



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

NOTICE OF MEETINGS

*President of Council
Jon Snyder*

Mr. Jon Snyder, Chairman of the Finance & Property Committee of North Canton City Council, has requested a meeting of said Committee Members, Council, Mayor, Director of Administration, Director of Law, Director of Finance, and City Engineer on **Monday, October 28, 2013 at 6:40 p.m.** in the Council Chambers at North Canton City Hall.

*Vice President of Council
Marcia Kiesling*

The meeting will be called to order and then moved into executive session for a conference with the Director of Law concerning disputes involving the City that are subject of pending or imminent court action. The executive session will not be open to the public.

*Council at Large
Mark Cerreta*

*Council at Large
Dan Griffith*

*Councilman, Ward 1
Doug Foltz*

Mr. Daniel Peters, Chairman of the Personnel & Safety Committee of North Canton City Council, has requested a meeting of said Committee Members, Council, Mayor, Director of Administration, Director of Law, and Director of Finance on **Monday, October 28, 2013 immediately following the executive session meeting for Finance & Property Committee** in the Council Chambers at North Canton City Hall.

*Councilman, Ward 2
Daniel Peters*

The meeting will be called to order and then moved into executive session for the purpose of reviewing and preparing for negotiations and bargaining session with public employees concerning their compensation. The executive session will not be open to the public.

*Councilwoman, Ward 3
Stephanie Werren*

Committee of the Whole Monday, October 28, 2013 – 7:00 p.m.

North Canton City Council will meet as a Committee of the Whole on **Monday, October 28, 2013 at 7:00 p.m.** in the Council Chambers at North Canton City Hall.

Items will be discussed as time allows, not necessarily in the order indicated.

1. Community & Economic Development Committee

Chairperson: Marcia Kiesling
Vice Chairman: Mark Cerreta
Member: Stephanie Werren

Community Reinvestment Area Tax Incentive – Insight Realty LLC
Marcia Kiesling

2. Water, Sewer & Rubbish Committee

Chairman: Mark Cerreta
Vice Chairman: Dan Griffith
Member: Jon Snyder

Spectrum Medical Office Building Waterline Extension
Mark Cerreta

3. Finance & Property Committee

Chairman: Jon Snyder
Vice Chairperson: Marcia Kiesling
Member: Dan Griffith

- a. Mayor's Court Receipts – September, 2013
Jon Snyder
- b. Renewal of North Canton City Health Insurance
Jon Snyder
- c. Supplemental Appropriation re Municipal Road Fund
Jon Snyder

**Council Meeting Agenda
Monday, October 28, 2013**

- 1. Call to Order:
- 2. Opening Prayer: Pastor Gary Plauger, Hope Family Church
- 3. Pledge of Allegiance
- 4. Roll Call
- 5. Consideration
Council Meeting Minutes – October 14, 2013
- 6. Committee Minutes
- 7. Presentation by Paul Beinlich – Character Counts
- 8. Recognition of Visitors

OLD BUSINESS:

9. **Ordinance No. 66-13 – 2nd 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.

NEW BUSINESS:

REPORTS – COUNCIL:

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

REPORTS:

Director of Law Mayor	Director of Finance City Engineer	Director of Administration
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FINAL CALL FOR NEW BUSINESS:

ADJOURN:

Gail M. Kalpac
Clerk of Council

10/24/13-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



CITY OF NORTH CANTON

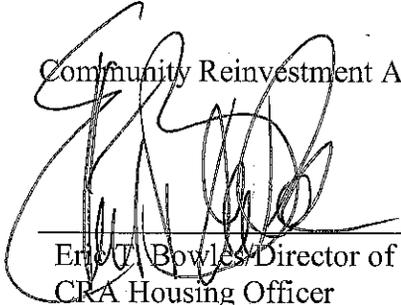
145 North Main St. North Canton, OH 44720
(330) 499-5557 Fax: (330) 966-3630

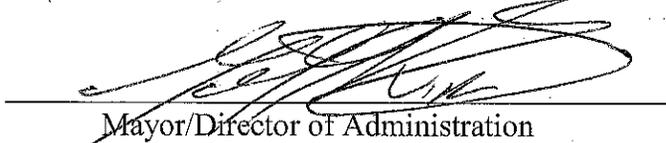
DEPARTMENT OF PERMITS AND DEVELOPMENT

LEGISLATION REQUEST

To: Jon Snyder, President
North Canton City Council

Subject: Community Reinvestment Area Tax Exemption Request by Insight Realty, LLC.

Requested by: 
Eric T. Bowles, Director of Permits and Economic Development
CRA Housing Officer **Date:** October 21, 2013

Approved by: 
Mayor/Director of Administration **Date:** October 21, 2013

Request: A request for a Community Reinvestment Area Tax Incentive by Insight Realty, LLC. at a rate of fifty percent (50%) for a fifteen (15) year term to support the construction of a new eye clinic/medical office on Portage Street. Documentation concerning this request is attached with this request.

EMERGENCY REQUESTED: Yes _____ No X

If Yes, Reason: None

RECEIVED

OCT 22 2013

COUNCIL OFFICE
NORTH CANTON, OHIO

City of North Canton

Department of Economic Development

Memo

To: Marcia Kiesling, Community & Economic Development Committee Chair, Mark Cerrera Vice Chair CED Committee, Stephanie Werren Member CED Committee, City Council Members

From: Eric Bowles, Director of Permits and Economic Development 

Date: October 21, 2013

Copy: Mayor David Held, Mayor, Mike Grimes, Director of Administration

Re: Project Summary – Community Reinvestment Area Tax Incentive Request by Insight Realty, LLC

Insight Realty, LLC is Stark County Business currently operating as **The Eye Clinic** in locations in Perry and Massillon. The Business is in the process of finding a new location for their third office. The business is a comprehensive eye care clinic that employees Board Certified Ophthalmologists, and Optometrist that perform eye exams, eye glass and contact lens fitting, cataract surgery/lens implants, pediatric ophthalmology and laser vision correction. They are requesting the City of North Canton assist them with their expansion and are requesting a fifteen year (15) Community Reinvestment Area Tax Incentive at a rate of fifty (50%) percent.

The Eye Clinic has looked at several locations in the North Canton area and they are proposing to construct their new location on Portage Street (parcel number 9209116 – See areal photo) immediately west of the Portage Place Office Condominiums. The site is currently vacant.

The Business is proposing to construct/invest approximately \$700,000 to in a new building that would house their third medical office location. The Community Reinvestment Area (CRA) application submitted by Insight Realty estimates the cost to construct the new building will be \$700,000 with an additional investment of approximately \$117,500.00 for equipment and furniture and fixtures. The project will initially employ approximately eighteen (18) total employees including two (2) Ophthalmologists/Optometrist, two (2) Licensed Opticians, one (1) Office Manager/Coordinator, one (1) Surgical Coordinator, eight (8) Certified Ophthalmic Technicians, three (3) front office personal, one (1) Information Technology (IT) Specialist (part-time). All positions are shared between other office locations which is typical for multi-unit medical offices. They estimate the total payroll will stabilize in year three (3) at approximately \$800,000.00.

Attached with this memorandum please find a copy of Insight Realty's Community Reinvestment Area application and a spreadsheet showing the estimated new property tax revenue and the forgone tax revenues.

The proposed project's summary is as follows:

- | | |
|--|--|
| • New Employees | 17 full time and 1 Part-time
(Within 24 months of completion) |
| • New City Net Profits Tax | Unknown |
| • New Employee City Withholding Taxes | \$ 12,000.00 (Third Year) |
| • Estimated New City Real Property Tax Revenue | \$ 483.88 (Annual) |
| • Estimated New School District Property Tax Revenue | \$ 4,619.48 (Annual) |

Based on the above, if the project is constructed, the City of North Canton will receive an estimated additional \$12,483.88 (third year) in new income and real property tax revenues. The City will also receive net profit taxes, but that information is not available at this time.

Proposed Community Reinvestment Area Tax Incentive Calculation for the Proposed Eye Clinic Medical Office
 Approximate Tax Calculation based on estimated property tax rates and Auditor's Office after rehabilitation valuation of \$700,000

TAX YEAR	2014	2015	2016	2017	2018	2019	2020	2021	2022	2023	2023	2024	2025	2026	2027	TOTALS
EST. VALUE OF REAL PROPERTY IMPROVEMENTS	700,000	700,000	700,000	700,000	700,000	700,000	700,000	700,000	700,000	700,000	700,000	700,000	700,000	700,000	700,000	10,500,000
EXEMPTION SCHEDULE	50%	50%	50%	50%	50%	50%	50%	50%	50%	50%	50%	50%	50%	50%	50%	-
EXEMPTED VALUE	350,000	350,000	350,000	350,000	350,000	350,000	350,000	350,000	350,000	350,000	350,000	350,000	350,000	350,000	350,000	5,250,000
TAXABLE VALUE	350,000	350,000	350,000	350,000	350,000	350,000	350,000	350,000	350,000	350,000	350,000	350,000	350,000	350,000	350,000	5,250,000
ASSESSMENT %	35%	35%	35%	35%	35%	35%	35%	35%	35%	35%	35%	35%	35%	35%	35%	-
REAL PROPERTY C&I 2012 EFFECTIVE TAX RATES	51.8	51.8	51.8	51.8	51.8	51.8	51.8	51.8	51.8	51.8	51.8	51.8	51.8	51.8	51.8	-
TOTAL REAL PROPERTY TAX FOREGONE	\$ 6,345.50	\$ 6,345.50	\$ 6,345.50	\$ 6,345.50	\$ 6,345.50	\$ 6,345.50	\$ 6,345.50	\$ 6,345.50	\$ 6,345.50	\$ 6,345.50	\$ 6,345.50	\$ 6,345.50	\$ 6,345.50	\$ 6,345.50	\$ 6,345.50	\$ 95,182.50
NET NEW TAX REVENUE	\$ 6,345.50	\$ 6,345.50	\$ 6,345.50	\$ 6,345.50	\$ 6,345.50	\$ 6,345.50	\$ 6,345.50	\$ 6,345.50	\$ 6,345.50	\$ 6,345.50	\$ 6,345.50	\$ 6,345.50	\$ 6,345.50	\$ 6,345.50	\$ 6,345.50	\$ 95,182.50
DISTRIBUTION OF TAX REVENUE																
N CANTON LSD	37.71%	\$ 4,619.48	\$ 4,619.48	\$ 4,619.48	\$ 4,619.48	\$ 4,619.48	\$ 4,619.48	\$ 4,619.48	\$ 4,619.48	\$ 4,619.48	\$ 4,619.48	\$ 4,619.48	\$ 4,619.48	\$ 4,619.48	\$ 4,619.48	\$ 69,292.13
NC CITY	3.95%	\$ 483.88	\$ 483.88	\$ 483.88	\$ 483.88	\$ 483.88	\$ 483.88	\$ 483.88	\$ 483.88	\$ 483.88	\$ 483.88	\$ 483.88	\$ 483.88	\$ 483.88	\$ 483.88	\$ 7,258.13
STARK COUNTY	9.21%	\$ 1,128.47	\$ 1,128.47	\$ 1,128.47	\$ 1,128.47	\$ 1,128.47	\$ 1,128.47	\$ 1,128.47	\$ 1,128.47	\$ 1,128.47	\$ 1,128.47	\$ 1,128.47	\$ 1,128.47	\$ 1,128.47	\$ 1,128.47	\$ 16,927.05
NC LIBRARY	0.35%	\$ 42.88	\$ 42.88	\$ 42.88	\$ 42.88	\$ 42.88	\$ 42.88	\$ 42.88	\$ 42.88	\$ 42.88	\$ 42.88	\$ 42.88	\$ 42.88	\$ 42.88	\$ 42.88	\$ 643.13
STARK CO PARK	0.48%	\$ 58.80	\$ 58.80	\$ 58.80	\$ 58.80	\$ 58.80	\$ 58.80	\$ 58.80	\$ 58.80	\$ 58.80	\$ 58.80	\$ 58.80	\$ 58.80	\$ 58.80	\$ 58.80	\$ 882.00
PLAIN TWP	0.10%	\$ 12.25	\$ 12.25	\$ 12.25	\$ 12.25	\$ 12.25	\$ 12.25	\$ 12.25	\$ 12.25	\$ 12.25	\$ 12.25	\$ 12.25	\$ 12.25	\$ 12.25	\$ 12.25	\$ 188.75

* TAX CALCULATION DOES NOT INCLUDE STATE TAX REDUCTION OR ANY ROLLBACKS

Stark County GIS



Notes

Insight Realty, LLC.

City of North Canton
Community Reinvestment Area Program
Application

PROPOSED AGREEMENT for Community Reinvestment Area Tax Incentives between The City of North Canton located in the County of Stark and Insight Realty, LLC.

1. a. Name of property owner, home or main office address, contact person, and telephone number (attach additional pages if multiple enterprise participants).

<u>Insight Realty, LLC.</u> Enterprise Name	<u>Adam Goldman</u> Contact Person
<u>4597 Belden Village St.,</u> <u>N.W. Canton, Ohio 44718</u> Address	<u>(330) 493-0117</u> Telephone Number

- b. Project site:

<u>Parcel Number 9209116</u>	<u>Same As Above</u> Contact Person
<u>Portage St. N.W. N. Canton</u> Address	<u>Same As Above</u> Telephone Number

2. a. Nature of commercial/industrial activity (manufacturing, warehousing, wholesale or retail stores, or other) to be conducted at the site.

Medical Offices (Eye Clinic)

- b. List primary 6 digit North American Industry Classification System (NAICS) # _____

Business may list other relevant SIC numbers. _____

- c. If a consolidation, what are the components of the consolidation? (must itemize the location, assets, and employment positions to be transferred: N/A

- c. Form of business of enterprise (corporation, partnership, proprietorship, or other).

Limited Liability Company

3. Name of principal owner(s) or officers of the business.

Adam Goldman, Brian Wind, and Michael Wood

4. a. State the enterprise's current employment level at the proposed project site:

No Employment at Project Site

b. Will the project involve the relocation of employment positions or assets from one Ohio location to another? Yes__No_X_

c. If yes, state the locations from which employment positions or assets will be relocated and the location to where the employment positions or assets will be located:

N/A

d. State the enterprise's current employment level in Ohio (itemized for full and part-time and permanent and temporary employees):

N/A

e. State the enterprise's current employment level for each facility to be affected by the relocation of employment positions or assets:

N/A

f. What is the projected impact of the relocation, detailing the number and type of employees and/or assets to be relocated?

N/A

5. Does the Property Owner owe:

a. Any delinquent taxes to the State of Ohio or a political subdivision of the state?

Yes__No_X_

b. Any moneys to the State or a state agency for the administration or enforcement of any environmental laws of the State?

Yes__No_X_

c. Any other moneys to the State, a state agency or a political subdivision of the State that are past due, whether the amounts owed are being contested in a court of law or not?

Yes ___ No X

d. If yes to any of the above, please provide details of each instance including but not limited to the location, amounts and/or case identification numbers (add additional sheets).

6. Project Description: Construction of Medical Offices/Eye Clinic at vacant site on Portage Street – Parcel Number 9209116

7. Project will begin December 2013 and be completed September 2014 provided a tax exemption is provided.

8. a. Estimate the number of new employees the property owner will cause to be created at the facility that is the project site (job creation projection must be itemized by the name of the employer, full and part-time and permanent and temporary):

Two (2) Ophthalmologists/Optomtrist, two (2) Licensed Opticians, One (1) Office Manager/Coordinator, one (1) Surgical Coordinator, eight (8) Certified Ophthalmic Technicians. Three (3) front office personal, one (1) Information Technology (IT) Specialist (part-time). All positions are shared between other office locations

b. State the time frame of this projected hiring: 24 Months.

c. State proposed schedule for hiring (itemize by full and part-time and permanent and temporary employees):

All employees to be phased in during twenty-four month period.

9. a. Estimate the amount of annual payroll such new employees will add \$ see below (new annual payroll must be itemized by full and part-time and permanent and temporary new employees). **Year one total salary \$450,000, Year two total salary \$650,000, and Year three total salary \$800,000**

b. Indicate separately the amount of existing annual payroll relating to any job retention claim resulting from the project: \$ N/A

10. An estimate of the amount to be invested by the enterprise to establish, expand, renovate or occupy a facility:

A.	Acquisition of Buildings/Land:	\$ 200,000.00
B.	Additions/New Construction:	\$ 700,000.00 (estimated)
C.	Improvements to existing buildings:	\$ N/A
D.	Machinery & Equipment:	\$ 72,500.00
E.	Furniture & Fixtures:	\$ 45,000.00
F.	Inventory:	\$ N/A
Total New Project Investment:		\$ 1,017,500.00

11. a. Business requests the following tax exemption incentives: 50 % for 15 years covering real property as described above. Be specific as to the rate, and term.
- b. Business's reasons for requesting tax incentives (be quantitatively specific as possible)
Approval of the Tax incentive will allow for a more affordable debt service of the project's final "take out" financing and allow the project to move forward.

Submission of this application expressly authorizes The City of North Canton to contact the Ohio Environmental Protection Agency to confirm statements contained within this application including item #5 and to review applicable confidential records. As part of this application, the property owner may also be required to directly request from the Ohio Department of Taxation, or complete a waiver form allowing the Department of Taxation to release specific tax records to the local jurisdiction considering the request.

The Applicant agrees to supply additional information upon request.

The Applicant affirmatively covenants that the information contained in and submitted with this application is complete and correct and is aware of the ORD Sections 9.66(C)(1) and 2921.13(D(1) penalties for falsification which could result in the forfeiture of all current and future economic development assistance benefits as well as a fine of not more than \$1,000 and/or a term of imprisonment of not more than six months.

 Name of Property Owner

 Date

 Signature

 Typed Name and Title

*A copy of this proposal must be forwarded by the local governments to the affected Board of Education along with notice of the meeting date on which the local government will review the proposal. Notice must be given a minimum of fourteen (14) days prior to the scheduled meeting to permit the Board of Education to appear and/or comment before the legislative authorities considering the request.

****Attach to Final Community Reinvestment Area Agreement as Exhibit A**

Please note that copies of this proposal must be included in the finalized Community Reinvestment Area Agreement and be forwarded to the Ohio Department of Taxation and the Ohio Department of Development within fifteen (15) days of final approval.

An ordinance authorizing an agreement between the City of North Canton and Insight Realty, LLC, providing for a real property tax exemption pursuant to Ohio's Community Reinvestment Area Program.

WHEREAS, the General Assembly of the State of Ohio, by the enactment of Ohio Revised Code Sections 3735.65-70 (the "Community Reinvestment Area Program"), has heretofore authorized municipal corporations to designate Community Reinvestment Areas within their jurisdiction to provide incentives for new residential, commercial or industrial development and/or rehabilitation in such areas, by making available real property tax exemption for such new development or rehabilitation; and

WHEREAS, pursuant to said Community Reinvestment Area Program, this City Council by Ordinance No. 22-99, approved the designation of the geographic area described in said Ordinance as the City of North Canton, Main Street Community Reinvestment Area; and

WHEREAS, Insight Realty, LLC (the "Property Owner") has requested a real property tax exemption pursuant to Ordinance No. 5-10 and the Community Reinvestment Area Program to support the construction of a new eye clinic/medical office building located on Portage Street, parcel no. 9209116, (the "Project") and the City desires to enter into a Community Reinvestment Area Agreement (the "Agreement") with the Property Owner; and

WHEREAS, the City has set forth in detail the scope of the Project and the conditions under which the City will grant the aforementioned real property tax exemption in the Agreement currently on file with the Clerk of Council of the City; and

WHEREAS, the City Council has determined that it will be in the best interests of the City and its citizens to enter into the Agreement with the Property Owner and that fulfillment of such Agreement will carry out the purposes of the Community Reinvestment Area Program.

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

Section 1. This City Council hereby approves the Agreement providing for the Project and for a real property tax exemption of fifty (50%) percent for fifteen (15) years. Said Agreement shall be in substantially the form of the Agreement on file with the Clerk of Council, with such revisions as are approved by the Director of Law; and this Council hereby authorizes and directs the Mayor to execute the Agreement on behalf of the City.

Section 2. This Council hereby authorizes and directs the Mayor, and Directors of Law, and Finance to take such additional steps, execute such documents, and provide such information and certifications as are necessary and appropriate to carry out and implement the terms and conditions of the aforesaid Agreement and the requirements and policies of the City of North Canton, Main Street Community Reinvestment Area Program.

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 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

DRAFT



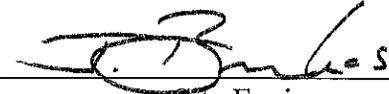
City of NORTH CANTON, OHIO

145 NORTH MAIN STREET
NORTH CANTON OHIO 44720-2587

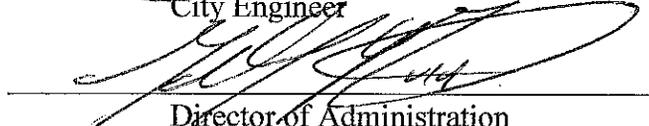
LEGISLATION REQUEST

To: Jon Snyder, President
City Council

Subject: **SPECTRUM MEDICAL OFFICE BUILDING WATERLINE EXTENSION**

Requested By: 
City Engineer

Date: 10/21/2013

Approved By: 
Director of Administration

Date: 10/22/13

Request: An ordinance authorizing the extension of a waterline outside of the City in accordance with City Code 935, and accepting any associated easements.
See attached waterline extension request.

The plans have been reviewed by this office and are acceptable.

EMERGENCY REQUESTED: Yes X No

RECEIVED

OCT 22 2013

**COUNCIL OFFICE
NORTH CANTON, OHIO**



City of NORTH CANTON, OHIO

145 NORTH MAIN STREET
NORTH CANTON OHIO 44720-2587

WATER MAIN EXTENSION REQUEST

(Submit to the City Engineer's Office)

NAME OF DEVELOPMENT / PROJECT: SPECTRUM MEDICAL OFFICE BUILDING

DEVELOPER:

ENGINEER:

COMPANY	SIGNET ENTERPRISES	COMPANY	MICHAEL BENZA & ASSOCIATES, INC.
AGENT	BRENDEN SHEA	CONTACT	ROGER C. NEWBERRY, P.E.
ADDRESS	19 NORTH HIGH STREET	ADDRESS	6860 WEST SNOWVILLE ROAD
	AKRON, OHIO 44308		BRECKSVILLE, OHIO 44141
PHONE	(330) 762-9102	PHONE	(440) 526-4206
FAX	(330) 762-7570	FAX	(440) 546-2691

LOCATION/DESCRIPTION:

ALONG THE EAST SIDE OF FRANK AVENUE, STARTING AT APPLGROVE STREET AND EXTENDING SOUTH.

PROPOSED SIZE: 12" ESTIMATED LENGTH: 500 FEET ESTIMATED COST: \$ 60,000.00

ESTIMATED WATER DEMAND (GPD): 2,700 GPD DOMESTIC & 1,000 GPM FIRE FLOW

I, Brenden D. Shea, being the Developer/agent for the developer, hereby request the City Council of the City of North Canton approve the extension of a water main outside the city corporation limit as described above.

All costs associated with this extension will be born by the developer, including but not limited to plan review fees, inspection fees, OEPA Approval, construction costs, booster pumps, etc. The engineer for the developer will be required to certify that the design of the water main extension will supply the required flows and pressures for the intended purpose at this extension.

The developer is required to furnish "record" mylars (4 mil thick) and digital drawing files in PDF format.

Signed: Brenden Shea Date: 10/18/2013
Developer / Agent

Reviewed By K. Benza Date: 10/21/13
City Engineer

An ordinance authorizing the Spectrum Medical Office Building Waterline Extension, located along the east side of Frank Avenue, Starting at Applegrove Street and extending south, in Jackson Township, Stark County, Ohio, in accordance with plans and specifications approved by the North Canton City Engineer, and accepting any necessary easement associated with said waterline extension

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

- Section 1. That the Administration of the City of North Canton, be, and is hereby authorized to extend the Spectrum Medical Office Building Waterline Extension, located along the east side of Frank Avenue, Starting at Applegrove Street and extending south, in Jackson Township, Stark County, Ohio, in accordance with plans and specifications approved by the North Canton City Engineer, and accepting any necessary easements associated with said water main extension.
- Section 2. That payment of the full cost of said water main extension shall be the responsibility of the applicant-developer, including but not limited to plan review fees, inspection fees, OEPA (Ohio Environmental Protection Agency) approval, construction costs, booster pumps, etc..
- Section 3. That pursuant to Section 925.01(e) of the Codified Ordinances, Council hereby authorizes the extension of the aforementioned waterline located outside the corporate limits of the City of North Canton.
- Section 4. That said waterline extension shall be pursuant to Section 935.08, Nonresident's Use of Water or Sanitary Sewer Service; Agreement, of the Codified Ordinances of the City of North Canton.
- Section 5. That the engineer for the developer shall be required to certify that the design of the water main extension will supply the required flows and pressures for the intended purpose at this extension.
- Section 6. 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 7. That this ordinance shall take effect and be in force from and after the earliest period allowed by law.

C/W: 10/28/13

ACCOUNT NAME AMOUNT

Item 3a

CC	COURT COSTS	6,650.00
COMP	COMPUTER ACCOUNT	590.00
IDAC	INDIGENT ALCOHOL	164.25
IDSF	Indigent Defense Support Fund	2,876.50
LOCDEF	LOCAL DEFAULT	60.00
MVCC	MOVING VIOLATION COURT COST	383.25
OF	ORDNCE FINE	3,826.00
OTHDEF	OTHER DEFAULT	6.90
SBD	SEAT BELT DRIVER STATE FINE	120.00
STDFT	STATE DEFAULT	44.00
VC	VICTIM CRIME	1,026.00
	TOTAL	15,746.90

RECEIVED

OCT 08 2013

COUNCIL OFFICE
NORTH CANTON, OHIO

Bank.	Account Description.....	Beg-Mo-Bal..	Mtd-Receipts	Mtd-Withdr..	Mtd-Adjust..	Balance.....
CS	10%B 10% BOND	0.00	0.00	0.00	0.00	0.00
CS	B BOND	0.00	0.00	0.00	0.00	0.00
CS	BC BANK CHARGES	0.00	0.00	0.00	0.00	0.00
CS	CC COURT COSTS	0.00	6650.00	6711.90	61.90	0.00
CS	COMP COMPUTER ACCOUNT	0.00	590.00	595.00	5.00	0.00
CS	CTCOP CERTIFIED COURT COPY	0.00	0.00	0.00	0.00	0.00
CS	EXP CITY EXPUNGEMENT ACCT	0.00	0.00	0.00	0.00	0.00
CS	EXPS EXPUNGEMENT TO STATE	0.00	0.00	0.00	0.00	0.00
CS	GR GENERAL REVENUE	0.00	0.00	0.00	0.00	0.00
CS	IDAC INDIGENT ALCOHOL	0.00	164.25	167.25	3.00	0.00
CS	IDSF Indigent Defense Support Fund	0.00	2876.50	2901.50	25.00	0.00
CS	INT MONTHLY BANK INTEREST	0.00	0.46	0.46	0.00	0.00
CS	LOCDFT LOCAL DEFAULT	0.00	60.00	0.00	-60.00	0.00
CS	MVCC MOVING VIOLATION COURT COST	0.00	383.25	390.25	7.00	0.00
CS	OF ORDNCE FINE	0.00	3826.00	3826.00	0.00	0.00
CS	OP OVERPAYMENTS	0.00	0.00	0.00	0.00	0.00
CS	OTHDFT OTHER DEFAULT	0.00	6.90	0.00	-6.90	0.00
CS	PHONE AT & T STMT	0.00	0.00	0.00	0.00	0.00
CS	RELFFEE FORFEITURE RELEASE FEE	0.00	0.00	0.00	0.00	0.00
CS	SBD SEAT BELT DRIVER STATE FINE	0.00	120.00	120.00	0.00	0.00
CS	SBP SEAT BELT PASSENGER STATE FINE	0.00	0.00	0.00	0.00	0.00
CS	SC NSF SERVICE CHG	0.00	0.00	0.00	0.00	0.00
CS	SF STATE FINE CHILD RESTRAINT	0.00	0.00	0.00	0.00	0.00
CS	STDFT STATE DEFAULT	0.00	44.00	0.00	-44.00	0.00
CS	VC VICTIM CRIME	0.00	1026.00	1035.00	9.00	0.00
***		0.00	15747.36	15747.36	0.00	0.00
***		0.00	15747.36	15747.36	0.00	0.00

Trans#..	Name.....	Date....	Check...	Bank.	Amount....	Accts Dist.	Amts
	CMC CANTON MUNICIPAL COURT	10-07-13	002006	CS	167.25	IDAC	167.25
	CITY CITY OF NORTH CANTON	10-07-13	002007	CS	11133.36	OF	3826.00
						CC	6711.90
						INT	0.46
						COMP	595.00
	ST STATE	10-07-13	002008	CS	4446.75	SBD	120.00
						IDSF	2901.50
						MVCC	390.25
						VC	1035.00
***					15747.36		15747.36

FirstMerit Bank, N.A.
 295 FirstMerit Circle
 Akron Ohio 44307-2359

FIRSTMERIT
 Bank

RECEIVED

OCT 04 2013

ADMINISTRATION
 NORTH CANTON, OHIO

MAYOR CITY OF NORTH CANTON
 145 N MAIN ST
 N CANTON OH 44720-2501

Statement Period
 Sep 1, 2013 to
 Sep 30, 2013
 Primary Account

Questions?
 1-888-554-4362

A

126005 - 33

Summary of Accounts	
Deposit Accounts	
INTEREST CHECKING	15,815.32
Total Deposit Accounts	15,815.32

INTEREST CHECKING

MAYOR CITY OF NORTH CANTON

Account Summary	
Beginning Balance as of Sep 1, 2013	11,420.80
17 Deposits and Credits	16,302.90
3 Withdrawals and Debits	11,908.84
Interest Paid	0.46
Ending Balance as of Sep 30, 2013	15,815.32

003501

Checks					
Date	Number	Amount	Date	Number	Amount
Sep 18	2003 ✓	113.25	Sep 13	2004 ✓	8,499.84
Total Checks		8,613.09			
Total Number of Checks		2			

Indicates there is a gap between check numbers

Other Transactions			
Date	Description	Withdrawals	Deposits
Sep 3	PAYPAL TRANSFER		556.00
Sep 5	DEPOSIT		1,340.00
Sep 6	DEPOSIT		1,133.00
Sep 9	PAYPAL TRANSFER		490.00
Sep 9	PAYPAL TRANSFER		300.00
Sep 11	DEPOSIT		2,110.00
Sep 12	PAYPAL TRANSFER		1,013.23
Sep 12	8201OHOTOSREPT REPROT EFT	3,295.75 ✓	
Sep 13	DEPOSIT		1,075.00
Sep 16	PAYPAL TRANSFER		769.00

Other Transactions (continued)

Date	Description	Withdrawals	Deposits
Sep 18	DEPOSIT		1,510.00
Sep 20	PAYPAL TRANSFER		553.67
Sep 23	DEPOSIT		1,949.00
Sep 24	DEPOSIT		1,245.00
Sep 25	PAYPAL TRANSFER		30.00
Sep 26	DEPOSIT		1,462.00
Sep 26	PAYPAL TRANSFER		130.00
Sep 30	PAYPAL TRANSFER		637.00
Sep 30	Interest Paid		.46

Daily Balance Information

Date	Balance	Date	Balance	Date	Balance
Aug 31	11,420.80	Sep 12	15,067.28	Sep 23	12,310.86
Sep 3	11,976.80	Sep 13	7,642.44	Sep 24	13,555.86
Sep 5	13,316.80	Sep 16	8,411.44	Sep 25	13,585.86
Sep 6	14,449.80	Sep 18	9,808.19	Sep 26	15,177.86
Sep 9	15,239.80	Sep 20	10,361.86	Sep 30	15,815.32
Sep 11	17,349.80				

Interest Detail

Interest Paid Year-to-Date	4.36	Annual Percentage Yield Earned	0.05%
Interest Paid this Period	0.46	Days in this Period	30
Interest Earned this Period	0.46		

Effective October 1, 2013, the *Substitute Check Policy Disclosure*, the *Consumer Electronic Funds Transfer Disclosure Statement* and the *Funds Availability Policy* have been updated and incorporated into the *Deposit Accounts Terms and Conditions*.

Also effective October 1, 2013, changes have been made to the *Deposit Accounts Terms and Conditions* including but not limited to the *Payment Order of Items*. The posting order we will use for paying your Items that are presented for payment on each Business Day is as follows:

Payment Order of Items - The order in which Items are paid (in other words, withdrawn from your Account) is known as the "posting order." The posting order is important in those cases where there is not sufficient money in your Account to pay all of the Items that are presented for payment on a given Business Day. The posting order will determine which Items will be paid, which Items may be returned for insufficient funds, and which Items may create an overdraft if FirstMerit, in its sole discretion, chooses to pay the Item despite there being insufficient funds in your Account. There are separate fees that may be charged for returning an Item for insufficient funds and for creating an overdraft. The posting order we will use for paying your Items that are presented for payment on each Business Day is as follows:

1) We will post debit card transactions (this includes reducing your balance by the dollar amount of any holds that we may have placed on your Account for debit card transactions for which we have received notice, but which have not yet been presented for payment; see "Determining Your Account Balance" on page 8) and automated teller machine (ATM) transactions in the order that we received notice of them.

2) Next we will pay teller cashed checks, debit memos, wire transfers, debits resulting from transfers between FirstMerit accounts and any transactions completed in the Branch, from the largest dollar amount to the smallest dollar amount.



C/W: 10/28/13
Item 3b

145 North Main St. · North Canton, OH 44720
Phone: 330-499-3466 Fax: 330-499-2960
karen@northcantonohio.com

CITY OF NORTH CANTON

Karen Alger
Director of Finance

October 18, 2013

TO: Jon Snyder
President of Council

RE: Renewal of North Canton City Health Insurance

I am requesting that the above subject matter on the Council of the Whole agenda for Monday, October 28, 2013, the discussion of legislation to authorize the Mayor, through the Board of Control to enter into the necessary contract(s) for the City's Health Insurance policy/policies. I would request that the legislation be passed on an emergency basis in order to have the funding in place as soon as possible to make payment. Our health care consultant, Bob Fisher will be present at the meeting to review the proposals with Council and provide his recommendation regarding the selection of a health insurance provider.

Respectfully submitted,

Karen Alger
Director of Finance

RECEIVED

OCT 18 2013

COUNCIL OFFICE
NORTH CANTON, OHIO

An ordinance authorizing the Mayor of the City of North Canton upon concurrence of Council, through the Board of Control, to enter into a contract for administering a self-insured health insurance program for the of period December 1, 2013, through November 30, 2014, for the employees of the City of North Canton and declaring the same to be an emergency.

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

- Section 1. That the Mayor of the City of North Canton, through the Board of Control, and upon concurrence by Council, is hereby authorized to enter into a contract for administering a self-insured health insurance program for the period of December 1, 2013, through November 30, 2014, for the employees of the City of North Canton.
- Section 2. That the Director of Finance of the City of North Canton is hereby authorized to draw funds necessary for the payment of the above-specified contract upon receipt of vouchers duly approved by proper departmental authority from appropriations applicable thereto.
- Section 3. That, if any 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 hereby declared to be an emergency measure necessary for the preservation of the health, and safety of the City of North Canton and further necessary for timely renewal of the City employees' health insurance policy; 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
g:\2013 draft legislation\2014 health insurance.docx



C/W: 10/28/13

Item 3c

145 North Main St. · North Canton, OH 44720

Phone: 330-499-3466 Fax: 330-499-2960

karen@northcantonohio.com

CITY OF NORTH CANTON

Karen Alger

Director of Finance

October 23, 2013

TO: Jon Snyder
President of Council

RE: Supplemental Appropriation Request and Inter-Fund Transfer from General Fund to the Municipal Road Fund.

The Stark County Commissioners requires that amounts for grant awards be spent by the recipient, and then be reimbursed by the County. Therefore, to keep the Municipal Road Fund from falling into a negative balance situation, I am requesting that Council consider legislation appropriating funds for the advancement from the General Fund.

Therefore, I am requesting a supplemental appropriation for the advancement of funds to the Municipal Road Fund as follows:

- \$130,000 from the Unappropriated Resources of the General Fund to A/C 101.628.5634 Transfers – Municipal Road Fund.

I respectfully request authorization for repayment of the advance as this is a temporary loan of funds which is to be paid back to the General Fund upon reimbursement from the Stark County's Municipal Grant.

Respectfully submitted,

Karen Alger
Director of Finance

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 Fund to the Transfers – Municipal Road Account in the amount of \$130,000 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 101 Fund GENERAL FUND	\$130,000
--	-----------

Appropriate To:

101 GENERAL FUND 101.628.5634 Transfers – Municipal Road	\$130,000
---	-----------

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 of the grant for the municipal road funds. 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

RECORD OF PROCEEDINGS

Minutes of COUNCIL OF THE CITY OF NORTH CANTON REGULAR Meeting

DAYTON LEGAL BLANK, INC., FORM NO. 10148

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

Call to Order:

1. The council meeting was called to order Monday, October 14, 2013 at 7:29 p.m. by President of Council Jon Snyder.
2. Opening Prayer
The opening prayer was delivered by Pastor Hal Oswald, St. Jacob Community Church.
3. Pledge of Allegiance
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.

5. Consideration

Council Meeting Minutes – September 30, 2013
Financial Statement – September, 2013

Mr. Snyder: May I have a motion and a second to consider, as presented, the council meeting minutes dated September 30, 2013 and the financial statement dated 2013.

Mr. Griffith moved and Mrs. Kiesling seconded to approve, as presented, the council meeting minutes and the financial statement. All members present voting:

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

No: 0

6. Committee Minutes

Mr. Snyder: May I have a motion and a second to approve the following Committee report minutes: Committee of the Whole; Finance and Property; Ordinance, Rules and Claims all held 7th of October, 2013.

Mr. Griffith moved and Mr. Peters seconded to approve, as presented, committee report minutes. All members present voting:

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

No: 0

Committee of the Whole: Please refer to the minutes on file in the Council Office of the Committee of the Whole meeting held October 7, 2013.

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

Ordinance, Rules and Claims Committee: Please refer to the minutes on file in the Council Office of the Ordinance, rules & Claims Committee meeting held October 7, 2013.

Mr. Snyder: At this time, the Chair would like to recognize the young students from the high school. We're glad you're here. Please come back again. It's always nice to see your faces in the council meeting. And it's government at its work. Thank you for being with us. At this time, I believe Member Griffith has a - something that he'd like to do along with Mayor Held.

7. Presentation by Paul Beinlich – Character Counts

Mayor Held: Go ahead, Dan.

Mr. Griffith: Do you have the proclamation? Well, I'm happy to - I was going to say tonight we're here to celebrate. Next week we were intending to do it, to celebrate the fact that here in North Canton we are a character community; a community of a lot of characters as you can see. But in all seriousness, we have a wonderful program that was initiated by the North Canton Y, and on a number of years in the past, we've had the opportunity to celebrate that and I thought there was a ...

RECORD OF PROCEEDINGS

Minutes of COUNCIL OF THE CITY OF NORTH CANTON REGULAR Meeting

DAYTON LEGAL BLANK, INC., FORM NO. 10148

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

Mayor Held: Yeah, one of the discussions that we had was we would like to provide a, that Councilman Griffith had requested is to do a proclamation. And we would like to do that for Character Counts. I think that'd be a fantastic thing to do. And it would just take us a little bit of time. I don't believe we have it prepared yet at this point, but we would like to do that. It was our intention to get one together. And so when I saw you here Paul, we would like to invite you folks back and to do that, because really what prompted it, actually I also talked with Councilman Cerreta, I believe, about this too, is that the task that you folks are undertaking with Character Counts, you know, I don't think there is anything that is of greater value at this point for our City. Because when you look at what our community needs most is, it's all about the character of the individuals that we have. And that's really what separates North Canton from any other community, is the people that we have, and it's the character of the individuals. And by you folks taking the time and saying that character counts, it most certainly does. And we clearly want to recognize that. So, what we would like to provide you folks with a proclamation.

Mr. Snyder: Paul, would you like to say a few things relative to what you have coming up this week?

Paul Beinlich: Well, I don't want to take a lot of time from Council, and I know you have plenty to do and for all the citizens, but it's really important for us to kind of announce to you and to the community in general that we're kicking off "Community of Character Week" next week in North Canton. And we have a special community here and we believe we have a special little group of volunteers that work - are working hard and keeping the ball rolling, so to speak, to make North Canton a better community of character. And that's what we're about it's - we don't have a building. We don't have anything but volunteers who are just interested in continuing to promote community, a community of character, throughout all organizations, all businesses and everything that we do in North Canton. And the Y has been a big part of that. Kathy Yaros is here with me tonight as a part of that committee and what's going on. So if we're going to do it at a different time, that's fine, too. We just wanted to announce that next week is Community Character Week. We're going to have signs throughout the community, and we're going to be doing a lot of activities. So - just so you're aware.

Mr. Snyder: Oh, we would like to invite you back along with your committee, possibly at the end of the month. We will not be in session next Monday, but we'd like - and allow the Mayor and this Council to recognize you and your committee for the good works you're doing. And we'll make sure that the invitation is proper. Kathy, would you like to say something?

Ms. Yaros: No. I'd just like to thank you all for remembering the character values of trustworthiness, respect, responsibility, fairness, caring, and citizenship. As you go about your business tonight let us all respect and care for each other. And thank you for you do as well.

Mr. Snyder: Thank you for very much.

Mr. Peters: Thanks, Kathy.

Mr. Snyder: Members of Council, any comments? Mr. Griffith.

Mr. Griffith: I just wanted to follow up to say that a lot of us hear about this program if we have kids in schools, as many of us do. I haven't had any of my little ones come home with any awards. So I don't want to ...

Mrs. Kiesling: I have.

Mr. Griffith: There you go, congratulations.

Mr. Peters: I have, two.

(Laughter)

Mr. Griffith: Well, I will carry them over to your houses ...inaudible... Anyway, but I wanted to say that that really is only a small part of what the effort has been in town here. And that unlike a lot of places, North Canton really is becoming a community of character. There's a lot of work that's going on in the religious community and the business community and people on the committee have really done a great job. Kathy really spearheads a lot of work. She does a lot of work herself too. So I just wanted to remind us of that too, it isn't something that is limited to schools, but something we should all be looking at all the time too. So, thank you guys from coming.

RECORD OF PROCEEDINGS

Minutes of COUNCIL OF THE CITY OF NORTH CANTON REGULAR Meeting

DAYTON LEGAL BLANK, INC., FORM NO. 10148

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

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

Rita Palmer: My name is Rita Palmer and I live at 307 Fairview Street, North Canton. And these comments came before your discussion of the last half hour. And maybe this is what I would have said to you had I been part of that discussion. I have some concerns regarding drafts two and three of the council resolution to oppose Issue 13: One whereas statement claims that Chuck Osborne wants to change the City's form of government. If this were true the ballot language, for example, might say, "vote yes to change the council/mayor form of government in North Canton to a city manager form of government". The ballot language does not say anything like that. Jon Snyder told me today that the intent of the statement was to say that the strong council/weak mayor relationship might instead become a network of a weak council/strong mayor. Clearly your resolution needs to say what you mean. Another whereas line claims that a full-time mayor, as opposed to a part-time mayor, will cost the City more money. Not true. If you consider that recently the City had no financial difficulty maintaining a part-time mayor, a director of administration, and a director of administrative services at an annual cost of approximately \$200,399 for salary and benefits. And now, if the mayor were full-time and he had only one assistant, namely the director of administration, there would be \$200,000 to spend. By way of Jon Snyder's example from last week, the Dover Mayor earns \$78,000, not \$100,000 as he said, plus benefits of about \$88,000. And so could our full-time mayor. The director of administration could get the same amount or less totaling \$176,000 at a savings of \$24,000 or more. Further, to state that this savings would bring no increase in efficiency because the mayor could do no more efficient work in 40 hours than he or she does as a part-time mayor who is unable to be at City Hall during business hours, is frankly insulting to any future mayor. And that is clearly an operational issue, not a ballot issue. A third whereas clause states that it is Council's opinion the charter amendments "occur only after thoughtful consideration of a charter commission's membership". Does that statement including the word "only" mean to say to the citizens in this chamber that Article 6, Section 6.05 of the City Charter is in fact null and void, or disingenuous at best? This section states, "this Charter may be amended in accordance with the terms and provisions of the Constitution of the State of Ohio" which states, "...amendments to any Charter framed and adopted as herein provided may be submitted to the electors upon petition signed by 10% of the electors of the municipality..." Issue 13 was brought to the ballot because those terms were met. And 952 citizen signatures were validated according to the process outlined by the Constitution and the North Canton City Charter. Do you mean to say as a civic body that you want to vote against the citizens' rights as guaranteed in the Constitution just because you do not like the citizen who exercised his rights? Frankly, that is pitiful. And to borrow a phrase from the legal department, "it's not befitting the City of North Canton". Thank you.

Mr. Snyder: Thank you. Anyone...

Mr. Fox: Just to respond. As you can see in there, it doesn't state that it's the only way. And it was very clear in there that it's not the only way to do that. And I think it's also important that you don't, just does not forcing something straight from Green's Charter into North Canton's Charter without looking at the implications that it may have in the other areas, is the same reason that we wouldn't simply do that with Dover to compare us with them. And I think the issue was with Mr. Bartos' position was to free up that capital, not to simply then divide it ...

Mrs. Kiesling: Exactly.

Mr. Fox: between two positions that are effectively leadership positions. That the City effectively has a number of leaders, it's the Indians that, you know, that you actually need. Not the chiefs out there putting those things in motion.

Mr. Snyder: And I know that we shouldn't - we aren't going to do a debate, but in this particular case, relative to Mr. Bartos, his position was eliminated by the Mayor prudently for the simple fact what we were paying him, we were not getting that type of production. There was not enough work to involve that person in that position. It was covered by the Director of Administration, the two Administrative Assistants, and the Mayor. So to add a forty-hour person, there was not enough work. We were finding things for him to do that were, I think, at the swimming pool and other places, that were - so the Mayor prudently eliminated the job. Am I correct in my statement, Mayor, in that? I think there was not enough work for a forty-hour person.

Mayor Held: Yeah, when you look at the full-time employees that we have versus part-time or whatever positions we have, you know we started out again with, when I first started as Mayor, 116 full-time employees, and we were down as low as 91, and I think we're somewhere at 92 full-time employees now. And you know, we'd love to have 120 employees, full-time employees - 125, but when you look at the City's income tax, in 2001 we had just over \$7,000,000 in income tax. And then in, what was it 2010, it dropped to \$5.4 million. I mean we were forced to reduce the number of full-time employees by 23 percent. And then we had to rearrange our responsibilities for those individuals that remained. So it's not that, you know, that we're opposed to having more full-time

RECORD OF PROCEEDINGS

Minutes of COUNCIL OF THE CITY OF NORTH CANTON REGULAR Meeting

DAYTON LEGAL BLANK, INC., FORM NO. 10148

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

employees, it's just that given the economic climate that we're in, we are forced to find the most cost-efficient way to provide City services. There are a number of different things that we can look at that say, it is better to have this. And one, if I can share one quick story, it's like when I took my, on our vehicle that my son was driving, the tire blew and so we had to get a new tire on it. And my son liked this no-flat, state-of-the-art tire that we could have on the car. And no doubt it - that individual tire was any better than any tire that I had on the car at the time; state-of-the-art and it's on sale. So it would be less expensive than the other match that I was going to put on there. And - but the other problem was it was 20 inch tire. He thought 20 inch tires looked good rather than the 18 inch on the car. And my question was, well you can't put a 20 inch tire, one 20 inch tire when all the others are 18 inches, because even though it's a state-of-art tire and it's a better tire, the car is not going to run right. It throws the rest of the car out of balance. So, the other option is, well let's just put 20 inch tires all the way around. But then that's more expensive, and did we really need it? And so we can get into this discussion as far as what's better or if we look at each individual aspect, each individual tire, or each individual aspect of the charter and say, you know, we argue this is better. But, as our council members represented, it's really when you're making one change, one component to the overall vehicle it - there's a - there - it changes the whole balance. And that's what we have here, it just changes the balance. And unfortunately the changes that we make - there is an expense to it. I've done this budget three times as the City Administrator, and I've done it eight times as the Mayor, and I can tell you it is not easy. And this Council knows this. It's really tough to articulate the level of financial pressure that we are under just to keep our police officers, a full-time police officer. We've been going with EMS, with one fewer EMS full-timer for how long now?

Administrator Grimes: Over a year.

Mrs. Kiesling: A few months.

Mayor Held: Oh yeah, it's been over a year now.

Mrs. Kiesling: Inaudible... Oh, I mean with a two man run.

Mayor Held: Yeah, we're down one.

Mrs. Kiesling: Now we're down to a two man run.

Mayor Held: Now we're going to have another EMS that's leaving. And this Council understands this, and the Administrator understands this, that we just do not fill a position because it becomes vacant. We'd love to, but we have to look at it and say, can we afford this for the next five, ten, fifteen, twenty years? Because, you can't just swap, you know swap full-time employees in and out. So again, it's - when you look at each aspect of our Charter, you know, we can argue individual points but certainly, and I hope I'm not intruding on this, but I feel it's just the time for me to speak up on this, is that you have to look at it, in my opinion, you've got to take a comprehensive look at the City's operation, the intent of the Charter, how the original individuals wrote the Charter, and how each Charter Review Commission has made adjustments. And you see that continuity and so I completely support what the Council is doing. And I also have a tremendous amount of respect for all of the individuals that put this referendum together, because I do appreciate the fact that you're trying to make the City Government better. I know that's what your intent is. And I am grateful for that. And like I said, I hope I don't sound like I'm, you know, being contradictory, but you know those 20 inch tires are nice. And I think that they're good, it's a good thing, but it has to fit into the overall operation. Otherwise, you'll have other unintended consequences which we certainly don't need at this point.

Mr. Snyder: Thank you, Mayor.

Mr. Grimes: Mr. President.

Mr. Snyder: Yes, sir.

Mr. Grimes: If I may weigh in a little bit.

Mr. Snyder: Yes, please.

Mr. Grimes: Just kind of a history lesson. First, Mr. Bartos was a wonderful worker, and I think he proved that when he went to Canton, then he got a substantial raise down there and a promotion. So he was very good for me in my office, but we knew at the beginning of the year that we were going to have to make cuts. And working with finance and of course with Council, we knew that cuts had to be made, and we made them in our office first in Administration. And that's what we did. And then we had to make another cut to a Fire Inspector. So you know, that's the way that went. We were able to fund it for a couple of months, but we knew that those were coming to an end and we had to make those cuts. So that's really what we did.

Mr. Snyder: We appreciate that. Thank you. Anyone else wishing to speak to the Council? Mrs. Baughman.

RECORD OF PROCEEDINGS

Minutes of

COUNCIL OF THE CITY OF NORTH CANTON

REGULAR

Meeting

DAYTON LEGAL BLANK, INC., FORM NO. 10148

Held

Monday, October 14

7:00 p.m.

20 13

Chuck Osborne: 307 Fairview SE, North Canton, Ohio. Five years ago when former City Administrator Earl Wise was ousted, you created a position called Director of Administrative Services, and you parked him in that position for seven months. Nobody seemed concerned about salary expense and burden to the taxpayers then. I think the position was actually taken off the roles after he was - left the City. A year or so later, you recreated a position and hired Mr. Bartos. He was there for two years. Again, nobody was concerned about the financial burden. Earlier you had a speaker talk about the salaries. You have nearly \$31,000 for the Mayor; you have nearly \$100,000 for the City Administrator; and with Mr. Bartos, there was another \$75,000. Certainly paring down from three to two positions, you can adequately cover the salaries for both of the full-time mayor and a city administrator certainly for less than the \$200,000 you were paying for all three positions. Now it's quite interesting, Mr. Snyder, and then we have Mr. Grimes kind of coming to your rescue here, you tell us that Mr. Bartos was let go, not for financial reasons, because there wasn't enough work. So your underlying, you're undercutting your own argument here about financial burden to the City. So I think you're being less than forthright there. I'm very concerned that you're using a taxpayer supported venue, tax supported salaries to try and fight the taxpayer. And now I am very alarmed, and Mr. Fox if I hear one more word about a mailing you will be issued a law suit, an injunction. You cannot spend thousands of dollars to fight the taxpayers. Obviously, you all differ on this. If you differ when you go to the voting booth, vote no. Mr. Peters signed the petition wanting to bring this to the voters and let them decide. I have former councilman Pat DeOrio also signed it. Mr. Sarbaugh also signed it. Mr. Repace and his wife signed it. Mr. Davies and his wife signed it. We have a difference of opinion. Let the voters decide this for themselves, they're not totally ignorant. As far as the Charter Review Commission, you act like this is some holy commission. The only difference between them and the committee that we set aside, is the Charter Review Commission, the members are hand-picked by Council. Is that your beef, that you didn't get a chance to hand-pick and stack the commission? They're just residents like anybody else. Another example of why this I don't think this works, is in 2001 you had a resignation of your mayor. When you elect somebody part-time Mayor and they have a full-time position elsewhere, you're making a big presumption here that their employer will allow them to devote some of their full-time hours, their 40 hour work week, to handling their part-time job. Mr. Revolt obviously found out that that didn't work. He resigned in the middle of the worst crisis this City had ever seen. And there were reasons given that weren't entirely true. Clearly, the demands of the job exceeded what his employer at the time would live with, and he resigned at the worst crisis this City had ever seen. It was in the paper, June 26, 2001. So let the voters make their own decision. If you want to express your personal opinion publically, fine. But to use this taxpayers supported venue, the lighting, the room, to try and influence the outcome of an election and spin this. There is no added cost to the City. You will have a full-time mayor available and accessible. I'm sorry Mr. Snyder if you have to share the spotlight with a full-time mayor. We need a mayor who's available and accessible at all times to the citizenry. And surely out of eight elected representatives, one of them should be full-time, who knows what's going on...

(five minute bell)

Mr. Osborne: is engaged and knowledgeable. Thank you.

Mr. Snyder: Anyone else wishing to speak to the Council? Mrs. Baughman.

Mr. Fox: Just to address the issue, you have that right to send that information out if you wish.

Mr. Snyder: Thank you.

Miriam Baughman: 320 Weber Avenue. I want to thank you, President Snyder and you, Chairman Werren for removing the names from the - what is it, Resolution. This resolution impacts against Issue 13 very negatively which will in turn, impact on the names very negatively. That's not how we do things in North Canton. We do not demean or disrespect our residents. So thank you again.

Mr. Snyder: Thank you, madam.

Ms. Baughman: I was also, I was on the Charter Review Committee some years ago, and we spent a lot of time, many hours talking about a city administrator. And if you remember, you came and even talked for it.

Mr. Snyder: Yes, I recall very vividly.

Ms. Baughman: The city administrator would not be elected. It would be a person, there would be probably a nation-wide search put out. Then Council would do interviews, hire this person based on their education, their training, and then give them a contract. It would be nothing political. And it would be nothing that anybody would vote on. But, after hours of talking about it, the consensus was not to go that way. So I just wanted to clear that up. We never really entertained a full-time mayor. It may have been mentioned, but there was never any discussion. I know, I was the secretary. Thank you.

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Mr. Snyder: Thank you, ma'am. Appreciate it.

Mr. Peters: Jon. Just a second...

Mr. Snyder: Yes, sir.

Mr. Peters: Miriam, how long did the Charter Review Commission, how many hours would you say they spent on that.

Mr. Snyder: Around five months.

Miriam Baughman: About two years.

(Laughter)

Mr. Snyder: It was around five months they were... They convened in early March, and I think I had a resolution sometime in July, wasn't it? Or August?

Mrs. Kalpac: They started in January and went to.

Mr. Snyder: Was it July or August when they...

Mrs. Kalpac: Yeah, June or July.

Mr. Snyder: That was a long time.

Mr. Peters: So it was a lot of hours and a lot of meetings and a lot of back and forth and a lot of, you know pros and cons thrown out there from a lot of different members of a committee. Who cares who they appointed by? So I think, and I'm glad you said that. I think that highlights how important they - how important a decision it was and how seriously they took it. You know, as opposed to, you know, looking at another charter and cutting and pasting that and putting in, you know, into ours. You know, it, you know, round figure into a square peg, it doesn't work. So I guarantee you there was a lot more deliberation in the Charter Review Commission than there was with this Committee.

Mr. Snyder: Anyone else wishing to speak?

Greg Sarbaugh: Good Evening, Greg Sarbaugh. 611 Northbury Circle N.E. in North Canton. I've served with many of you and I know what you're going through right now. I did like the fact that my Councilman, Jeff Peters, signed the petition, and some other ex-council members signed the petition. I can't speak for why they signed it. I signed it for two basic reasons: First, to keep from harming the petitioner so he'd leave. Second, to open a dialogue. That was part of the presentation, to open the conversation on this. I thought that was very important to do. I'm not in favor of this Issue 13, but I'm in favor of opening the dialogue to talking about it. It seems that this Council and this Mayor have not really had that dialogue to the people yet. You have a web site, you have local newspapers, I'd really like to see you expressing some of these views you brought up tonight. The background of the Charter, how we got to where we are today could be from the Mayor. What you people had mentioned tonight should be from you, but this needs to be gotten out. Like Mr. Griffith mentioned, people are voting now. Absentee voters are voting now and they don't know all the issues on this. So nobody wants to restrict any petitioner from bringing this to a ballot, but we need to get all the facts before we vote. And I would hope that you would take any means possible to get your opinions, your legal what you can do, without spending a whole lot of money. Like I say, the website and local newspapers get that out to people as soon as possible. Thank you very much.

Mr. Snyder: Thank you. Mr. Daniluk.

George Daniluk: 502 Werstler. I take a different approach on the full-time mayor. I think we need one for other reasons. Council persons' opinion should be molded by the opinions of their constituents. As far as getting money to pay for this full-time mayor, the City found and (hard to read my own writing) and for wage increases and I believe in my opinion, they were given the satisfying requirement by PERS (Public Employee Retirement System) even though some on Council say it had nothing to do with it. And it was passed on emergency, no less. My opinion on a full-time Mayor is based on conversations with unsatisfied citizens who have gotten up, who have gotten no satisfaction with their respective councilperson or council. People have stopped attending Council, as you can see, because in their words, why bother? At a later date, I will make comments on the City's claim of low incidents of crime, and I will comment on incidents of not taking reports on crime and turning a blind eye when enforcing well-intended ordinances. We need a full-time mayor to oversee those charged with certain responsibilities are actually fulfilling their duties. My comments also will be based on facts. Thank you.

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

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Melanie J. Roll: 308 Portage. I have a question first. When was the Charter Review last convened and when do they think the recommendations, because I'm not clear on that?

Mr. Snyder: I think it was five years ago. Seven years ago, was it? It's every ten years.

Mrs. Kaipac: 2007.

Mrs. Kiesling: It was seven.

Melanie J. Roll: Seven? I'm wishing to speak to legislation in opposition to 13. Most of us in this room are here because we care about the City of North Canton. And we also care about having ineffective government. And I think all of you and most of the folks in the audience would agree to that. In the hay-day of the Hoover Company, when there were – when there was a fire or other emergency in the community, folks left the Hoover factory floor to help with those emergencies. Folks working in management, excuse me, at the Hoover Company filled part-time positions in North Canton Government as well as serving in key positions in organizations such as the Jaycees and the United Way. Those days are over. No longer can North Canton depend on local corporation for tax dollars or personnel; that would be the Hoover Company Corporation. I ask that you seven individuals look ahead a decade, two decades, maybe three decades, which is difficult, what do you want this community to look like? And how can North Canton government function best? Perhaps it is a time for a full-time mayor who can meet with current businesses and perspective businesses during regular business hours. This community needs a thriving Main Street as well as stable neighborhoods for economic success, and I don't think that any of you would dispute that. For me personally, for council to collectively make a recommendation on how folks in North Canton should vote on any issue is inappropriate and unwise. If you individually want to, as you're campaigning, make recommendations, I think that is fine, but to collectively make a determination of how folks should vote, I think, again is inappropriate and unwise. Thank you.

Mr. Snyder: Is there anyone else wishing to speak? Thank you. Seeing none, we'll move to Old Business. May I have a motion to read by title only, third reading of Ordinance No. 62-13?

OLD BUSINESS

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

Ordinance No. 62-13 – third 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 ordinance of the City of North Canton.

Mr. Snyder: We've thoroughly vetted this. We've had a resident, a constituent of Member Werren, who had a problem. It actually cost her more to file the quarterly return than what actually her liability was. And Member Griffith weighed in on that and collectively, along with the Director of Finance, have changed through the Law Department, our actual income tax ordinance allowing much broader amounts and making it simpler for a small business not having to file a quarterly return, and having additional expense to bear. If there's no question of Council, I'll entertain a motion to adopt the third reading of Ordinance No. 62-13.

Mrs. Werren moved and Mrs. Kiesling seconded to **adopt the third reading** of Ordinance No. 62-13. All members present voting:

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

No: 0

Mr. Snyder: If you'll bear with me, I'd like to move to No. 14, Resolution No. 70-13. We have a member that has to leave a little earlier so ...

Mrs. Werren: I'm good, Jon.

Mr. Snyder: It's ok?

Mrs. Werren: Yes.

Mr. Snyder: So, we don't need to do then?

Mrs. Werren: No, it's okay.

NEW BUSINESS:

10. Mr. Snyder: Okay, then we'll move to New Business. May I have a motion to read by title only, the first reading of Ordinance No. 66-13?

Mrs. Kiesling moved and Mr. Foltz seconded to **read by title only, first reading** of Ordinance No. 66-13. All members present voting:

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

No: 0

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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 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 Nos. 928, 0699, and 9280795 located at 220 West Maple Street and Harmon Street SW which the City does not require for the municipal purposes, and declaring the same to be an emergency.

Mr. Snyder: This is the Engineering/Permits old Engineering/Permits Building. We had it appraised. We'd like to transfer it to the Community Improvement Corporation to wit they will, in lieu of a contribution that will be made, I think it's about 160,000 more or less. We have a copy of the appraisals. It is public knowledge if they'd like to know. We're going to read this three times, not suspend the rules and adopt it. Mr. Bowles is working on a tenant, possible lease, possible purchase. If the building sold for more than the appraised value with the transfer, the money would come back to the City, so the City would not be, the City would be made whole again. Again, it's a building that's no longer in use. It's not ADA compliant, so it's of no use to the City at this time. And rather than let it sit and deteriorate, we recommend that it be sold or leased. Is that comfortable with the Council? There being no other questions, I'll entertain a motion to adopt the first reading of Ordinance No. 66-13.

Mr. Foltz moved and Mrs. Kiesling seconded to **adopt the first reading** of Ordinance No. 66-13. All members present voting:

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

No: 0

11. Mr. Snyder: Thank you. May I have a motion to read by title only, first reading of Ordinance 67-13?

Mrs. Kiesling moved and Mr. Foltz seconded to **read by title only, first reading** of Ordinance No. 67-13. All members present voting:

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

No: 0

Ordinance No. 67-13 – 1st Reading – Finance & Property

An ordinance authorizing the supplemental appropriation of funds of the City of North Canton, Ohio to the appropriate 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.

Mr. Snyder: This is to - we're going to receive a grant in the amount of \$40,000. The matching portion, I think is 14. This is to raise the Stryker Cot into the ambulance. We're going to get these and then when the grant comes in the money will be returned. We feel this is the most expedient way to do it. Any question on that?

Mrs. Kiesling: I motion we adopt.

Mrs. Kiesling moved and Mr. Peters seconded to **adopt first reading** of Ordinance No. 67-13. All members present voting:

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

No: 0

Mr. Snyder: Since this is an appropriation that only requires one reading, I'd like to suspend the rules of council pertaining to Ordinance No. 67-13.

Mrs. Kiesling moved and Mr. Peters seconded to **suspend the rules** for Ordinance No. 67-13. All members present voting:

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

No: 0

Mr. Snyder: May we adopt under the suspension of the rules Ordinance No. 67-13?

Mr. Griffith moved and Mrs. Kiesling seconded to **adopt under suspension** of the rules Ordinance No. 67-13. All members present voting:

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

No: 0

12. Mr. Snyder: May I have a motion to read by title only, first reading of Resolution 68-13?

Mr. Griffith moved and Mrs. Kiesling seconded to **read by title only, first reading** of Resolution No. 69-13. All members present voting:

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

No: 0

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Resolution No. 68-13 – 1st Reading – Finance & Property

A 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.

Mr. Snyder: This is a resolution that we were required by charter to issue also by the Ohio Revised Code. It simply states that we're within the right figures of the inside levies, that we do not exceed the amount of ten percent. The millage is there predicated on the levies that we have, storm water, streets, EMS and fire, and we are well within that range. And may I have a motion to adopt the first reading of Resolution 68-13.

Ms. Griffith moved and Mrs. Werren seconded to **adopt the first reading** of Resolution No. 68-13. All members present voting:

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

No: 0

13. Mr. Snyder: May I have a motion to read by title only, first reading of Ordinance No. 69-13?

Mr. Griffith moved and Mrs. Kiesling seconded to **read by title only, first reading** of Ordinance No. 69-13. All members present voting:

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

No: 0

Ordinance No. 69-13 – 1st Reading – Finance & Property

An ordinance authorizing the supplemental appropriation of funds of the City of North Canton, Ohio to the 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.

Mr. Snyder: Again, this is a requirement that we pay to the state because it's from the building permit fees. We do it every year, and this will take care of that, and it's one thousand dollars. And if there are no questions, I will entertain a motion to adopt the first reading of Ordinance 69-13.

Mrs. Kiesling moved and Mr. Peters seconded to **adopt the first reading** of Ordinance No. 69-13. All members present voting:

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

No: 0

Mr. Snyder: Again, as this is an appropriation, it requires one reading, so I'd like to suspend the rules of council pertaining to Ordinance 69-13.

Mr. Griffith moved and Mrs. Kiesling seconded to **suspend the rules** for Ordinance No. 69-13. All members present voting:

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

No: 0

Mr. Snyder: May I adopt under suspension of the rules Ordinance No. 69-13?

Mr. Griffith moved and Mr. Peters seconded to **adopt under suspension of the rules** Ordinance No. 69-13. All members present voting:

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

No: 0

14. Mr. Snyder: May I have a motion and a second to amend the agenda to include Item No. 14, Resolution No. 70-13, and to waive the rules of council requiring committee minute reports printed?

Mr. Peters moved and Mr. Foltz seconded to amend the agenda to include Item No. 14, Resolution No. 70-13, and to waive the rules of council requiring a committee report. All members present voting:

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

No: 0

Mr. Snyder: May I have a motion to read by title only, first reading of Resolution No. 70-13?

Mrs. Werren moved and Mr. Cerreta seconded to **read by title only, first reading** of Resolution No. 70-13. All members present voting:

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

No: 0

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Resolution No. 70-13 – 1st Reading – Finance & Property

A resolution expressing North Canton City Council's opposition to Issue No. 13 Charter Amendment, on the November 5, 2013 General Election Ballot, as it pertains to the Mayor's qualifications, powers and duties.

Mr. Snyder: Chairman Werren, any comments?

Mrs. Werren: Well we talked about this before the meeting began. We had a lengthy debate and we've continued that debate for almost, I guess, three weeks now. And I personally have talked with individually each one of you. And I talked with different citizens. And it is an issue that - it's a tough issue because we all agree that we do not want amendment 13, or Issue 13, due to certain qualifications, I think that we were looking for. And - but at the same time, we had to choose with is this the right thing to do as a resolution, what we need to do as Council. It does seem that the opinion is that we need to move forward with it, with some change in the wording based on what the other Council members have said. And so I do believe we're going to move forward with this tonight. People are already voting, and this body believes that one of our duties is to make sure that legislation is understood. And this is legislation that's going to be on the ballot, and it will be up to the citizens to decide. This is just our opinion of what we think of this and it will - those citizens can still vote yes on it. We did have changes made to it. We'd like the names removed.

Mr. Fox: Correct.

Unidentified: We're going to have to vote on those then.

Mrs. Werren: Will we have to go individually to each of them?

Mr. Foltz: No.

Mr. Griffith: We're going to have to amend it.

Mr. Snyder: No, it's never been presented.

Mr. Foltz: It's never been presented.

Mr. Snyder: It was never presented. It's only being presented now. It's not amended because it's not been presented.

Mrs. Werren: Okay. So, do you want the changes right now?

Mr. Fox: Yes.

Mr. Cerreta: Do you have them, Tim?

Mr. Fox: So there's the section containing the names, deleting the entire section.

Mrs. Werren: Right.

Mrs. Kiesling: Correct.

Mr. Fox: There's the section that says, "whereas Issue 13 shall increase", we want to change "shall" to "may".

Mrs. Werren: Yes.

Mr. Fox: And there's another section that wasn't clear to me, which you wish that it state regarding Charter Commission.

Mrs. Werren: Well, on the very last one, "whereas, after careful consideration of the relevant issues", maybe we don't need, "because a Charter Commission has not conducted the necessary consideration, deliberation, befitting a proposed change in the form of the city government". We could strike all that. And then it could just simply say, "Whereas, after consideration of the relevant issues, this Council opposes Issue 13".

Mr. Fox: Right.

Mr. Peters: I would say this council not only opposes it, but it has not, this is not a decision of the Charter Review Commission. I think it's important that we put that in there.

Mr. Cerreta: Right, I agree.

Mrs. Kiesling: Yeah.

Mrs. Werren: But don't you feel like that's in above ...

Mrs. Kiesling: With opposition to Charter amendments.

Mrs. Werren: Yeah, right up here.

Mr. Peters: Well, I'm not opposed with having it worded two different ways in two different sections. I think that point needs to be put out there, you know, very boldly. The Charter Review Commission did not do this.

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Mrs. Kiesling: Right. And neither did the City. I also like, that we did not - it was not initiated by city government, by City Council, and it was not an initiated by a Charter Review Commission. It should - "Whereas ...

Mrs. Werren: Okay. Could we say something like, "after careful consideration of relevant issues, this Council opposes Issue 13. This is not the result of a Charter Commission Review or the current City Council."

Mrs. Kiesling: I would say, strike that whole last one and just make another bullet point, "Whereas, Issue 13 was not initiated by City Council or a Charter Review Commission", point blank.

Mr. Peters: Period.

Mrs. Kiesling: It was not initiated by either one.

Mr. Peters: Yeah, it's plain and simple.

Mr. Snyder: We'll just tell them who it was initiated by; it was a Citizen's Commission.

Mr. Peters: No, I just - it wasn't initiated by Council or the Charter Review Commission, period. And I think that's a ...

Mr. Cerreta: Right.

Mr. Peters: It's a factual statement.

Mrs. Kiesling: Right. Issue may increase City expenses without increasing efficiency, and Issue 13 creates conflicts and so then after the Issue 13 creates conflicts, whereas Issue 13 was not initiated by City Council or a Charter Review Commission. And then in this Council's opinion, the proposed Charter Amendment, such as Issue 13, occurred only after consideration and liberation and debate among the Charter Commission's membership. Done.

Mr. Griffith: If we do that, then each and every one of the statements that's included in it is factually accurate. The Charter serves as the Constitution. It is subservient to our laws; that's absolutely true. That it describes the Commission, that's a factual statement. The time that the City has had the current form of government, is a factual statement.

Mrs. Werren: Right.

Mr. Griffith: We put "may" in so that Issue 13 may increase the expenses without increasing its efficiency, that's a factual statement. Obviously, there's debate about that, but that's a true statement that it may. That it does conflicts with other Charter provisions, I believe that that is true. Obviously, that is a factual statement. Opinion that we - yeah - I mean the rest of - If we take out the last language in that last provision, then it's a series of factual statements.

Mr. Fox: So if I'm correct, you wish for the last whereas to be struck and instead simply state, "Issue 13 was not initiated by this Council or a Charter Review Commission". Is that correct?

Mr. Peters: Yes.

Mrs. Kiesling: Yes.

Mr. Griffith: Which is a factual statement.

Mr. Fox: So the three strikes, or amendments, in this what you're proposing is the 1, 2, 3, 4, the fourth one down names residents, just strike that paragraph entirely. The paragraph following that change "shall" for "may". And then the last paragraph with the whereas, strike that language, and so it will stay "whereas Issue 13 was not initiated by this Council or a Charter Review Commission." Inaudible...

Mrs. Werren: Okay.

Mr. Snyder: Okay.

Mrs. Kiesling: I motion we adopt.

Mr. Foltz: As amended.

Mrs. Werren: As amended.

Mr. Foltz: Resolution, as amended. Second.

Mrs. Kiesling moved and Mr. Foltz seconded to adopt the first reading, as amended, of Resolution No. 70-13.

Mr. Snyder: Any comment? Call question.

All members present voting:

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

No: 0

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Mr. Snyder: Okay, I need a motion and second to cancel the Committee of the Whole meeting scheduled for October 21 at 7:00 p.m. which is next Monday. And the Council will be meeting as a council at Walsh College at, I think we're 6:00 p.m. is our dinner and 7:00 p.m. is the ... Mr. Cerreta: 6:00. is the reception and 7:00 is dinner.

Mr. Snyder: Global Institute - No, it's not a scheduled meeting.

Mrs. Kiesling: We've been invited.

Mr. Snyder: We've been invited. We will be cancelling the meeting here. Not attending an actual meeting. There'll be seven members of the Council attending, probably the Mayor and maybe the law and finance, I don't know all who will be there. But it will not be in an official capacity as a Council meeting. Members of the public wish to go, they are welcome to purchase a ticket. But it is not an official meeting to conduct any business of the City. We're just cancelling as the rules of council require that if we're not going to hold a meeting that we cancel it. So I do need a motion and a second.

Mrs. Kiesling moved and Mr. Peters seconded to cancel the Committee of the Whole meeting scheduled for October 21, 2013.

Mr. Cerreta: Now, will we come in earlier the week after that to have any discussion meetings if possible?

Mr. Snyder: Yes. We're going to have both a Committee of the Whole and a Council Meeting at the same time. I will say there's probably going to be in a half an hour range, prior to. I can't tell you exactly until the middle of the week until I get all the things coming in from all departments to see how much time it's going to be for Council of the Whole. But I would say that it's going to be a half an hour, about 6:30, tentatively. And we'll notify you and notify the press and the public as to which time we will be meeting that Monday.

Mrs. Kiesling: We motioned and second...

All members present voting: Yes: Werren, Cerreta, Foltz, Griffith, Kiesling, Peters, Snyder. No: 0

REPORTS - COUNCIL:

Mr. Snyder: Final call business, Mr. Foltz.

Mr. Foltz: Yes, a few things. One, I think you saw a true government in action tonight. I respect a lot of the opinions that are provided during public speaks for our residents, our constituents, and that's the way it should work. We've debated this on the floor. We've refined it on the floor. We've got a working document, we're all happy with it, and we're weighing in. So it's not about who circulated the petition, it's about the merits of the petition itself. That's where I stand on any issue. If you do that, then you're not going to have effective government if you're worried about who presents what. If it's a good idea, it's a good idea and move forward with it. I just don't feel that it's a good idea or good charter amendment or revision. So, I stand on the record with that. I also want to talk about former Council Member, Kathy Magel, for a minute if I may. I remember Kathy when she got involved with the RAM Group (Residents Against Maytag Mall). We all go back that far. And all her vision was against the Walmart or the huge commercial area. I think the end result benefited this community greatly when we have Washington Square developed by DeHoff and Lemmon. So, it's a great asset we have. I think her efforts got us to that point. I'm proud of that. She was tough and thorough. She had a math background. She tutored kids. She figured every penny on any water rate increase or any water project that we had out there. And we spent, Jon as you know, over twelve million dollars and she looked at every figure and I give her credit for that. I think that she spent more time on the zoning ordinance than the people that we hired to revise it. Going over every word, every little bit of language, and that's a credit to her - her thoroughness and her thoughtfulness and her ability to have time to do it, too. I mean, no one spent more time on an issue than Kathy Magel, because she had the time. We do work - but she wanted to do it. She cared about it. So, I give her credit for that. Even if we disagreed, if she disagreed with you she did professionally, she did it with respect. And we - her and I always didn't see eye to eye on every issue, and that was okay. That's what government is about. Other than she was a Pittsburgh Steelers fan and I was a Browns, so we were always fighting there. But that didn't matter. She stuck to her guns on that, and I respect her for that. And that is what government should be about. We can all bring different opinions here, and she did. And she found her niche, and that what I was getting back to with the original charter. All of us make up this unique body of Council and Administration. And it comes from various backgrounds. And I think she contributed a lot in what she did. She made North Canton a better place. To live by her actions, as a Council Member, she was the first, I believe, the first woman to serve as Vice President, and the second one was Marcia here. But I was proud of that when I was President to be able to have her be the Vice President.

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And I'm proud to have served with her. I'm even prouder that I consider her a good friend. So, we'll keep her, Tom, and her family in our prayers. Thank you.

Mr. Snyder: That's very kind of you. Thank you. Mr. Peters.

Mr. Peters: Yeah, good comments, Doug. I appreciate that. Kathy was - she was a good woman. Just one comment, and I know I'm going to beat the dead horse, but you know, I'll say it again. When I was involved in the referendum for the Oster property, I would have had no problem putting it in my name out there, at all and standing behind something that I felt very strongly about. And if I was on this committee, if those guys worked that hard to put this issue on the ballot, if I was one of them, I would have been coming up to this podium and demanding that my name be put on there because I'm proud of what I did. That's just me. But good documents though. That's it.

Mr. Snyder: Member Werren

Mrs. Werren: Just thank you for everyone's patients and thoughts and concerns. I know I talked with all of you at length about these and I was wrestling with it in my mind throughout the weekend. And thank you for certain citizens that talked with us as well. I do think we have a good document in the end, and I'm pleased with it. So thank you.

Mr. Snyder: Member Griffith

Mr. Griffith: No comment.

Mr. Snyder: Member Cerreta

Mr. Cerreta: Just well done, all of you. I agree with Doug, you made some really good comments about Kathy. I did not know her, but just through the papers. And this is how a leadership team works. And good comments throughout that. And I'm glad to hear from people and the public and we've heard people outside of here, and that's probably - it's much more important even than in here. We hear people outside. We walk around town. We talk to people. It's not just about what happens in here. It is what happens everywhere in the community. So well done. I'm proud to be watching all this and being a part of this. So, that's all. No other report.

Mr. Snyder: Thank you. Member Kiesling

Mrs. Kiesling: No other report.

Mr. Snyder: That's at the Barrette Center is where that's at, incidentally?

Mr. Cerreta: It's at the Barrette Center.

Mr. Snyder: On Wednesday of last week, I attended a two-hour meeting with members of the Plain and Jackson Township Board of Trustees, and one member each so there was no violation of the Ohio Sunshine Law, Mayor Healy, Mr. Fonda Williams, I believe was his name, from the City of Canton, the attorneys for Jackson, and we discussed some things. As I've told you that I would entertain anything, if you would like to call me and we'll talk about it. I did not put it to a document simply for the fact that if you need to know about it there will be a public meeting on the 30th at Jackson Township. I took some of the things that you were concerned about to them, 90 percent of them didn't seem to be a problem. And the 10 percent is not a problem, how we draft it will be up to us. So we can eliminate that problem, but it had to stay there due to the reasons of logistics. It was not a problem from the City of Canton. The Cain situation is not a problem. If we feel that we'd rather tax Mr. Cain at one and one-half, he could be - and we would be the lead authority and that could work out as well. And there are other things. So if you need, I'll try to get to each one of you on the phone here this week and bring you up to speed on it. So in case there are any questions, we'll be going into a public meeting and you'll be well aware of that. I appreciate you vesting that authority for me to go to that meeting over there. We did talk about a TIF (Tax Increment Financing) which would be very nice for us. Some great development happening to the north, which they're welcoming us to be a part of. And so there are some opportunities. But more importantly, I can't overemphasize, as I talked to the Mayor about it, I cannot overemphasize it's not the economic aspect of this joint economic agreement that's going to benefit the City of North Canton, Plain, Jackson, and Canton. I mean it might basically benefit Canton because they're removed far enough away that they're going to get the spoils of the war. But our relationship with the townships has improved. Our ability to work with them will improve. The regionalization will improve. That's important going forward. As Mrs. Roll said to us, look forward to ten, twelve years from now. There's money, there's grants available for regionalization that we can tap into now. Not huge sums but quite a bit. And we'll talk about that. And that will all be addressed. So I just wanted to bring that forward, and Mr. Fox anything from your department?

REPORTS:

Mr. Fox: Yes, sir. Just two quick things. Again, Mayor's Court is just - it's just like clockwork. That we've got it down really well working with Gayle Bruce in the Income Tax, and Jane Houses is the Mayor's Court Clerk, and of course with the magistrate. And last week, I believe, the tax cases we've just kind of done a transitional where normally there would be three times as many

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traffics as tax, it's actually the opposite. We had about a dozen tax cases last week. We'll have about the same amount, which was an appropriate amount for Mayor's Court and not having it drag on too long. But we're going after the cases that have the highest amounts, of course. And the vast majority of cases that did come in had contacted our office and attempted to resolve the matters and were actually presenting the Magistrate with evidence that they've paid their taxes in full or that they have indeed filed their taxes. So it's getting, you know, those that have been behind back on track and hopefully they won't have the same situation in 2013. And also just on this resolution, I've had some folks that have approached me and thought that I was advocating in some fashion in this and what I wanted to be clear is that it didn't appear clear to them what my role is as Council's attorney. That I have a duty and obligation if I understand, that as Council may have an obligation, that to perhaps puts this information out to the residents, at least for you to be aware that this is available to you, to get your voice out. So that was simply my position to make sure that you were aware of it. I have no position advocating one way or the other. It's simply making sure that you are aware. And if your position went one way, then it was then my obligation to write it in that fashion. Nothing further.

Mr. Snyder: Thank you, sir. Director Alger

Mrs. Alger: No report.

Mr. Snyder: Director Grimes

Mr. Grimes: I, too, remember Councilwoman Magel. And as Police Chief, if I had anything on the agenda she would be calling me for an hour and a half, you know, grilling me over or something. But she also did have a good sense of humor too. I think one time up here she was talking and her pen flew across. And I went out and got her a real nice soft pen for the next meeting and told her she had to use it. And one time I was making a presentation to Council and I used the word tidy, and I think she used that for the next three months somehow during the council meetings. So she was able to get back at you. But AEP (American Electric Power) is back in the City. If you haven't been called yet, we've already talked to the AEP representatives. They've been out to talk to a couple of people. It's going to be about four to six weeks before they get out in your neighborhoods and do the cutting up around 9th and Briar. And I can't promise you the trees are going to look any better, but they're back in the area. So,

Mr. Foltz: Will this be dayshift cutting?

Mr. Grimes: I asked them about dayshift. I actually called the lady up and said, are you going to be cutting this at 2? And she said, no, not 2. And I said 4? And she thought I was being a little smart aleck, but she said no, it's during the daytime hours. So and the other thing with the library, it is a little dark over there and we have the street striping company in right now doing the striping. They started this week. And if you've got any complaints for some reason, the company decided to start between seven and eight in front of the middle school and Clearmount School, so we had a talk with those folks.

Mrs. Kiesling: I couldn't believe it.

Mr. Snyder: 7 in the morning?

Mrs. Kiesling: Yeah we're all driving our kids to school and they striped half the road so you had to go around. It was crazy.

Mr. Grimes: Yeah.

Mrs. Kiesling: I couldn't believe it.

Mr. Grimes: Yeah, we had a talk with those folks. But we're also going to have them do some hash marks and that over in the sidewalk by the library, so that's a little more visible. We're also going to try one of the signs in the middle of the roadway. I don't know how that will hold up with our plowing, but we're going to do that. We've contacted AEP to brighten the street lights up over there. We did that over by the Hoover Company walk and that should help us, too. So just so you know we're working on that over there. Thank you.

Mr. Snyder: Thank you. Mr. Mayor.

Mayor Held: Yes, just two quick things. This past week we had a ceremony with the County and then also the City of Canton. And we had officially signed the kick-off of the sanitary sewer project. And it really – it kind of brought to light to me the amount of work that's went into this joint, this regional project. Basically all of our sanitation waste that the City of North Canton residents and businesses generate, ultimately ends up down at the treatment plant. And the City of North Canton and Stark County enjoy the Stark County community and also the City of Canton. It's a joint venture. Ninety million dollars, and it's a state-of-the-art facility. This is like one of the few of its kind in the world. And that they have this state-of-the-art facility, this membrane technology, that will filter the sanitary sewer water to the extent that it becomes drinking water quality. And of course that water then goes into the creek just outside of the City of Canton Waste Water Treatment Plant; so very, very impressive. Nobody was asked to give a demonstration on drinking

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that drinking water quality water that comes out the other end. But I did ask the - it's the Kubota Company that makes the membranes, and they had a number of their representatives, and I did ask them about that, you know, if indeed you could drink it. And they said, well, you could but we don't, you know, you don't necessarily need to. But it just goes to show you that, you know, the work that went into it - Jim Benekos, Mike Grimes, Bill Bartos, for the City, this project was five years in the making. And I did go down there and let the people of Canton know that Canton is a great City, and I shared that with them - fantastic City. They have great employees down at their waste water treatment plant. And I truly believe that it is the second greatest city in the world. And I meant that; and of course, North Canton being number one here. But and then on that note also, with Chuck and Rita and Hillary and Mr. Daniluk and also Larry Tripp, and I think, do I have everybody, I wanted to make sure that, you know, I truly appreciate the work that you folks do, the interest that you have in the City. I know all the Council members here do too. I know when you walk and collect signatures, we all know what it's like to walk door to door. I mean, it takes a lot of time and a lot of effort. And I think that Mr. Sarbaugh said it well, that it generates a discussion as far as what we want best for our City. And I also appreciate City Council because you know I've worked with a lot of Council members and there is no doubt that the challenge that we have going on right now with our City have been the greatest ones that we've ever faced. And the approach that you all take, you are very diligent in looking at all the issues. And I think that really we have accomplished more with this Council than we ever have. And it's just - I think it's just the manner in which we diligently approach things and I do thank you for that. And that's all I have to say.

Mr. Snyder: Thank you. Mr. Engineer

Mr. Benekos: No report this evening

Mr. Snyder: Madam Clerk

Mrs. Kalpac: No report, thank you.

Mr. Snyder: If the young students want to come forward, we will, as soon as the meeting is over, we'll sign those for you so as to testify the fact that you were - did they get them all signed already. We will gladly do that. Again, thank you for coming. Please come back. It's the best entertainment in town on Monday night. Other than that, I'll entertain a motion to adjourn.

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

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

No: 0

The council meeting adjourned at 8:41 p.m.

PRESIDENT OF COUNCIL

ATTEST:

CLERK OF COUNCIL

10/23/13-bkp

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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 Monday, October 14, 2013 at 6:50 p.m. 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, City Engineer Benekos, and Clerk of Council Kalpac.

Item discussed:

Resolution of Opposition re General Election Ballot Issue #13: The Committee authorized legislation, expressing North Canton City Council's opposition to Stark County Municipal Issue #13 – Charter Amendment, on the November 5, 2013 General Election ballot, as it pertains to the Mayor's qualifications, powers, and duties.

Legislation to be considered at a meeting held this date and is subject to waiver of the rules of council requiring a committee report.

Respectfully submitted,

Stephanie Werren, Chairperson

Doug Foltz, Vice Chairman

Marcia Kiesling, Member