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CITY OF NORTH CANTON COUNCIL OFFICE

NOTICE OF MEETINGS

*President of Council
Jon Snyder*

*Vice President of Council
Marcia Kiesling*

*Council at Large
Mark Cerreta*

*Council at Large
Dan Griffith*

*Councilman, Ward 1
Doug Foltz*

*Councilman, Ward 2
Daniel Peters*

*Councilwoman, Ward 3
Stephanie Werren*

Mrs. Stephanie Werren, Chairperson of the Ordinance, Rules & Claims Committee of North Canton City Council, has requested a meeting of said Committee Members, Council, Mayor, Director of Administration, Director of Finance, and Director of Law on Monday, October 14, 2013 at 6:50 p.m. in the Council Chambers at North Canton City Hall.

The purpose of the meeting will be to consider authorizing legislation in opposition to Issue 13 – Charter Amendment as it pertains to the Mayor's qualifications powers and duties. The meeting will be open to the public.

Council Meeting Agenda Monday, October 14, 2013 - 7:00 p.m.

1. Call to Order: 7:00 p.m.
2. Opening Prayer: Pastor Hal Oswald, St. Jacob Community Church
3. Pledge of Allegiance
4. Roll Call
5. Consideration
Council Meeting Minutes – September 30, 2013
Financial Statement – September, 2013
6. Committee Minutes
7. Presentation by Paul Beinlich – Character Counts
8. Recognition of Visitors

OLD BUSINESS:

9. **Ordinance No. 62-13 – 3rd Reading – Finance & Property**
An ordinance amending CHAPTER 191 – INCOME TAX, specifically Section 191.13 EXEMPTIONS FROM TAX, 191.18 DECLARATIONS, AND 191.22 PAYMENT OF ESTIMATED TAX, of the Codified Ordinances of the City of North Canton.

NEW BUSINESS:

10. **Ordinance No. 66-13 – 1st Reading – Finance & Property**
An ordinance authorizing the Mayor of the City of North Canton (“City”), through the Board of Control, to enter into an agreement by and between the City and the North Canton Community Improvement Corporation (“CIC”), to convey to the CIC the real property located in the City and known as parcel numbers 9280699 and 9280795, located at 220 West Maple Street and Harmon Street SW, which the City does not require for its municipal purposes, and declaring the same to be an emergency.
11. **Ordinance No. 67-13 – 1st Reading – Finance & Property**
An ordinance authorizing the supplemental appropriation of funds of the City of North Canton, Ohio, to be appropriated from the unappropriated resources of the EMS Operating Fund to the Equipment Account in the amount of \$40,000 for the current expenses during the fiscal year ending December 31, 2013.
12. **Resolution No. 68-13 – 1st Reading – Finance & Property**
Resolution accepting the amounts and rates as determined by the Budget Commission and authorizing the necessary tax levies and certifying them to the County Auditor.
13. **Ordinance No. 69-13 – 1st Reading – Finance & Property**
An ordinance authorizing the supplemental appropriation of funds of the City of North Canton, Ohio, to be appropriated from the unappropriated resources of the Permit Fee Fund to the State Building Permit Fees Account in the amount of \$1,000 for the current expenses during the fiscal year ending December 31, 2013.

REPORTS – COUNCIL:

Mark Cerreta	At Large	Doug Foltz	Ward 1
Dan Griffith	At Large	Daniel Peters	Ward 2
Marcia Kiesling	At Large	Stephanie Werren	Ward 3
		Jon Snyder	Ward 4

**Council Meeting
Agenda**

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REPORTS:

Director of Law
Mayor

Director of Finance
City Engineer

Director of Administration

FINAL CALL FOR NEW BUSINESS:

ADJOURN:

Gail M. Kalpac
Clerk of Council

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

RECORD OF PROCEEDINGS

Minutes of COUNCIL OF THE CITY OF NORTH CANTON REGULAR

Meeting

DAYTON LEGAL BLANK, INC., FORM NO. 10148

Held Monday, September 30 7:00 p.m. 20 13

CALL TO ORDER:

1. The council meeting was called to order Monday, September 30, 2013 at 7:00 p.m. by President of Council Jon Snyder.

OPENING PRAYER:

2. The opening prayer was delivered by Rev. David Warren, First Southern Baptist Church.

Mr. Snyder: Thank you Reverend. Wait one moment please. Mr. Cerreta.

Mr. Cerreta: Thank you, Jon. This past week we lost a legend in our community, Coach Don Hertler, Sr. If you're from around here, you know the legend, how much he has won. If you read in the papers, you know that he's probably the most winningest coach from these parts, and he never had a losing season in over 30 years. Coach Hertler did more than that than win football games though, he won the respect and the souls and just the heart and soul I should say, of the players, the young men he coached and their families in our community. And that field up there is probably one of the biggest gathering places of our community for one night that there is. And there's a lot of things that grow up there. He was one of the biggest parts of molding the atmosphere and the attitude of this community as you see it, because it didn't matter how big you were, it didn't matter how big the other team was, if you played the right way and practiced the right way and was ready to do what you needed to do in the right way and work as a team, you can be a winner with class, and he showed that. Don had priorities: faith, family, friends, community, and football. Those were his things that he taught to all of the students and his players. So tonight instead of a proclamation or a resolution, we as the elected body of the City of North Canton, on behalf of the entire City, would like to just have a moment of silence to honor him and his family for his dedication to our community. If you would, please.

(Moment of silence)

Mr. Cerreta: Okay. Thank you very much.

Mrs. Kiesling: Thank you, Mark.

Mr. Snyder: Thank you, Mr. Cerreta.

PLEDGE OF ALLEGIANCE:

3. All present recited the Pledge of Allegiance.

ROLL CALL:

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

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

Also present were: Mayor Held, Director of Administration Grimes, Director of Law Fox, Director of Finance Alger, City Engineer Benekos, and Clerk of Council Kalpac.

CONSIDERATION:

5. Council Meeting Minutes – September 16, 2013
Mayor's Court Receipts – August, 2013
Financial Statement – August, 2013

Mr. Snyder: At this time I'll entertain a motion and second to approve, as presented, council meeting minutes of September 16, 2013, the mayor's court receipts August 2013, and the financial statements, as presented, August 2013.

RECORD OF PROCEEDINGS

Minutes of

COUNCIL OF THE CITY OF NORTH CANTON

REGULAR

Meeting

DAYTON LEGAL BLANK, INC., FORM NO. 10148

Held

Monday, September 30

7:00 p.m.

20

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Mr. Foltz moved and Mrs. Kiesling seconded to approve, as presented, council meeting minutes, mayor's court receipts, and the financial statement, as presented. All members present voting:
 Yes: Foltz, Griffith, Kiesling, Peters, Snyder, Werren, Cerreta
 No: 0

COMMITTEE MINUTES:

6. Mr. Snyder: May we have a motion and second to approve, as presented, the following Committee Report Minutes: Community and Economic Development held 9/23/13, Finance and Property held 9/16/13, and 9/23/13 respectively.

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

Community & Economic Development Committee: Please refer to the minutes on file in the Council Office of the Community & Economic Development Committee meeting held September 23, 2013.

Finance & Property Committee: Please refer to the minutes on file in the Council Office of the Finance & Property Committee meetings held September 16 and 23, 2013.

RECOGNITION OF VISITORS:

7. Mr. Snyder: Thank you. At this time the Council will recognize anybody wishing to speak. Please step forward, state your name and address for the record.

Chuck Osborne. My name's Chuck Osborne, 307 Fairview SE, North Canton, Ohio. I would like to address last week's presentation regarding the proposed JEDD (Joint Economic Development Districts) for Cain Toyota which is, in part, the basis for entering into a mutual economic agreement with the City of Canton and the townships of Plain and Jackson, to be voted on tonight as Resolution No. 63-13. I listened intently last Monday night and took close notes as Council President Jon Snyder described the following: That Cain Motors could no longer meet their water needs with a well and that the City of North Canton was better positioned to extend a waterline some great distance to Cain Motors as opposed to the City of Canton, who would have to extend its water line from 38th Street to provide water service. Mr. Snyder also said that Cain Motors would be afforded inside water rates in spite of the fact that Cain Toyota is outside the North Canton city limits. In exchange Cain Motors would agree to the imposition of a 2% municipal income tax. Wanting to dig deeper into the facts of this situation, I was able to meet the next morning with David Cain, the owner of Cain Motors. I introduced myself to Mr. Cain and the first thing I said was, I believe you are being blackmailed and I also believe the City of North Canton is being blackmailed. Without hesitation, Mr. Cain said, I agree. What I learned next from Mr. Cain astounded me as he told me that his BMW dealership was presently a water customer of the City of North Canton and that the BMW dealership has received water from the City of North – the City through a four inch waterline for many years. I am very upset in the total misrepresentation of this entire situation at last week's council meeting. North Canton has waterlines already in place right across the street from Cain Motors and have been a North Canton water customer for years. Mr. Cain told me that when he built the BMW dealership several years earlier, he simply made a request for water services from North Canton and it was provided without delay. Mr. Cain related to me that his current request for expanded water service for his Toyota dealership has gone on for five months with numerous cost estimates from the City. Over the months of delay, he has appealed to State Representative Kirt Schuring and then to State Senator Scott Oelslager to prod North Canton into action. Three calls made to North Canton Mayor David Held for assistance were never returned. I am not sure where the idea of a JEDD was presented to Mr. Cain and the accompanying demand that income tax be imposed, but Mr. Cain knew that the Toyota dealership could not open as scheduled without

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Minutes of

COUNCIL OF THE CITY OF NORTH CANTON REGULAR

Meeting

DAYTON LEGAL BLANK, INC., FORM NO. 10145

Held	Monday, September 30	7:00 p.m.	20	13
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water service. As the weeks and months went by he asked everyone he talked to why this wasn't a simple business deal. North Canton has a product for sale and he wanted to buy it. These demands on Cain Motors are nothing more than extortion and blackmail and I hope Mr. Cain seeks legal representation. North Canton has thousands of outside water customers, are we going to let them become pawns in these games with the City of Canton and the townships of Plain and Jackson? The City of Canton is providing no service in this proposed JEDD, and yet like a mafia thug seeing easy money for the taking, they are slated to receive one third of the income tax collected for participating with Plain and Jackson townships. This is not a collaboration of governments, but a conspiracy of governments that border North Canton designed to forever end annexations by North Canton into Plain and Jackson Township. Promises of additional income tax collections from the construction of the two hotels have been made to sell this pig in a poke agreement. Hotels employ mostly minimum wage, part-time employees. Not much in the way of income taxes here. And then you want to split it three ways? Extension of water service generally brings along with it annexations which allow North Canton to expand its borders in the future. The only other benefit to North Canton in extending water service outside the City is the added revenue of the higher outside water rates that subsidize inside rates, thus keeping water rates low for inside water users. For Mr. Cain, this was never about water rates, but simply a need for more water. The offer of inside rates to an outside water user violates our long-standing water rate policy, is patently unfair to all the North Canton water customers, and undermines the financial integrity of the City's water fund. David Cain of Cain Motors has been very generous in supporting community events in North Canton and is known to many of you. I am stunned the City is treating Mr. Cain in this manner. North Canton water is enjoyed far beyond municipal boundaries. The City has spent decades putting in place this infrastructure. Do not now change course on all this City has built. The current political climate will change in the future negating catastrophic proposals such as the one now before you. Consideration of this JEDD for Cain Motors by City Council simply makes this City and all of City Council a party to extortion and blackmail. I ask that you not pass Resolution No. 63-13. It simply moves the City closer to surrendering its autonomy as well as its prospects for a successful future. Thank you.

Mr. Snyder: Anyone else wishing to speak to the Council? Please step forward, state your name and address for the record. Sir.

George Daniluk: Okay. I don't know much about the details ...

Mr. Snyder: Please state your name and address, sir, for the record.

Mr. Daniluk: Oh, George Daniluk, 502 Werstler. I don't know the details about this dilemma, but it seems we have a man who wants to grow his business while - which will benefit all, but we seem to be in a discussion about the pecking order to strip the meat from this guy's bones. John F. Kennedy might have said, ask not what this company can do for you, ask what you can do for this company. It shouldn't be that difficult. One good feature about this proposed deal compared to the previous, past proposal several years back on a joint venture, is the old deal may have been bad or unfair for a hundred years, this one being unfair for only fifty years. Thank you.

Mr. Snyder: Anyone else wishing to speak? Please step forward, state your name and address for the record.

Melanie Roll: 310 Portage Street. I want to speak to the JEDD agreement. I was not here last week. If - and I know that it can't be discussed at this time, but before you vote would you please give an explanation of how one-third of the income tax will be a better benefit than losing the additional water rates from outside versus inside? It seems to be revenue that you want to generate, and I don't see how one can offset the income tax, I believe, goes to the general fund and the water rates of course to the enterprise fund. Thank you.

Mr. Snyder: Thank you ma'am. Anyone else wishing to speak?

Rod Covey: Yeah, I had some prepared remarks...

Mr. Snyder: Name and address, sir, for the record.

RECORD OF PROCEEDINGS

Minutes of COUNCIL OF THE CITY OF NORTH CANTON REGULAR

Meeting

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

Held	Monday, September 30	7:00 p.m.	20	13
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Mr. Covey: Excuse me. 35 Auburn Ave. SE, North Canton 44709. I had some prepared remarks, but I think the government shut down six hours early on me. I was just ready to leave and I hit the printer and the printer came out el-blacko, el-nothingo. So, I'm going to wing it, if I may just from memory. I'll stumble around. But I'd like to say a few things about economic development, which is so important to this community and always has been and always will be. But, it's very, very it's very complex at times and we have to be first - very careful about the businesses that are here. If a small shop needs help of any sort, we should jump on that right away. And there are other ways we can help people who are here stay here. One experience I had was that I ran an advertising/PR marketing agency for 38 years in Canton. And when I was about ready to retire my son took over and he headed it for about three or four years. But he decided to move to North Canton, which he did. And then after two years here, he had heard of another agency that was going to - the gentleman that runs it was going to retire, so he purchased that company. And he, my son, was thinking possibly of leaving North Canton, but by this merger, two companies became one, and saved six jobs and several million dollars worth of business that eventually comes back to different forces in this country including the six employees there. He did receive a - one little disappointment if I may say so, that makes a point that we've really got to work together on this in every single possible area. And when the Chamber gave my son an award three years ago, it was a big banquet, big Chamber annual banquet. The - he got that for economic development because he kept two companies alive here in North Canton. But at that meeting when I looked around, I was there of course, but when I looked around and I didn't see anyone from Council. I didn't see anyone from Administration at that building. It was a Chamber event, and it was all about economic development, and it was a great meeting, and everybody, we all should have been there. It was great. But we've had to cooperate from day one to the final day to keep things moving. But one person was there. Oh where is he? Oh yeah, Eric Bowles was there. And I was proud that Eric Bowles, for another incident that I'll mention, who was very helpful in getting another company interested in North Canton. But Eric, I think that was your first venture in your new job, Eric, if I recall.

Mr. Bowles (speaking from the audience): It could have been.

Mr. Covey: We - for Steel Safe, we had a press conference at the Civic Center and Eric, I think that's the first thing he did to - when he helped me put on this press conference and so forth for that company. Then there's a little tree in this town that's making a lot of noise lately and it's bringing in a lot of people. In fact, the cucumber tree down on South Main Street just this past week reached visitor number 1,653. And that includes persons from seven states and five countries. The farthest one is Pakistan. And someone said, you mean Rod somebody flew from Pakistan to see that tree? No, no, no. They come from Pakistan because they have relatives here, and they came to visit their relative, their relatives said, let's go down and see the cucumber tree. So, what's this got to do with economic development? Well, I worked with John Keist who runs the Stark Canton Visitor's Bureau, and he said, Rod, those people when you describe who they are and why they come here and so forth, they probably spend around a hundred dollars each for a day or two when they come to visit and they come to see the cucumber tree. So, that amounts to about \$100,000 income. Another element was the Steel Safe that I mentioned. It was at the Civic Center. As I say, the two visitors from a company in Australia came here for the press conference to present their product. It's a stainless steel box. It's got some brains in it, pneumatic and electrical. And that box can keep a semi truck from being stolen. And it does it with a phone call to the unit and that will shut off the air supply of the semitrailer and then nobody - nobody - the trailer stops quickly, quietly and surely on a highway. They were very impressed with North Canton and said they'd like to build here. Now ten years have gone by, and if I remember correctly when I look around, only two persons were at that Civic Center meeting here. I think Marcia, you were there, I'll never forget that, and Mr. Osborne. Where did he go? Oh, there he is, Chuck. Those two were there. But, see here's - I hate to bring up things like this, but it's so important, but at that meeting, we didn't have a very good turnout.

(five minute timer bell)

Mr. Covey: We had a good turnout from the standpoint of the people there were very concerned, and a ...

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Minutes of

COUNCIL OF THE CITY OF NORTH CANTON

REGULAR

Meeting

DAYTON LEGAL BLANK, INC., FORM NO. 10148

Held Monday, September 30 7:00 p.m. 20 13

Mr. Snyder: Mr. Covey. Bring your remarks to a close, sir. You are exceeding the five minutes.

Mr. Covey: Oh, where's - is the clock up there?

Mr. Snyder: No, sir. It should be on there, but it's obviously...

Mr. Covey: Oh, I didn't realize the clock was - what - am I past five?

Mr. Snyder: Yes, sir, you are.

Mr. Covey: Okay. Well, anyway, there's more but I'll print this and if I may, Gail I'll give it to you then. But, thank you very much.

Mr. Snyder: Thank you, sir. Appreciate it. Anybody else wishing to speak?

Mayor Held: Mr. President, can I just make a comment

Mr. Snyder: Please.

Mayor Held: In my public speaks?

Mr. Snyder: Please, Mayor.

Mayor Held: First off, just to clarify where the City's at as far as, you know, Mr. Cain and his business. Mr. Cain is a very successful business man. It's really - we're very appreciative to have him in the county doing business here. Because you love to see businesses grow. There's nothing better than to see a successful business growing right here in the county. He is outside the City. He is also a city water customer. He's what we call an external water customer. So he's not a water customer that's inside the City, an internal water customer, he's an external water customer. And so with that in mind, we had our Council, Jon Snyder, and also other members that were - took the position of negotiating with Plain and Jackson and Mr. Cain, to see, or to explore whether or not we could have an agreement, which is what they call a Joint Economic Development Agreement. These have been negotiated a number of times with Jackson and with Canton; also with Plain, at least the years since I've been here as Administrator and Mayor. And we did have one success with the CEDA (Community Economic Development Agreement) right, with Plain Township. And so we came to an agreement on that. On other ones it's just a real challenge to find that place of agreement. But, we're always willing to look at it. And really, what it comes down to is this, Mr. Cain will either remain as an external water customer to the City. And if he is, then there's ordinances that are in place that have certain requirements as a water customer that's expanding, that he has to meet. Secondly, if there is an agreement which the City is exploring doing that, and if there's, you know, if you do a cost benefit analysis, we have to look at it and say, is this the best thing for our City? And if it is, then we would continue to proceed and try to find that place of agreement with Jackson or Canton. And - but right now really what this is just exploring - exploring it as an option. And it's a very dynamic process, because the agreement or the terms, they're - it's constantly changing depending on the needs of one political subdivision to another. But as far as the City's concerned, North Canton, we would move ahead if that place of agreement was of benefit to the City. If it's not perceived as beneficial by this Council and the Administration, we simply, you know, wouldn't proceed with it. And Mr. Cain would remain as a water customer for the City, which we appreciate the fact that he's a water customer. And if someday he's in the City or in the JEDD, then we're thankful for that too.

Mr. Cerreta: Mr. President, may I add something to that too?

Mr. Snyder: Sure.

Mr. Cerreta: I met with Mr. Cain today and talked to him three times today. And in no way did he feel that he is blackballed at all. He's a business man, like Dave said. And he is adding on and he just is - everything is real exciting over there for his business. And he's just wanting to do what's right for his business within the boundaries of where he is. And he's looking at his options. And he's waiting for us to have this open thing to hear other options. And I think there were some wonderful comments that came out of the audience right there. And we'll be talking about those things. But in no way does he feel he's

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Minutes of

COUNCIL OF THE CITY OF NORTH CANTON

REGULAR

Meeting

DAYTON LEGAL BLANK, INC., FORM NO. 10149

Held

Monday, September 30

7:00 p.m.

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blackmailed on anything. He's a good customer of the City and he's waiting to see what the best options are for the City.

Mr. Snyder: Thank you. Anyone else? Okay, seeing none, we'll move along to old business. We need a motion and a second to read by title only, the third reading of Ordinance No. 58-13.

OLD BUSINESS:

8. Mrs. Kiesling moved and Mrs. Werren seconded to **read by title only, third reading** of Ordinance No. 58-13. All members present voting:
Yes: Kiesling, Peters, Snyder, Werren, Cerreta, Foltz, Griffith
No: 0

Ordinance No. 58-13 – 3rd Reading – Community & Economic Development

An ordinance accepting the application for the annexation of certain territory in Plain Township, known as the Walsh/Gressel Annexation, containing 1.549 acres of land, more or less to the City of North Canton.

Mr. Snyder: Chairman Kiesling

Mrs. Kiesling: Yes. This is the third and final reading accepting the annexation into the City. We'll need to now wait thirty days, the Mayor will sign it, and it'll be officially in the City and then we'll have to zone it. So we'll have to talk about it real soon. I motion we accept.

Mrs. Kiesling moved and Mr. Peters seconded to **adopt the third reading** of Ordinance No. 58-13. All members present voting:
Yes: Peters, Snyder, Werren, Cerreta, Foltz, Griffith, Kiesling
No: 0

Mr. Snyder: Thank you. May I have a motion and a second to read the second reading of Ordinance No. 62-13?

9. Mrs. Werren moved and Mrs. Kiesling seconded to **read by title only, second reading** of Ordinance No. 62-13. All members present voting:
Yes: Snyder, Werren, Cerreta, Foltz, Griffith, Kiesling, Peters
No: 0

Ordinance No. 62-13 – 2nd Reading – Finance & Property

An ordinance amending CHAPTER 191 – INCOME TAX, specifically Section 191.13 EXEMPTIONS FROM TAX, 191.18 DECLARATIONS, AND 191.22 PAYMENT OF ESTIMATED TAX, of the Codified Ordinances of the City of North Canton.

Mr. Snyder: This came from suggestions from members Werren and Griffith to redesign our income tax code. We - some of it was missing. I know that Member Werren had received a call from a constituent that was burdened by the fact she had to file quarterly returns for a very small liability of tax that she owed and actually the cost to file those liabilities were greater than the tax owed. And she sought relief and along with Member Griffith, through the Finance Department, we've come up with this, and it's a good adoption. So I will entertain a motion to adopt the second reading of Ordinance 62-13.

Mr. Griffith moved and Mrs. Werren seconded to **adopt the second reading** of Ordinance No. 62-13. All members present voting:
Yes: Werren, Cerreta, Foltz, Griffith, Kiesling, Peters, Snyder
No: 0

NEW BUSINESS:

10. Mr. Snyder: May I have a motion to read by title only, first reading of Resolution 63-13?

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Minutes of

COUNCIL OF THE CITY OF NORTH CANTON REGULAR

Meeting

DAYTON LEGAL BLANK, INC., FORM NO. 10148

Held	Monday, September 30	7:00 p.m.	20	13
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Mrs. Kiesling moved and Mr. Peters seconded to **read by title only, first reading** of Resolution No. 63-13. All members present voting:
 Yes: Cerreta, Foltz, Griffith, Kiesling, Peters, Snyder, Werren
 No: 0

Resolution No. 63-13 – 1st Reading – Community & Economic Development

The Council for the City of North Canton met in regular session on the 30th day of September, 2013, with the following members present: Jon Snyder; Marcia Kiesling; Doug Foltz; Daniel Peters; Mark Cerreta, Dan Griffith, and Stephanie Werren to enter into a mutual economic agreement with the City of Canton and townships of Plain and Jackson.

Mr. Snyder: Mrs. Kiesling.

Mrs. Kiesling: Yes. This is just a resolution letting everyone know that we've received the proposal of the economic development agreement between the four entities and we're willing to go ahead with the public hearing on October 30th in the Jackson Township Hall. It binds us to nothing. It just binds us to the ability to have an open conversation amongst the trustees and the city councilmen in Canton with ourselves. The agreement we have in front of us will hopefully, probably change in the next 30 days as we all communicate amongst ourselves on daily basis trying to figure what's going to be best for all four entities. And on the 30th we'll come together. We'll hopefully have a final product; we may not at that point. We may still be changing things. But at least we'll all four be together in front of the public who will have the ability to ask us any questions and we'll go from there. At this point we are not committed to anything whatsoever. We are just committed to the fact that we'd like to talk about economic development in this corridor of Stark County amongst the four of us, because the four of us are all very intertwined in this area. And I think that it's exciting that we're sitting down and trying to do it again because I've been on Council, well I've been around twelve years, been on Council for ten and this will be our third attempt. Can't guarantee it's going to be successful. It's very frustrating. Everybody has their own little - I don't want to say agenda, but agenda. And we're going to try to work through it and try to do what's best for, you know northern Stark County, that's all we can do. It may not work for us, but at this point we're going to try it. Mr. Cain is a totally, I mean it all started with Mr. Cain and the property, and the fact that he wanted our water. And the fact that Canton and Jackson have an agreement, if you - some of you may remember several years ago, that blocked us from annexing anything past the railroad tracks. Very nasty fight after that trying to annex some properties. At this point in the game, annexation doesn't, a straight annexation it just probably is not in the cards for the City of North Canton any longer. We are land-locked, we can't get to the Cain property first of all. So the only way to truly annex, you have to be contiguous. We're not contiguous. Nobody wants to be annexed into the City. That means that they have to pay our one and one-half percent income tax. We haven't gotten an agreement from anybody to get us to the Cain property. So Mr. Cain agreed to become part of this agreement. In the end we have no idea what it's going to entail. He may decide not to be part of the agreement. But in the end he's going to get our water whether he has to pay for the lines or not, that has to be determined depending on what agreement we all sign or don't sign. So it's a long, arduous process. Obviously nothing works quickly in government, but we all like to try to get along. It seems to work out a lot better that way. When we fought the annexation, the Fosnaught property, during the whole railroad track annexation agreement, we spent hundreds of thousands of dollars. And that's certainly - we're not ever doing that again. So we're not going to annex and then fight somebody because they don't want to be annexed. So right now the best way to get through this is to work cooperatively. There's no other way around it. And the fact that I don't know that many people know, if we do a straight-up annexation like we did up on Orion (Phase) Four, right off of Orion, which was about twelve years ago right when I got on Council...

Mr. Snyder: Yeah.

Mrs. Kiesling: We have to pay Plain Township the property taxes for thirteen years. So the amount of income tax that we generate out of that allotment doesn't pay us to pay those property taxes. We lose money on an annexation. So if we annex Cain in any point in time, if we get contiguous, the amount of property tax he will probably would pay to us, you know, that he pays to Jackson that we have to pay back for thirteen years, we wouldn't recoup the income tax for probably 50 years. So it is not in our best interest to straight-up annex anymore. Kirk Schuring passed legislation twelve or thirteen years ago that made it very clear he wanted people to work cooperatively. That's why he invented

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the CEDA'S and he invented the JEDD'S. He does not want people straight-up annexing because it causes turmoil as we have lived through significantly, and spent a lot of money on, at least the twelve years I've been on. So this is just a beginning process. There is no - nothing for sure. We've all been talking. We've been talking to all the other trustees. The attorneys, obviously are very much involved. Nothing's a done deal. But we'd like to start working. And it's exciting that Jon and Dan got the conversation going. And all we can do is work from here. And in the end we may say no. So this is just the beginning. Inaudible... there's nothing - nothing else. Numbers wise, I don't even want to know numbers until we decide exactly what we're going to do. And then we'll sit down and work out the numbers, because right now we don't even have an agreement that we all agreed to. So we'll work out the numbers and then that's when we'll probably really decide.

Mrs. Roll: Thank you.
Mrs. Kiesling: You're welcome.

Mr. Fox: And when Mr. Daniluk and Miss Roll spoke earlier, I can understand that they may not have understood the difference in what the City may make, and in a profit in selling water to one customer versus being able to receive income tax from that customer. Certainly, they may not have understand those numbers, done the math and not understood, and they made that clear when they spoke. However, when Mr. Osborne spoke, it made me think of the movie, My Cousin Winnie, where Joe Pesci after the prosecutor gave the opening statement, simply addressed the court and said "everything that he just said is BS." And clearly that's what Mr. Osborne's speech was. Mr. Osborne, I don't believe, understands the definition of "blackmail" or "extortion" or wouldn't have used those terms this evening. The background and what occurred with this proposed JEDD, CEDA annexation agreement, my understanding that started from Mr. Cain who was a water customer and made the request of additional water for some expansions that he would intended to do at his dealership. And he came to us and asked what it would cost to run these lines to bring more water permits and so forth, and that information was provided to him. He also talked about being annexed into the City. That's my understanding is he brought up that idea and those numbers were talked about. Those things were provided to him. This is not anything that's set in stone. This is the opportunity to talk about these things, to look at these numbers, to make these types of decisions in cooperation with the other municipalities, with Jackson Township. And they're in an economic development agreement with Canton that they need to partnership with. So, that's why Canton needed to be a part of that. But Mr. Osborne's ignorance and arrogance simply could not contain him to come up and make these accusations before the City. So I don't believe he's able to defend them. I certainly welcome him to do that. I believe Friday was probably at least the dozenth time that he's threatened law suits against the City. Nearly every time we discuss anything that's kind of outside of his bailiwick or understanding, he threatens a law suit in his own ignorance of trying to wrap his mind around what the City is trying to doing. And what my point is, nothing's, you know, cut in stone with this. This is an opportunity for the municipality simply to talk about this. And to bring the residents of all the municipalities together and simply talk about it. And discuss whether or not this will be economically advantageous to not only business owners but to the municipalities as well. As the Mayor had stated, if it doesn't look like it's going to be a reasonable deal for the residents in North Canton, North Canton as a whole, you shouldn't enter into that agreement. But if it does look like it's something promising, perhaps we enter into the agreement, perhaps we enter into something that looks something different than that agreement, but you do have that opportunity. It's very malleable to shape what's going to be in the best interest of all the municipalities. And this just opens it up to discussion with them, October 30th at a public meeting, let people talk about it.

Mr. Snyder: Mr. Foltz

Mr. Foltz: This is a working document. That's what we're saying here.

Mr. Fox: Absolutely.

Mr. Foltz: There will be a public meeting, and this document will come back to us, for council approval. Is that correct?

Mr. Snyder: Yes.

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Mr. Fox: I imagine it will change.

Mr. Foltz: So we have plenty of time to look at a revised agreement at some point. I don't think it's just going to just go through as written obviously.

Mr. Snyder: No.

Mr. Foltz: So there will even be more discussion on this and room for thought. Okay. Thank you.

Mr. Snyder: The Ohio Revised Code under the present JEDD laws require an open public meeting, posting of the proposed document for 30 days in each participating authority, in this case two of the townships and two municipalities, at which time you hold a public meeting and you take testimony. And then again I'm sure massage it to where it's malleable. Then I would say we probably would require another public meeting of the changed document. So there's no reason to fast track anything. There's no reason to move ahead. It is an attempt to cooperate with other things amongst the four entities, not only in this particular. Today alone, we've spoke to some of the trustees. Some of the properties being eliminated from the particular proposed, and that was through one phone call from our Chairman of Economic Development. Many things will transpire. Mr. Cain will have his operating water. He's on an agreement of Memorandum of Understanding, what would happen should he choose not to enter into the JEDD when it's finalized. He understands his financial liability. He's got water. No one's ever extorted him or blackmailed him not to give him water. It was offered to him under two scenarios. He chose to take the one that we're trying to pursue right now. I mean, he knew what the costs were and he weighed the costs and assumed, I'm sure, he did not fall off the last Mercedes that drove down the street so as to speak. No, he sells BMW's. But I think he's smart enough. But, with that said, I'll call for a motion to adopt this resolution.

Mr. Cerreta: Jon...

Mr. Snyder: Oh, excuse me.

Mr. Cerreta: When is the public hearing? Do we have that?

Mr. Snyder: 30th.

Mrs. Kiesling: October 30th.

Mr. Cerreta: And where is that at?

Mr. Snyder: That's at Jackson.

Mr. Cerreta: Okay. Will we have another chance for our own residents to have their ...

Mr. Snyder: Absolutely.

Mr. Cerreta: I think that would be really ...

Mrs. Kiesling: Oh, after that you mean?

Mr. Cerreta: After that maybe come in for.

Mrs. Kiesling: Before, after, I mean they can speak to us anytime. But after, oh my gosh, yeah. We have to have a couple...

Mr. Cerreta: Just an open deal. Okay.

Mr. Snyder: There are reasons the venue is there. The law requires that it be held in the municipality or the authority where the land lies.

Mr. Cerreta: Good. I think everybody would respect that.

Mrs. Werren: So Marcia, we would have another one here?

Mrs. Kiesling: We would have another one here, yes.

Mr. Cerreta: Okay.

Mr. Snyder: We can have as many meetings as we need till the residents are fully apprised.

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Mrs. Kiesling: We'll be lucky to, if we're going to do anything, for it to pass by the end of the year. It's probably going to go to the end of the year. So there will be no hurry.

Mr. Cerreta: There's no hurry to it. So that's good.

Mr. Snyder: And from this particular thing, there are other things that have been proposed already that we'll start to talk about in the next couple of weeks that are relative to things happening that have nothing to do with that particular - that they're all willing to participate in. So ultimately it's the regionalization of services and projects that we're going to be able to go forward with, or not go forward with. But as the Mayor and most of all of us who sat here for any given time, you know, normally we never spoke to each other and we're doing that. So ultimately, hopefully the residents will benefit. Any other comments? Okay.

Mr. Fox: You can take notice in that agreement that you don't see Cain BMW's name in there. You don't see the name of a hotel. You don't see the name of any business in that agreement. So it's difficult to say that agreement binds any local businesses.

Mr. Snyder: Yeah.

Mr. Fox: This is a discussion of working together in an area that we talked about outlining this. Along this border would be an opportunity because there's some discussion of working in that area. But if you look at the document, there are no businesses that are listed in there. So I think it's difficult to say that someone's arm is twisted with this document. This only discusses four municipalities working together.

Mr. Snyder: Any other comments? Seeing none, I'll entertain a motion to adopt the first reading of Resolution No. 63-13.

Mr. Cerreta moved and Mrs. Kiesling seconded to adopt the first reading of Resolution No. 63-13. All members present voting:

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

No: 0

Mr. Snyder: Resolutions only require one vote. May I have a motion to read by title only, first reading of Ordinance 64-13?

11. Mr. Griffith moved and Mr. Peters seconded to read by title only, first reading of Ordinance No. 64-13. All members present voting:

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

No: 0

Ordinance No. 64-13 – 1st Reading – Finance & Property

An ordinance authorizing the supplemental appropriation of funds of the City of North Canton, Ohio, to be appropriated from the unappropriated resources of the General Trust Fund to the General Trust/Stockert Account in the amount of \$4,500 for the current expenses during the fiscal year ending December 31, 2013.

Mr. Snyder: Yes, this is monies that we want to transfer from the fund that we're bequeathed for the intended purpose. And they were in the codicil and the will that it be used for recreational purposes. I know that the Park Rec. Board has a sign, they want a plaque a walking track and there are some additions to the accessibility through sidewalk. They worked very diligently to keep that money and use it very judiciously which they've done. We appreciate that, Doug. Please pass that to the Park Board. And that's what the purpose of this is. Any questions?

Mrs. Kiesling moved and Mr. Peters seconded to adopt the first reading of Ordinance No. 64-13. All members present voting:

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

No: 0

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Mr. Snyder: May I have a motion and second to suspend the rules of council for Ordinance No. 64-13?

Mr. Griffith moved and Mr. Peters seconded to **suspend the rules** for Ordinance No. 64-13. All members present voting:

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

No: 0

Mr. Snyder: Under the rules and a motion for appropriation may be adopted on the first readings. May I have a motion and second to adopt under the suspension of the rules Ordinance No. 64-13?

Mr. Foltz: Jon...

Mrs. Kiesling: So moved.

Mr. Foltz: I'll vote for it Jon, but it's not listed as an emergency under the ordinance number unless it's ...

Mrs. Kiesling: Yeah, why isn't it in the title?

Mr. Fox: It doesn't need to be an emergency. It's appropriation.

Mr. Snyder: It's an appropriation.

Mrs. Kiesling: Yes, why is that?

Mr. Foltz: Do we have a motion? I'll second.

Mrs. Kiesling: I think I motioned.

Mr. Snyder: Yeah, we got it. We're going to adopt under the second.

Mrs. Kiesling moved and Mr. Foltz seconded to **adopt under the suspension of the rules** Ordinance No. 64-13. All members present voting:

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

No: 0

12. Mr. Snyder: May we have a motion to read by title only, first reading of Ordinance No. 65-13.

Mr. Griffith moved and Mr. Peters seconded to **read by title only, the first reading** of Ordinance No. 65-13. All members present voting:

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

No: 0

Ordinance No. 65-13 – 1st Reading – Finance & Property

An ordinance authorizing the Mayor of the City of North Canton to apply for, accept, and utilize a grant through the Bureau of Workers' Compensation ("BWC") for the purchase of two Stryker Power Load Systems and one Oxygen Tank Life for use by the Emergency Medical Services Department, to an amount not to exceed \$40,000, and authorizing the Mayor of the City of North Canton, through the Board of Control, to enter into an agreement for said grant, and declaring the same to be an emergency.

Mr. Snyder: We do have Stryker Cots we bought last year. This allows paramedics or EMT's to be able to move an individual person with just two people versus three or four. Larger people, heavier people, they're able to move them from the residence or the area the call was answered to. The lift service will be attached in the ambulance and will allow them to move the cot from street level into the ambulance and the same with the emergency medical oxygen. It's all hooked together. This is through a grant provided for \$40,000. The City's match is \$14,000. And this again, we moving as protocols are being worked on to eliminate down to two paramedics or two EMT's on that ambulance which ultimately will lower our run

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costs and ultimately save us money. And that's what the move is for. Any questions? Again, we thank Chief Bacon and the EMS service for seeking the grant. It's \$40,000 that – and to the Administration for applying for it. May we have a motion to adopt the first reading of Ordinance No. 65-13?

Mrs. Kiesling moved and Mr. Peters seconded to **adopt the first reading of Ordinance No. 65-13**. All members present voting:

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

Mr. Snyder: Again, the rules provide that ordinances requiring appropriations need one reading. May I have a motion to suspend the rules of council for Ordinance No. 65-13?

Mr. Peters moved and Mrs. Kiesling seconded to **suspend the rules** for Ordinance No. 65-13.

Mrs. Kalpac: Cerreta...

Mr. Cerreta: Dan, what's your question?

Mr. Griffith: Has this been appropriated?

Mr. Snyder: The money. We're going to
Mr. Griffith: This is...

Mr. Snyder: We're going to appropriate the 14.

Mr. Griffith: Okay.

Mr. Snyder: And then he's going to ...

Mr. Griffith: Because we had a question about that last week.

Mrs. Alger: We're going to appropriate the \$40,000 as well.

Mr. Griffith: Okay. Alright. I'm sorry.

Mrs. Alger: That's the next...

Mr. Griffith: I apologize ...inaudible...

Mrs. Alger: Pardon me...

Mr. Foltz: To apply for.

Mrs. Kiesling: Just to apply for...

Mr. Snyder: Apply for.

All members present voting:

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

No: 0

Mr. Snyder: May we adopt under the suspension of the rules Ordinance No. 65-13.

Mrs. Kiesling moved and Mr. Peters seconded to **adopt under suspension of the rules** Ordinance No. 65-13. All members present voting:

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

No: 0

REPORTS – COUNCIL:

Mr. Snyder: Comments, Mr. Foltz?

Mr. Foltz: No. I'll talk to Administrator Grimes after the meeting. So...

Mr. Snyder: Okay. Mr. Peters.

Mr. Peters: No report.

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Mr. Snyder: Mrs. Werren.

Mrs. Werren: Just - Jim I noticed a number of the streets have been paved in my ward and they look great. I think the one people in particular said had been asked for a lot of years and it finally happened. So thank you very much.

Mr. Peters: He gets all the glory.

Mrs. Werren: He does. He gets all the glory.

Mr. Griffith: I'm sure that's how you feel, Jim. As a result of that kudos, I won't ask you about the traffic light situation tonight.

(Laughter)

Mr. Griffith: I did want to say that I had the pleasure, as a couple of us did, of going to the meeting on Thursday night relative to the Zimber Ditch situation. And I really, I mean a lot of people did a lot of good work, but I really didn't know until I'd been there how much Sarah Buell really does for Stark Parks.

Mr. Snyder: She has done a remarkable job.

Mr. Griffith: And I really do think, particularly for the folks down there, that she's done an outstanding service. And I was really impressed. And I wanted to say that publically tonight. And I'm sure a lot of us will say that individually too. But kudos to Sarah Buell, really an outstanding job for the City.

Mr. Snyder: She's a constituent of mine. And has done a beautiful job from the time that when she had less than 48 hours to write the first grant, and she got it done and got it through. So she has done a great job.

Mr. Griffith: She deserves a lot of credit. That's all I have.

Mr. Peters: No report.

Mrs. Kiesling: No report.

Mr. Snyder: And relative to that, we had some very encouraging news there, the first grant is probably going to be let this coming month of October. There were originally twenty people that applied; hoping to fund between ten and thirteen of them. We've applied and been inline and been accepted to apply for an additional million and a half dollar grant. It has a very large match fund. The first one was matched twelve and one-half percent by the State of Ohio, twelve and a half by the City of North Canton, the County and Muskingham Conservancy. And the county has been great to us, the Board of Commissioners. The match money will be put up by Stark Parks, and then we're going to work out how we're going to try to pay them back, because he's unable to pay that all himself.

Mr. Foltz: Jon, if some other resident is interested and missed the meeting, they should call Stark Parks, Sarah Buell,

Mr. Snyder: Sarah Buell.

Mr. Foltz: And then see how they could ...

Mr. Snyder: Absolutely.

Mr. Foltz: get an application or get on a list.

Mr. Snyder: Absolutely. The original grant, as I told you, contained twenty applicants, ten of them were removed purposely. The second grant is only applicable to people that hold federal flood insurance.

Mrs. Kiesling: Right.

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Mr. Snyder: So some of those twenty have federal flood insurance. Nine of them did not. So those people move up, and the other ones will go to the other grant, which the funding is due to come in January or February. We'll schedule another meeting in January. But it heartening to see the movement of this many years of finally seeing something come to fruition. And by all means, if they have - want on the list or - because it's a unending thing. We've got the support of John Hoopingartner of the Muskingham Water Conservancy and a couple people from North Canton are on that board and they're the ones voting on it. So it helps richly. But I do appreciate Council and Administration for all the support they've done. A couple of housekeeping things before we go back around the horn: Next week, Superintendent of Services, Jim Davis, had asked me relative, he's been working very closely with Doug and the Park Rec Board on the swimming pool. They've got great ideas. How many of them they're going to implement, we haven't seen their wish list. It's not yet budget - it's getting budget time. But Jim has asked if we would come up and let him show us what, where he's at, where they want to be, what the possibilities are. And I felt the easiest thing for us to do while the weather is still relatively decent, is start a meeting at 6:00 at the swimming pool next week. And it's a open meeting to the public. Mr. Davis will then demonstrate and show us what they've got, where they were, and where they hope to be. That's one of the - probably one of the crown jewels in the recreational purse of the City. And it's going to require some, a little attention. So I think if everybody sees it first-hand, have a little better idea if you're on Council in the next budget hearing, that you're able to say, you know why the request and why they want to do. So with your indulgence and your permission, I would like to schedule an early meeting next week at 6. I will need a motion to suspend the rules requiring the taping of the meeting. We have no way to tape it while it's up there, so we want to do that. That is a rule - our own rule. It's not a legal rule that we do do that. It is a Council of the Whole. We'll finish there, adjourn, and come down here and reconvene and finish our meeting. If everybody is in favor of that, of course Administration will be there and any member of the public is welcome to come.

Mr. Cerreta: Should we bring our suits?

Mr. Snyder: Yeah, as a matter of fact, we have try-outs between four and five for lifeguards next year. If you're able to lap the pool twice, you've got the job.

(Laughter)

Mr. Snyder: So we'll be doing that. So...

Mr. Foltz: Jon, I'll make a motion for six o'clock that meeting.

Mrs. Kiesling: I'll second.

Mr. Snyder: And suspension of...

Mr. Griffith: There's also a motion to wave the...

Mr. Foltz: Waive the recording.

Mr. Foltz moved and Mrs. Kiesling seconded to schedule a Committee of the Whole meeting at 6:00 p.m., at the Dogwood swimming pool and to waive the rules of council requiring taping of the meeting. All members present voting:

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

No: 0

Mr. Snyder: And then one other thing. I noticed, you know, we have, even though I think we have a handle on our nuisances, and our people living outside our zoning ordinances here in North Canton, I saw on television a city in the Cuyahoga County has now instituted, and I asked today to Director Bowles and to Director Grimes, if it's feasible. They go out, they send a nuisance inspector out when the complaint comes in, a citation is written immediately. It's not a letter and you have seven or thirty days or twenty one days to comply, a citation is written. Three citations to the same residence, results in a court citing. There is a fine upwards to \$150 depending on the severity and the attitude of the person. Not saying that you don't give the person, after you issue the citation, the first citation, a reasonable period of five to seven days to correct the violation. The second

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citation will be written which will result in a fine. And that would require the person going out to issue the citation. And I don't know that would be a legality of whether they have that authority or whether we can impose that authority. But I get people all the time that will tell you, well you guys do a great job, but you just - it's the same people violating your laws constantly. And you juggle the line between, you know, good guy, bad guy. I mean but what do we do? We can't allow the neighborhoods to deteriorate and then, you know that happens. People - I was out on a couple on Saturday and I'm looking and stuff needs painted, it needs cleaned.

Mr. Foltz: Right.

Mr. Snyder: It deteriorates and degrades it completely. And people, you know the neighbors, they plead for you to do something. And we do it, but the process at 555 Church, you know, we've been working on that for years. And I mean they do enough just to get by, and I don't know. I said - so I'd like you to think about that. And maybe that's the way we change. Or if we've got problems then you know, people tell you they've got farm animals in their yards next door, you know we - what are we doing about some these things. You know some of these things are -- I've noticed now, I know this is a very sore subject, but the chickens are popping up all over the City all of a sudden.

Mrs. Kiesling: They are.

Mr. Snyder: And I mean that we at one time had one area with six chickens. Now we've got them all over the City. I mean, you know, we're a city. We're not the rural farm land. And other people tell me they have goats in their yards. These animals don't belong in this type of situation.

Mr. Foltz: Jon, what we hope to accomplish here in the very near future is to have at least a registration of rentals so that we are a data base. I mean we have a committee that I've been meeting with. Various astute community leaders that have put a lot of time in with me and Eric and a lot of them attend the meetings. Miriam and Melanie are two of them here. And we just have to methodically, I know it's a slow process, but move off center to be more, I think, proactive to at least get a data base together and then look at future inspections as far as what we could do to raise the bar for our housing standards. Because you know, time is of the essence to a point. We look at the same unfortunately dilapidated buildings and structures. And for the most part, we have a very good community and the housing standards are pretty much to code and above.

Mr. Snyder: It only takes one.

Mr. Foltz: But it's those individuals or those properties that we have to have a bigger tool in the toolbox to go after them, I think. And I think we've done a lot with Eric here lately too and Tim, the Law Director, to enforce some of the existing ordinances. But we can always do a better job, I think, in the future if we all sit down and look at the language and see how much more progressive we can be. So I appreciate you bringing that up. Hopefully we'll have this registration ordinance for Council's review, for the Law Director's review and push this forward. It's just to provide a data base to see when there are violations, you're registered, this is where the letter goes. Not spend a couple of weeks chasing down somebody or going through errant addresses or phones numbers that are disconnected. You know, that's part of the process unfortunately. I think we can do a better job with making rentals required to register, rental property owners, so we have a current data base. So that would be the premises of it. But there'll be some fees involved, but that's the first step in the right direction.

Mr. Snyder: Well, we encourage you and I think it's

Mr. Peters: Jon, I'm glad you brought that up because there's a cost saving component to this, too. Because I see Eric spinning his wheels on the same people over and over and over again. And it's, you know, what we're getting out of it, we're paying him more, I mean it's a losing - and it's not fair to the other residents of North Canton that do it the right way.

Mr. Foltz: Right.

Mr. Peters: You know, they're not getting, you know, they're not getting any value out of him spinning his wheels with these folks. So...

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Mr. Snyder: I agree with you. And ...inaudible... and we'll keep funneling that over to Doug and his Committee and hopefully it will - we'll get some fruition out of it. I appreciate that. Director Fox.

REPORTS:

Mr. Fox: Yes, sir. After the meeting, I can speak with you. There are certainly some ways that can speed up that process to streamline it. And along that line, recently with the Mayor's office and the Income Tax Department, we have streamlined many of the Mayor's Court Cases for taxes. And last Wednesday we had a dozen cases in that we were able to hear and adjudicate. And 33 years' worth of income taxes are now being paid that were being ignored last Tuesday. So there is a, you know, a way to put a process in place and move these things through and certainly we can focus attention on the zoning issues. I would like to thank Miss Roll and Mr. Daniluk for simply expressing that they had questions about the economic development agreement instead of simply lashing out and attacking the City. There are a lot of question for all of us. And so that's why we're having the meetings and the open discussions. But if you have any further questions or concerns, you're certainly welcome to speak with any of the elected officials. You're certainly welcome to speak to me and the Mayor's Office, and we'll give you all the information that we have with that. So you're going to the open meeting that we have with the same information that we're looking at. That's all I've got.

Mr. Snyder: Thank you. Director Alger.

Mrs. Alger: As you mentioned, it is budget time. So it's just starting the beginning of collecting all the information. Also, we received grant money for the in-car cameras. It just got cashed today. And then today we also, and I'm sure Mr. Grimes can explain more, but they have the cameras operating here. So if you come into the Utility Department or Income Tax, you will be on camera.

Mr. Snyder: Do you have to put a tie on and smile when pay your taxes?

Mrs. Alger: Yes. Watch how you walk.

Mr. Cerreta: Don't wear your bathing suits.

Mr. Snyder: Well, good. That would scare the heck out of them if I were to wear a bathing suit. Director Grimes.

Mr. Grimes: Yeah. Just on the ordinance to purchase the items for the ambulances. If I sounded less than confident last week, we double checked and BWC (Bureau of Workers' Compensation) gives us 40,000. Don't - they told us, don't send anything to anybody until we get the money in our pockets. So that will come in first on that. So just to let you know. Yeah, we solved, I think, a lot of traffic enforcement. And we've done tax enforcement, and I've got some ideas on the nuisance and that that we can, you know, get that under control too. So that shouldn't be too difficult. And you know the folks out there that need to go to court will go to court. I mean it's not a hard thing to do. The Fire Department has open house on October 7th and October 9th. So if you've got some time to go up there, they have a lot of neat things to look at. I go up for the food, but you know they do have a lot of stuff. So - and then tomorrow starts our yard waste bag handout for the residents. And that's done at Mohler Lumber. It's the first time we've tried that down at the True Value on Portage. So if you get any comments back or anything that we can streamline or do better there, just let me know because it is our first year trying that. So...

Mr. Snyder: They get 25 bags, is that ...

Mr. Grimes: Yes, sir.

Mr. Snyder: Good. Mr. Mayor

Mayor Held: Yes. The Zimber Ditch meeting went very well. We had, this is really I think, the most success that we could possibly have with the residents that have been so terribly impacted by the Zimber Ditch. And this looks very promising. It's an opportunity to provide funding for the purchase of these homes. And when we first started down this

RECORD OF PROCEEDINGS

Minutes of COUNCIL OF THE CITY OF NORTH CANTON REGULAR

Meeting

DAYTON LEGAL BLANK, INC., FORM NO. 10148

Held Monday, September 30 7:00 p.m. 20 13

path with Stark Parks, and Kirk Schuring, I thought there was a very big mountain to climb, but you know we can see the top right now. And I think this could be, provide a nice option to the residents that have been most impacted by that. And Councilman Snyder, I appreciate you bringing State Representative Schuring into this situation. And that really is a great example on how when you have various government agencies working together, how a lot of good things can come about. Secondly, we did have a meeting, our Council President and also Councilman Cerreta, earlier today with the North Canton Chamber of Commerce, and we're looking at ways on continuing to work with the Chamber of Commerce to promote the City, particularly to families, because that's really what North Canton serves best are families. And how we can tie that in to economic development in bringing new jobs into the City. And so there are a lot of new ideas, fresh ideas. And I appreciate the time that both of you took today to share your thoughts and concerns with the Administration, but a lot of positive things to come. And then also, Coach Don Hertler, Councilman Cerreta, I appreciated your remarks this morning. It's, you know when you have a legendary coach like Don Hertler, you know, I think what - I never had the opportunity to be coached by Mr. Hertler, but I've had the opportunity to meet him on several occasions. And I think what you find with somebody like Coach Hertler is that you see how deeply one individual can impact the lives of so many athletes, student athletes, and their families, their parents. And it's like, it's just - I think that Coach Hertler really represents the tradition of excellence that North Canton has that's handed down from one generation to the next to the next. And I think Coach Hertler really epitomizes North Canton's tradition of excellence. And so he will be deeply missed, but those were very nice comments. That's all.

Mr. Snyder: Engineer Benekos

Mr. Benekos: September 2nd is the official completion date on the schedule for the contractor. Hopefully he'll be done before then.

Mr. Snyder: For the lights?

Mr. Benekos: Yes, for the lights.

Mr. Snyder: There are a lot of open wires out there. They ought to be able to put them together.

Mr. Benekos: There are, but we'll get them closed up and...

Mayor Held: it's all paid for.

Mr. Benekos: and, it's all paid for, 100%.

Mayor Held: Through grants, through grants.

Mr. Benekos: Through the grant, through the grant.

Mayor Held: Got to get that in there.

Mr. Peters: It's your Christmas present Dan. Merry Christmas.

Mr. Griffith: I can't imagine getting a better Christmas present.

Mr. Benekos: That would be all. Thank you.

Mr. Snyder: Alright. One other thing, it would be so much - we have to congratulate Member Kiesling, her son was the sophomore attendant at the high school.

Mrs. Kiesling: He was. And, boy was that fun!

Mr. Snyder: So, congratulations to you and Ben and Dave

Mrs. Kiesling: It was homecoming and it was fun.

Mr. Snyder: He's quite a young man.

RECORD OF PROCEEDINGS

Minutes of COUNCIL OF THE CITY OF NORTH CANTON REGULAR Meeting

DAYTON LEGAL BLANK, INC., FORM NO. 10148

Held Monday, September 30 7:00 p.m. 20 13

Mrs. Kiesling: Thank you.

Mr. Snyder: He's a good young man and that's nice to see.

Mrs. Kiesling: Thanks.

Mr. Snyder: Anything else to come before this body?

Mrs. Kiesling: Miriam.

Mr. Snyder: Miriam.

Mrs. Baughman: Miriam Baughman, 320 Weber Avenue. One of the most wonderful benefits we have of living in our great country is freedom of speech and the right to voice your own opinion. Tonight I'm very ashamed that I'm a resident of North Canton. And I heard a resident voice his opinion and he was chastised and degraded. Now his opinion might not be your opinion, and it might not be my opinion, it's his opinion and he had the right to voice it. I also sat here and heard an obscene remark made about his opinion. Everybody knows what BS means. And BS to me is obscene. My opinion is tonight the City of North Canton gets a big black mark and an F minus.

(Applause)

ADJOURN:

Mr. Snyder: Thank you. May I have a motion to adjourn?

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

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

No: 0

ADJOURN: Meeting adjourned at 8:11 p.m.

PRESIDENT OF COUNCIL

ATTEST:

CLERK OF COUNCIL

10/8/13-bkp



145 North Main St. · North Canton, OH 44720

Phone: 330-499-3986 Fax: 330-499-2080

citycouncil@northcantonohio.com

CITY OF NORTH CANTON COUNCIL OFFICE

COMMITTEE OF THE WHOLE MEETING MINUTES

*President of Council
Jon Snyder*

The North Canton City Council met as a Committee of the Whole Monday, October 7, 2013 at 365 7th Street NE (Dogwood pool).

*Vice President of Council
Marcia Kiesling*

The following members of council were present for the meeting: 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, and Superintendent of Utilities and Services Davis.

*Council at Large
Mark Cerreta*

*Council at Large
Dan Griffith*

Item discussed:

*Councilman, Ward 1
Doug Foltz*

Discussion – Current State of the Dogwood Pool / Proposed Renovations: Superintendent of Utilities and Services Davis provided a tour of the facilities at Dogwood pool. There was a discussion on the renovations made to date, the current state of the facilities, and proposed future renovations. No action taken at this time.

*Councilman, Ward 2
Daniel Peters*

*Councilwoman, Ward 3
Stephanie Werren*

Jon Snyder, President

Doug Foltz, Ward 1

Marcia Kiesling, Vice President

Daniel Peters, Ward 2

Stephanie Werren, Ward 3

Mark Cerreta, Council at Large

Dan Griffith, Council at Large

10/8/13-gmk



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CITY OF NORTH CANTON COUNCIL OFFICE

FINANCE & PROPERTY COMMITTEE MEETING MINUTES

*President of Council
Jon Snyder*

The Finance & Property Committee of North Canton City Council met Monday, October 7, 2013 as part of the Committee of the Whole in the Council Chambers at North Canton City Hall.

*Vice President of Council
Marcia Kiesling*

*Council at Large
Mark Cerreta*

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

*Council at Large
Dan Griffith*

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

*Councilman, Ward 1
Doug Foltz*

*Councilman, Ward 2
Daniel Peters*

Items discussed:

*Councilwoman, Ward 3
Stephanie Werren*

- a. Transfer of the Engineering Building / Property to the North Canton Community Improvement Corporation: The Committee authorized legislation, on an emergency basis, authorizing the Mayor, through the Board of Control, to enter into an agreement by and between the City and the North Canton Community Improvement Corporation ("CIC"), to convey to the CIC the real property located in the City and known as parcel numbers 9280699 and 9280795, located at 220 West Maple Street and Harmon Street SW, which the City does not require for its municipal purposes.
- b. Supplemental Appropriation re EMS Operating Fund: The Committee authorized legislation, authorizing the supplemental appropriation of funds, to be appropriated from the unappropriated resources of the EMS Operating Fund to the Equipment Account in the amount of \$40,000 for the current expenses during the fiscal year ending December 31, 2013.
- c. Supplemental Appropriation re Disaster Relief Fund: Subsequent to the meeting, it was determined legislation is not necessary at this time.

- d. Resolution Accepting Budget Commission Rates & Levies: The Committee authorized legislation, accepting the amounts and rates as determined by the Budget Commission and authorizing the necessary tax levies and certifying them to the County Auditor.
- e. Financial Statement – September, 2013: The financial statement was reviewed and will be placed on the October 14, 2013 council agenda for formal approval.
- f. Supplemental Appropriation re State Building Permit Fees: The Committee authorized legislation, authorizing the supplemental appropriation of funds, to be appropriated from the unappropriated resources of the of the Permit Fee Fund to the State Building Permit Fees Account in the amount of \$1,000 for the current expenses during the fiscal year ending December 31, 2013.

Respectfully submitted,

Jon Snyder, Chairman

Marcia Kiesling, Vice Chairperson

Dan Griffith, Member

10/8/13-gmk

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



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CITY OF NORTH CANTON COUNCIL OFFICE

ORDINANCE, RULES & CLAIMS COMMITTEE MEETING MINUTES

*President of Council
Jon Snyder*

*Vice President of Council
Marcia Kiesling*

*Council at Large
Mark Cerreta*

*Council at Large
Dan Griffith*

*Councilman, Ward 1
Doug Foltz*

*Councilman, Ward 2
Daniel Peters*

*Councilwoman, Ward 3
Stephanie Werren*

The Ordinance, Rules & Claims Committee of North Canton City Council met as part of the Committee of the Whole Monday, October 7, 2013 in Council Chamber at North Canton City Hall.

Present for the meeting were: Chairperson Werren, Vice Chairman Foltz, Member Kiesling, Council Members Cerreta, Griffith, Peters, and Snyder. Also present were: Mayor Held, Director of Administration Grimes, Director of Finance Alger, Director of Law Fox, and City Engineer Benekos.

Item discussed:

Resolution of Opposition re General Election Ballot Issue #13: No action taken at this time.

Respectfully submitted,

Stephanie Werren, Chairperson

Doug Foltz, Vice Chairman

Marcia Kiesling, Member

10/8/13-gmk

g:\2013 committee report minutes\10-7-13 o,r&c.docx

RECORD OF ORDINANCES

Division Legal Blank, Inc.

Form No. 30043

Ordinance No. 66-13

Passed 20

10/8/13-gmk
(Finance & Property)

Ordinance No. 66-13

An ordinance authorizing the Mayor of the City of North Canton ("City"), through the Board of Control, to enter into an agreement by and between the City and the North Canton Community Improvement Corporation ("CIC"), to convey to the CIC the real property located in the City and known as parcel numbers 9280699 and 9280795, located at 220 West Maple Street and Harmon Street SW, which the City does not require for its municipal purposes, and declaring the same to be an emergency.

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

- Section 1. That the City is the owner of certain real property known as parcel numbers 9280699 and 9280795, located in the City at 220 West Maple Street and Harmon Street SW.
- Section 2. That this Council has determined the City does not require the above-described real property for its municipal purposes.
- Section 3. That this Council has duly designated the CIC as its agent for purposes set forth in R.C. 1724.10.
- Section 4. That the City's Mayor, upon the Board of Control's approval, is authorized to enter into an agreement to transfer ownership of the above-described real property to the CIC.
- Section 5. That the CIC is hereby authorized to market and sell or lease the above-described property for uses determined by the City as those that will promote the welfare of the people of the City, stabilize the economy, provide employment, and assist in the development of industrial, commercial, distribution and research activities to the benefit of the people of the City, and will provide additional opportunities for their gainful employment upon such terms and upon such consideration as the City may specify.
- Section 6. That said or lease or sale shall be conditioned upon the City's prior approval of terms and consideration as presented by the CIC.
- Section 7. That upon the City's approval, the CIC is hereby authorized to execute a lease or a quit-claim deed of conveyance therefor to the lessee or buyer, and to execute such other instruments as are necessary for the completion of certain transactions.
- Section 8. 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.

RECORD OF ORDINANCES

Dayton Legal Blank, Inc.

Form No. 30043

Ordinance No. 66-13

Passed _____, 20____

Section 9. That this ordinance is hereby declared to be an emergency measure necessary for the preservation of the health, safety, and peace of the City North Canton, and further necessary for the timely transfer of the above-described and currently vacant real property, in further consideration of rapidly changing economic conditions and circumstances, and to promote the welfare of the people of the City, stabilize the economy, provide employment, and assist in the development of industrial, commercial, distribution and research activities to the benefit of the people of the City; wherefore, provided it receives the affirmative vote of six (6) or more members of Council elected thereto, this ordinance shall take effect and be in full force immediately upon its adoption by Council and approval by the Mayor.

North Canton, OH
Passed:

MAYOR

SIGNED: _____, 2013

ATTEST:

CLERK OF COUNCIL

g:\2013 legislation\66-13 city property to cic.docx

RECORD OF ORDINANCES

Dayton Legal Blank, Inc.

Form No. 30043

Ordinance No. 67-13

Passed _____, 20____

10/8/13-gmk
(Finance & Property)

Ordinance No. 67-13

An ordinance authorizing the supplemental appropriation of funds of the City of North Canton, Ohio, to be appropriated from the unappropriated resources of the EMS Operating Fund to the Equipment Account in the amount of \$40,000 for the current expenses during the fiscal year ending December 31, 2013.

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

Section 1. To provide for the current expenses and other expenditures of the City of North Canton, Ohio, during the fiscal year ending December 31, 2013, the following funds, be, and are hereby set aside and appropriated as follows:

Appropriate From:

The unappropriated resources of the 205 Fund EMS OPERATING FUND	\$40,000
--	----------

Appropriate To:

205 EMS OPERATING FUND 205.236.5500	Equipment \$40,000
--	-----------------------

Section 2. That the Director of Finance of the City of North Canton, be, and is hereby authorized to issue warrants from appropriations established herein for the payment of vouchers duly approved by the proper departmental authority.

Section 3. That if a provision of this ordinance is or becomes illegal, invalid or unenforceable, that shall not affect the validity or enforceability of any other provision of this ordinance.

Section 4. That this ordinance is necessary to ensure the timely funding to cover the purchase of the Power Load Systems and Oxygen Tank Lift for use by the Emergency Medical Services Department. Wherefore, it shall take effect and be in full force from and after the earliest period allowed by law.

North Canton, OH

Passed:

MAYOR

SIGNED: _____, 2013

ATTEST:

CLERK OF COUNCIL

ALAN HAROLD
STARK COUNTY AUDITOR

RESOLUTION NO. 68-13
RESOLUTION ACCEPTING THE AMOUNTS AND RATES AS DETERMINED BY THE
BUDGET COMMISSION AND AUTHORIZING THE NECESSARY TAX LEVIES AND
CERTIFYING THEM TO THE COUNTY AUDITOR
Revised Code, Secs. 5705.34-5705.35

The (Council of the) NORTH CANTON CITY

Of Stark County, Ohio, met in _____ Session on the ____ day of
_____ at the office of _____ with the following members present:

Mr./Ms. _____ moved the adoption of the following Resolution:

WHEREAS, This council in accordance with the provisions of law has previously adopted
a Tax Budget for the next succeeding fiscal year commencing January 1st, 2014: and

WHEREAS, The Budget Commission of Stark County, Ohio, has certified its action thereon to this council
together with an estimate by the County Auditor of the rate of each tax necessary to be levied by this (Council/Board),
and what part thereof is without, and what part within the ten mill limitation; there be it

RESOLVED, by the (Council) of _____ City/Village, Stark County, Ohio that the
amounts and rates, as determined by the Budget Commission in its certification, be and the same are hereby accepted:
and be it further

RESOLVED, That there be and is hereby levied on the tax duplicate of said (Village/City) the rate of each
tax necessary to be levied within and without the ten mill limitation as follows:

SCHEDULE A

SUMMARY OF AMOUNTS REQUIRED FROM GENERAL PROPERTY TAX APPROVED
BY BUDGET COMMISSION, AND COUNTY AUDITOR'S ESTIMATED TAX RATES

FUND	Amount to be derived from Levies outside 10 mill Limitation	Amount Approved by Budget Commission Inside 10 Mill Limitation	County Auditor's Estimate of Tax Rate to be Levied	
			Inside	Outside
General Fund		28,510	2.40 (NCCSD)	
		666,474	2.40 (NCCSD)	
		0	1.90 (JLSD)	
		7,844	2.00 (JLSD)	
		1,868	1.90 (PLSD)	
		119,699	2.00 (PLSD)	
Street Improvement Fund	354,332			1.00
Fire Fund	177,166			0.50
Ambulance Fund	885,830			1.00
Storm Sewer	354,332			1.00
Total	1,771,660	824,395	12.60	3.50

CERTIFICATE TO COPY
ORIGINAL ON FILE

The State of Ohio, Stark County, Ss.

I, _____ Clerk City/Village of _____

Within and for said County, and in whose custody the Files and Records of said Council are required by the Laws of the State of Ohio to be kept, do hereby certify that the foregoing is taken and copied from the Original now on file, that the foregoing has been compared by me with said original document, and that the same is true and correct copy thereof.

Witness my signature, this _____ day of _____, _____.

_____ Clerk

No. _____

City/Village _____, Stark County Ohio.

Resolution

Accepting the amounts and rates as determined by the Budget Commission and authorizing the necessary tax levies and certifying them to the County Auditor.

Adopted _____, _____

_____ Clerk

Filed _____, _____

_____ County Auditor

By _____ Deputy Auditor

RECORD OF ORDINANCES

Dayton Legal Blank, Inc.

Form No. 30043

Ordinance No. 69-13

Passed _____, 20____

10/8/13-gmk
(Finance & Property)

Ordinance No. 69-13

An ordinance authorizing the supplemental appropriation of funds of the City of North Canton, Ohio, to be appropriated from the unappropriated resources of the Permit Fee Fund to the State Building Permit Fees Account in the amount of \$1,000 for the current expenses during the fiscal year ending December 31, 2013.

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

Section 1. To provide for the current expenses and other expenditures of the City of North Canton, Ohio, during the fiscal year ending December 31, 2013, the following funds, be, and are hereby set aside and appropriated as follows:

Appropriate From:

The unappropriated resources of the 871 Fund PERMIT FEE FUND	\$1,000
---	---------

Appropriate To:

871 PERMIT FEE FUND 871.627.5200 State Building Permit Fees	\$1,000
--	---------

Section 2. That the Director of Finance of the City of North Canton, be, and is hereby authorized to issue warrants from appropriations established herein for the payment of vouchers duly approved by the proper departmental authority.

Section 3. That if a provision of this ordinance is or becomes illegal, invalid or unenforceable, that shall not affect the validity or enforceability of any other provision of this ordinance.

Section 4. That this ordinance is necessary for the to ensure the timely payment of the 1% Residential and 3% Commercial state fees. Wherefore, it shall take effect and be in full force from and after the earliest period allowed by law.

North Canton, OH
Passed:

MAYOR

SIGNED: _____, 2013

ATTEST:

CLERK OF COUNCIL