



City of North Canton

Council Office

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NOTICE OF MEETINGS

President of Council
Jon Snyder

Vice President of Council
Marcia Kiesling

Council at Large
Mark Cerreta

Council at Large
Dan Griffith

Councilman, Ward 1
Doug Foltz

Councilman, Ward 2
Daniel Peters

Councilwoman, Ward 3
Stephanie Werren

Mr. Jon Snyder, Vice 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 Finance, and Director of Law on Monday, March 11, 2013 at 6:15 p.m. in the Council Chambers at North Canton City Hall.

The meeting will be called to order and then moved into **executive session** for the purpose of discussing the appointment, employment, and layoff of a public employee, and for preparing for collective bargaining sessions with Clerical, Fiscal and Accounting Specialists; Ohio Patrolmen's Benevolent Association, Full-time Dispatchers/Lead Dispatcher; Ohio Patrolmen's Benevolent Association (Patrolmen); and North Canton Service and Clerical Employees concerning compensation. The executive session **will not be** open to the public.

The North Canton Citizens Survey Committee will present the results of their 2012 Citizens Survey on Monday, March 11, 2013 at 6:30 p.m. in the Council Chambers at North Canton City Hall.

The meeting will be open to the public.

Council Meeting Agenda

Monday, March 11, 2013 - 7:00 p.m.

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

Council Meeting Minutes – February 11 and 25, 2013
Special Council Meeting Minutes – February 19, 2013
Financial Statement – January, 2013

6. Committee Minutes

7. Recognition of Visitors

OLD BUSINESS:

8. **Ordinance No. 18-13 – 2nd Reading – Water, Sewer & Rubbish**

An ordinance authorizing the Director of Administration of the City of North Canton to advertise and receive bids according to specifications now on file in the office of the Director of Administration and authorizing the Mayor of the City of North Canton, through the Board of Control, to enter into a contract for the Clearmount Avenue / Fairview Street / Woodside Avenue Waterline Replacement Project, at a total cost not to exceed \$710,000.

9. **Ordinance No. 19-13 – 2nd Reading – Water, Sewer & Rubbish**

An ordinance amending Chapter 937 of the Codified Ordinances of the City of North Canton, Ohio, specifically Section 937.01 WATER RATES, in order to provide for an increase in water rates, and Section 937.05 BULK WATER CHARGES, and repealing any and all legislation inconsistent herewith.

NEW BUSINESS:

10. **Ordinance No. 20-13 – 1st Reading – Community & Economic Development**

An ordinance accepting the recommendations of the City of North Canton Tax Incentive Review Council ("TIRC"), concerning the agreements granting exemptions from property taxation, to terminate one of the six existing Community Reinvestment Area ("CRA") agreements and declaring the same to be an emergency.

11. **Ordinance No. 21-13 – 1st Reading – Finance & Property**

An ordinance authorizing the Mayor of the City of North Canton, through the Board of Control, to enter into a three year, tax-exempt lease purchase agreement for the lease purchase of a new ambulance, to trade-in one 1992 International Road Rescue Ambulance, VIN No. 1HTSCPEM7PH482176, no longer needed for municipal purposes, and apply said trade-in amount towards the purchase price of a new ambulance, for use by the City of North Canton Fire/EMS Department, to be acquired within the purview of the Ohio Cooperative Purchase Act, at a cost not to exceed \$205,000, and declaring the same to be an emergency.

12. **Ordinance No. 22-13 – 1st Reading – Street & Alley**

An ordinance authorizing the Mayor of the City of North Canton of Stark County, Ohio, through the Board of Control, to enter into an agreement by and between the City of North Canton ("City") and the Ohio Department of Transportation ("ODOT"), for the widening of State Route 43 (Market Street) from 50th Street to Applegrove Street, including construction of a sidewalk within the City limits, and declaring the same to be an emergency.

**Council Meeting
Agenda**

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REPORTS – COUNCIL:

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

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

3/7/13-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

RECORD OF PROCEEDINGS

Minutes of COUNCIL OF THE CITY OF NORTH CANTON REGULAR Meeting

DAYTON LEGAL BLANK, INC., FORM NO. 10148

Held Monday, February 11 7:00 p.m. 20 13

Call to Order:

1. The council meeting was called to order Monday, February 11, 2013 by President of Council Jon Snyder.

Opening Prayer:

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

Pledge of Allegiance:

3. All present recited the Pledge of Allegiance.

Roll Call:

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

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

Mr. Snyder: May we have a motion to excuse Member Griffith and Member Werren.

Mr. Foltz moved and Mr. Peters seconded to excuse the absence of Council Members Griffith and Werren. All members present voting:

Yes: Foltz, Kiesling, Peters, Snyder, Cerreta

No: 0

Mr. Snyder: Thank you. It's nice to know, and we welcome back our fondest member, Mr. Cerreta, who had open heart surgery just a little over a week ago. Mark, thank Godspeed that you are back with us, and it's a great pleasure to have you back.

Mr. Cerreta: Happy to be back. Don't wish that on anyone, but I do wish that, you know the energy that you get from the community, the hundreds of cards and so on, wish that on everybody. So, it's really good to be home, and no place like home, really.

Mr. Snyder: Well we're tickled to have you with us. Thank you.

Mr. Cerreta: Thank you. Back in the game.

Consideration:

5. Council Meeting Minutes – January 28, 2013

Mr. Snyder: Good. May I have a motion and second to approve as presented the Council Meeting Minutes of January 28, 2013.

Mrs. Kiesling moved and Mr. Foltz seconded to approve as presented the Council Meeting Minutes of January 28, 2013. All members present voting:

Yes: Kiesling, Peters, Snyder, Cerreta, Foltz

No: 0

Committee Minutes:

6. Mr. Snyder: May I have a motion and a second to approve, as presented, the following Committee Report Minutes: Community and Economic Development; Finance and Property; Personnel and Safety; Street and Alley; Water, Sewer, Rubbish, all held the 4th of February 2013.

Mrs. Kiesling moved and Mr. Peters seconded to approve as presented the committee report minutes. All members present voting:

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

No: 0

Community & Economic Development Committee: Please refer to the minutes on file in the Council Office of the Community & Economic Development Committee meeting held February 4, 2013.

Finance & Property Committee: Please refer to the minutes on file in the Council Office of the Community & Economic Development Committee meeting held February 4, 2013.

Personnel & Safety Committee: Please refer to the minutes on file in the Council Office of the Community & Economic Development Committee meeting held February 4, 2013.

RECORD OF PROCEEDINGS
COUNCIL OF THE CITY OF NORTH CANTON

Minutes of

REGULAR Meeting

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

Held

Monday, February 11

7:00 p.m.

20

13

Street & Alley Committee: Please refer to the minutes on file in the Council Office of the Street & Alley Committee meeting held February 4, 2013.

Water, Sewer & Rubbish Committee: Please refer to the minutes on file in the Council Office of the Water, Sewer & Rubbish Committee meeting held February 4, 2013.

Recognition of Visitors:

7. Mr. Snyder: Good. At this time the Council will recognize anyone wishing to speak. Please step forward to the podium and state your name and address for the record.

Mr. Fox: Mr. Osborne, would you please not move the podium.

Mr. Osborne: Okay. Well I - Mr. Benekos' back is to me I thought maybe...

Mr. Fox: Thank you, sir.

Mr. Osborne: he might want to see...

Mr. Fox: You're addressing the Chair, please.

Mr. Osborne: That's fine.

Mr. Fox: Thank you.

Chuck Osborne: 307 Fairview Street SE, North Canton, Ohio. Last week many people spoke pro and con before this body regarding the addition of lighting at the North Canton Little League ball fields. Obvious for most who heard the remarks, the concern is the intrusion that the lights will bring to the surrounding neighborhoods, along with traffic and parking issues and the noise from crowds and loud speakers that are already disruptive in daylight hours, a disruption that may now extend into the evening and nighttime hours. Beyond the obvious intrusions, I think everyone is forgetting the larger picture and that is the fact that the North Canton Little League ball field is the site of a City well field. The designation of the area as a public park is supposed to prevent development and protect the aquifer below. That is not being considered now, nor has it been considered in the past, as many structures have been built on the property by the North Canton Little League during the term of the present lease. Protection of the City's well field should be paramount and development limited as the addition of infrastructures on the property further complicates security of the well field and the underlying aquifer. In addition, the property was gifted to North Canton by the Hoover Company to be used as a public park. Parkland brings with it the presumption that it will be maintained as green space to be enjoyed by all of its citizens, not developed with buildings and parking lots with large numbers of people converging and trampling nature with lights ablaze into the nighttime. I also have concerns that the nineteen acres of public parkland have been handed over to a select few for their exclusive use and I am talking - and I am talking about the lease of the property to the group known as the North Canton Little League, most of whom are nonresidents of North Canton. The Hoover Company gave the citizens of North Canton this acreage and the terms of the gift state that the property be used exclusively for public park. There is nothing in the terms of the Hoover gift that says the property can be handed over to a select few to use as they see fit, no matter what their intentions are. North Canton residents are being denied the peaceful use of a public park and are losing the green space that the park was intended to provide. The exclusion of a great majority of North Canton residents from the entirety of the nineteen acres of property gifted to the City bothers me greatly. My distress over the lease arrangement with the North Canton Little League Board of Directors is heightened by the fact that I have learned that North Canton children are being barred from participating in or using the ball fields for lack of financial resources. I have received word from a parent of four children that her kids were not allowed to play at the Little League ball fields as they were unable to pay the registration fees demanded by the Little League Board. The parent asked to make payments and was turned down by the President of the Board of Directors. How many other children have been denied playing time at the ball field for financial reasons? And to add insult to the hurt for this parent, the parent says at the time - at the same time other children were offered scholarships so they could play without payment of registration fees. This particular mother is a taxpayer in the City, owns her own home, and her four children attend North Canton City Schools. This individual tells me that she is familiar with numerous parents who can't afford to play any longer at the North Canton Little League Fields and have chosen other sports options outside the City of North Canton for their children. This is supposed to be a public park, but that is not the way it is being run. I drive past the North Canton Little League ball field without any thought as to what is happening there. The sign at the entrance is titled "Hoover Community Recreation Complex". I have learned that the only recreation going on there is recreation approved by the North Canton Little League Board of Directors, to the exclusion of most North Canton residents including North Canton children whose parents cannot afford the required registration fee to play. The request to add lights to the North Canton Little League ball fields should be denied for many reasons. I have given you many of those reasons. The opponents who spoke before this body last Monday night gave you many more. I ask that you call three strikes on this issue and end the game on the lighting request. Thank you.

RECORD OF PROCEEDINGS
COUNCIL OF THE CITY OF NORTH CANTON

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REGULAR

Meeting

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

Held Monday, February 11 7:00 p.m. 20 13

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

Mr. Albacete: Good evening President and members of North Canton City Council. My name is M.J. Albacete, a resident of North Canton and known to most of you as Al. I'm the Executive Director of the Canton Museum of Art as well as an adjunct Prof at Kent State University Stark Campus. All of you will remember my appeal to you last year for a grant through the Tri-County Solid Waste District to support a series of arts programs right here at the North Canton Civic Center. Over a period of months, I invited such organizations as the Canton Ballet, the Voices of Canton Choral Group, the Canton Symphony Orchestra, Chris Craft of the Massillon Museum, and of course, the Canton Museum of Art to present monthly programs at the North Canton Civic Center. Each one begun with a fascinating educational activity for children in the artistic use of recycled materials. In most cases, massive cardboard constructions that kept them busily engaged for about one hour before each program. We wrapped up the series with a full day of creative, hands-on, arts activities which were both great fun and very educational for all of the kids and adults. The Canton Ballet presented their entire Director's Choice Program with an added educational component of what it takes to be a ballet dancer. VOCl (Voices of Canton, Inc.) made connections between their production of the musical Titanic with an extensive program on the actual story of this ill-fated ship. Chris Craft came dressed as a civil war soldier, union, not confederate, to relate stories of that epic war. The CMA (Canton Museum of Art) presented the fascinating story of the discovery of King Tut's Tomb, and the Canton Symphony Brass Ensemble gave us a delightful concert as well as explaining to the kids just how their instruments worked. And then we wrapped up the whole thing with an exciting day of art - a full-day long arts project with pizzas yet - . North Canton pizzas, I might add. Now we want to do it all over again if we can. And we have all the forces lined up to carry it out. Last week all of these arts organizations were represented at a monthly meeting and we asked about suggestions and ideas they had for a new series of programs. They're very excited. They're looking forward to the prospect of doing more. And in addition to that, we're welcoming your ideas, your suggestions, but most of all, we're asking for your support with a new request. Ideally, we could do so much more than we did last year. And we're asking for the same amount as last year, \$5,000. If received you can just sit back and watch us get to work again. So thank you again for tonight.

Mr. Snyder: Thank you, Mr. Albacete. Any questions for Mr. Albacete? As you all know, it was a very successful program. The money that we received, the grant from the Solid Waste District, does have an educational component in it. We're required by the terms of the grant to provide education to the citizens of North Canton and visa vie either in the form of recycling, which the Mayor's office does carry out, or in the actual hands-on with the children. And speaking of Mr. Albacete, let me for the record, please disclose, Mr. Albacete, I am related to Mr. Albacete, he is married to my sister. So for reasons of public disclosure, I want that perfectly known. I do not own the Art Institute or benefit in any way monetarily from it. In fact once in a while I spend a little money to go down there, but that's about that.

Mr. Albacete: Yes, you do.

Mr. Snyder: I just want that known. And you knew that. But I asked - one of the most successful programs that we've embarked on when Mayor Held was the Administrator, was the actual concert on the steps out in front. And as our budget was constrained, we were unable to spend that \$25,000 that we had the Cleveland Pops come early September and provide it for the community that have chairs and we blocked the street and it was well received. And we've not done that in the last about five or six years. However, money being tight, we would probably need an additional \$3,000 to \$5,000 worth of grant money to provide the Canton Symphony on the steps. And we will look at that a little later in the year after the bags and some of the other things that we use for - with the recycling money is spent and allocated. Should we have that money, we'll ask Mr. Albacete to come back and see if he could approach that, and broach that subject to have that concert returned to the steps of City Hall on a Saturday evening in the fall for the people so that they - because I think that they would like that. And so, we're going to do that. And again, Mr. Albacete, we do appreciate all your hard work and all the time and dedication that you've put in this. It's well received. The Mayor's Office, you know, is - should tell you ...inaudible...

Mayor Held: Absolutely.

Mr. Snyder: That's right.

Mayor Held: Yeah, this really is, as some of you may already know, we get up to \$45 a ton for all of the recyclables that are collected in the City. And I think on average North Canton is about 900 to 1000 tons per year. And so that's, you know, 40 - \$45,000. And really, what we're supposed to do is use that money in order to promote and encourage more recycling. And as the Council President Snyder had mentioned, that can be through recycling promotion as you've done with the educational seminars, and just finding ways to increase that. And so, really it's a good partnership. And we're able to entertain and educate, and...

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Mr. Albacete: And the idea too – the idea too in presenting what we did present, wasn't just an activity and what we would call lots of fun, it had a strong educational component because it related to math and geometry while they were making these objects. And the kids were not only fascinated with everything they did, they wanted to remember the big words we were using, you know tetrahedron and all of that. We had to write down those words so they could take them home. They had a lot of fun with that and I'll bet some of them even tried to build some of these things at home. And we used large sheets of cardboard that is, I think it's like 60% recyclable material that the kids worked with. They can paint on it. They can draw on it. Write their names on it. So it has both an educational and an artistic component to it.

Mr. Snyder: Good.
Mayor Held: Very good. Thank you.
Mr. Albacete: Thank you.

Mr. Snyder: Is there any other questions for Mr. Albacete?

Mr. Cerreta: Well just – I – a lot of feedback throughout the year on your programs down there. And they've all been very positive down there. And I think that it's something that we need. In a community such as ours, we need a balance of the culture and that kind of thing. And we don't get that unless we do it, you know, we go somewhere to do it. But that here, I think it is good for all of us to have this sort of balance. So I hope we'll see more of that in the future. So thank you.

Mr. Albacete: We're working too with a lot of artists in North Canton. So there will be other components with some of the people that we know here in the community who can become involved in some of these activities. So, okay, thank you.

Mr. Snyder: We'll place that on our agenda for consideration next Monday night, and then work it through and the following Monday, we'll vote upon it. So hopefully we'll receive a positive response, which I think we will, and we'll be sending you the check. And again, we very much appreciate all your hard work on that. Thank you. Anyone else wishing to speak? One thing, we've got to kind of stall a little bit. Unfortunately, most of our things are on an emergency basis, and we're short one member. She's on her way. But, relative to the Little League lights, after last week we had a very long and arduous discussion – some hour and twenty-five minutes from the residents, which was good. And we want to continue to keep that dialogue open with the residents. And as Mr. Osborne pointed out, both pro and con. Since that time I did pull out the subdivision regulations and I think we're just a little ahead of ourselves with this lighting situation. The request to light those fields, even though that we do have a lease that prohibits the lighting, and we're looking to amend the lease; in order to place those lights there that must go through the Planning Commission. And that has to be approved at the Planning Commission level. And at this time it's going to be my suggestion to the Council that we send a communication to the Little League stating the fact that if they do request lights, they will have to follow the procedure. Send their request to the Planning Commission and allow the Planning Commission to hold a public hearing to decide. Now we are going to address the two major problems which we have control over, and that's the parking, the mounds and the noise. And we will be addressing that. We have that power here at the Council without the Planning Commission. Mr. Peters and Mr. Foltz and Mr. Cerreta and Mrs. Werren are working diligently on that project. I know Mr. Foltz is the head of our Park Committee and he is working on that part. Although that parking lot, and to light that parking lot, it should be done, will also have to go to Planning. So at this particular time, I just would like the press to so note that next Tuesday night we will not be considering any measures relative to the lighting and the parking or relative to the lighting of the Little League fields; that must go through Planning, must receive a positive recommendation, and be sent back to Council. So we're going to ask that be done. And as I say, we want to be good stewards of our property. We want to do it right. We can control the lighting. We can also control the sound and the parking, which we're going to address. But I do appreciate everybody's input. And please continue to come to Council and state your wishes so that we can move accordingly. But, thank you for your patience on that.

Mr. Foltz: President Snyder.
Mr. Snyder: Please.

Mr. Foltz: We had a meeting with Jim Benekos and Mike Grimes and the contractor just to develop some estimates of what we'd like to see happen over at the Little League complex as far as additional parking. Right now we're considering one acre that would provide anywhere from sixty to eighty spots. And we're currently going to present something to the Planning Commission on that. It's going to be directly across from the Little League main walkway into the facility, at least the concession stand. It splits the difference between the smaller fields like 1, 2, and 3. So we're going to look at the funding mechanism of that and also hopefully address that with the Little League to see if they can help with that venture.

Mr. Snyder: I appreciate that. Appreciate you stepping up and taking ...

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Mr. Foltz: But I think we have to make plans to get this done before Little League season starts. I think, we're hearing from our residents and constituents that parking is an issue. Let's make that a non-issue by creating additional space, at least at this time. And like you said Jon, to solve some of the other problems that the community brought to our attention last week.

Mr. Snyder: Absolutely.

Mr. Foltz: So we can all be good stewards of the Little League complex.

Mr. Snyder: And Director Grimes did tell me last week that he has a plan to enforce the parking that is ancillary to the side streets and he will be doing that. So, and my apologies on behalf of the Council and Administration that we've let this go to the level it's gotten to. I didn't realize it was quite that bad. I don't get out that way often, probably most of us don't. But we will be addressing that and making sure that that's taken care of. Mr. Peters, go ahead please.

Mr. Peters: You know, we had, as far as the parking goes we had something very similar over where the Hoover girls' softball field is now at Dogwood Park. You know, and we closed down the one side. It went on for about a year and a half, you know. And we probably let it go on a little longer than what it should have, but we didn't receive many complaints. Once the complaints came in, we shut that side of the fence, and you know the problem was solved. But getting back to the lights, in some of our conversations there was discussion about looking into newer technology or current technology as far as the loud speakers. And using some sort of a - you know, what was it Unidentified: Inaudible...

Mr. Peters: No it was...

Mr. Cerreta: Wireless kind of ...

Mr. Peters: Wireless. Because what they're trying to do is project from that main area to all the fields. And if they could have something, you know, at each field to, you know, announce the lineup and that type of thing, that would certainly lower the volume. So I - you know, I have high hopes. I think we're going to get these addressed, you know, noise, parking and the mounds with the trees on top of it. I think this is going to be a, you know, low-hanging fruit, for lack of a better term. But I think we should knock this out pretty good. And the folks that live around there I think are going to be pretty pleased.

Mr. Snyder: For members that are sitting now in the audience, you, people say, you're going to address this sooner than later, obviously before the opening of the season. We're going to have the mounds and some, possibly if we can't get trees - I don't know if you can get trees planted that quickly. We'll get trees planted and get it going. And then would you, you guys will obviously bring it back to Council so that the press can pick it up and let the people out there know what's going on so that they - Good.

Mr. Foltz: I think what it's important to note, President Snyder, is that we did not know a lot of these issues till we had a public meeting on it directly about the Little League. And I'm sure we all want to step up and make that a better situation for the neighbors, for the users of the Little League, for the residents that attended, the fans, everybody. So that gives us a chance to correct some situations. So looking forward to doing that with the rest of this Council body and Administration.

Mr. Snyder: Good.

Mr. Peters: I do have a question. Were there - did I hear - were we thinking about putting those flashing lights there at the crosswalk? Was that a consideration?

Mr. Fox: Yes.

Mr. Grimes: It's a consideration. The one we're going to, when we redo in front of the Hoover District, we're going to keep them and then we may move them there, but if we've got the parking off the street, we may not have the pedestrian for it. But we may either put them there or farther down to where the students cross right by Acme or I'm sorry, Giant Eagle, because there's a dark area there too. But we're going to reuse those signs for that. And that's the first place we were looking at.

Mr. Snyder: Mr. Cerreta

Mr. Cerreta: I'd also like to move forward as quickly as you can on those issues. And I know Doug has done some work - that we're ready to go as soon as we get going with approval to get going with the parking lot, so whether there's lights or not, that's an issue. It doesn't - having lights there doesn't create more parking spots. More parking spots are created when five or six of those fields are being used. So you need to have more parking for that. So that's, I would say, number one, and then sound, and then the trees and the mounds. So it's a nice little thing that we - we can do that. And with the help from them - we expect them to be good stewards and step up a little bit and help us with it too. So...

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Mr. Snyder: And I think it's important to understand, as money is tight, we were fortunate to be the recipient of bequeath of money that we'll use part of that money, a small portion of that money along with the match from the Little League to do this work. So it really will not impact the general fund budget of the City. So it'll be used for directly. And the fellow that did bequeath the money to us was an avid baseball, football, and basketball enthusiast, and maybe something could be named out there and represent him to...

Mr. Foltz: The girls' soccer,

Mr. Snyder: Girls' soccer or some form of signage in that parking lot to memorialize him and the fact that he did, we used those funds accordingly. And gentlemen I do appreciate your - all your diligent work and you're hard work, and Mrs. Kiesling the same.

Mr. Fox: And Councilman Peters, I think you're right on point with the discussion of putting some sign there at that intersection of Walsh and East Maple disclosure. I live on the street, so I use it frequently. But I do know a lot of folks from College Estates that wish to use that to get over to the park as well as simply crossing the street there because the sidewalks stop. There's Mr. Sahadi's house that just goes to the end of his lot and then the sidewalks stop. And so for them just to get across the street if they're going to go down to the ballpark or the walking trail, up in this direction or down to Washington Square, that's the only access for them. And it's the light at Marquardt and then only much further down actually at the intersection of East Maple and Market. So cars are kind of moving kind of quickly there and without, you know, some sort of sign kind of designated, the folks simply wait at the crosswalk until it's clear and sometimes it can take a while.

Mr. Peters: But one of the things that I was thinking is, a blinking light might at least get their attention. You know, because when they're traveling - most - I know we run radar there quite a bit now. You know, but there is some speeding that goes on through there and if you're trying to get across, you know, these folks aren't stopping. You know.

Mr. Fox: I think it makes a great difference out here...

Mr. Peters: Yeah, it does.

Mr. Fox: in front of the Hoover Facility.

Mr. Peters: It took a while.

Mr. Fox: People stop...

Mr. Peters: I travel that road, East Maple, probably ten times a day, if not more.

Mr. Fox: Right.

Mr. Peters: And it took a while for them to catch on up here about the Hoover property and they finally did. I mean, that's State law. You've got to - you've got to ...

Mr. Fox: Right.

Mr. Peters: stop when people are in the crosswalk. I don't think a lot of people realize that.

Mr. Cerreta: You know we discussed it in the past some of those speed signs that, you know, that we think are really cool that actually says speed limit and then tells them what their speed is. That would be a perfect place for one of those coming down, because that little gap there between Walsh and even Marquardt is, you know, kind of get lost a little bit in that. And that's a very important spot there for... That might be something. I know those are about three thousand bucks a piece ...inaudible... our budget is, but that might be something - a good place to try those out because we've thought about those in the past - about using those. Right? And in different places. And rather than take the little mobile thing out there, that would be a real nice area to put those in if we're able to.

Mr. Peters: Well, I mean, and I just thought of this, put - we ought to put the Stealth Stat out there midweek and on the weekend. Let's at least get a traffic count now and see what the high, you know, high volume is, what times of day and then, you know, maybe run it out there when Little League starts again, and factor in how much more is coming through there. You know, it might give us a better idea of when to strategically place a patrol out there. Not just for parking but for, you know, speed enforcement because you know a lot of the folks that are opponents of it, they use the baseball field as the noise, the noise level. Well that noise level coming off of Maple on high traffic area - high traffic times is ten times louder when it comes off those ball fields. So it might slow them down. Something to think about.

Mr. Snyder: Director Grimes, do you remember a few years back we were fortunate to get a - what was it, \$5,000 from Walmart, Sam's Club? Didn't they give it for safety? I wonder if they have any funds available. They may buy us one of those little speed signs.

Mr. Grimes: I don't know. I can check with them and see. But yeah, Sam's Club donated to us...

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Mr. Snyder: Usually - I remember that we were - they gave us 5,000 that one year for - I believe it was you got that.

Mr. Grimes: Yeah. They were looking on their foundation to give 5,000 away and they were checking to see if anybody had a project ready, and of course we did downstairs, and they gave us the money

Mr. Snyder: Sure.

Mr. Grimes: So that was good.

Mr. Snyder: Would you be kind enough to follow-up on that?

Mr. Grimes: I will do that, sir.

Mr. Snyder: I appreciate that. Thank you. Anyone else? Mrs. Pucci, do you have anything that you would like to say before I move out of public speaks?

Lisa. Pucci: Can I say something?

Mr. Snyder: Please. Step forward, state your name and address, mam.

Ms. Pucci: Inaudible... for my mom.

Mr. Snyder: Okay.

Ms. Pucci: My name is Lisa Pucci. I live at 717 Briar Avenue NE in North Canton. And I wasn't prepared to speak tonight, so I'm sorry.

Mr. Snyder: That's all right.

Mrs. Pucci: But first of all the most important thing that I want to say is that the people that have been talking about this that are supposedly against the lights, as we've said are not against Little League. And first of all, I want people to know that we are not complainers, that's not in our nature. It's just that we had reasons, as we've been discussing, as why we were not for the lights to be happening. So, anyhow, first of all, I appreciate the discussions. I appreciate both sides bringing their points to light. But a couple of things I wanted to make a note of is, Number one: we're not complainers. We just wanted to understand and be brought out that there was a lease, there was an agreement. You know, we realize that it can all change in five years, but we really did - do want it to stay that way for at least another five years. Secondly: it's not just the lights and the noise and then this and that, it's traffic as what you were just talking about. And I personally don't believe that a sign that is blinking saying "slow down" is going to slow people down. Not on that street that I've been watching for 35 years. Perhaps a stop light at Walsh, a stop light at Crestland - Crestland - Crestview, whatever the street is. It's impossible for me to get out of my parents' driveway at certain times of the day to make a left turn. So I make a right turn and go down to the ball fields, turn into them, turn around, and then make my right turn to go down to Briar where I live. And that's in the daytime. And that's in the wintertime. Can you imagine what it's like in the summertime and at 10:00 at night. It's dangerous. So that was my other point I wanted to make. The third thing that I have is that I, like Mr. Osborne, are concerned, am concerned about the water. And I don't know the research on it, but I would like to make sure that we're all addressing that situation because of the past situations that we've had in the City of North Canton. And I intend to live here for a very long time and I want to have good water, like we all do. And other than that, I don't think I have any other notes, except most importantly I don't want people to believe that we're all complainers and we're just trying to go against City Council and against Little League, and that's not the point of this situation.

Mr. Snyder: Mrs. Pucci, may I say this to you. I appreciate your comments as all of Council does. This is your government. You're not complaining. It belongs to you. It doesn't belong to us. It belongs to you, the citizens.

Ms. Pucci: I'm just really surprised.

Mr. Snyder: You're welcome to come here anytime.

Ms. Pucci: I know.

Mr. Snyder: We don't have to agree, but we can agree to disagree.

Ms. Pucci: Right.

Mr. Snyder: And you're welcome to say, and we didn't deem it as a complaint, number one. Number two, I appreciate you..

Mrs. Pucci: We get dramatic at time, both sides...

Mr. Snyder: Right. That's fine.

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Ms. Pucci: And I believe that. And I understand that. But, I just really - I understand both sides, but I really understand the people that have been living here and around those ball fields for all this time, and before that time and how they are really concerned. And even though I don't have property that butts against it, I know many people that do.
Mr. Snyder: That's right...

Ms. Pucci: And I love the sound of the ballgames. I go to ballgames. But, I just really sympathize and empathize with the people that are concerned about it. And anyhow....

Mr. Snyder: I appreciate it. And really the part about the water, that's the greatest thing that we have. It's the second greatest revenue generator in the community. Plus we cannot live without water.

Mrs. Pucci: And I don't want you to raise my water rates. I've been hearing about that.

Mr. Snyder: Yeah. And so consequently, to put your mind somewhat at ease, Mr. Steinhebel, who is the Superintendent of Water production there, and for you people who don't know Mr. Steinhebel, the Mayor or the Director of Administration will tell you that and trust me, there is not going to be anything to compromise the integrity of that well field. It's checked quite regularly, actually more often than the state requires. And nor will anything be done there without total assurance from him and the EPA (Environmental Protection Agency) that we could move ahead. We will not jeopardize our well fields to put in a parking lot.

Ms. Pucci: And oh, and I just thought of something else, also is, you know, how much is this costing the City of North Canton?

Mr. Snyder: We don't honestly...

Ms. Pucci: Whatever we help them with. I mean, we contribute, we give, we understand that. But I'm a taxpayer. My taxes go up constantly. My wages are not going up, they're going backwards. I'm working more hours for less pay. So if my taxes keep going up and I'm seeing all these things happening where we're giving money or we're not claiming money when we should be, I'm not just concerned for me but for many people that might be in my situation. So...

Mr. Snyder: This project will be done with the money that we were bequeathed, \$150,000. It had to be used for park and recreational related...

Ms. Pucci: But, that's not our park though. Right?

Mr. Snyder: Well, it's Parks...it's part of our park.

Ms. Pucci: But, I mean the 19 acres...

Mr. Snyder: It belongs to the City.

Ms. Pucci: It belongs to the City, but...

Mr. Snyder: It belongs to the City. It's our park and it will always remain our park. We're not in the habit of selling our parklands. The same as Arrowhead is our park. And we lease it and we're paid a monthly fee for that. But that's a city park. Parks and institutions - it's our - the improvement to that is both for the health and welfare of the residents, safety of the children, and the improvement in the quality of life for everybody. That's our ultimate object in our ultimate motive for doing it. Now whether we accomplish that, again we stand every November - every other November for that particular answer. I assure you of that. But we're trying. Please continue to come here and tell us the way you feel about it.

Ms. Pucci: Oh, I will. But like we said in the very beginning, the complaining part, somebody made a comment last week, you know, we've never heard about these problems or these situations. It's because we figured we could live with it. We could live with some of the extra traffic. We could live with some of the noise. We could live with some of the motivational music over the loud speakers. It's just that when it got to let's change it, now it's becoming more so than what we were prepared to accept. So then people started standing up saying, I don't want this. So, okay. Thank you all.

Mr. Snyder: Thank you very much. Any other comments? Well, we've exhausted about 35 minutes. I think we may have to move into.....

Ms. Pucci: I'm sorry...

Mr. Snyder: Oh no, not you. I'm talking about - we were stalling for a member to come so that we could vote.

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Ms. Pucci: I could talk some more if you want.

Mr. Fox: We could take a brief intermission.

Mr. Correta: She texted me. She's about five minutes out.

Mr. Snyder: Oh, she's about five minutes? Okay.

Mr. Osborne: Mr. Snyder. Can I add a couple of comments?

Mr. Foltz: Yeah, I can talk about SCCOG (Stark County Council of Government) if you want.

Mr. Snyder: Yeah. Wait one minute. I'll come back to you. I want to listen, Mr. Foltz has a little message he wants to tell us.

Mr. Foltz: Okay. Everyone has read the paper the last two or three days about the recent hire for our Stark County Canton Crime Lab. And I did some work today talking to Karen and Mike Grimes. Karen is like, if I don't have my information right, please correct me. But I think the funding from SCCOG for that crime lab started about ten years ago with undivided local government funds. So we don't receive the funds anymore, but in lieu of that we have this crime lab that we utilize when we need it for evidence in court cases and so forth. Karen, now you are the Treasurer?

Mrs. Alger: Correct.

Mr. Foltz: Treasurer of the Executive Committee of SCCOG. And I know our Administrator, Mike Grimes, has been an Executive Committee Member and is currently a member. I'm not quite sure where you're at.

Mr. Grimes: Yes. I was Executive Board last year, but not this year.

Mr. Foltz: Okay. So we do have a stake in this as far as representation for the City of North Canton and our tax dollars at work. So I just want to go on record, and I've talked to a few of you on the phone, that - and the **Repository** editorial wasn't very favorable to the recent hiring. And this is by no way any means to disparage the new director, but I think what we need to do is send them a resolution to reinstate the qualifications that were previously there under Civil Service test. As of now they declassified that position, so Civil Service is not even entered into the picture. You don't have to test for the position. It's just an appointed position. And there's an appointing authority within the executive SCCOG board that can do that. And I believe that's the Mayor, the Safety Director, and then the Police Chief of Canton. So I think it's vital that we keep the standards of that lab together. So what I'm asking that this Council do later tonight is to send a resolution to SCCOG. And I believe Karen and Mike might be at the meeting tomorrow so they can, if it's the wishes of Council, just to voice our concerns that we would like to see that, that Stark County Canton Crime Lab be a science-based lab. That there should be credentials and chemistry of forensic science; that you should have your Director be able to testify in court. You should be able to evaluate the technical employees that work under him. Should be able to run the test himself. I think we're not asking for too much. I think we need to maintain the integrity of that crime lab for all of Stark County's political entities. So that would be my recommendation. If anybody else on Council wants to discuss it, but I think Gail is going to put a resolution together, or the Mayor, or the Administration. I think it's vital that we don't diminish the authority of our crime lab to any future crimes, felonies, or just testimony that might be needed to uphold our community's standards here in North Canton and the county.

Mr. Snyder: Now it's my understanding in reading in the paper, the gentleman that they appointed does not have the right educational background to fulfill the original gentleman's abilities.

Mr. Foltz: Yes, the previous job classifications.

Mr. Snyder: I wonder what happens, you know, when the person would have to go and give expert testimony in court, do they have to then hire an expert and pay that expert or when you test for DNA, you have to have some type of certification that the integrity of the test is to the standards of some individual. So we have to hire that out then? Is that?

Mr. Foltz: That's questions that have to be answered I guess by SCCOG maybe tomorrow. You know, in my opinion, the Director should be able to testify. You want somebody involved that's going to be familiar with the judicial setting as far as how to present the evidence. He's tested the evidence, he or she, or you know maintain the integrity of the science-based lab. That's just not going to happen with the current director. That's not to demean his abilities as a manager...

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Mr. Snyder: No, he's a very high grade investigator. But he's an actual investigator. He's not a forensic scientist.

Mr. Foltz: I just don't know why we bring the standards to a level we don't need to when it's a science-based crime lab. Any other thoughts?

Mr. Cerreta: Well, I think it's a good idea. Sending a resolution I think is a good idea from us just to show that we don't want to see standards lowered and that we want to make sure that everybody continues those standards. I'm sure that there are a lot of people out there qualified for that at the standard that they set. So I'm - I'll back Tim up in sending him a resolution that, you know, that's how we feel, if that means anything to them.

Mr. Snyder: Well, it's our dollars that we are paying to that lab down there. We're paying...

Mr. Foltz: Well, it's undivided government funds that we've allocated.

Mr. Snyder: Yeah, we're taking ...

Mr. Foltz: We've signed off and allocated. We don't receive what goes to the crime lab. I think also, that the hiring should be transparent. I think there should be a way that it's just not controlled by certain members of the committee. I think they should take job - they should take people into consideration as you mentioned, Member Cerreta, to apply the position open to the public and attract your best candidate. So...

Mr. Fox: Why don't we set, just prior to next week's meeting or if we need to do it earlier than that, set a special meeting for a committee meeting if we want to put it to...

Mr. Foltz: I think talking to Gail, Law Director Fox, that we could put this resolution together tonight so it's in the hands of Karen Alger and Mike Grimes. And they can present it to Executive Committee tomorrow.

Unidentified: Hand deliver.

Mr. Foltz: Because there's going to be a lot of discussion from that committee. A lot of them didn't know the hiring was even taking place. At least that's what I read in the **Repository**. I don't have any other information. I'm sure the **Repository** did their homework and we're just voicing our concerns also. So.

Mr. Fox: Inaudible... the agenda.

Mr. Snyder: Can I amend. I was just going to ask you, I can amend tonight's agenda to consider without minutes, or consider it without a committee meeting. Correct? I can't do that.

Mr. Fox: We have got to have transparency in the agenda, but...

Mayor Held: Or there can be a letter that can be signed by all of ...

Mr. Foltz: Mayor, do you have any other comment or - not to put you on the spot. I didn't have a chance to talk to you. But ...

Mayor Held: Yeah. No. You know, when you look at something like this. I mean, it's - I think it's pretty clear that we want to make sure that we're operationally, that the City's interests are covered. There's a number of things that I - that as we have our Finance Director Alger and our Director of Administration Grimes, that they're going to be gathering a little bit more information tomorrow but, you know, I mean, it's - we all want transparent government. And we all want to have the most qualified individuals in any position whether it be within the City of North Canton or with SCCOGS. And I think that, you know, clearly if there's any reduction in that service - in that level of service to the person that has been appointed, that needs to be addressed. It needs to be explored and addressed. And - but I think that really as a council and as a municipality, we've got to be very specific with what our concerns are. So whether it's in the form of a resolution or a letter, we need to be very clear and very specific.

Mr. Foltz: Well, Council is willing to put the letter together. Maybe it doesn't have to be a resolution, but just to voice our concerns before this meeting tomorrow. I don't know what actions SCCOG will take tomorrow.

Mr. Snyder: I have no idea.

Mr. Foltz: But, at least let them know that there are other government entities that agree with the **Repository's** editorial, that we feel this is very important and vital to our community that this crime lab is an accredited crime-based lab with an accredited director. Why would it need the change? I don't understand why it needed to change. You know, so...

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Mayor Held: Mr. President, I'm sorry. Is there a way that we can have a letter that is drafted? I mean in light of the timing of this. And I don't know if we have the - our representatives on SCCOG, we have them sign or if you have all the members of Council. How do you go about that? I'm just trying to think of a creative way that if we can't have a resolution.

Mr. Snyder: No.

Mrs. Kalpac: You've done resolutions of opposition like for the municipal - I mean the state income tax - Council has. And they've done them supporting different items also. And everybody signed it and you could have the Mayor sign it also.

Mr. Peters: Without minutes. We've done that without minutes?

Mrs. Kalpac: You're sending a letter. A letter of resolution of support. You guys have done that on several occasions.

Mr. Snyder: Could this letter just say that, you know, we're not - we want to fully understand why the standards were lowered. Why when we initially contribute our share of the undivided government funds, we anticipated that the position was held by a person certified by the State of Ohio to be a director of a lab. Now you've actually changed horses in the middle of the race. And, we...

Mayor Held: And then the question would be, is there an operational impact?

Mr. Snyder: Yes. What is the impact on, you know, to the quality and integrity of the lab?

Mr. Peters: I think that **Repository** article pretty much spelled that out.

Mr. Foltz: Right.

Mr. Peters: And I think we know why the qualifications were lowered. Let's be real, it's so they didn't have to post the job.

Mrs. Kiesling: Good old boys club.

Mayor Held: But as the Council President stated, does that provide - is there going to be an additional expense you know, during any testimonies that are given or are there any other certifications or accreditation?

Mr. Foltz: Well and if this Council and this body agrees, we just reinstate the previous qualifications. Whether it's Civil Service or not, they should still meet the qualifications, if it's an appointed position. You shouldn't change the qualifications.

Mr. Peters: I agree.

Mayor Held: And I'm sorry. But when Councilman Foltz, when you mentioned that, I'm assuming that you're saying that that should be instituted with this ...

Mr. Foltz: That should be changed right now to go back, in my opinion. If that means...

Mayor Held: So you're saying retroactively?

Mr. Foltz: They should consider that, in my opinion, and to reinstate those qualifications and if the existing Director doesn't meet the qualifications, then find one that does.

Mr. Snyder: Right. Well, we could urge that in the letter. Please let the records show that Councilman Werren joined us at 7:49.

Mr. Foltz: Is that something that our Law Director Fox can work on and put us in a...

Mr. Fox: It depends on what you're asking to do. If it's a letter from the Mayor or representative from SCCOG, they can certainly do that tomorrow. If it's a letter of resolution from Council, I believe it's something that we would need a special meeting advertised so we could have, you know, like we do any other kind of legislation that need to be advertised. We need the 24 hours to discuss that.

Mr. Foltz: Well, how are we to convey our message through - to our SCCOG representatives and the administration? I'm willing to do. I'm willing to do. I think we've got to go on record tomorrow with it.

Mr. Peters: Yeah.

Mr. Cerreta: Well then why don't we send a letter and then follow up with a resolution if we need to follow up with a resolution. Let's just go ahead and go forward and do what we feel is right. If that is good.

Mr. Foltz: Okay, who is going to write the letter? Let's just inaudible...

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Mr. Cerreta: We can write it, as it comes from all of us, we have a letterhead that comes from our whole Council, right? And I would assume that it would be signed by our President, if you're with that I would think and the members with our names on the letterhead. Wouldn't that be official enough? Do you want to stay afterwards and help write it - or?

Mrs. Kiesling: You'd rather the letter be from David and Mike and Karen.

Mr. Fox: Correct - correct.

Mr. Cerreta: Okay, you want to see it that way.

Mrs. Kiesling: And, then we'll pass a resolution next week and we can send that off then.

Mr. Cerreta: Okay, sounds good.

Mr. Fox: Correct.

Mr. Foltz: Well, in your letter, you can voice Council's concerns and....

Mr. Fox: Yeah, the concern we had and around the table we talked about it, it wasn't on the agenda. It's you know you don't want to have issue with you know open meetings, whether it was disclosed, but this was kind of so we could get to our other business, we kind of did our "around the table" earlier than later.

Mr. Snyder: Okay.

Mr. Fox: If you will.

Mr. Snyder: Yeah, we'll do that ...inaudible... Thank you. Okay, Old Business. May I have a motion and a second to amend the Attachment A of Ordinance 7-13?

OLD BUSINESS:

- 8. Mr. Foltz moved and Mrs. Kiesling seconded to **amend Attachment A of Ordinance No. 7-13**. All members present voting:
Yes: Snyder, Werren, Cerreta, Foltz, Kiesling, Peters
No: 0

Mr. Snyder: Now can I have a motion and a second to read by title only, the second reading, as amended, of Ordinance No. 7-13?

Mrs. Kiesling moved and Mr. Peters seconded to **read by title only, the second reading, as amended**, for Ordinance No. 7-13. All members present voting:
Yes: Werren, Cerreta, Foltz, Kiesling, Peters, Snyder
No: 0

Ordinance No. 7-13 - 2nd Reading - Finance & Property

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

Mr. Snyder: We amended the certificate by \$55,000 from 45,000 to \$100,000 to take care of the telephone system. As we are now doing a request for proposals, so we felt that number would take care of it. There being no other questions, may I have a motion to adopt the second reading of Ordinance No. 7-13.

Mr. Foltz moved and Mrs. Werren seconded to **adopt the second reading, as amended**, of Ordinance No. 7-13 as amended. All members present voting:
Yes: Cerreta, Foltz, Kiesling, Peters, Snyder, Werren
No: 0

NEW BUSINESS:

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

Mr. Foltz: Wait a minute. Didn't you want to pass on emergency, Jon?

Mr. Snyder: No, next week we're going to do it.

Mr. Foltz: Next week, okay.

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Mr. Snyder: Resolution No. 8-13.

Mrs. Kiesling moved and Mr. Peters seconded to read by title only, first reading of Resolution No. 8-13. All members present voting:
Yes: Foltz, Kiesling, Peters, Snyder, Werren, Cerreta
No: 0

Resolution No. 8-13 – 1st Reading – Personnel & Safety Committee

A resolution authorizing the Mayor of the City of North Canton to enter into a Summa Health System EMS Program Training Agreement ("Agreement") by and between the City of North Canton ("City") and the Summa Health System ("Summa") to provide an Education Program ("Program") to City Emergency Medical Service personnel, and declaring the same to be an emergency.

Mr. Snyder: Chairman Peters.

Mr. Peters: Yes, I'm - this is to no cost to the City. And we have one current employee that is ready to jump into the training.

Mr. Grimes: I'm surprised he's not here tonight to see if you agree with it.

Mr. Peters: Yeah. Yeah, if anyone - if no one else has anything to add, I'd like to move forward with this and approve this on emergency. I'll make that motion.

Mr. Peters moved and Mr. Cerreta seconded to adopt the first reading of Resolution No. 8-13. All members present voting:
Yes: Kiesling, Peters, Snyder, Werren, Cerreta, Foltz
No: 0

Mr. Snyder: As time is of the essence and an emergency exists, may we suspend the rules of Council for Resolution 8-13.

Mr. Peters moved and Mr. Foltz seconded to suspend the rules for Resolution No. 8-13. All members present voting:
Yes: Peters, Snyder, Werren, Cerreta, Foltz, Kiesling
No: 0

Mr. Snyder: May we adopt under the suspension of the rules Resolution No. 8-13?

Mrs. Kiesling moved and Mr. Cerreta seconded to adopt under suspension of the rules Resolution No. 8-13. All members present voting:
Yes: Snyder, Werren, Cerreta, Foltz, Kiesling, Peters
No: 0

10. Mr. Snyder: May I have a motion to read by title only, first reading of Ordinance No. 9-13?

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

Ordinance No. 9-13 – 1st Reading – Street & Alley Committee

An ordinance authorizing the Director of Administration of the City of North Canton to advertise and receive bids and authorizing the Mayor of the City of North Canton, through the Board of Control, to enter into a contract for the resurfacing, repaving, replacement, repair and preventative maintenance of certain streets, alleys and city parking lots, at a cost not to exceed \$365,000, and declaring the same to be an emergency.

Mr. Snyder: Who is the Vice Chairman of Streets?

Mr. Peters: Dan's the Chair.

Mr. Snyder: Dan's the Chair?

Mr. Peters: Yes, I'm the Vice Chair. I spoke with Dan today in regards to both these ordinances and he didn't have anything further to add. He just asked if the Engineer or Director of Administration had any more input before we moved forward on these.

Mr. Benekos: Yes, we'll have a list to you hopefully in a couple of weeks on this one.

Mr. Peters: Okay.

Mr. Benekos: And we've only received a list from...

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Mrs. Werren: I was first.

Mrs. Kiesling: I gave you a couple.

Mr. Benekos: Last year. The ones from last - you gave me...

Mrs. Kiesling: I've given you two. I sent them to Linda, because she sent email out to everybody else wanting to and I emailed her back.

Mr. Benekos: Okay.

Mrs. Kiesling: She has them.

Mr. Snyder: If you haven't done it, just take a drive around the 4th Ward and copy the street name and send it over there.

(Laughter)

Mr. Snyder: Very simple process.

Mr. Foltz: Member Snyder, Donner's getting done this year. So I didn't put in a list. I was going to fair to the rest of the Council ward people.

Mr. Peters: With that, I will make a motion to approve the reading of Ordinance No. 9-13.

Mrs. Peters moved and Mr. Kiesling seconded to **adopt the first reading** of Ordinance No. 9-13.

All members present voting:

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

No: 0

Mr. Snyder: As an emergency exists for time to get this bid out properly, may we suspend the rules of council for Ordinance 9-13.

Mrs. Werren moved and Mr. Peters seconded to **suspend the rules** for Ordinance No. 9-13.

All members present voting:

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

No: 0

Mr. Snyder: May we adopt under the suspension of the rules Ordinance No. 9-13.

Mr. Cerreta moved and Mrs. Werren seconded to **adopt under the suspension of the rules** Ordinance No. 9-13. All members present voting:

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

No: 0

11. Mr. Snyder: May I have a motion to read by title only, first reading of Ordinance No. 10-13?

Mrs. Kiesling moved and Mr. Peters seconded to **read by title only, first reading** of Ordinance No. 10-13. All members present voting:

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

No: 0

Ordinance No. 10-13 – 1st Reading – Street & Alley Committee

An ordinance authorizing the Director of Administration of the City of North Canton to advertise and receive bids according to specifications now on file in the office of the Director of Administration and authorizing the Mayor of the City of North Canton, through the Board of Control, to enter into a contract for the West Maple Street Resurfacing Project (Sheraton Drive NW to Wise Avenue), at a total cost not to exceed \$130,000, and declaring the same to be an emergency.

Mr. Snyder: Mr. Peters.

Mr. Peters: Yeah. Jim, do you have anything more on this? Again, I spoke to Dan and he's ready to move forward with this. Any late additions?

Mr. Benekos: No.

Mr. Peters: Okay. We're good to go? \$130,000 is correct?

Mr. Benekos: Correct.

Mr. Peters: Okay. If there are no other questions, I'll motion to approve Ordinance No. 10-13.

Held

Monday, February 11

7:00 p.m.

20 13

Mr. Peters moved and Mr. Foltz seconded to **adopt the first reading** of Ordinance No. 10-13. All members present voting:

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

Mr. Snyder: As time is of the essence, we need to bid this, may I suspend the rules of council for Ordinance No. 10-13.

Mr. Peters moved and Mr. Cerreta seconded to **suspend the rules** for Ordinance No. 10-13. All members present voting:

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

Mr. Snyder: May we adopt under suspension of the rules Ordinance No. 10-13

Mrs. Werren moved and Mr. Cerreta seconded to **adopt under suspension of the rules** Ordinance No. 10-13. All members present voting:

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

12. Mr. Snyder: May I have a motion to read by title only, first reading of Ordinance No. 11-13?

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

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

Ordinance No. 11-13 – 1st Reading – Water, Sewer & Rubbish Committee

An ordinance authorizing the Director of Administration of the City of North Canton to advertise and receive bids according to specifications now on file in the office of the Director of Administration and authorizing the Mayor of the City of North Canton, through the Board of Control, to enter into a contract for the Price Park Culvert Rehabilitation Project, at a total cost not to exceed \$175,000, and declaring the same to be an emergency.

Mr. Snyder: Chairman Cerreta.

Mr. Cerreta: Well there are going to be four of these. And these are all part of our aggressive, if you want to call it, infrastructure program with our water and our sewer. And this one happens to be the one that Price Park Culvert that needs rehab and we have it on emergency because we need to put this out to bid and get going with some things. And, I'll be restating that as the next three, four go by. But this is part of that program that we want to move forward with. So I move to approve this Ordinance and put it on an emergency, No. 11-13.

Mr. Cerreta moved and Mr. Peters seconded to **adopt the first reading** of Ordinance No. 11-13. All members present voting:

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

Mr. Snyder: As the Chairman pointed out, time is of the essence, it's an emergency basis, may we suspend the rules for 11-13?

Mrs. Kiesling moved and Mr. Cerreta seconded to **suspend the rules** for Ordinance No. 11-13. All members present voting:

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

Mr. Snyder: May we adopt under the suspension of the rules, Ordinance No. 11-13.

Mr. Cerreta moved and Mrs. Werren seconded to **adopt under suspension of the rules** Ordinance No. 11-13. All members present voting:

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

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

Mrs. Kiesling moved and Mrs. Werren seconded to **read by title only, first reading** of Ordinance No. 12-13.

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

RECORD OF PROCEEDINGS
COUNCIL OF THE CITY OF NORTH CANTON

Minutes of

REGULAR Meeting

DAYTON LEGAL BLANK, INC., FORM NO. 10148

Held Monday, February 11 7:00 p.m. 20 13

Ordinance No. 12-13 – 1st Reading – Water, Sewer & Rubbish Committee

An ordinance authorizing the Director of Administration of the City of North Canton to advertise and receive bids according to specifications now on file in the office of the Director of Administration and authorizing the Mayor of the City of North Canton, through the Board of Control, to enter into a contract for the Carlton/Knoll/50th Street Waterline Replacement Project, at a total cost not to exceed \$600,000, and declaring the same to be an emergency.

Mr. Snyder: Chairman Cerreta.

Mr. Cerreta: Same type of thing, there's an area over there that's a big need. This is the Carlton, Knoll, 50th Street area right there. Once again, part of our plan this year. We need to put this out for bid. So I move that we approve this and also under emergency, Ordinance No. 12-13.

Mr. Peters: Second

Mr. Snyder: Alright

Mr. Cerreta moved and Mr. Peters seconded to **adopt the first reading** of Ordinance No. 12-13. All members present voting:

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

No: 0

Mr. Snyder: As an emergency exists for the health and welfare of the neighborhood, may we suspend the rules of council for Ordinance No. 12-13?

Mrs. Kiesling moved and Mr. Cerreta seconded to **suspend the rules** for Ordinance No. 12-13. All members present voting:

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

No: 0

Mr. Snyder: May we adopt under suspension of the rules Ordinance 12-13?

Mr. Cerreta moved and Mrs. Werren seconded to **adopt under suspension of the rules** Ordinance No. 12-13. All members present voting:

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

No: 0

14. Mr. Snyder: Just a point of order there, this is those areas where we had the neighbors up here with a couple of times with the bottles of rusty water. They had the filters and we're glad to see the Administration is putting that out and taking care of that problem because I'm sure they will be tickled down there. And Mrs. Werren will appreciate that as well for her constituency. But thank you for that. May I have a motion to read by title only first reading of Ordinance No. 13-13?

Mrs. Kiesling moved and Mr. Peters seconded to **read by title only first reading** of Ordinance No. 13-13.

All members present voting:

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

No: 0

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

An ordinance authorizing the Director of Administration of the City of North Canton to advertise and receive bids according to specifications now on file in the office of the Director of Administration and authorizing the Mayor of the City of North Canton, through the Board of Control, to enter into a contract for the Lindy Lane, Rose Lane, Oakridge Street Waterline Replacement Project, at a total cost not to exceed \$450,000, and declaring the same to be an emergency.

Mr. Snyder: Chairman Cerreta.

Mr. Cerreta: Same type of situation. This is down there in the ...inaudible... allotment down there where those streets are concrete. And this area down there, it's been a long time coming. Again, this is another part of the four corners that we're working on here. Every one of these is a four corner of our community. So, we're trying to spread it out. And Jim's done a nice job. And this one also needs to be moved forward on emergency, if we could, to get these bids out. So I move that we go ahead and approve Ordinance No. 13-13.

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

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

No: 0

RECORD OF PROCEEDINGS

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COUNCIL OF THE CITY OF NORTH CANTON

REGULAR

Meeting

DAYTON LEGAL BLANK, INC., FORM NO. 10148

Held Monday, February 11 7:00 p.m. 20 13

Mr. Snyder: As an emergency exists, and time is of the essence, may we suspend the rules for Ordinance No. 13-13.

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

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

No: 0

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

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

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

No: 0

15. Mr. Snyder: Point of order, again I represent this area and I appreciate the - I've had the privilege of representing these people and their water pressure is terribly low. And I think it's positive that we note that we will probably hope to do that on the side and not digging up those concrete streets that we did replace. So we will not be so invasive. If it works, we'll be able to do that, and they can enjoy - continue to enjoy their concrete streets. I spoke to Administration, and I thanked the Administration and Engineering for that project. It was sorely needed. Thank you. May I have a motion to read by title only, first reading of Ordinance 14-13?

Mrs. Kiesling moved and Mr. Cerreta seconded to **read by title only, first reading** of Ordinance No. 14-13. All member present voting:

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

No: 0

Ordinance No. 14-13 - 1st Reading - Water, Sewer & Rubbish Committee

An ordinance authorizing the Director of Administration of the City of North Canton to advertise and receive bids according to specifications now on file in the office of the Director of Administration and authorizing the Mayor of the City of North Canton, through the Board of Control, to enter into a contract for the Marquardt Waterline Replacement Project, at a total cost not to exceed \$135,000, and declaring the same to be an emergency.

Mr. Snyder: Chairman Cerreta

Mr. Cerreta: Once again, this is the final of the grand slam here that we have with the water replacement lines. This has to do with the Marquardt line which is on the northeast side of town. And we're going to be busy this year. There's going to be a lot of barrels, but these are needed. So I'd like us to go ahead and put this out for an emergency also; and to go ahead and move to approve - what's this number; Ordinance No.14-13.

Mr. Cerreta moved and Mr. Peters seconded to **adopt the first reading** of Ordinance No.14-13. All members present voting:

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

No: 0

Mr. Snyder: May I suspend the rules of council as an emergency exists for Ordinance No. 14-13.

Mrs. Kiesling moved and Mr. Cerreta seconded to **suspend the rules** for Ordinance No. 14-13. All members present voting:

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

No: 0

Mr. Snyder: May we adopt under suspension of the rules Ordinance No. 14-13.

Mr. Cerreta moved and Mr. Foltz seconded to **adopt under suspension of the rules** Ordinance No. 14-13. All members present voting:

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

No: 0

16. Mr. Snyder: May we have a motion to read by title only first reading of Ordinance No. 15-13.

Mrs. Kiesling moved and Mr. Cerreta seconded to **read by title only first reading** of Ordinance No. 15-13. All members present voting:

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

No: 0

RECORD OF PROCEEDINGS
COUNCIL OF THE CITY OF NORTH CANTON

Minutes of

REGULAR Meeting

DAYTON LEGAL BLANK, INC., FORM NO. 10148

Held Monday, February 11 7:00 p.m. 20 13

Mr. Snyder: Mr. Fox.

Ordinance No. 15-13 – 1st Reading – Community & Economic Development Committee

An ordinance stating the municipal services that will be provided to a 1.549 acre of parcel land, more or less (the "Territory"), being part of the Northeast Quarter of Section 16, Township 11 (Plain Township), Range 8, Stark County, Ohio, in the event said Territory is annexed to the City of North Canton, and declaring the same to be an emergency.

Mr. Snyder: Chairman Kiesling.

Mrs. Kiesling: Yes, this is a parcel that we're going to annex on the south side of Walsh University. And we just need to state we'll provide services for the annexation to go forward. Any questions? I motion we adopt.

Mrs. Kiesling moved and Mr. Peters seconded to **adopt the first reading** of Ordinance No. 15-13.

Mr. Snyder: May I have a – oh, excuse me. Call the roll

All members present voting:

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

No: 0

Mr. Snyder: As this does not change the boundaries of the City or its Ward, we can adopt on an emergency. They want this sooner rather than later, so I'd like to suspend the rules of council for Ordinance No. 15-13.

Mrs. Kiesling moved and Mr. Peters seconded to **suspend the rules** for Ordinance No. 15-13. All members present voting:

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

No: 0

Mr. Snyder: May we adopt under suspension of the rules Ordinance No. 15-13.

Mrs. Kiesling moved and Mr. Peters seconded to **adopt under suspension of the rules** Ordinance No. 15-13. All members present voting:

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

No: 0

Mr. Snyder: Okay, reports. Member Foltz.

Mr. Foltz: No report.

Mr. Snyder: Member Peters

Mr. Peters: I have no report. Just to go back, real quick to that letter Karen is going to take down tomorrow, you might want to state in that letter that a resolution is going to be forthcoming so they know that. You know, that way, they know it's coming. We didn't officially do it, but they know it's coming.

Mr. Snyder: Good point. Thank you. Mrs. Werren.

Mrs. Werren: I greatly appreciate your patience tonight. Thanks for the text message Mark coming down through South Canton. And I appreciate still the input that I'm receiving on the ball fields and we're still contemplating and moving forward. Thank you.

Mr. Snyder: Good. Thank you very much. Mr. Cerreta.

Mr. Cerreta: Glad you got here safely, by the way. I don't know who was driving, but I'm glad you got here.

Mrs. Werren: Oh, I was so worried. I was going to call you, but I...

Mr. Cerreta: Couple of things. Next week, it will be the 19th, right?

Mrs. Kiesling: That's Tuesday.

Mr. Cerreta: Okay. We have a proclamation for the YMCA next week that Dave is going to give out.

Mayor Held: That's right.

RECORD OF PROCEEDINGS

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COUNCIL OF THE CITY OF NORTH CANTON

REGULAR

Meeting

DAYTON LEGAL BLANK, INC., FORM NO. 10148

Held

Monday, February 11

7:00 p.m.

20 13

Mr. Cerreta: I want to make sure that we get that. Probably beforehand at 6:30ish I would imagine. I don't know where we stand with that. To give the YMCA their recognition for 90 years as community building which is just terrific; so hopefully we'll do that. And then soon we'll be having the Survey Committee will be forthcoming with survey results. And which is, I think, will help us in the long run all the way down the line. So that's just two things.

Mr. Snyder: I'll have a mention on that in a moment. Mrs. Kiesling.

Mrs. Kiesling: No report.

Mr. Snyder: Thank you Mr. Cerreta. I did receive an email from Larry saying that the Survey Committee is ready to go. They've requested to address the Council. It will take about an hour he said. Now he's either available on the 11th of March or the 18th of March. And he wants either day.

Mr. Cerreta: The 11th; let's just get it going. I mean we need to see it. I don't know what you guys are – are you good with it.

Mrs. Kiesling: I don't have anything.

Mr. Peters: Yes. That's fine.

Mr. Snyder: I'll just sent it back...

Mr. Cerreta: They've done a really nice job with that and they've put some time into that.

Mr. Snyder: Oh, yes.

Mr. Cerreta: What we're getting from that will help us, I think all the way around.

Mr. Snyder: I'll just send it back telling him the 11th.

Mr. Cerreta: Is that a full meeting?

Mr. Snyder: That's a council – that's a regular meeting.

Mr. Cerreta: Alright. I'm good if you guys are good.

Mrs. Werren: That's fine.

Mr. Snyder: And he's going to use our overheads and, I think he said he had five people who will present.

Mr. Cerreta: Do we want to start earlier do you think? Or do you want to go ...

Mr. Snyder: Start it at...

Mr. Cerreta: Start at 6:30 and at least just run it through?

Mr. Snyder: We'll start at 6:30 and

Mr. Cerreta: That way nobody's out late.

Mrs. Kiesling: Yeah.

Mr. Snyder: that way we're ready to go and we can adjourn for a minute, go into the meeting at 7 and come right back to them. And that way it will give us so we won't - I'll tell them that, I'll tell them 6:30. That's a good point. Thank you very much. Director Fox.

REPORTS:

Mr. Fox: Yes, sir. Just to thank all those residents that have been willing to come out and voice their concerns as the Chairman had stated. It's local government at its finest and that's why we wanted people to come in and voice their concerns, especially the ones that are near the park as well as those that enjoy it. Also, thank Magistrate Nist, he had me sit in for the Mayor's Court tonight. And I think I'll continue to do that because it gave us a great deal of flexibility to be there as the position for the City as well as having the taxpayer there. Tonight we had ten taxpayers appear that hadn't filed and of course, had not paid for the past four years. So there's continued success with that. And I appreciate working with Director of Finance and her team in there. And we'll continue to move that forward.

Mr. Snyder: Good. Nice work. Thank you. Director Alger.

Mrs. Alger: No report.

RECORD OF PROCEEDINGS
COUNCIL OF THE CITY OF NORTH CANTON

Minutes of

REGULAR

Meeting

DAYTON LEGAL BLANK, INC. FORM NO. 10146

Monday, February 11

7:00 p.m.

13

Held

20

Mr. Snyder: Director Grimes

Mr. Grimes: On the tax thing, there's about thirty other people that are going to get greeted by the Police Department. They've got them down there ready to go on that. So I would suggest paying your taxes in the City or making arrangements with us. And on the parking, I know there was some questions on the parking down there along the hills and the sidewalk. I did speak with Police Chief Wilder this week. And to use Councilman Cerreta's term "aggressive" that's what we're going to be doing down there. The signs are going to be changed and instead of a parking ticket, you'll have that, but we're also making it a tow away zone. So we think if a couple of people see their vehicles leave, they'll get the idea that, you know, we don't want you parking there.

Mr. Snyder: I noticed a couple of the residents that had their own sign made and put in the yard. Did you see that? That was kind of - but I appreciate that.

Mr. Snyder: Mr. Mayor

Mayor Held: Yes. First off, to our residents, the Puccis and also Chuck, and any of the others that I might have missed during the public speaks, as it has been stated by our Council President and our Law Director, we really do appreciate your input at the public meetings. And I think that, you know, oftentimes if something is not brought to our attention, then sometimes there is a perception that there is not a problem with that. And as we look at the situation with the Little League, you know it's apparent that there are a number of issues that we have to address on behalf of our residents, along with the Little League. And we're going to make sure that we take care of that. And so, it's - we're always welcome to those ideas and those concerns that you have. And then from an operation standpoint, I would like to share with the Council that from my perspective this is really - now that we have a full-time Law Director, it's made a tremendous difference in our City's operation. But I think it was really probably one of the best decisions that we made in, you know, in the past few years because it makes everything else run so much smoother. You know, oftentimes the Administrator, our Finance Director, our City Engineer, the Service Directors, really could not take any action until it had the approval, and well the review and approval of the Law Director. And now especially because Mr. Fox is just a very hard worker on top of having him here all the time its just made everything run so much smoother. And a lot of problems have been prevented. And Councilman Snyder and I have talked about this on a number of occasions, too often there were problems that arose that should have never really become a problem and I think a lot of that had to do with the fact that the Law Director was a part-time position. And I've heard this - this is not only my personal experience, but also our City Engineer and our City Administrator, and I know our Finance Director also all share the same thing. So great decision with Council to hire a full-time Law Director; and more specifically, Tim Fox. It's really been a benefit.

Mr. Snyder: Thank you. You know, Mayor, and I think it's important that people understand. I asked the Finance Director to run a schematic on the actual cost of our previous part-time Law Director versus our full-time Law Director and we're on target to save several thousands of dollars even paying what we're paying a full-time Law Director. But again, it's important to know that Mr. Fox comes without basic benefits he's - and to get the quality of Law Director that we have, I mean we're very, very fortunate. Mr. Fox, we do appreciate every day that you are here. I want you to know that.

Mr. Fox: Thank you. I appreciate the kind words. Thank you, Mayor.

Mr. Snyder: Mr. Benekos

Mr. Benekos: I just want to thank Council's cooperation in passing those ordinances. We look forward to getting started on these projects and ripping up the streets.

Mr. Snyder: How is the little project doing west of town there? Are you coming along all right?

Mr. Benekos: It's coming along well. Just they - the improvements should be completed here in about two or three weeks. What will keep us from moving in will be the communications, getting our fiber-optics connected and then waiting for phones.

Mr. Snyder: Is there any open house, with hors d'oeuvres and cocktails?

Mr. Benekos: There will be.

FINAL CALL FOR NEW BUSINESS:

Mr. Snyder: Thank you. That's good. Council, any final call? If not, I'll entertain a motion to adjourn?

RECORD OF PROCEEDINGS
COUNCIL OF THE CITY OF NORTH CANTON REGULAR

Minutes of

Meeting

DAYTON LEGAL BLANK, INC. FORM NO. 1014B

Monday, February 11

7:00 p.m.

13

Held

20

ADJOURN:

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

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

No: 0

The council meeting adjourned at 8:12 p.m.

PRESIDENT OF COUNCIL

ATTEST:

CLERK OF COUNCIL

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RECORD OF PROCEEDINGS

Minutes of

COUNCIL OF THE CITY OF NORTH CANTON

SPECIAL

Meeting

DAYTON LEGAL BLANK, INC., FORM NO. 10148

Held Tuesday, February 19

20 13

Call to Order:

The special council meeting was called to order Tuesday, February 19, 2013 at 6:50 p.m. by President of Council Jon Snyder.

Roll Call:

Mr. Snyder: May I have a roll call – I mean roll call vote please – roll call please?

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

Mr. Snyder: May we have a motion to excuse Member Kiesling?

Mr. Cerreta moved and Mrs. Werren seconded to excuse the absence of Council Member Kiesling. All members present voting:

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

No: 0

Mr. Snyder: May I have a motion to read by title only, the third reading of Ordinance No. 7-13?

Mr. Peters moved and Mrs. Werren seconded to **read by title only, third reading** of Ordinance No. 7-13. All members present voting:

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

No: 0

Ordinance No. 7-13 3rd Reading – Finance & Property Committee

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

Mr. Snyder: For members of council, members of the audience, administration, the purpose of moving this up to this Tuesday versus again next Monday are two factors: One, we need to order an ambulance and some equipment for the Fire Department and time is of the essence for that. And we would like to pay a couple of bills that will be due tomorrow. And in order to do that without violation of the amounts that were originally appropriated in the temporary budget, it could have been done, but it's not proper. So in order to do that, it was my suggestion that we hold this meeting and pass the budget since it was read twice before and is being passed a week early. And I will ask that it be passed on an emergency basis, so that upon the execution of the Mayor's signature it will take effect tonight, and they'll be able to cut those checks tomorrow morning. Are there any questions? Mr. Foltz.

Mr. Foltz: Yeah, Member Snyder, I have one question, I think it's page 30. The only change I saw that was from two weeks ago was we increased Equipment, 330.627.5500, from \$101,100 to \$156,100. It was a \$55,000 increase.

Mr. Snyder: That was due to the telephone.

Mr. Foltz: The telephone?

Mr. Snyder: Yeah. We - originally had budgeted last year when we looked at that \$45,000. And at that point the Administration felt that it wasn't adequate. So they requested bids for - a Request for Proposals rather than an actual bid document. And the people, it's my understanding, they've talked to, estimate that to be somewhere in the high 90's to 100,000. So we did change that. And we did amend that last time around. So, now one other thing I will qualify so you understand, I understand that there's money you need for the parks. I do have money in reserve. I would like - will get with you and put a supplemental appropriation when you're in fact ready to do that. But I know that your request to me was that and we did honor that request. And when you're ready we will address that.

Mr. Foltz: Okay. Thank you.

Mr. Snyder: You're welcome. Is there any other questions? If not, may I have a motion to adopt Ordinance 7-13 as amended?

Mr. Foltz moved and Mr. Peters seconded to **adopt the third reading** of Ordinance No. 7-13. All members present voting:

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

No: 0

RECORD OF PROCEEDINGS

Minutes of

COUNCIL OF THE CITY OF NORTH CANTON

SPECIAL

Meeting

DAYTON LEGAL BLANK, INC., FORM NO. 10148

Held Tuesday, February 19 20 13

Mr. Snyder: As I stated the – there's an emergency exists for the health and welfare of the citizens of North Canton, so may we adopt under the emergency Ordinance No. 7-13.

Mr. Snyder: I don't have to adopt it? You told me we had to adopt.

Mr. Fox: We're good. We're good. It's – that's just fine...

Mr. Snyder: That's fine.

Mr. Fox: Yeah.

Mrs. Kalpac: Yeah, that's fine.

Mr. Snyder: I thought he told me I had to adopt it.

Mr. Peters: So moved

Mr. Foltz: Second.

Mrs. Kalpac: You don't need it.

Mr. Snyder: Thanks. Okay. We're done. As nothing else can be considered under a special meeting. So I'll entertain a motion to adjourn.

Mr. Foltz: Do we have to vote on that?

Mr. Snyder: No, she said it doesn't. They've changed it.

Mrs. Kalpac: You don't need to suspend – there's nothing to suspend.

Mr. Snyder: The check would bounce anyway. It won't make a difference.

Adjourn:

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

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

No: 0

The special council meeting adjourned at 7:04 p.m.

PRESIDENT OF COUNCIL

ATTEST:

CLERK OF COUNCIL

RECORD OF PROCEEDINGS

Minutes of

COUNCIL OF THE CITY OF NORTH CANTON

REGULAR

Meeting

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

Held

Monday, February 25

7:00 p.m.

20

13

Call to Order:

1. The council meeting was called to order Monday, February 25, 2013 at 7:00 p.m. by President of Council Jon Snyder.

Opening Prayer:

2. The opening prayer was delivered by Rev. Cara Stultz Costello, Faith United Methodist Church.

Pledge of Allegiance:

3. All present recited the Pledge of Allegiance.

Roll Call:

4. Mr. Snyder: Thank you again Reverend, we appreciate that gesture. 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 for the meeting were: Mayor Held, Director of Administration Grimes, Director of Finance Alger, Director of Law Fox, City Engineer Benekos and Clerk of Council Kalpac.

Consideration:

5. Mayor's Court Receipts – January, 2013

Mr. Snyder: May I have a motion and second to approve, as presented, the Mayor's Court Receipts for January, 2013?

Mr. Foltz moved and Mr. Cerreta seconded to approve, as presented, the Mayor's Court Receipts for January 2013. All members present voting:

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

No: 0

Committee Minutes:

6. Mr. Snyder: May I have a motion and second to approve, as presented, the following Committee Report Minutes:

Finance and Property; Ordinance, Rules, and Claims; Personnel and Safety; Street and Alley; Water, Sewer, and Rubbish, all held the 19th of February 2013.

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

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

No: 0

Abstain: Kiesling

Finance & Property Committee: Please refer to the minutes on file in the Council Office of the Finance & Property Committee meeting held February 19, 2013.

Ordinance, Rules & Claims Committee: Please refer to the minutes on file in the Council Office of the Ordinance, Rules & Claims Committee meeting held February 19, 2013.

Personnel & Safety Committee: Please refer to the minutes on file in the Council Office of the Personnel & Safety Committee meeting held February 19, 2013.

Street & Alley Committee: Please refer to the minutes on file in the Council Office of the Street & Alley Committee meeting held February 19, 2013.

Water, Sewer & Rubbish Committee: Please refer to the minutes on file in the Council Office of the Water, Sewer & Rubbish Committee meeting held February 19, 2013.

Recognition of Visitors:

7. Mr. Snyder: At this time, the Council will recognize anybody wishing to speak. Please step forward, state your name and address for the record. Alright, seeing none, we'll move as there is no Old Business, we'll move...

Mrs. Pucci: I'd like to speak...

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COUNCIL OF THE CITY OF NORTH CANTON

REGULAR

Meeting

DAYTON LEGAL BLANK, INC., FORM NO. 10148

Held Monday, February 25 7:00 p.m. 20 13

Mr. Snyder: Oh, excuse me. Yes mam. I apologize. Please step forward.

Del Pucci: Good evening. My name is Del Pucci and I live at 1338 East Maple Street in North Canton. I just picked up today a copy of this proposed parking lot that's going to be done for these Little League Fields. And quite concerned as to who and what form is going to be paid, or what, is going to be paid for doing this parking lot? This is the grading - grading plan I have.

Mr. Snyder: Who's actually going to pay for it?

Mrs. Pucci: How? Out of what funds? Because I understand the last two lots that were purchased were paid out of our water fund. And that's over \$200,000, I believe it was.

Mr. Snyder: Well the reason that they were purchased from the water fund is because they belong to a water fund, the lots. They're there to protect the integrity of that well field. And this parking lot is well within the EPA (Environmental Protection Agency) regulation of 300 feet of the well field. Now, I don't know at this particular time it's been established. Most probably will be paid with recreation funds.

Mrs. Pucci: Recreation funds...

Mr. Snyder: The City's portion of it. I don't know that it's been worked out who, or how much, or who's going to pay for it. It's only in the infant stage to go to Planning Commission for initial approval of the parking.

Mr. Cerreta: Jon, didn't we talk about Earl Stockert funds?

Mr. Snyder: Right. That's where the money would eventually come from.

Mr. Cerreta: And then Little League is going to put in money also, right?

Mr. Snyder: Yes, that was my understanding.

Mr. Cerreta: Right.

Mrs. Pucci: I hadn't heard that the Little League is going to contribute something. They haven't previously. So I...

Mr. Snyder: Well they were asked. And as I say, that's - I apologize for the term, but it's been like a little sidebar negotiation with the Little League. I don't know at what point they're at on that. I think they're working - they're going to step up and pay their share of the parking lot.

Mr. Cerreta: We've asked them in good faith to put in some money for that. So we're waiting to see how that goes.

Mrs. Pucci: I understand. My neighborhood was just a little upset when they heard that over \$200,000 was taken out of our water fund and now they're going to increase our water rates. It just didn't seem logical.

Mr. Snyder: Well, the money taken to pay for the lots out of water exploration has nothing to do with the operation of the water fund. Where - that we're looking at rate increases today. You know, those are not comingled money. That's all under one umbrella. But it is - it's money that has been set aside. Originally it will come from that, it begins there. But it does not impact the actual operation of the distribution portion of the water. I know that's hard to understand.

Mrs. Pucci: Very difficult to understand.

Mr. Snyder: It might sound like it's Greek or double speak, but ...

Mrs. Pucci: Especially when I get my water bill. Very difficult.

Mr. Snyder: I appreciate that.

Mrs. Pucci: Thank you very much.

Mr. Snyder: You're quite welcome.

Chuck Osborne. 307 Fairview Street SE, North Canton, Ohio. Mr. Snyder, I have to - your response to Mrs. Pucci has really peaked my interest here. We acquire this property; it's all green space, wooded. I see in the minutes of 1998 then Mayor Hines, in just a short response, makes a statement here in this Council that they from about March through October, which is about seven months or so, they spent the entire time cutting down trees. This is a park. Why are we decimating green space and nature? It's a park. Now we're paving all of this property. It reminds

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me of the song back in the '70's, "Pave Paradise and Put Up a Parking Lot". How is creating parking for automobiles, which convey gasoline, oils, whatever comes with the transmission fluids, all this stuff. How is that conducive to protecting our well field? How conducive it is to put all this hard surface down thereby preventing water from permeating down into the aquifer? This all is totally contradictory, all of these actions. And I see nobody in this City protecting the well field, preserving the green space, which is the reason the whole thing exists anyway. It's a park, isn't it? None of this makes sense.

Mr. Snyder: Well the existing - but presently it is used as a parking lot, it will continue to be. The only difference is, it will, an acre of that ground, and I believe that it's not a permanent surface, it's gravel.

Mr. Foltz: Right, that's correct.

Mr. Snyder: So there will be no paving on it, number one. So there is not any additional spillage of automobiles, not to say that it couldn't happen. I'm not - it could happen either way. I - you know, I unfortunately can't see out that far. But it's well within the EPA guidelines to the particular piece of ground that they're taking to still remain for the protection of the well head, because we're not going to possibly let anybody, no matter whom it is, to interfere in the protection of our water.

Mr. Osborne: Well, I would much rather see people use their own heads and their own hearts up here and their own feelings for what a "green space" is. Paving over all this stuff or accommodating hundreds and hundreds and hundreds more cars is not my idea of what I expect to see when I go to a city park. And I don't know off the top of my head very quickly, thinking all around Stark County, I can't think of any park that has this level of parking and plans more. It just is totally contradictory. And I think this Council should start to get a feeling for what is planned out there. It's supposed to be just a ball field. What are you trying to allow these people to create? My feeling, from what I'm hearing, is you'll never be able to create enough parking for what they plan to do out there. But at any rate, we should be taking care of our well field and paving over it, and making it more inviting to bring in more and more automobile traffic doesn't fit the bill.

Mr. Cerreta: Jon, may I say something...

Mr. Osborne: And losing all these trees and all this green space. Thank you.

Mr. Snyder: Thank you sir. Mr. Cerreta

Mr. Cerreta: Well from both those speakers, Mrs. Pucci too. Help me understand something here. We have a problem out there with parking. And so we're going to take a grass field that we use for parking and make it better so we don't have - it's supposed to be for you people out there that say, we have a problem parking. So now I see people up here giving us the business about why we're creating parking for you folks and making things better. And that's - so what should we do? Just get rid of the ball fields altogether? Is that what you're saying? Not create parking?

Mr. Osborne: (Speaking from audience): No, you know we're not. It's ..inaudible...

Mr. Cerreta: Okay. So, we're helping you guys by creating parking.

Mr. Fox: Mr. Osborne...

Mr. Cerreta: And I think that's what you're doing very responsible, we're taking areas that we can. We're taking money that we can and we're putting it into a place where we will help people, you know, park in areas where we didn't have parking over in the other areas there. So I just have a little problem with how you guys are approaching that. And I ...inaudible... you guys help me understand that a little bit the next time up - you come up.

Mr. Osborne: (Speaking from audience) Well, I'd like to respond ...

Mr. Cerreta: I didn't ask you to come up; next time you come up ...

(Gavel)

Mr. Snyder: Mr. Osborne, I apologize. You know there's no rebuttal on public speaks

Mr. Cerreta: Doug, did you have something to say?

Mr. Foltz: Yeah, I do...

Mr. Osborne: (speaking from audience) Twist our remarks and then not let us respond.

Mr. Foltz: We're not debating.

Mr. Osborne (speaking from the audience): This is not a debate.

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Mr. Snyder: Mr. Foltz

Mr. Foltz: First of all, I agree with Councilman Cerreta. I got involved with this to help solve a problem. We're only going to create 60 to 80 spots at the most...

Mr. Cerreta: Right.

Mr. Foltz: That's the most. It's overflow parking for the existing concerns of our residents who see parking along the streets in the neighborhood across the street. This is all above-board. I don't know what else we're supposed to do. We're being very proactive now to the complaints that we've received as Council. That I did not know it existed before we had these public hearings.

Mrs. Kiesling: And we're also trying to make it easier for the other people ...

Mr. Foltz: That's right.

Mrs. Kiesling: who are want to use the trailhead ...

Mr. Foltz: Exactly.

Mrs. Kiesling: and have nowhere to park. So we have actually two parks out there that we're trying to service, the trailhead and the ball fields. So you know we're trying to do our best to alleviate the traffic and the parking issues. And that's all we can do at this point, is try to make it a little bit smoother for everybody to come and go. And on week nights that place is not packed. Our problem is Saturdays and any weekend tournament. That is the only time that you see overflow parking on the streets and on the curbs and the blah, blah, blah. Through the week there's only so many games going on and it's not - hardly anybody parks in that grass parking lot through the week. So we're trying to alleviate our weekend issue. And I think we're doing the best we can do. And Chuck, we're not asking you to respond.

Mr. Osborne (speaking from audience): Mrs. Kiesling, you have a conflict of interest.

Mr. Snyder: Mr. Osborne, please....please.....

Mr. Osborne (speaking from audience): you have a conflict of interest...

Mrs. Kiesling: Because I ...

Mr. Snyder: Mr. Osborne, if you speak out again, I'll have you removed from the Chambers. You know the rule. We do not allow people to yell from the audience. I'm asking you to conduct yourself as a gentleman. I'm a gentleman to you, please respect this body and please do not shout from the audience. Thank you.

Mrs. Kiesling: You may think I have a conflict of interest and I made it very clear that my husband sits on the Little League Board. But my son has played out there. My daughters have played out there. And I walk at that trailhead. I'm a resident of the City of North Canton and I have a right to speak my opinion. So don't say I have a conflict of interest. I'm not voting on it. I'm not swaying anybody. I'm telling you what I see out there on a daily basis as a resident and a mom of a baseball player.

Mr. Snyder: Mr. Foltz

Mr. Foltz: Yes. And to follow up, I think we've had a great plan out there with the Hoover Trail. As far as green space is concerned, you cannot have a better green space there than ball fields, which are mostly grass.

Mr. Cerreta: It's all grass.

Mr. Foltz: And you have that huge Stark Parks Plan out there. It's the most used part of the County Trail System. What else do you want? You mean, that could have been rezoned and put a Walmart across the street. That didn't happen. We didn't want that to happen. I think we've been good stewards of that property for the - for our constituents. And all we're doing here is solving problems that people come up with and complain about. It's pretty matter-of-fact. And we're doing it as cheaply as we can, you know, and plant more trees in the process. If we lose trees, we'll plant more trees. That's what we're about. I'm not going there to pave the entire green space area. That's not what this is about, creating 300 parking spots. I think we all have good intentions here, and I just think we should be recognized for that, as well as the Little League when we're coming together to try and solve some of these problems. Thank you.

Mr. Snyder: Thank you. Any other members?

Mrs. Werren: I just think - they keep bringing up green space. And I think Chuck, people look at green space differently. Whether it's a dog park that we're accommodating people with dogs, whether it's a swimming pool, that's concrete, but that is one of your City parks. That is green space. Whether it's the trails, whether it's this, people look at it differently. And we're

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accommodating different groups by handling different situations. The issues that we're talking about right now, the parking and the noise, we've talked to the Little League about this. And those were the issues that we didn't even know about. So, this has nothing to do with lights. We're trying to solve problems that are there before anything moves forward. And I think we need to look at that. And green spaces is different for everybody.

Old Business:

8. None

New Business:

9. Mr. Snyder: Any other members of the audience wishing to speak? If not, thank you. I'll move to New Business. May I have a motion to read by title only first reading of Ordinance No. 16-13?

Mrs. Kiesling moved and Mr. Peters seconded to read by title only, first reading of Ordinance No. 16-13. All members present voting:

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

No: 0

Ordinance No. 16-13 - 1st Reading - Personnel & Safety Committee

An ordinance amending Section 20. COMPENSATION of Chapter 155 Personnel Regulations of Part One-Administrative Code of the Codified Ordinances of the City of North Canton, as amended, to establish the position of part-time Plans Examiner and rate of compensation, repealing any and all legislation inconsistent herewith, and declaring the same to be an emergency.

Mr. Snyder: Chairman Peters

Mr. Peters: Yes, thank you. For those of you who weren't here last week at the Committee meeting, and Mike jump in if I screw this up, but we were paying a plans reader almost \$80 an hour ...

Mr. Snyder: That's correct.

Mr. Grimes: 75.

Mr. Peters: \$75 an hour, okay. And the reason we're doing this, putting it in the exempt ordinance as a position, part-time paid, is because we were having a hard time getting her bonded, is that correct?

Mr. Snyder: Her insurance at present exceeds her -- it was about \$5600 we paid her in aggregate last year. Her insurance is greater than that -- her liability insurance.

Mr. Peters: Liability. That's what it was.

Mr. Snyder: So in order for her to be covered under our insurance, under our liability, she must be an employee of the City. So she will be reduced to \$35 an hour, which in essence will probably save the City money. It will not be any greater than what we paid her last year. And it's dependent upon hopefully, that she is that busy, that we have that much new construction.

Mr. Peters: Right. Bu, we don't' foresee her getting any less busy that she was in the past, right?

Mr. Grimes: I hope not. I hope we have a lot of, I hope the economy does do well. But she's right around 60,70 hours, I suppose, the last couple of years. And the last five or six years, maybe seven, she went up once to 100 hours I think or 105.

Mr. Peters: Any questions from Council before we move forward on this? We're going to do this under emergency. Okay.

Mr. Snyder: I think it's important for our members to know that we're mandated by State Law. We are a State Certified Building Department. Mr. Bowles runs that Department. And we are mandated to have a Plans Examiner on our staff or contractual basis. So we - it's not something that we can -- that it's a luxury that we're just adding to staff. We have to provide that service in order to review plans here, because otherwise it would go to the County Planning Commissioner.

Mr. Peters: Thank you, sir. Well with that I'll go ahead and move to approve the first reading of Ordinance No. 16-13.

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Mr. Peters moved and Mr. Cerreta seconded to **adopt the first reading** of Ordinance No. 16-13. All members present voting:

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

Mr. Snyder: As an emergency situation exists for the welfare and safety of the residents of the city, may we suspend the rules of Council pertaining to Ordinance No. 16-13.

Mr. Peters moved and Mrs. Werren seconded to **suspend the rules** for Ordinance No. 16-13. All members present voting:

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

Mr. Snyder: May we adopt under the suspension of the rules of Council Ordinance No. 16-13.

Mr. Peters moved and Mrs. Kiesling seconded to **adopt under the suspension of the rules** Ordinance No. 16-13. All members present voting:

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

10. Mr. Snyder: May I have a motion to read by title only the first reading of Ordinance 17-13?

Mrs. Werren moved and Mr. Griffith seconded to **read by title only, first reading** of Ordinance No. 17-13. All members present voting:

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

Ordinance No. 17-13 – 1st Reading – Street & Alley Committee

An ordinance authorizing the Director of Administration of the City of North Canton to advertise and receive bids according to specifications now on file in the office of the Director of Administration and authorizing the Mayor of the City of North Canton, through the Board of Control, to enter into a contract for the Donner Avenue Roadway Improvements Project, at a total cost not to exceed \$290,000, and declaring the same to be an emergency.

Mr. Snyder: Chairman Griffith

Mr. Griffith: We had a good discussion about this last week. Obviously, this is money that we've approved. It's not a new project and I think Jim you want to get this underway as quickly as possible. So I urge us to move forward.

Mr. Griffith moved and Mr. Foltz seconded to **adopt the first reading** of Ordinance No. 17-13. All members present voting:

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

Mr. Snyder: As time is of the essence, may we suspend the rules of council for Ordinance No. 17-13.

Mr. Griffith moved and Mrs. Kiesling seconded to **suspend the rules** for Ordinance No. 17-13. 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 17-13?

Mr. Griffith moved and Mr. Peters seconded to **adopt under suspension of the rules** Ordinance No. 17-13. All members present voting:

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

11. Mr. Snyder: May I have a motion to read by title only, first reading of Ordinance No. 18-13?

Mr. Foltz moved and Mrs. Werren seconded to **read by title only, first reading** of Ordinance No. 18-13. All members present voting:

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

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Ordinance No. 18-13 – 1st Reading – Water, Sewer & Rubbish Committee

An ordinance authorizing the Director of Administration of the City of North Canton to advertise and receive bids according to specifications now on file in the office of the Director of Administration and authorizing the Mayor of the City of North Canton, through the Board of Control, to enter into a contract for the Clearmount Avenue / Fairview Street / Woodside Avenue Waterline Replacement Project, at a total cost not to exceed \$710,000.

Mr. Snyder: Chairman Cerreta.

Mr. Cerreta: Yes, this is part of our aggressive water replacement program for our infrastructure. And for those streets down there, which are in very bad need. So I move to move forward with this and approve Ordinance No. 18-13, first reading.

Mr. Cerreta moved and Mr. Peters seconded to adopt the first reading of Ordinance No. 18-13. All members present voting:

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

No: 0

Mr. Snyder: I may like point out, that \$710,000 is about 1/5th of the total income on our water fund. So if someone wants to know why we're looking at possibly raising rates, on one project alone it's costing us over \$700,000. We have an annual income of about \$6,000,000. And we've done this I believe, the fourth or fifth, Mr. Chairman, you've planned for the City this year alone. Is that correct? All exceeding some \$600,000.

Mr. Cerreta: We're in need. We're in need of it. Our infrastructure is hurting. And Jim is doing a great job of scheduling things throughout the City, not just on one side. So if you look at what we've done, we've really kind of spread it out very well as far sides of the City to give everybody, you know, what they need.

Mr. Snyder: And I know in the lower southwest side, that Linwood, Oakwood, Oakridge and Rose Lane, those streets do not have the proper pressure nor do they have the proper quality of water that the rest of the City is enjoying. So we're going to be doing that which I'm very appreciative of. Thank you. Alright, we'll move to Ordinance No. 18 – excuse me, 19-13. May I have a motion to read by title only, first reading of Ordinance No. 19-13?

12. Mrs. Werren moved and Mr. Peters seconded to read by title only, first reading of Ordinance No. 19-13. All members present voting:

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

No: 0

Ordinance No. 19-13 – 1st Reading – Water, Sewer & Rubbish Committee

An ordinance amending Chapter 937 of the Codified Ordinances of the City of North Canton, Ohio, specifically Section 937.01 WATER RATES, in order to provide for an increase in water rates, and Section 937.05 BULK WATER CHARGES, and repealing any and all legislation inconsistent herewith.

Mr. Snyder: Chairman Cerreta

Mr. Cerreta: Well, we had a good discussion about this last week. After reviewing what ARCADIS came in, our consultants and telling us what they think we need, we took a look at this and had a discussion last week and kind of brought this down to what we think the needs of our citizens or what we can handle. So what we're looking here is three years in a row of 5.5% increase which is about \$1.50 or so increase per month. And then after that going with the Consumer Price Index for two years, and then we take a look at it. So this is the structure that we talked about last week, which is a good structure, will really help us out with these programs that we're talking about. We haven't had an increase since 2009. And this will bring us up to date and still give us what we need. Lower than with ARCADIS had told, but what we feel is necessary for the projects that we want to do. Any other discussion on this here that we talk ...

Mrs. Werren: I think too, that you mentioned every year you want to look at it. And you said that after two years...

Mr. Cerreta: We will look at it every year. And after the five-year plan, we'll discern whether to go forward with it or not.

Mrs. Werren: Right.

Mr. Cerreta: But that gives - our five-year plan kind of matches what Jim's five-year plan is of what we want to do with the infrastructure. And that's very important to get the right water to the right customers in the right way. So I move that we go ahead and approve this Ordinance No. 19-13 in the first reading.

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Mr. Cerreta moved and Mr. Peters seconded to **adopt the first reading** of Ordinance No. 19-13.

All members present voting:

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

No: 0

Reports - Council:

Mr. Snyder: Thank you. Reports. Member Foltz.

Mr. Foltz: We had Rec Board Meeting tonight; possibly looking at changing the pool rate structures. There will be more information coming to Committee, not next week, two weeks from now. Had a good meeting. We have some individuals that are from the high school, that are – Council Member Peters and myself met and they want to do a fund raiser at the Skate Board Park in late May to help pay for additional equipment. They've been good stewards of the park. Very impressed with the young students and they want an atmosphere that's conducive to family outings there. And I think there's no other way to show leadership than to have our young students who use the park respect it and want to fund-raise for capital improvements there. So very impressive. And we're hoping we can work that out with our Law Director and our Administration to put forth a nice venture. So more comments will be forthcoming on that, but I was excited to see that. So good things are happening with parks and rec.

Mr. Snyder: Good. Mr. Peters.

Mr. Peters: Yeah. I have no report. Just to feedback what Doug said. One of these kids' main concerns is image. You know, they know, they're not stupid. They see other people drive – the parents drive by and look over there and you know, they know what they're thinking, troublemakers are over there. They're skate boarders, you know. And they want to put that message out there that they're, you know, they're not troublemakers. They may wear their hair a little long, but you know they're good kids. So I'm very excited to see what they put together and what we come up with over there. I will be exciting.

Mr. Snyder: Mrs. Werren.

Mrs. Werren: No report

Mr. Snyder: Mr. Griffith

Mr. Griffith: I just want to say how much I appreciate an asset like the Hoover Trail. Our middle daughter and I went out on a bike ride just last weekend when, frankly, she rode right behind me and got a little bit dirtier than I would have liked her to because she was right behind me. So but you know, she goes away from that experience and comes home and says things like, I'm really glad we have things like this. I'm glad we can go on bike rides. And I do think, obviously, we need to take balanced approaches to improving that, but that's what makes our community a community. And I, you know, think we need to make sure that we continue to be good stewards of that.

Mr. Snyder: Thank you. Mr. Cerreta

Mr. Cerreta: I attended the YMCA's 90th gala on Saturday. And they were very appreciative, Dave, of the proclamation that you made. Very well done – good job. Chief Wilder was there also. And there were a lot of good things to say about that. And so real happy for them. Just an update on the Master Plan, the gateway signs, all but one are sold. And as soon as the weather breaks, that's going to really take off. So the guy's ready to move with that. And the Rotary had their recent Chili Open and of course created more funds because chili or the Rotary is really the main, along with the Master Plan, of putting that Amphitheatre in across the street. So that's going to be one of the goals here as the Master Plan gets moving a little bit stronger for this next year is that Amphitheatre over there. So I wanted to make note of that along with, of course, the gateway signs and so on. So you'll be seeing more and hearing more about me on that. So...

Mr. Snyder: Good work. Mrs. Kiesling

Mrs. Kiesling: No report

Mr. Snyder: Thank you. I have a couple of things. I appreciate the Mayor joining me last week in sending a letter to our Representative Renacci. To which I did receive a letter back. Mayor, appreciate that. He's working, you know, relative to the Zimber. He's contacting, again, the Army Corps hoping to advise us in the near future of what they can do. I did just today, speak to Representative Schuring and he's been working with myself and the Mayor's office relative to a State Emergency Management to purchase some of those properties that are impacted. And that's a little ways down the road, so we've identified the homes. Unfortunately, he called me on his way to Columbus. The deadline for filing for the grant is Friday, which makes a little bit of a strain on both our Engineer and our Economic Development Director quasi Permits Inspector. So Bob Fonte, who is head of the parks, has stepped up. Bob is very familiar with that project in as much as he did the pathway and others. And Bob will be our lead agent and he'll write the grant to

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DAYTON LEGAL BLANK, INC., FORM NO. 10146

Held Monday, February 25 7:00 p.m. 20 13

the State Emergency Management revolving along those homes. So those people will be represented. And tentatively speaking, on the 28th of March, we'll have representatives hopefully from the Army Corps, Representative Schuring, people from the Commissioner's Office, City Administration, inviting those people from that area to the Civic Center for an update. Most of them are impacted very heavily because of the flood maps. The insurance has to be paid monthly to their lending organization. It makes it difficult to convey the property to sell it. They get buyers and then all of a sudden, it's two or three hundred dollars more a month for the - that. So we're working on that. But and everybody is welcome to come there and see what's going on. So that's one thing. And, to the general audience, I think, when is the Planning Commission? Is that the 6th or the 6th of March.

Mrs. Kiesling: Yes, the 6th of March.

Mr. Snyder: That will be considered at that time and we encourage and welcome people to come to that meeting here at City Council Chambers at 7 p.m., I believe. At which time the Planning Commission will review that parking lot. That has to go through, as it is a conditional use, to the P and I (Parks and Institutional) District. So please come. You're input is very important. And I'm sure somewhere along the line there is some middle ground that can be reached for everybody's satisfaction. And please do that. Director of Law.

Reports:

Mr. Fox: Yes, sir. Last week we discussed a letter of resolution in opposition of House Bill 5, that's the uniformity in income tax. It was in the - in the previous General Assembly it was 601. And this is basically, as we've talked about, looking for uniformity in income taxes. That letter is written. We're waiting for a couple of numbers. Director of Finance Office is putting some numbers together to really show how that will impact the City of North Canton. So once we have those in, we'll have that ready. Also, again actively pursuing income tax. For some previous years, we had about 15 folks for Mayor's Court this evening representing about 75 years of, you know, once you consolidate it, of income tax returns and each one of those is turning in their documents and we're formulating if it's, you know, excessive, payment plans for those, but absolutely trying to bring all those in line and then we'll much easier move them forward.

Mr. Snyder: Good, thank you. Director of Finance

Mrs. Alger: Just to report the State Auditors have started this - the Audit for 2012. And they'll be here for a couple of weeks, then they're going to leave and then they'll come back to finish it. So, right now they're here.

Mrs. Snyder: Good.
Mrs. Alger: That's it.

Mr. Snyder: Director of Administration

Mr. Grimes: After your letter was sent off, the Engineer and I have been invited to a meeting this week with Muskingham Water Shed and the Army Corps. So I think that did some good. And we're going to go there and represent us there. Also, we did, both the Engineer and I, met with Bob Fonte of Stark Parks. He wanted to assure us that what they're doing with the building down at Pathway will not cause us anymore water problems. We're trying to convince him to dig it even deeper down there if he can, and hold as much water as he can on that property.

Mr. Snyder: Can you give him a map to China, maybe?
Mr. Grimes: Thank you.

Mr. Snyder: But we appreciate it. And we do very much appreciate all the administration and engineering input into that because obviously "the squeaking wheel gets the most grease", on that. But thank you for that. Appreciate it. Mayor.

Mayor Held: Yes: Over the weekend I know Councilman Cerreta and I both attended the Le' Miserable play in North Canton. And I was initially amazed at how excellent the acting and the performing was. And I thought my gosh, what a challenge to keep the play in sync with the soundtrack. Then I later learned that it wasn't a sound track. It was a live orchestra from the students. And so the organization and the planning and the execution was absolutely incredible. It was non-stop and very entertaining and we've got, there's a tremendous amount of talent that we have in North Canton. In addition to that, we did have, some of you may have seen on the national news where there was a special needs individual that had Downs Syndrome that was in a movie theatre and had watched the movie "Zero Dark 30", and he apparently liked it so much that he didn't want to move. And so the attendants had asked him to move and then the police officers had, you know, tried to get him to move out of his seat. And of course, he refused and they arrested him. And unfortunately he got into such a hyper state that he ended up being asphyxiated in the incident, which is a terribly, terribly sad situation. And of course, I'm mostly sensitive to it because our youngest daughter has Downs Syndrome, and she's eight. And usually what happens

RECORD OF PROCEEDINGS

Minutes of

COUNCIL OF THE CITY OF NORTH CANTON

REGULAR

Meeting

DAYTON LEGAL BLANK, INC., FORM NO. 10148

Held Monday, February 25 7:00 p.m. 20 13

is people with special needs, whether it's Autism or Downs Syndrome or any sort of disability, they can - they get into such an excited state over sometimes trivial things, that they can't catch their breath or they can't breathe. But the sad part about this is the police officers, of course that certainly wasn't their intention, but it's just a misunderstanding and a lack of knowledge as far as how you handle individuals whether it's an adult or a child with special needs. So the good thing - on a good note, positive note here in North Canton, we already have our police officers that are in training to deal with individuals that have special needs. They have an online training course in order to better understand how to manage those individuals. And in addition to that, what we're going to do is, Mayor Perry in Massillon, and also the Mayor of Stow - Mayor Perry's child has Downs Syndrome. They were born within the same month of my daughter, she was. And then the Mayor of Stow has a child with Autism. And the Summit County Prosecutor has a son with Autism. So there are a number of people out there that have individuals with special needs. And Councilman Werren, your brother has a child with Downs. Right? And so I think a lot of it is just trying to bring greater awareness. And we are in the process of working on that so that you don't have police officers or fire, or EMS or any emergency officials that are in that situation where their lack of knowledge or understanding takes a situation that could be managed very easily, but then without that, you know, escalates into a fatality. So on a good note, we're already proactively doing that training here in North Canton. And we'd like to expand it and just bring a greater awareness. So, I just thought I'd bring that up. So that's all I have.

Mr. Snyder: Thank you, Mayor. Mr. Engineer.
Mr. Benekos: No report this evening.

Mr. Snyder: Madam Clerk. Nothing?
Mrs. Kalpac: No, thank you.

Final Call For New Business:

Mr. Snyder: Last call for business with Council. If not, I'll entertain a motion to adjourn.

Adjourn:

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

The council meeting adjourned at 7:39 p.m.

PRESIDENT OF COUNCIL

ATTEST:

CLERK OF COUNCIL

2/28/13-bkp

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City of North Canton

Council Office

145 North Main Street - North Canton, Ohio 44720-7587
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COMMUNITY & ECONOMIC DEVELOPMENT 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 Community & Economic Development Committee of North Canton City Council met as part of the Committee of the Whole Monday, March 4, 2013 in Council Chamber at North Canton City Hall.

Present for the meeting were: Chairperson Kiesling, Vice Chairman Cerreta, Member Werren, Council Members Foltz, Griffith, and Snyder. Council Member Peters was not present for the meeting.

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

Item discussed:

Community Reinvestment Area Tax Incentive Agreement Patrick J. and Georgann Palonder: The Committee authorized legislation, on an emergency basis, accepting the recommendations of the City of North Canton Tax Incentive Review Council, concerning the agreements granting exemptions from property taxation, to terminate one of the six existing Community Reinvestment Area agreements.

Respectfully submitted,

Marcia Kiesling, Chairperson

Mark Cerreta, Vice Chairman

Stephanie Werren, Member

3/7/13-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

Council Office

145 North Main Street - North Canton, Ohio 44720-7587
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FINANCE & PROPERTY 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 Finance & Property Committee of North Canton City Council met as part of the Committee of the Whole Monday, March 4, 2013 in the Council Chambers at North Canton City Hall.

Present for the meeting were: Chairman Snyder, Vice Chairman Kiesling, Member Griffith, Council Members Cerreta, Foltz, and Werren. Council Member Peters was not present for the meeting.

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

Items discussed:

- a. Financial Statement – January, 2013: The Financial Statement was reviewed and will be placed on the March 11, 2013 council agenda for formal approval.
- b. Ambulance – Lease Purchase: The Committee authorized legislation, on an emergency basis, authorizing the Mayor, through the Board of Control, to enter into a three year, tax-exempt lease purchase agreement for the lease purchase of a new ambulance, to trade-in one 1992 International Road Rescue Ambulance, VIN No. 1HTSCPEM7PH482176, no longer needed for municipal purposes, and apply said trade-in amount towards the purchase price of a new ambulance, for use by the City of North Canton Fire/EMS Department, to be acquired within the purview of the Ohio Cooperative Purchase Act, at a cost not to exceed \$205,000.

Respectfully submitted,

Jon Snyder, Chairman

Marcia Kiesling, Vice Chairperson

Dan Griffith, Member



City of North Canton

Council Office

145 North Main Street - North Canton, Ohio 44720-7587
330.499.3986 – 330.499.2060 Fax
citycouncil@northcantonohio.com

STREET & ALLEY 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 Street & Alley Committee of North Canton City Council met as part of the Committee of the Whole Monday, March 4, 2013 in the Council Chambers at North Canton City Hall.

Present for the meeting were: Chairman Griffith, Member Foltz, Council Members Cerreta, Kiesling Snyder, and Werren. Vice Chairman Peters was not present for the meeting.

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

Item discussed:

State Route 43 – Market Avenue North: The Committee authorized legislation, on an emergency basis, authorizing the Mayor, through the Board of Control, to enter into an agreement by and between the City of North Canton and the Ohio Department of Transportation, for the widening of State Route 43 (Market Street) from 50th Street to Applegrove Street, including construction of a sidewalk within City limits

Respectfully submitted,

Dan Griffith, Chairman

Doug Foltz, Member

3/7/13-gmk

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

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RECORD OF ORDINANCES

Ordinance No. 20-13 Passed _____, 2013

3/5/13-gmk
(Community & Economic Development)

Ordinance No. 20-13

An ordinance accepting the recommendations of the City of North Canton Tax Incentive Review Council ("TIRC"), concerning the agreements granting exemptions from property taxation, to terminate one of the six existing Community Reinvestment Area ("CRA") agreements and declaring the same to be an emergency.

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

- Section 1. That Council accepts and agrees with the TIRC's recommendation to terminate the Community Reinvestment Area Agreement between the City of North Canton and Patrick J. & Georgann Palonder, dated June 15, 2006.
- Section 2. That a copy of this Ordinance shall be forwarded to the Ohio Department of Development.
- Section 3. That it is found and determined that all formal actions of this Council and of any of its committees concerning and relating to the passage of this ordinance were adopted in an open meeting of this Council or of any of its committees that resulted in such formal action, were in meetings open to the public, compliance with all legal requirements.
- Section 4. That this ordinance is hereby declared to be an emergency measure necessary for the preservation of the health, safety and peace of the City of North Canton and further necessary to meet the Ohio Department of Development's filing deadline for submission of the TIRC's recommendation; wherefore, provided it receives the affirmative vote of six 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

RECORD OF ORDINANCES

Ordinance No. 21-13 Passed _____, 2013

3/5/13-gmk
(Finance & Property)

Ordinance No. 21-13

An ordinance authorizing the Mayor of the City of North Canton, through the Board of Control, to enter into a three year, tax-exempt lease purchase agreement for the lease purchase of a new ambulance, to trade-in one 1992 International Road Rescue Ambulance, VIN No. 1HTSCPEM7PH482176, no longer needed for municipal purposes, and apply said trade-in amount towards the purchase price of a new ambulance, for use by the City of North Canton Fire/EMS Department, to be acquired within the purview of the Ohio Cooperative Purchase Act, at a cost not to exceed \$205,000, and declaring the same to be an emergency.

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

Section 1. That the Mayor of the City of North Canton, through the Board of Control, be, and is hereby authorized to enter into a tax-exempt lease purchase agreement for the lease purchase of a new ambulance, for use by the City of North Canton Fire/EMS Department, to be acquired within the purview of the Ohio Cooperative Purchase Act and at a cost not to exceed \$205,000.

Section 2. That the Mayor of the City of North Canton, be, and is hereby authorized to trade-in one 1992 International Road Rescue Ambulance, VIN No. 1HTSCPEM7PH482176, no longer needed for municipal purposes, and apply said trade-in amount towards the purchase price of a new ambulance, for use by the City of North Canton Fire/EMS Department.

Section 3. That the lease purchase agreement will be tax-exempt, for a three year period, with annual payments.

Section 4. That the Director of Finance, of the City of North Canton, be, and is hereby authorized to draw funds necessary for the payment of the above specified contract from the following appropriation:

330 CAPITAL IMPROVEMENT FUND
330.236.5500 Equipment \$105,000

upon receipt of vouchers duly approved by the proper departmental authority.

Section 5. 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 6. That this ordinance is hereby declared to be an emergency measure necessary for the preservation of the health, safety and peace of the City of North Canton and further necessary for the timely lease purchase of a new ambulance and to ensure the continued efficient operation of the Fire/EMS Department; wherefore, provided it receives the affirmative vote of six or more members of Council elected thereto, this ordinance shall take effect and be in full force immediately upon its adoption by Council and approval by the Mayor.

North Canton, OH
Passed:

MAYOR

SIGNED: _____, 2013

ATTEST:

CLERK OF COUNCIL
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RECORD OF ORDINANCES

Ordinance No. 22-13 Passed _____, 2013

3/5/13-gmk
(Street & Alley)

Ordinance No. 22-13

An ordinance authorizing the Mayor of the City of North Canton of Stark County, Ohio, through the Board of Control, to enter into an agreement by and between the City of North Canton ("City") and the Ohio Department of Transportation ("ODOT"), for the widening of State Route 43 (Market Street) from 50th Street to Applegrove Street, including construction of a sidewalk within the City limits, and declaring the same to be an emergency.

Section 1. PROJECT DESCRIPTION:

Whereas, the State has identified the need for the described project: State Route 43 (Market Street) from 50th Street to Applegrove Street, Improvement Project within the City Limits.

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

Section 2. CONSENT STATEMENT:

Being in the public interest, the City gives consent to the Director of Transportation to complete the above described project.

Section 3. COOPERATION STATEMENT:

The City shall cooperate with the Director of Transportation in the above described project as follows:

The City agrees to participate in the cost of construction within the City limits at zero total cost.

The City further agrees to pay one hundred percent of the cost of those features (such as sidewalk construction) requested by the City which are determined by the State and Federal Highway Administration to be unnecessary for the Project.

The City further agrees that change orders and extra work contracts required to fulfill the construction contracts shall be processed as needed. The State shall not approve a change order or extra work contract until it first gives notice, in writing, to the City. The City shall contribute its share of the cost of these items in accordance with other section herein.

Section 4. UTILITIES AND RIGHT-OF-WAY STATEMENT:

The City agrees make available to ODOT, in accordance with current State and Federal regulations, all existing necessary right-of-way within the City Limits required for the described Project.

The State shall be responsible for all utility accommodation, relocation and reimbursement and agrees that such accommodation, relocations and reimbursements shall comply with current provisions of 23 CFR 645 and the ODOT Utilities Manual.

Section 5. MAINTENANCE:

Upon completion of the described Project, and unless otherwise agreed, the City shall: (1) provide adequate maintenance for the described Project in accordance with all applicable state and federal law, including, but not limited to, 23 USC 116; (2) provide ample financial provisions, as necessary, for the maintenance of the described Project; (3) maintain the right-of-way, keeping it free of obstructions; and (4) hold said right-of-way inviolate for public highway purposes.

RECORD OF ORDINANCES

Ordinance No. 22-13 Passed _____, 2013

Section 6. AUTHORITY TO SIGN:

The Mayor of said City of North Canton is hereby empowered on behalf of the City of North Canton to enter into contracts with ODOT pre-qualified consultants for the preliminary engineering phase of the Project and to enter into contracts with the Director of Transportation necessary to complete the above described project.

Upon the request of ODOT, the Mayor is also empowered to assign all rights, title and interests of the City of North Canton to ODOT arising from any agreement with its consultant in order to allow ODOT to direct additional or corrective work, recover damages due to errors or omissions, and to exercise all other contractual rights and remedies afforded by law or equity.

The City agrees that if Federal Funds are used to pay the cost of any consultant contract, the City shall comply with 23 CFR 172 in the selection of its consultant and the administration of the consultant contract. Further the City agrees to incorporate ODOT's "Specifications for Consulting Services" as a contract document in all of its consultant contracts. The City agrees to require, as a scope of services that the consultant shall be responsible for ongoing consultant involvement during the construction phase of the Project. The City agrees to include a completion schedule acceptable to ODOT and to assist ODOT in rating the consultant's performance through ODOT's Consultant Evaluation System.

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 hereby declared to be an emergency measure necessary for the preservation of the health, safety and peace of the City of North Canton and further necessary to expedite the highway project(s) and to promote highway safety; wherefore, provided it receives the affirmative vote of six (6) or more members of Council elected thereto, this ordinance shall take effect and be in full force immediately upon its adoption by Council and approval by the Mayor.

North Canton, OH
Passed:

MAYOR
SIGNED: _____, 2013

ATTEST:

CLERK OF COUNCIL