to make sure of that. So consequently we'd better get a hold of those people and find out that we'll have a little more input into it.

Mr. Foltz: Yes, I concur. I respect the residents' opinions. I think Little League is a great organization and my children went through it. So I think we owe it to not even pass this on emergency. We owe it to ...

Mr. Snyder: That's right. That's...

Mr. Foltz: to look at all the necessary criteria involved here. Yeah, cause Field 8 is a lot different than 1 and 2.

Mr. Snyder: Maybe the answer is light the one back field and see how it develops and....

Mr. Cerreta: And I think, as you discussed President Snyder, I think we do, we're going to do it this year, in my opinion, we have to do something with the parking. That's not involved with this but it is because if this is favorable for lights you are going to create more accessibility for the fields to be used and we don't want them all over the neighborhoods. And it was in the original lease to have no lights. That's a true statement. I think Mrs. Pucci did her homework on this and I respect her opinion. I respect all the residents' opinions. But I think we owe it to look at every, you know, all the situations out there, including the extra field that somehow got approved. If Musco can come out and show us the light standards, where the light's going to go, how it's going to effect. They could probably do something with portable lights to show is it really going to effect the residents? And we also should think about putting in how often the lights can be used if it is invariably approved by this Council. It's not a situation that, I think, if it is approved – if it is approved, that we should have the lights on every night. I don't think - I think you can get carried away with the intent of what you're allowing to happen there. So, those are points for discussion, I welcome to come back to committee.

Mr. Snyder: Well we can – we have some time. We can go at this very gingerly. And I'm sure the people in the Little League as well as the neighbors, there's some medium there that they can reach that will satisfy everybody and put us in ...inaudible... So, we're going to put this on – we're not even going to read it. So we'll just bring it back to Committee next week.

Mr. Griffith: Is there a way that we can hear from the Chief about the parking enforcement or what's there? I mean there's ...

Mr. Snyder: Well, I think that the problem is just that we have the physical capability and capacity, it's just not in a practical approach. The lots there, but unfortunately people can't use it because it's not graded too well.

Mrs. Kiesling: Oh, we use it. Oh, it gets used. It's just not effectively.

Mr. Snyder: Well effective

Mrs. Kiesling: Because it's – people park all different ways ...

Mr. Snyder: Effective because the way ...

Mrs. Kiesling: and it's crazy.

Mr. Snyder: So we need to, and I think Mr. Foltz is going to ...

Mr. Foltz: Use that lot now. We need to get a contractor to look at it. We have soil, water conservation situations where we create too much of a hard surface we're going to have to provide our own detention facility on site. That's just the way this works. So we have to see what we can

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do intelligently, with how much money. I mean I'm not out to spend \$300,000 to do this. You know we have other needs.

Mr. Snyder: And you're going to look into this in the next week?

Mr. Foltz: But we have to address the parking issues.

Mr. Cerreta: Right.

Mr. Foltz: And we need to start with a quote and see what we're up against.

Mr. Cerreta: I think that's a long time coming too ...

Mr. Foltz: Right.

Mr. Cerreta: I think there have been some complaints that even people wanting to use the trail could not park there.

Mrs. Kiesling: That's right.

Mr. Cerreta: So that additional parking is really needed over there. And it would also help these people – residents.

Mr. Snyder: Right, let's do that. Okay. Thank you very much gentlemen, ladies. I'd like to request a motion and a second to change the dates for 2013 of Council Meetings that fall on a National Holiday.

Mr. Fox: Excuse me.

Mrs. Kalpac: Excuse me, are you going to table that ordinance?

Mr. Snyder: Oh, excuse me. I never read it so I never – I never got it on the floor. So I'll just send it back to committee.

Mrs. Kalpac: Okay.

Mr. Snyder: I'd like to change the following meeting dates. On Monday, January 21st, which is a Federal Holiday, Martin Luther King, to January or to Tuesday, January 22nd, that would be next week, I believe. It will move from Monday night at 7:00 to Tuesday night at 7:00. On Monday, February 18th, which is President's Day to Tuesday, February 19th; Monday, May the 27th (I can feel those warm winds blowing already) to Tuesday, May 28, in observance of Memorial Day; and Monday, the 2nd of September to Tuesday, September 3rd, in observance of Labor Day. May I have a motion and second for that?

Mr. Griffith moved and Mr. Peters seconded to change the 2013 meeting dates as stated above.

Mr. Snyder: Clerk, please call that roll.

All members present voting:

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

No: 0

Mr. Snyder: One final note. And I apologize to Mr. Peters on that Ordinance 3-13, on the phone, I have to point out gentlemen, that is capital. That money comes from capital.

Mr. Peters: Oh, I asked that question.

Mr. Snyder: And I assumed that was what the statement – the reason why.

Mr. Peters: Yeah.

Mr. Snyder: And I apologize and must clarify that. That is a capital expenditure, so I couldn't transfer that to General Fund.

Mr. Peters: Yeah, I got you.

Mr. Snyder: But I appreciate that.

Mr. Peters: Okay.

Reports – Council:

Mr. Snyder: So we'll continue to read it accordingly so you understand that though. Thank you. Reports, Mr. Foltz?

Mr. Foltz: No report.

Mr. Snyder: Mr. Peters.

Mr. Peters: No report.

Mr. Snyder: Mrs. Werren.

Mrs. Werren: No report.

RECORD OF PROCEEDINGS

Minutes of

COUNCIL OF THE CITY OF NORTH CANTON

REGULAR

Meeting

DAYTON LEGAL BLANK, INC., FORM NO. 10148

Held Monday, January 14 7:00 p.m. 20 13

Mr. Snyder: Mr. Griffith.
Mr. Griffith: No report.

Mr. Snyder: Mr. Cerreta.
Mr. Cerreta: No report.

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

Reports:

Mr. Snyder: No report, I appreciate it. Mr. Fox.

Mr. Fox: Yes, continued success on the income tax returns. In the last two weeks, with simply just three accounts, we've brought in more than \$10,000. So we're working well with those. We're going to bring back as well the ones that are out to collection agencies for refuse. There's no sense in giving up a third of what we collect on those. We can do those in house. And the same with the ones that are out there for EMS. Also, note that two of our bargaining units have requested to open up the agreements for wages only, which they had that right. That's with the finance specialist as well as services. And so we'll be negotiating those two in January, and I believe they come into effect later in the summer. So a couple of things to consider going into the new year.

Mr. Snyder: We appreciate your diligence and your good work in that matter. I know the girls in finance speak highly of your work and we appreciate that.
Mr. Fox: Thank you.

Mr. Snyder: You're a great asset to our full-time staff, and we appreciate you very much.
Mr. Fox: Thank you, sir.

Mr. Snyder: Director Alger:

Mrs. Alger: I want to reiterate that. I appreciate Director Fox getting the collections in-house now, it will save us money, but also he answers our questions immediately and deals with the problems. So I thank him. And I also, on the record, thank our Tax Administrator, Gale Bruce. Also I'd like to -- you've probably seen on the website, we are now taking water, utilities and tax online, payments. Hopefully next it will be something in the courts and so ...

Mr. Snyder: Director Grimes:

Mr. Grimes: Just remind folks that are on the Board of Control, there is a Board of Control Meeting after Council ends here. Also, we've had some questions and I noticed there were some on some media sites about North Main Street. That project has buttoned up for the winter and I think Engineer Benekos' middle lane really helped traffic up there and better than I thought it would. But we do have some questions about the traffic lights. And they are on time. They do not have the signal detection yet, that will come as soon as spring comes. Also, the poles up there, if you notice that some of the poles haven't been placed and the mast arms, so all that's to come, and we will synchronize those lights so they will work correctly. And also two other places that we're going to look at is Maple and Hillcrest and also Charlotte Street and Hillcrest, just to see if we need some detection signals there. We'll do that in the springtime too. I think we need the lights because that is bus travel that goes through there, but maybe to help traffic along, we'll take a look at that. That's all, sir.

Mr. Snyder: Thanks. Mr. Mayor.

Mayor Held: Yes, I'd like to thank the Council for having NOPEC come up this evening. I think that regardless of whatever decision the City decides to make in that area, I think it just demonstrates that we're always looking for ways to bring better service and more cost effectiveness to the residents of to the City. So I appreciate you for giving us their time. That's all I have.

Mr. Snyder: Thank you Mr. Mayor. Mr. Engineer
Mr. Engineer: No report

Mr. Snyder: Director of Administrative Services.

Mr. Bartos: Two quick things. On the RFP (Request for Proposals) issue, I was just through the Civic Center today with Engineer Benekos and it's moving along smoothly, but one of the things that we didn't think of when we were originally preparing the plan for the RFP was actually we're not going to have the Permits and Engineering Building. It's going to be the Civic Center. So we're meeting on Wednesday with Director Fox, Director Alger, Director Grime, Engineer Benekos and myself are going to meet with the - Mr. Amos, who's the consultant on that. We're going to actually

RECORD OF PROCEEDINGS

Minutes of

COUNCIL OF THE CITY OF NORTH CANTON

REGULAR

Meeting

DAYTON LEGAL BLANK INC. FORM NO. 10148

Held

Monday, January 14

7:00 p.m.

20¹³

retool that to factor in the fact that we are no longer going to be in that building, but we're going to have additional need of the Civic Center. So that's coming up here. And also for the Drinking Water Plant chemicals, we just got the new contracts done. I thank Mr. Fox, our Law - Director of Law Fox for helping me out with that. We drafted some new updated contracts that will not only help us with our Drinking Water Plant chemical bids, but also they can also be used as forms for any other contracts that the City enters into. So I thank him for helping me with that. And so you know on the prices, we have four chemicals at our Drinking Water Plant: lime, carbon dioxide, sodium hypo-chloride, and bulk soda ash. The lime and the carbon dioxide went up slightly. But the sodium hypo-chloride and soda ash went down. And also the soda ash, which is our highest price per unit, we buy that by the ton that went down by almost \$20. So that was a significant decrease. And we have those prices locked in for two years now when before we only had it for a year. So that's some good news there.

Mr. Snyder: You know Bill, if you have some time, it would behoove, I think the Council would appreciate if you would ask Superintendent Steinhebel the effects of that savings on our per cost 100,000 -- or 100,000 gallons because that makes a significant difference in our profit margin. I mean we were operating at about, at one time, about eighty-two (82) cents, we were down to sixty-seven (67) and this brings us -- and especially with our deals with Aqua where we -- where our spreads are based upon those profits. And...

Mr. Bartos: And he, Superintendent Steinhebel, deserves a lot of credit as well because he was the one who saw where the market was at. Saw that it was stable enough where we could get solid bids for two (2) years. Some people feared oh well are people even going to put in bids for two (2) years because when the stock -- when the market went down nobody wanted to put in a two (2) year bid, year bids were safer. But now that everything's kind of more stable, it was a good time to put in for two (2) years and now we've got those prices locked in for two (2) years instead of just one.

Mr. Snyder: He's extremely diligent that way.
Mr. Bartos: Yes.

Mr. Snyder: But if you'd ask him that I'd appreciate it maybe you can get that price for us.
Mr. Bartos: Yes I will.

FINAL CALL FOR NEW BUSINESS:

Mr. Snyder: Thank you. Clerk any comments?
Mrs. Kalpac: No thank you.

Mr. Snyder: You've been very quiet tonight. We appreciate your fortitude and staying the night.
Mrs. Kalpac: Thank you.

Mr. Fox: Great job.
Mr. Snyder: You've been here since what, 7:00?

Mrs. Kalpac: 6:40.

Mr. Snyder: Do you need a map how to get home?
Mrs. Kalpac: No.

Mr. Snyder: Oh, you're alright.
Mr. Foltz: This is like the old meetings.

ADJOURN:

Mr. Snyder: I don't know there is anything else that I have. As so stated we won't be here next Monday night. We will be here next Tuesday night. We'll have an executive session first and then our Council of the Whole, in which we will somehow try to get some people here to talk about those lights and a couple other things. And anything else to come before the body? If not, I'll entertain a motion to adjourn.

Mr. Foltz moved and Mrs. Werren seconded to adjourn the council meeting. All members present voting:
Yes: Foltz, Griffith, Kiesling, Peters, Snyder, Werren, Cerreta.
No: 0

The council meeting adjourned at 8:54 p.m.

PRESIDENT OF COUNCIL

ATTEST:

CLERK OF COUNCIL

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RECORD OF PROCEEDINGS

Minutes of

COUNCIL OF THE CITY OF NORTH CANTON

SPECIAL

Meeting

DAYTON LEGAL BLANK, INC., FORM NO. 10148

Held

Monday, January 22

20

12

Call to Order:

- 1. The special council meeting was called to order Tuesday, January 22, 2013 immediately following the Committee of the Whole Meeting at 8:03 p.m. by President of Council Jon Snyder.

Roll Call:

- 2. Mr. Snyder: Pursuant to a request from the President of Council, this meeting was called to consider Ordinance No. 6-13. Roll call, please.

The following members of council responded to roll call for the special meeting: Griffith, Kiesling, Peters, Snyder, Werren, Cerreta, and Foltz.

Also present were: Mayor Held, Director of Administration Grimes, Director of Law Fox, Director of Finance Alger, City Engineer Benekos, Director of Permits & Development Bowles, Director of Administrative Services Bartos, and Clerk of Council Kalpac.

- 3. Mr. Snyder: May I have a motion and second to read by title only, excuse me -- to waive the rules of council requiring a committee report for Ordinance 6-13.

Mrs. Kiesling moved and Mr. Peters to waive the rules of council requiring a committee report for Ordinance No. 6-13. All members present voting:
Yes: Kiesling, Peters, Snyder, Werren, Cerreta, Foltz, Griffith.
No: 0

Mr. Snyder: Do amend this prior to the reading?

Mrs. Kalpac: Yes.

Mr. Fox: Right. I think that's what we want to do is amend here.

Mr. Snyder: Then I need a motion and a second to amend the genesis of this to not to exceed \$1,000.

Mr. Foltz moved and Mr. Peters seconded to **amend Ordinance No. 6-13 to change the dollar amount from \$5,000 to \$1,000.** All members present voting:
Yes: Peters, Snyder, Werren, Cerreta, Foltz, Griffith, Kiesling
No: 0

Mr. Snyder: May I have a motion and second to read by title only, first reading of Ordinance No. 6-13?

Mr. Foltz: As amended.

Mr. Snyder: As amended, thank you.

Mr. Peters moved and Mr. Cerreta seconded to read by **title only, first reading, as amended** of Ordinance No. 6-13 as amended. All members present voting:

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

No: 0

Ordinance No. 6-13 – 1st Reading – Finance & Property Committee

An ordinance authorizing the Mayor of the City of North Canton, pursuant to Section 9.15 of the Revised Code, to enter into a contract to cover the burial or cremation expense of a body of a person who had a legal residence in the City of North Canton at the time of his death, at a cost not to exceed \$1,000, and declaring the same to be an emergency.

Mr. Snyder: As we spoke earlier in the committee, we're bound by Ohio Revised Code to properly inter this body. And it's fallen upon us to do it. And fortunately, with some good work of our Law Director, we found somebody to do it at a significantly reasonable amount of money and we'll get this done and hopefully passed, and notify the coroner and we can pay the respects to the citizen that we need to pay. Any questions? If not, may I have a motion to adopt the first reading of Ordinance No. 6-13?

Mrs. Kiesling moved and Mr. Cerreta seconded to **adopt the first reading, as amended,** of Ordinance No. 6-13. All members present voting:

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

No: 0

Mr. Snyder: As an emergency exists for the health and welfare of the community, may we suspend the rules of council for Ordinance 6-13?

Mr. Foltz moved and Mr. Cerreta seconded to **suspend the rules, as amended,** for Ordinance No. 6-13. All members present voting:

RECORD OF PROCEEDINGS
COUNCIL OF THE CITY OF NORTH CANTON SPECIAL

Minutes of

Meeting

DAYTON LEGAL BLANK, INC., FORM NO. 10146

Held Monday, January 22 20 12

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

Mr. Snyder: May we adopt under the suspension of the rules Ordinance No. 6-13?

Mr. Griffith moved and Mrs. Kiesling seconded to **adopt under suspension of the rules, as amended**, Ordinance No. 6-13. All members present voting:

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

Adjourn:

4. Mr. Snyder: There being under council rules, no other business to be conducted, I'll move for a motion to adjourn.

Mrs. Werren moved and Mr. Cerreta seconded to adjourn the special council meeting. All members present voting:

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

The special council meeting adjourned at 8:06 p.m.

PRESIDENT OF COUNCIL

ATTEST:

CLERK OF COUNCIL

1/24/13-bkp

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City of North Canton, Ohio

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EXECUTIVE SESSION MEETING MINUTES

The Personnel & Safety Committee of North Canton City Council met Monday, January 14, 2013 in the Council Chambers at North Canton City Hall.

Present for the meeting were: Chairperson Peters, Vice Chairman Snyder, Member Cerreta, Council Members Foltz, Griffith, Kiesling (arrived shortly after the start of the meeting) and Werren.

Also present were: Mayor Held, Director of Administration Grimes, Director of Law Fox, Director of Finance Alger and Fire/EMS Chief Bacon.

Upon a roll call vote of Council, all present moved into an executive session at 5:45 p.m. for the purpose of discussing personnel matters pertaining to the employment of a public employee. Subsequent to the discussion, the executive session adjourned at 7:05 p.m.

Respectfully submitted,

Jeff Peters, Chairman

Jon Snyder, Vice Chairman

Mark Cerreta, Member

1/15/13-gmk

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City of North Canton, Ohio

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EXECUTIVE SESSION MEETING MINUTES

The Personnel & Safety Committee of North Canton City Council met Tuesday, January 22, 2013 in the Council Chambers at North Canton City Hall.

Present for the meeting were: Chairperson Peters, Vice Chairman Snyder, Member Cerreta, Council Members Foltz, Griffith, Kiesling and Werren (arrived shortly after the start of the meeting).

Also present were: Mayor Held, Director of Administration Grimes, Director of Law Fox, and Director of Finance Alger.

Upon a roll call vote of Council, all present moved into an executive session at 6:30 p.m. for the purpose of discussing personnel matters pertaining to the employment of a public employee. Subsequent to the discussion, the executive session adjourned at 7:24 p.m.

Respectfully submitted,

Jeff Peters, Chairman

Jon Snyder, Vice Chairman

Mark Cerreta, Member

1/23/13-gmk



City of North Canton, Ohio

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FINANCE & PROPERTY COMMITTEE MEETING MINUTES

The Finance & Property Committee of North Canton City Council met as part of the Committee of the Whole Tuesday, January 22, 2013 in the Council Chambers at North Canton City Hall.

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

Also present were: Mayor Held, Director of Administration Grimes, Director of Law Fox, Director of Finance Alger, City Engineer Benekos, Director of Permits & Development Bowles, Director of Administrative Services Bartos, and Clerk of Council Kalpac.

Items discussed:

- a. Financial Statement – December, 2012: The Financial Statement was reviewed and will be placed on the January 28, 2013 council agenda for formal approval.
- b. Mayor's Court Receipts – December, 2012: The Mayor's Court Receipts were reviewed and will be placed on the January 28, 2013 council agenda for formal approval.
- c. Discussion - Second Addendum to the Little League Lease Agreement: Item was discussed and will be placed on the February 4, 2013 Committee of the Whole agenda for further consideration.
- d. 2013 Appropriation Budget: The Committee authorized legislation, to make appropriations for current expenses and other expenditures of the City of North Canton, Ohio, for the period beginning January 1, 2013 and ending December 31, 2013.

Legislation to contain an emergency clause.

- e. Burial/Cremation Contract: The Committee authorized legislation, authorizing the Mayor, pursuant to Section 9.15 of the Revised Code, to enter into a contract to cover the burial or cremation expense of a body of a person who had a legal residence in the City of North Canton at the time of his death, at a cost not exceed \$1,000.

Legislation to be considered at a special meeting held this date, will contain an emergency clause, and is subject to waiving the rules of council requiring a committee report.

Respectfully submitted,

Jon Snyder, Chairman

Marcia Kiesling, Vice Chairperson

Dan Griffith, Member

1/23/13-gmk

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

RECORD OF ORDINANCES

Dayton Legal Blank, Inc.

Form No. 30043

Ordinance No. _____ Passed _____ 20__

1/23/13-gmk
(Finance & Property)

Ordinance No. 7-13

An ordinance to make appropriations for current expenses and other expenditures of the City of North Canton, Ohio, for the period beginning January 1, 2013 and ending December 31, 2013 and declaring the same to be an emergency.

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

- Section 1: That in order to provide for the current expenses and other expenditures of the City of North Canton, Ohio, during the period beginning January 1, 2013 and ending December 31, 2013, the following sums attached hereto and incorporated herein as "Attachment A", be, and they are hereby set aside and appropriated.
- Section 2. That new equipment purchases for the various departments, with the exception of the general trust fund, shall be limited to and shall be per "Appendix A" attached hereto.
- Section 3. That the Director of Finance is hereby authorized to draw warrants for payments from any of the appropriations incorporated herein as "Attachment A" upon receiving proper certificates and vouchers therefore, approved by the proper department head and the Mayor or Director of Administration for the Safety and Service Divisions, approved by the Director of Law and President of Council for the Department of Law; and approved by the President of Council or Clerk of Council for the Council Department; and approved by the Director of Finance, or by an ordinance or resolution of Council to make the expenditures; provided that no warrants shall be drawn or paid for salaries or wages except the persons employed by authority of and in accordance with law or ordinance. Provided further, that the appropriations for contingencies can only be expended upon approval of a two-thirds vote of council for items of expense constituting a legal obligation against the City and for the purposes other than those covered by other specific appropriations herein made.
- Section 4. That the Director of Finance, be, and is hereby authorized and directed to make the necessary intra-fund account transfers upon receipt of a written request signed by the Mayor and approved by the Finance & Property Committee of North Canton City Council.
- Section 5. That the Director of Finance, be, and is hereby authorized to transfer the following amounts to provide for the current expenses and expenditures for the City of North Canton during the fiscal year ending December 31, 2013:

FROM	TO	AMOUNT
Income Tax Fund	Capital Improvement Fund	\$ 1,199,800
Income Tax Fund	Compensated Absence Fund	5,000
Income Tax Fund	General Fund	4,570,300
Hoover Dist Fund	General Fund	163,000
General Fund	Income Tax Fund	163,000
General Fund	Fire Operating Levy Fund	460,000
General Fund	EMS Operating Levy Fund	110,000
General Fund	Street, Const M&R Fund	150,000
General Fund	Compensated Absence Fund	180,000
General Fund	Capital Improvement Fund	800,000
EMS Levy Fund	Compensated Absence Fund	20,000
Fire Fund	Compensated Absence Fund	10,000
Street Const M&R Fund	Compensated Absence Fund	15,000
Water Operating Fund	Compensated Absence Fund	57,000
Water Operating Fund	Water Exp, Repl & Improve Fund	1,850,000
Sewer Operating Fund	Compensated Absence Fund	30,000

RECORD OF ORDINANCES

Dayton Legal Blank, Inc.

Form No. 30243

Ordinance No. _____ Passed _____, 20____

Section 6. That North Canton City Council authorizes the use of blanket certificates and super blanket for the sum not to exceed \$50,000 with the exception of street salt in Street Maintenance and Repair, chemicals for the Water Treatment Plant and utilities in all funds which may not exceed the appropriations per line items approved by North Canton City Council.

Section 7. That if a provision of this ordinance is or becomes illegal, invalid or unenforceable, that shall not affect the validity or enforceability of any other provision of this ordinance.

Section 8. That this ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the health, safety, and peace of the City of North Canton, Ohio, and immediately necessary for the timely appropriations for current expenses and other expenditures of the City of North Canton during the fiscal year ending December 31, 2013; wherefore, provided it receives the affirmative vote of six (6) or more members of Council elected thereto, this ordinance shall take effect and be in full force immediately upon its adoption by Council and approval by the Mayor. Otherwise, it shall take effect and be in force from and after the earliest period allowed by law.

North Canton, OH

Passed:

MAYOR

SIGNED: _____, 2013

ATTEST:

CLERK OF COUNCIL

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