



# City of North Canton Council Office

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

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*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*

## NOTICE OF MEETINGS

Mr. Daniel Peters, Chairman of the Personnel & Safety Committee of North Canton City Council, has requested a meeting of said Committee Members, Council, Mayor, Director of Administration, Director of Finance, and Director of Law on **Monday, March 25, 2013 at 6:30 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.

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### Committee of the Whole Meeting Agenda Monday, March 25, 2013 – 6:40 p.m.

North Canton City Council will meet as a Committee of the Whole **Monday, March 25, 2013 at 6:40 p.m.** in the Council Chambers at North Canton City Hall.

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

1. Water, Sewer & Rubbish Committee

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

Supplemental Sewer Agreement w/City of Canton  
Mark Cerreta

2. Finance & Property Committee

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

a. Resolution of Opposition re Municipal Income Tax  
Jon Snyder

b. Tax Incentive Review Council Recommendations  
Jon Snyder

c. Discussion – Amendment to 2013 Capital Purchase Budget  
Jon Snyder

**Council Meeting Agenda**  
**Monday, March 25, 2013 - 7:00 p.m.**

1. Call to Order: 7:00 p.m.
2. Opening Prayer: Rev. David Warren, First Southern Baptist Church
3. Pledge of Allegiance
4. Roll Call
5. Consideration  
Council Meeting Minutes – March 11, 2013
6. Committee Minutes
7. Recognition of Visitors

**OLD BUSINESS:**

8. **Ordinance No. 18-13 – Third 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 – Third 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. **Resolution No. 23-13 – First Reading – Finance & Property**  
**(legislation authorized at the 2/19/13 meeting)**  
A Resolution by the Mayor and Council for the City of North Canton, strongly opposing the Ohio General Assembly's passing of House Bill 5, which proposes uniformity measures for municipal income tax in the form of unfunded mandates that will result in a substantial loss of municipal revenue, and declaring the same to be an emergency.

**REPORTS – COUNCIL:**

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

**Council Meeting  
Agenda**

**March 25, 2013  
Page 3**

REPORTS:

Director of Law  
Mayor

Director of Finance  
City Engineer

Director of Administration

FINAL CALL FOR NEW BUSINESS:

ADJOURN:

Gail M. Kalpac  
Clerk of Council

3/21/13-gmk

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

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# City of NORTH CANTON, OHIO

145 NORTH MAIN STREET  
NORTH CANTON OHIO 44720-2587

RECEIVED

MAR 13 2013

REGISTRATION  
NORTH CANTON, OHIO

## LEGISLATION REQUEST

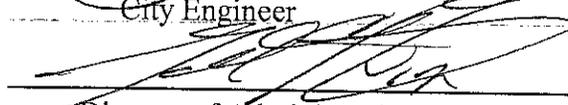
March 13, 2013

To: **Jon Snyder, President**  
*City Council*

Subject: **SUPPLEMENTAL SEWER AGREEMENT w/City of Canton**

Requested By:   
City Engineer

Date: 3/13/13

Approved By:   
Director of Administration

Date: 2/13/13

An ordinance authorizing the Mayor, through the Board of Control, to enter into a Supplement Sewer Agreement with the City of Canton for the PHOSPHOROUS/TOTAL NITROGEN AND MISCELLANEOUS IMPROVEMENTS PROJECT (MBR PROCUREMENT & CONSTRUCTION) to the Canton Water Reclamation Facility.

Funds for this project will need to be allocated in future years in accordance with the terms of the agreement.

EMERGENCY REQUESTED: Yes X No       

RECEIVED

MAR 13 2013

COUNCIL OFFICE  
NORTH CANTON, OHIO

An ordinance authorizing the Mayor of the City of North Canton, through the Board of Control, to enter into an amended Canton-North Canton Sewer Agreement Supplement by and between the City of North Canton, Ohio, ("North Canton"), and the City of Canton, Ohio, ("Canton") for the Phosphorous/Total Nitrogen and Miscellaneous Improvements Project (MBR Procurement and construction) to the Canton Water Reclamation Facility, and declaring the same to be an emergency.

WHEREAS, Canton and North Canton are fully authorized to enter into this agreement.

WHEREAS, Canton has received a National Pollutant Discharge Elimination System (NPDES) permit from the Ohio Environmental Protection Agency (OEPA) which is effective May 1, 2010 and contains a 92 month compliance schedule to meet additional discharge limits related to phosphorus; and

WHEREAS, addition facility improvements are needed due to aging of various equipment and components; and

WHEREAS, CT Consultants, Inc. is completing detailed design of the "Canton Water Reclamation Facility Phosphorus/Total Nitrogen Project, Contract No. 26" which details the necessary project components to meet the new requirements in Canton's NPDES permit and other necessary facility improvements; and

WHEREAS, it is necessary to provide for the North Canton's and Canton's responsibilities and obligations for the project.

NOW THEREFORE, 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, to enter into an amended Canton-North Canton Sewer Agreement Supplement by and between the North Canton, and Canton for the Phosphorous/total Nitrogen and Miscellaneous Improvements Project (MBR Procurement and construction) to the Canton Water Reclamation Facility.
- Section 2. That this agreement upon its signing by the respective executive authorities of North Canton and Canton shall supplement and amend the March 22, 1974, agreement and the series of supplements thereafter between North Canton and Canton.
- Section 3. 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 ensure the timely implementation of the Canton-North Canton Sewer Agreement Supplement; wherefore, this ordinance shall take effect and be in full force immediately upon its adoption by Council and approval by the Mayor.

**CANTON-NORTH CANTON  
SEWER AGREEMENT  
SUPPLEMENT**

**PHOSPHORUS/TOTAL NITROGEN AND MISCELLANEOUS IMPROVEMENTS  
PROJECT (MBR PROCUREMENT & CONSTRUCTION)**

This agreement is made and entered into this \_\_\_\_\_ day of \_\_\_\_\_, 2013, by and between the **CITY OF NORTH CANTON, OHIO**, a charter municipal corporation, organized and existing under the laws of the State of Ohio, hereinafter referred to as "**NORTH CANTON**", and the **CITY OF CANTON, OHIO**, a municipal corporation organized and existing under the laws of the State of Ohio, hereinafter referred to as "**CANTON**". This agreement upon its signing by the respective executive authorities of North Canton and Canton shall supplement and amend the March 22, 1974, agreement and the series of supplements thereafter between **NORTH CANTON** and **CANTON**.

**WHEREAS**, Canton and North Canton are fully authorized to enter into this agreement; and

**WHEREAS**, Canton has received a National Pollutant Discharge Elimination System (NPDES) permit from the Ohio Environmental Protection Agency (OEPA) which is effective May 1, 2010 and contains a 92 month compliance schedule to meet additional discharge limits related to phosphorus; and

**WHEREAS**, additional facility improvements are needed due to aging of various equipment and components; and

**WHEREAS**, CT Consultants, Inc. is completing detailed design of the "Canton Water Reclamation Facility Phosphorus/Total Nitrogen Project, Contract No. 26" which details the necessary project components to meet the new requirements in the Canton's NPDES permit and other necessary facility improvements; and

**WHEREAS**, it is necessary to provide for the North Canton's and Canton's responsibilities and obligations for the project; and

**NOW, THEREFORE**, in consideration of the premises and of the mutual covenants hereinafter set forth, and of other good and valuable considerations, the parties do hereby agree to amend the basic agreements as follows:

**Section 1.0 THE PROJECT - FUNDING**

- 1.01 The Project shall include the construction and installation of the improvements as described, along with their estimated Project Costs, in Exhibit "A" attached hereto and incorporated herein by reference as if fully rewritten.
- 1.02 Canton shall undertake the procurement and execution of the Project and its necessary contracts in accordance with its lawful authority and its NPDES permits.
- 1.03 Canton shall apply for one or more Ohio Environmental Protection Agency - Division of Environmental and Financial Assistance Water Pollution Control Loan Fund (WPCLF) issued low-interest loans for 1) procurement of membrane separators with associated components and 2) construction of the Project. It is anticipated that the term of the loan(s) shall be twenty (20) years. The foregoing is not intended as a limitation upon the method of funding of the Project by Canton, and to the extent that alternate methods of funding are lawfully available, Canton retains the authority to pursue them with North Canton's approval, which shall not be unreasonably withheld.
- 1.04 The unpaid balance of design costs due and not yet paid under the terms of the previous supplemental sewer agreement dated July 29, 2010 shall be rolled over into such financing as Canton may obtain for construction of the Project and acquisition of Project materials and paid under the provisions of this agreement.
- 1.05 North Canton's obligation to make payments for its share of the Project Costs shall not commence until debt service payments of the loan(s) received by Canton for the Project are due and payable.
- 1.06 The debt schedule(s) shall be made available to North Canton at the time it becomes available to Canton. North Canton's payments shall be made on a reimbursement basis and not be due more often than Canton's repayments under its repayment schedule(s), whether with WPCLF loans or alternate financing.

**Section 2.0 ADVANCED SECONDARY TREATMENT FACILITIES — (WRF)**

2.01 The parties hereto acknowledge that the assigned percentages of design capacity of thirty-nine million gallons per day (39 MGD) in the advanced secondary treatment facilities (now known as the Water Reclamation Facility, hereinafter, WRF) as established in the Second Supplemental Agreement to the Canton-Stark County Sewer Agreement dated March 22, 1974, dated November 14, 1979, and the Ninth Supplemental Agreement dated December 14, 1995 were as follows:

Canton	52.7%	20,553,000 GPD
Stark County	40.8%	15,912,000 GPD
North Canton	6.5%	2,535,000 GPD
Total	100%	39,000,000 GPD

2.02 The parties hereby agree that upon execution of this Supplemental Agreement the assigned percentages of design capacity of thirty-nine million gallons per day (39 MGD) in the WRF shall be as follows:

Canton	50.85%	19,831,500 GPD
Stark County	47.00%	18,330,000 GPD
North Canton	2.15%	838,500 GPD
Total	100%	39,000,000 GPD

**Section 3.0 ALLOCATION OF PROJECT COSTS**

3.01 The total estimated Project Costs are \$88,643,000.00, comprised of the acquisition of membrane separators and associated components in the estimated sum of \$28,179,800 and construction, engineering assistance during construction, and the unpaid principal balance of the outstanding design loan authorized in the previous supplemental agreement, in the sum of \$60,463,200, all as set forth in Exhibit "A" attached hereto and incorporated herein by reference as if fully rewritten.

3.02 The parties hereby agree that their estimated net local shares of project cost (Project Costs) allocated to the City of North Canton and the City of Canton in accordance with the assigned percentages of design capacity of thirty-nine million gallons per day (39 MGD) shall be as follows:

Canton	50.85%	\$45,074,966.00
Stark County	47.00%	\$41,662,210.00
North Canton	2.15%	\$1,905,824.00
Total	100%	\$88,643,000.00

- 3.03 Project Costs shall not be included in System Costs as defined in the Basic Agreements.
- 3.04 Project Costs allocated to Stark County and North Canton shall not exceed the stated estimates without first obtaining the written consent of Stark County and North Canton, which shall not be unreasonably withheld.

**Section 4.0 EXCESS CAPACITY**

- 4.01 The parties acknowledge that, through the Basic Agreements, North Canton has previously acquired a design capacity of 6.5% (2.535 MGD) of the existing 39 MGD design capacity in the WRF. The parties further acknowledge that North Canton has not yet reached its previously assigned capacity in the WRF.
- 4.02 The Basic Agreements provide that North Canton may reduce capacity in the WRF below its assigned capacity of 6.5% as set forth in the Basic Agreements.
- 4.03 The parties acknowledge that the difference in design capacity of 6.5% (2.535 MGD) of the WRF previously allocated to North Canton and the design capacity of 2.15% (0.8385 MGD) allocated with this supplemental agreement constitutes a difference of 4.35% (1.6965 MGD) of the design capacity in the WRF of 39 MGD.
- 4.04 As consideration for North Canton's request to reduce said percentage of Project Costs hereunder by 4.35%, the parties agree that North Canton will forebear recoupment of, and the City of Canton shall not incur, any costs for past capital expenditures attributable to the 4.35% difference in assigned design capacity under the terms of the Basic Agreements.
- 4.05 At such time as North Canton's average (mean) daily flow each year for the preceding three years exceeds 0.8385 MGD tributary to Canton sewers, North Canton will undertake negotiations under the Basic Agreements to acquire capacity in excess of 0.8385 MGD tributary to Canton sewers in the WRF.

4.06 In lieu of metering the flow of wastewater to the WRF, and for purposes of determining whether North Canton's average (mean) daily flow exceeds 0.8385 MGD tributary to Canton sewers, the parties agree that such determination shall be based upon the number of single-family-equivalent connections (SFEs) in North Canton's system. North Canton and Canton further agree that one (1) SFE is equal to and defined as three hundred gallons per day (300 GPD).

If and to the extent that this may be required, any and all other provisions of the Basic Agreements which may be inconsistent with the terms of this Supplemental Agreement, are hereby amended so as to conform hereto.

Except as amended hereby, the Basic Agreements are hereby confirmed in all other respects.

This agreement includes the exhibits hereto, which are fully a part of this Agreement as if herein fully set forth in writing.

IN WITNESS WHEREOF, North Canton and Canton have caused this Supplemental Agreement to be executed by their respective officers thereunto duly authorized and the Agreement shall be in effect as of the day and year first above written.

APPROVED AS TO FORM:

\_\_\_\_\_  
Law Director,  
Canton, Ohio

\_\_\_\_\_  
By: Mayor of Canton

\_\_\_\_\_  
By: Public Service Director of Canton

APPROVED AS TO FORM:

\_\_\_\_\_  
Director of Law,  
North Canton, Ohio

\_\_\_\_\_  
By: Mayor of North Canton

EXHIBIT "A"

Phosphorus/Total Nitrogen and Miscellaneous Improvements Project Components

Recommended improvements to the Canton Water Reclamation Facility in accordance with "Canton Water Reclamation Facility Phosphorus/Total Nitrogen and Miscellaneous Improvements Planning Study for the City of Canton, Ohio March 2010" as prepared by CT Consultants, Inc.

Estimated Project Cost

Procurement of Membranes and Associated Components \$ 28,179,800

Rollover of Remaining Design Costs \$ 2,289,500

Engineering Assistance During Construction \$ 1,414,000

Estimated Construction Cost

Influent Pump Building \$ 2,000,000

Preliminary Treatment \$ 9,814,000

Primary Settling Tanks \$ 1,701,000

Activated Sludge Tanks \$ 19,735,000

Secondary Settling Tanks \$ 729,000

Tertiary Filter Building \$ 1,373,000

Post Treatment \$ 136,000

Chemical Systems \$ 1,072,000

Solids Handling \$ 4,000,000

Miscellaneous Improvements \$ 8,250,000

Geotechnical \$ 20,000

Interest During Construction \$ 4,330,000

Contingency \$ 3,599,700

Subtotal \$ 56,759,700

Total Estimated Costs \$ 88,643,000



# City of North Canton, Ohio

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## FINANCE & PROPERTY COMMITTEE MEETING MINUTES

The Finance & Property Committee of North Canton City Council met as part of the Committee of the Whole Tuesday, February 19, 2013 in the Council Chambers at North Canton City Hall.

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

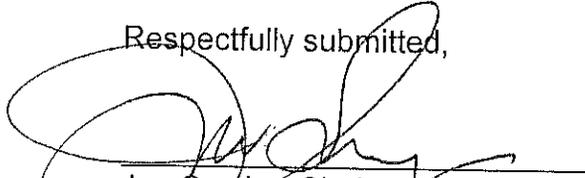
Items discussed:

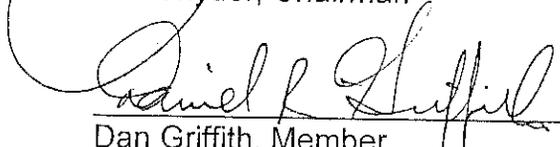
- a. Mayor's Court Receipts – January, 2013: The Mayor's Court Receipts were reviewed and will be placed on the February 25, 2013 council agenda for formal approval.
- b. Discussion – Ohio House Bill 5 : The Committee and Council agreed to send a signed Resolution of Opposition of Ohio House Bill 5.

Director of Law Fox to draft said Resolution of Opposition.

- c. Resolution of Support – Canton Museum's GeoArts Program: The Committee and Council agreed to send a signed Resolution of Support for the City's participation in the Canton Museum of Art's GeoArt Program. Program to be funded by recycling (non municipal) funds, in an amount not to exceed \$5,000.

Respectfully submitted,

  
Jon Snyder, Chairman

  
Dan Griffith, Member



## CITY OF NORTH CANTON

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

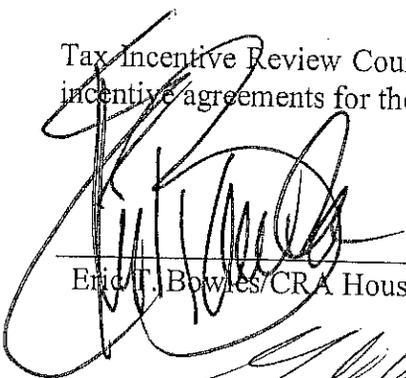
### DEPARTMENT OF PERMITS AND DEVELOPMENT

#### LEGISLATION REQUEST

To: Jon Snyder, Council President

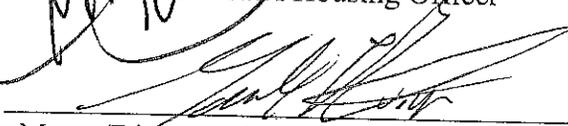
Subject: Tax Incentive Review Council (TIRC) recommendations for monitoring of active tax incentive agreements for the FY 2012 Tax Year reviewed in 2013.

Requested by:

  
Eric T. Bowles/CRA Housing Officer

Date: March 14, 2013

Approved by:

  
Mayor/Director of Administration

Date: March 14, 2013

Background: The Tax Incentive Review Council (TIRC) met on Thursday, March 14, 2013 to review the four (4) active commercial/industrial Community Reinvestment Area Tax Incentive Agreements located in the City of North Canton's Community Reinvestment Areas. Attached, please find a spreadsheet that lists the agreements reviewed and the recommendations from the TIRC.

Request: City Council to accept the recommendations of the TIRC.

EMERGENCY REQUESTED: Yes  No

# City of North Canton

## Department of Economic Development

### Memo

**To:** Jon Snyder, City Council President/, Marcia Kiesling, Chair Community & Economic Development Committee,, Mark Cerreta, Vice Chair, Stephanie Werren, Member, All Council Members, Mayor David Held, Director of Administration Mike Grimes

**From:** Eric Bowles, Director of Permits and Development/CRA Housing Officer 

**Date:** March 15, 2013

**Re:** Recommendations of the Tax Incentive Review Council/CRA Housing Council

---

The North Canton Tax Incentive Review Council (TIRC) met on Thursday, March 14, 2013 to conduct their required annual review of all agreements granting exemptions from property taxation within the City of North Canton's Community Reinvestment Area (CRA).

The meeting was attended by the TIRC Members and the requirements for a quorum were met. As per the requirement of the ORC, the Stark County Auditor served as chairperson of the Council and Jon Snyder was elected as Vice-Chair. Council President Jon Snyder and resident Vicki Stanley were appointed by Mayor Held as the City representatives of the TIRC.

Staff of the Department of Permits and Economic Development provided all TIRC Members with a binder of review materials including a completed Project Status Report Form and a project- by- project analysis. The TIRC reviewed four (4) active Community Reinvestment Area Tax Incentive Agreements within the City. Attached with this memo please find a schedule of the current agreements with the TIRC's recommendations.

Under the 5709 of the ORC, on the basis of the determinations, on or before the first day of September of each year, the TIRC shall submit to each legislative authority written recommendations for continuation, modification, or cancellation of each agreement. City Council can accept the recommendations as presented or modify them if they choose.

Also, please be aware that the City will electronically submit to the Ohio Development Services Agency the City's required annual report of all residential and commercial/industrial community reinvestment area agreements. All residential CRA projects were reviewed as per the requirements of the CRA Program. As a result of their review, the Housing Council voted to continue the three (3) residential projects. The results of the Housing Council's Meeting will also be included within the required annual report submitted to the Ohio Development Services Agency before March 31, 2013.

Please contact me if you have any questions regarding these agreements.

**City of North Canton**  
**Tax Incentive Review Council Recommendations**  
**For Projects Reviewed in FY 2013 for the 2012 Tax Year**

Business/Agreement	Address	Original Date Approved	Incentive Percentage	Incentive Term	Tax Incentive Review Council Recommendations to North Canton City Council
Barry P. Kindy	502 South Main Street	06/11/2003	50%	10 Years	Continue Agreement
LMD Property	881 & 825 South Main Street	09/16/2005	50%	12 Years	Continue Agreement
L.T. Parker & Associates	435 Applegrove Street	07/13/2007	50%	10 Years	Continue Agreement
Reed Funeral Home	801 Pittsburgh Avenue N.W.	07/01/04	50%	10 Years	Continue Agreement



145 North Main St. · North Canton, OH 44720  
Phone: 330-499-8223 Fax: 330-305-0603

**CITY OF NORTH CANTON**  
**Michael J. Grimes**  
Director of Administration

Request

To: Jon Snyder, Council President &  
Chairman Finance Committee

Date: March 6, 2013

Subject: Permission / Amendment A Request

I am requesting permission to make a change to a 2013 Capital Purchase budget line specifically line item #330.309.5500. Page 29 of the 2013 Budget shows under this line item a 4 x 4 Pickup w/ plow as an allowable capital purchase.

We have just completed a broader review of our vehicle inventory and have discovered several older trucks that now require extensive repairs to make them safe and usable. My request is not to purchase the new 4 x 4 pickup truck and reallocate that money so we may purchase four (4) used trucks that will be in better condition and serve our immediate needs. The four (4) used trucks will not require an increase in the amount originally budgeted and will further save us on the repairs we would have to make on the trucks we now own.

Respectfully Submitted,

Michael J. Grimes

c: Law Director Fox  
Finance Director Alger  
Supt. Utilities & Services Davies  
File

**RECEIVED**

**MAR 07 2013**

COUNCIL OFFICE  
NORTH CANTON, OHIO

RECORD OF PROCEEDINGS  
COUNCIL OF THE CITY OF NORTH CANTON

Minutes of

REGULAR Meeting

DAYTON LEGAL BLANK, INC. FORM NO. 10148

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

**Call to Order:**

- 1. The council meeting was called to order Monday, March 11, 2013 at 7:00 p.m. by President of Council Jon Snyder.

**Opening Prayer:**

- 2. The opening prayer was delivered by Rev. Gary Plauger, Hope Christian Fellowship Church

**Pledge of Allegiance:**

- 3. All present recited the Pledge of Allegiance.

**Roll Call:**

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

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

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

Mr. Snyder: May we have a motion to accept as presented Council Meeting Minutes for February 11<sup>th</sup> and 25<sup>th</sup>, 2013. Oh, excuse me. I did not excuse Member Peters. My apologies.

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

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

**Consideration:**

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

Mr. Snyder: We need a motion and second to approve, as presented, council meeting minutes of February 11<sup>th</sup>, 25<sup>th</sup> 2013; Special Council Meeting Minutes February 19, 2013; and the Financial Statements as presented January 2013.

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

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

**Committee Report Minutes:**

- 6. Mr. Snyder: May we have a motion and second to approve as presented the committee minutes for Community and Economic Development, Finance and Property, Street and Alley all held March 4, 2013.

Mr. Foltz moved and Mrs. Kiesling seconded to approve as presented the committee minutes for Community and Economic Development; Finance and Property; and Street and Alley all held March 4, 2013. All members present voting:

Yes: Kiesling, Snyder, Werren, Cerreta, Foltz, Griffith  
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 March 4, 2013.

**Finance & Property Committee:** Please refer to the minutes on file in the Council Office of the Finance & Property Committee meeting held March 4, 2013.

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

RECORD OF PROCEEDINGS  
COUNCIL OF THE CITY OF NORTH CANTON

Minutes of

REGULAR

Meeting

DAYTON LEGAL BLANK, INC., FORM NO. 10148

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

Recognition of Visitors:

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

Thomas Besozzi: My name is Thomas C. Besozzi. I live at 1235 7<sup>th</sup> Street NE. I am extending an apology tonight, and I'd like to present it in front of Council. The purpose of my presentation this evening is to apologize to Chuck Osborne. The incident that occurred between Chuck and me on February 4, 2013 during the public speaks portion of that evening's City Council meeting. During our conversation outside of the council meeting, we began to have a breakdown in our communication about the Little League Board's functions and responsibilities in regards to the installation of lights on the Little League ball fields and also about the citizens' concerns in regards to the noise and parking situation. The conversation became somewhat frustrating. As a result, I slightly pushed Mr. Osborne and the conversation ended. Although there was no intent to harm Mr. Osborne, this type of behavior on my part was wrong and immature. I again, apologize to Mr. Osborne for the incident. I also apologize to Council and to the citizens in attendance that evening if this incident created a distraction. Now since this incident, Mr. Osborne and I have laid the foundation to start to logically discuss the issues. It is our hope that others will do likewise because the real issue is about children having a safe environment to participate, to grow and to develop within the North Canton community. I conclude my statement and I thank Council for allowing me to address them.

Mr. Snyder: Thank you sir. Anyone else wishing to speak? Okay, seeing none, we'll move to Old Business. May I have a motion to...  
Mayor Held: Jon.

Mr. Snyder: Oh, excuse me. Oh I beg your pardon madam, I didn't see you ...inaudible...

Mrs. McCallam: Sorry. I parked in the back. How do you do. I'm Barbara McCallam. I live at 411 Woodside Avenue NE, North Canton, Ohio. I've been before you before. I have tried to have some circumstances and situations dealt with by the city and different employees in the city. It's been found out that the last advice just isn't working. So I figure maybe it's best that I speak here where the minutes are in fact recorded. I've been doing a little research, and I find that the City - I found a place where we've got some money hiding. And as you know that's very important for anybody. There's a lot of property in North Canton that has in fact been retained under public notice, public ownership, that was considered to be a road, an access, utility access, etc. There's a number of them in North Canton that have hence gone - I mean they're just sitting there. So I looked into it. I did talk to some people in Stark County and they state that the City would have the capabilities of holding easements that they could run utilities, etc., through these lines. But they could at this time, offer to the neighboring properties the purchase of this property. And that way you're getting some income to the city. You are now having the people who are using this property now paying taxes on this property as increase of value of their own properties. And this certainly should be done before any structures, sheds, buildings, driveways, anything's put on public property, it should be divided up accordingly. I understand most of the time it's split up and if there's four adjoining properties it is split up in four with the opportunity of each and every one to purchase that. If they chose not to, then all they have to do is I don't want it and it goes to the next person, and the next person. And if no one is interested, then it's fair market in the public to purchase it for whatever reason. I think it will generate some income for our City. And I don't believe it will put a hardship on anybody because it's not their property to begin with. So it shouldn't have been used as their property. Let's see. And throughout the City it's a quite a bit of revenue. And I was always told "watch your pennies and your dollars will certainly take care of themselves". And I think this is more than pennies. I think that you'll find if you research, just in what I found out today, we're talking thousands of dollars income to the City. The revenue we get from real estate taxes is considerable to operate for the operation of the City. So this makes everybody equal and everybody pays their weight for what they own, and this can be handled in such a way. Am I going forward or backward? Oh okay, I have two more minutes. Okay. If there are any questions about it, I'm certain I can try to lead you the right way, or I'll - I certainly will try to. But as a novice, and just talking to the Stark County people that I talked to today, it's pretty easy to get this information. And all you need is out lot numbers, addresses, etc., etc. And the City's own maps should point out these properties to everyone. And like I said I - it was suggested that I deal with the Director of Law for North Canton. That's proven to not be possible. I believe I've tried to always treat this Council, the Mayor, everyone here with respect. But I do demand that same respect back. And I will not tolerate being spoken to verbally or written to in the way that I've been over this matter. And it's trying to be personalized and somebody is not doing their homework. Thanks so very much. You guys have a great day.

Mr. Snyder: Thank you, ma'am. We appreciate it. Anyone else wishing to speak?

Mr. Cerreta: May I make a note ...

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Mr. Snyder: Please.

Mr. Cerreta: Mr. Besozzi, I wanted to just to make a comment. It's not easy to come up and apologize like that. So I give you a lot of credit for the citizens of our community to be able to come up here and do that. And you know, the things that was - discussion was very passionate on both sides. So I think that, you know, we can get along. We can do the right thing and still get along. So thank you for coming up and doing that and showing our citizens you do have the right to do that. So well done with that.

Mr. Fox: I agree. It's very articulate. And thank you for that.

Mr. Snyder: Anyone else? Alright, moving to new business - may I have a motion to read by title only the second reading of Ordinance No. 18-13?

Old Business:

- 8. Mrs. Kiesling moved and Mr. Foltz seconded to read by title only the second reading of Ordinance No. 18-13. All members present voting:  
Yes: Snyder, Werren, Cerreta, Foltz, Griffith, Kiesling  
No: 0

Ordinance No. 18-13 - 2<sup>nd</sup> 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 Clermont Avenue / Fairview Street / Woodside Avenue Waterline Replacement Project, at a total cost not to exceed \$710,000.

Mr. Snyder: Chairman Mark Cerreta.

Mr. Cerreta: Yes sir. This is part of our aggressive water replacement program that we're putting in place. And this is the second reading for those areas that were mentioned there Clermont, Fairview, Woodside Avenue to replace some of those water lines that are really getting down to two or three inches. And they'll be able to notice a big difference. So I make a motion to approve Ordinance No. 18-13 on second reading.

Mr. Cerreta moved and Mrs. Kiesling seconded to adopt the second reading of Ordinance No. 18-13. All members present voting:  
Yes: Werren, Cerreta, Foltz, Griffith, Kiesling, Snyder  
No: 0

- 9. Mr. Snyder: May I have a motion and second to amend Ordinance No. 19-13, prior to the second reading, to change the monthly consumption in gallons for the business premises located outside the corporate limits of the City in rates of a thousand gallons. Unfortunately, the breakdown of the out there was not enough difference between on the original published ordinance from the 40,000 and up so we did change those rates.

Mr. Cerreta: For the outside, right?

Mr. Snyder: Outside. This is business outside.  
Mr. Fox: Correct.

Mr. Benekos: The rates are the same. It's the...  
Mr. Snyder: It's just that the breakdown of the...

Mr. Benekos: The breakdown of gallons, right, was breakdown incorrect.

Mr. Snyder: There was not a difference, you know, percentage wise versus the inside rates - inside gallons.

Mrs. Kiesling: I motion to read as amended.

Mr. Griffith: We need a motion to amend.  
Mrs. Kiesling: Or do we - oh, yeah...

Mr. Snyder: We need a motion to amend.  
Mrs. Kiesling: Amend first.

Mrs. Kiesling moved and Mr. Foltz seconded to amend Ordinance No. 19-13 as stated above. All members present voting:  
Yes: Cerreta, Foltz, Griffith, Kiesling, Snyder, Werren  
No: 0

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Mr. Snyder: Now I'd like to have a motion to read by title only, second reading of Ordinance No. 19-13, as amended.

Mr. Foltz moved and Mrs. Werren seconded to read by title only, second reading, as amended, of Ordinance No. 19-13. All members present voting:

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

No: 0

**Ordinance No. 19-13 – 2<sup>nd</sup> 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.

Mr. Snyder: Chairman Cerreta.

Mr. Cerreta: Yes, this is the second reading of the discussions that we've had over several weeks of the water rate increase. And the reason for that, of course, is our aggressive water replacement infrastructure, go on with a list of that. But the rates are 5.5, 5.5, 5.5 the first three years and then to the Consumer Price Index after that point that we would go up with. The price in itself equals about a bottle of water a month; about \$1.50 for the average user. So that's 5.5 for some people may sound like a lot, but at that rate what we're going to do with it, it is well worth it for what we need to do with our infrastructure in the future. They have not had an increase since 2009. So I move that we approve in the second reading Ordinance No. 19-13.

Mr. Cerreta moved and Mrs. Kiesling seconded to adopt the second reading, as amended, of ordinance No. 19-13. All members present voting:

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

No: 0

**New Business:**

10. Mr. Snyder: May I have a motion to read by title only, first reading of Ordinance No. 20-13?

Mrs. Kiesling moved and Mr. Cerreta seconded to read by title only, first reading of Ordinance No. 20-13. All members present voting:

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

No: 0

**Ordinance No. 20-13 – 1<sup>st</sup> 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.

Mr. Snyder: Chairman Kiesling, any comment?

Mrs. Kiesling: No, go ahead.

Mr. Snyder: We did have this come over last March, soon to be a year ago, as we have another meeting on Thursday morning, so we want to do this as housekeeping, that we do clean this one up. And we will terminate it as of December, I believe of '12 and move forward on that. So it will eliminate what was a fifteen year exemption. And I think it's into the fifth or sixth year of the exemption. And that will clear that up. And I just, for the record, the particular party was compliant except for the last year. So and due to the economic downturn did not have the required amount of employees to stay in the exemption, so we eliminated that and will move accordingly. Thank you. Any other questions? If not, I'll entertain a motion to adopt the first reading of Ordinance No. 20-13.

Mrs. Kiesling moved and Mr. Cerreta seconded to adopt the first reading of Ordinance No. 20-13. All members present voting:

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

No: 0

Mr. Snyder: As time is of the essence, we have another meeting on Thursday morning at 8:30, we want to adopt this on emergency. So, may I have a motion to suspend the rules of council for Ordinance No. 20-13?

Mrs. Kiesling moved and Mr. Cerreta seconded to suspend the rules for Ordinance No. 20-13. All members present voting:

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

No: 0

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Mr. Snyder: May I have a motion to adopt under the suspension of the rules Ordinance No. 20-13?

Mrs. Kiesling moved and Mr. Cerreta seconded to adopt under the suspension of the rules Ordinance No. 20-13. All members present voting:  
Yes: Cerreta, Foltz, Griffith, Kiesling, Snyder, Werren  
No: 0

11. Mr. Snyder: May I have a motion to read by title only first reading of Ordinance No. 21-13?

Mr. Kiesling moved and Mr. Cerreta seconded to read by title only first reading of Ordinance No. 21-13. All members present voting:  
Yes: Foltz, Griffith, Kiesling, Snyder, Werren, Cerreta  
No: 0

**Ordinance No. 21-13 – 1<sup>st</sup> 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.

Mr. Snyder: This is part of the 2013 budget. The rent reason and rationale behind this, the present rolling stock of ambulances as we begin, they run 24/7. The cost of repairing these exceed a new lease payment; the cost to our rent on the older vehicles. And this will be a total cost of \$205,000. However, the lease I believe the first year will not exceed \$100,000. And again this is monies that the citizens that voted for the EMS levy. This allows us to bring in new equipment to save money on fuel as well as repairs ...inaudible... So I'll entertain a motion to adopt the first reading of Ordinance No. 21-13.

Mrs. Kiesling moved and Mr. Cerreta seconded to adopt the first reading of Ordinance No. 21-13. All members present voting:  
Yes: Griffith, Kiesling, Snyder, Werren, Cerreta, Foltz  
No: 0

Mr. Snyder: As timeliness is an issue in the health and welfare of the City is at stake, please suspend the rules of council for Ordinance No. 21-13.

Mrs. Kiesling moved and Mrs. Werren seconded to suspend the rules for Ordinance No. 21-13. All members present voting:  
Yes: Kiesling, Snyder, Werren, Cerreta, Foltz, Griffith  
No: 0

Mr. Snyder: May we adopt under the suspension of the rules of council for Ordinance No. 21-13?

Mrs. Kiesling moved and Mr. Griffith seconded to adopt under the suspension of the rules Ordinance No. 21-13. All members present voting:  
Yes: Snyder, Werren, Cerreta, Foltz, Griffith, Kiesling  
No: 0

12. Mr. Snyder: May I have a motion to read by title only, first reading of Ordinance No. 22-13.

Mr. Griffith moved and Mrs. Werren seconded to read by title only, first reading of Ordinance No. 22-13. All members present voting:  
Yes: Werren, Cerreta, Foltz, Griffith, Kiesling, Snyder  
No: 0

**Ordinance No. 22-13 – 1<sup>st</sup> 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 50<sup>th</sup> Street to Applegrove Street, including construction of a sidewalk within the City limits, and declaring the same to be an emergency.

Mr. Snyder: Again, this is on the Street and Alley, Chairman Griffith.

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Mr. Griffith: Yes, We had a good discussion about this last week. As Jim mentioned before, in order to do these state projects, the State requires us to do certain ...inaudible... legislation, and this is merely that ministerial act. So I would move that we support this and adopt it in its first reading.

Mr. Griffith moved and Mrs. Kiesling seconded to **adopt the first reading** of Ordinance No. 22-13. All members present voting:  
 Yes: Cerreta, Foltz, Griffith, Kiesling, Snyder, Werren  
 No: 0

Mr. Snyder: As time is of the essence, may we suspend the rules of council for Ordinance No. 22-13?

Mrs. Kiesling moved and Mrs. Werren seconded to **suspend the rules** for Ordinance No. 22-13. All members present voting:  
 Yes: Foltz, Griffith, Kiesling, Snyder, Werren, Cerreta  
 No: 0

Mr. Snyder: May we adopt under the rules - suspension of the rules of council for Ordinance No. 22-13?

Mr. Griffith moved and Mrs. Kiesling seconded to **adopt under the suspension of Council Ordinance No. 22-13**. All members present voting:  
 Yes: Griffith, Kiesling, Snyder, Werren, Cerreta, Foltz  
 No: 0

**Reports - Council:**

Mr. Snyder: Reports - Member Foltz

Mr. Foltz: A few things. I want to think everyone's aware of what happened at the Planning Commission meeting. I was very surprised that they did not support our parking lot addition, which I thought was going to be minimal. I think there was discussion about Phase 2 and 3 with the parking lot, I was adamant that I would not support that. I didn't feel Council would either. We were just trying to solve an existing parking problem whether we have lights, or loud audio systems or whatever over there. So I'm a little frustrated by that. They asked for a site plan. And I will - I guess we'll talk to Administrator Grimes and our Engineer to see if there's something further we can do short term or Councilman Snyder if you have any other ideas. I don't know at this point if we have to go back to Planning Commission, we'll try to put something in place before Little League season starts because I do believe it's the beginning of May, and we have to have everything just go right just to get it done at this point. So I appreciate the Planning Commission's input, respect their position on it, but I just disagree. I feel that we need to still do something there short term. It worked itself out. And I think we all have, as it's been indicated here before, and just from public comment, I think we all have the best interests of the Little League in mind. I think it's a great organization. But we also have to realize that there are safety factors that are involved here. And I would rather err the - put additional parking in and to make sure that there isn't any unfortunate accidents or traffic situations that we have to deal with alongside East Maple or in the adjoining neighborhoods. So hopefully we will reach some kind of agreement or move forward in this in some way. I still want to support that. So I've talked to a few of you last week. So those are my comments there on that issue. Second thing, got an email as far as the Civic Center Rates. Mike, and I don't know if that's something you want to put on for Committee, e talked about lowering the Saturday rates from \$1,200 to \$800. Maybe we should just review everything. There was discussion through the last Rec Board Meeting to readjust some of the pool rates as far as outside users, property owners, and just people who live outside the district altogether. But I feel at this time we're going to table that until next year, because we do have some substantial improvements to do at the pool with the liner, with the gutter system, with the drainage and the pumps, besides some additional work we want to do with the restrooms. So hopefully we can find some bond money or Jon, we can discuss that at a later date, but not too far along. So we can revisit the pool rate structures next year. I'd hate to get involved this year and change some things and go right back next year. So I'm hoping that the Administration sees the wisdom in that. We did talk to Mayor Held and our Administrator about that. So those are my discussion points tonight. So ...

Mr. Snyder: Member Foltz, those are very good comments. If I may address a couple. Number one, the Civic Center. You bring up a very good point. Hopefully we'll be complete very soon. You know our renovation, moving Permits and Engineering which will give us someone there that is able to walk over and show the room when it needs to be shown, With Member Kiesling wishing the new kitchen was put in. We are a little too high on our rentals compared to other venues in the community. We had thought we could work with the Fairways and combine that with them, assisting both publically owned golf course, but now I think what we'll do is we'll move ahead. And I concur if you lower those rates I think you'll get a little more usage. We're down around 14% by

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City residents, the rest is outside. But we are expensive for not having any type of kitchen facility. And we have in the City of North Canton The Fairways, Bill and Mary's, several great caterers that would love to be able to use that venue a little more often and promote it and that's what we need to do. So ...inaudible... we get our price down where they can become competitive with other places we'll do well. And relative to the ball fields, I concur. I got a call from Robert Wang after the meeting - I was surprised it was turned down. However, speaking to both Administration and to our Engineer, he feels that two things: number one, the scope of the project was a little larger than what anybody anticipated showing three phases which we didn't - which eventually they may never come. Phase one 67 to 70 parking places. As you so rightfully pointed out Mr. Foltz, it's a parking nightmare. The people who live there need some type of relief. The citizens need to be safe for their children and the people who come to watch the ballgame. So what we've going to - what I've asked to do is that it be resubmitted to the April Planning Commission. The deadline is this Friday. Which will meet, along with the buffer tree line replaced; as we promised them more trees to cut the sound and screen the neighbors and screen the parking. It will be a gravel surface. So that will be on, and hopefully we'll have a program that they can understand. I think they just didn't understand the magnitude. And ...

Mr. Foltz: Well I think Jon, the discussion went from parking to a site plan requirement because some of the Planning Commission members indicated that we do that for other facilities or other businesses in the City. But it kind of entered into, you know, hearing the loud speakers at certain points throughout the City, the lights. I think we're all looking at what are the long term goals and how are they going to be addressed? I think everybody has the best interest of mind of the Little League Complex and the residents. I think there's some middle ground that could be met. So I think if we're prepared to answer those questions a little more thoroughly, even at this stage, I don't necessarily agree that the discussion should have went there. I think parking was the issue. I think our Law Director brought that to point as well as the Administrator. But if there are some clarifications that need addressed, I think hopefully somebody from the Little League can be there. We're going to hope to back down that loud speaker a little bit obviously. We don't need to hear it over a certain time. I think those are some things that I ask that the Little League present to us as well as a lighting timeframe or days of the month and so forth. We're eventually going to get there. I think we're putting the cart before the horse a little bit with the other - the other lightening rods for them and maybe have somebody from the Little League there also to address these things. And maybe other councilmen could come who want to support it also. I did say that council was in support of it. I felt everybody was. I think we're doing it for a reasonable price. And if you just look at things, you know, with the Little League complex, there's eight fields there now. If you took seven fields and say you average - and this is probably a minimal, 20 cars to a field, I'm talking two teams playing with relatives bringing children, they don't drive obviously, coaches and everything, 20 times 7 is 140. And you've got a game that's going to come a little later, that they're going to get there early enough to prepare, and warm up, and start, you know, that in itself, is 280 parking spots; I mean just on paper. That's just seven fields in use, not eight. To me it's just a necessity, we have to address this parking.

Mr. Snyder: Well we owe the walking track...

Mr. Foltz: And the walking track. That's not including the walking track. And we heard the comments, well, you know it's just a few days a year. It doesn't matter how many times it is. You know, if it was a parking issue at Price Park, we should address it. That's our role here as Council members for our constituents to solve these problems and use some common sense along the way. So I welcome that to come back to the Planning Commission with a little better planning effort on all of our parts and hopefully it gets passed so we can move forward with it. Thank you.

Mr. Snyder: Mrs. Werren

Mrs. Werren: I won't repeat anything that Doug said, but I concur. I was surprised that next morning to see that on the front page of the paper. I thought that everything was kind of inline and it was going to go forward. And then I was even more I guess surprised, to see that some of the council members of that group, who were supposed to look at it objectively, had to share their own opinions about living a mile away and the loud speakers. That wasn't the topic and they needed to stay on point and I felt like we were addressing that issue through the parking. You know, we built fields and then didn't accommodate the parking. And when you go over to some of those other areas whether it's the Plain Local soccer fields, they've had to grow in space. Louisville's done it. Jackson has done it. And then you have to accommodate these places. And then secondly, I heard a talk last week by the Copley Fire Chief that used to live in Lake. And he's now the fire chief up there. And they've done a lot of shared services. And we keep hearing about all these shared services; and in the Akron Beacon Journal the other day. And I think Mike, I had talked to you a while back about they shared that grinder that the three communities and you know, this wasn't common before. And now they're looking at all these ways they can save. And it saved approximately \$100,000 per community. And I think it was Tallmadge, Kent, and Summit. It's your friend and one of the Mayors up there. And we don't all need this machine. It sits there, you know, idle so often. And so I just want us to keep looking at that and maybe even have the fire chief

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come down. They believe so strongly in this that they want him to travel and talk about this because they've seen such success with this. And then I look at our budget and or maybe lack thereof and think that we could do some of these things. And I just want to maybe investigate some of these things. And I know we're trying to do this with sharing with Plain and Jackson on some of those areas but...

Mr. Snyder: I just want to, for the record, Mr. ...inaudible... He's been very good about - thank goodness he's been on point about that with both the Board of Trustees at Jackson and the Board of Trustees at Plain.

Mrs. Werren: Right.

Mr. Snyder: Meeting and looking at any venue or avenue where we can share right down to a snow shovel.

Mrs. Werren: Right.

Mr. Snyder: We're working on that. I appreciate that very much.

Mr. Griffith: Let me state for the record, we're not willing to share any of our snow shovels.

(Laughter)

Mr. Griffith: Everything else is on the table.

Mr. Snyder: Inaudible...

Mr. Griffith: That's right, everything else. I wanted to say two quick things. One, I had the outstanding opportunity to attend a 5 year-old birthday party at Dogwood Shelter on Saturday. And although the party was as exciting as one can imagine, the venue itself I was extremely impressed with. Not only was I impressed with the way that the renovations have taken place, but both sides were rented out and they were all day. And we were by there again riding bikes on Sunday and there were plenty of people in there too. So I think again that's money well spent, a good return on investment for public dollars. And I want to thank you Doug for pushing that. I think that that was really good and it's been very helpful. So now and unfortunately we'll be having a 5 year-old birthday party in July and I'll be paying rent to do that as well.

(Laughter)

Mr. Griffith: Instead of my back yard. So thank you for that as well. Secondly, I wanted to just say a congrats to the boys' and girls' basketball teams. Obviously we're still pulling for the boys but the girls are doing well too. And I think we have yet more things to be proud of in this community. So a good job for them.

Mr. Snyder: Nice comments, thank you. Mr. Cerreta

Mr. Cerreta: Well, just to concur with what both of you said. I'm not going to say much more that's been said. I was a little disappointed in that end result of that. And I think we can make things right there. It's a great idea, we're trying to solve problems, so I won't say anything more about that. I hope we can send that on and that does get approved and I think it will sooner or later. Outside of that, no report.

Mr. Snyder: Member. Kiesling

Mrs. Kiesling: No report.

**Reports:**

Mr. Snyder: Director of Law

Mr. Fox: Yes sir. I just wanted to echo the fine comments for the Citizens Survey Committee. The presentation was very professional and polished. And I know that only comes from preparation. So I appreciate your efforts in that. Also, Mayor's Court this evening and it continues to do really well. I just want to thank the Mayor's Office. Jane Housos does the traffic portion and with Justine and we have Gayle Bruce in Income Tax that assists us with that. The Police Department serves the summons and it just continues to do really well. For example, just this evening we had a gentleman that appeared with his attorney and has paid \$1,400 from 2007 income tax return and made a deposit of \$10,000 as a good faith deposit while they determine what he owes for the remaining years. So that continues to do well and as a result we intend to bring in those violations of our city ordinance for the housing code in the spring. So we'll be bringing those in as well.

Mr. Snyder: Director of Finance.

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Mrs. Alger: I wanted to echo the gratitude of the survey. Director Grimes, myself and Council Clerk Kaipac have been working on getting the web site up to date. And we really would welcome any ideas or suggestions that you may want to put on there for information to residents. That's it.

Mr. Snyder: Thank you. Director of Administration

Mr. Grimes: Yeah, on the web pages we've got that probably 98% built. We've got it sitting out there. We're training multiple employees so that we can keep it fresh and they can update it from different departments. I think that was one of the things we did in the past. We just only had a couple of people doing that. And so we'll be ready to fly here probably within the next few weeks. So we'll get that out there and hopefully you'll like it. The other thing we're working on is having it on the web page; already you can pay your utilities, but we're also going to have it so that you can pay your traffic fines, court fines and do that online too. So we're trying to get up to speed on that. And then fire, I can't get into too much, but fire is working with some other departments around here and they're meeting to see how they can work some things out, save money on purchases and some of that. They've got that going on. And Mr. Davis, from our Service Department, has traveled around to other service centers to see how they do it, what they're doing, and how we can maybe steal some ideas from them and save some money too. So that is going on. Thank you.

Mr. Snyder: Mr. Mayor.

Mayor Held: Yes. Again, the Survey Committee, fantastic job. The information is very, very valuable to us. And you know it's interesting to see that when you look at the first survey that was sent out in 2009, that's really when the City was going through probably the most difficult financial time that we've seen, you know, in the City's history when you look back. And to see what we've went through and where we're at now. We're still getting, you know, the survey responses from the residents have improved overall. And I think that the reason that that happens is number one, the people in the community. Because whenever there's a difficult time, this community always comes through. And also the Council and the Administration, you know we've really worked together. I mean there's always different ways to achieve the same goal and - but I think what has happened is we've really found a place of agreement and we try to build off of that. And I appreciate the service that you folks do. And again, Survey Committee, that was excellent. I hope I can use some or all of it in the State of the City because it was very well done. That's all.

Mr. Snyder: If you pay a royalty to the sum of \$1,029 there might be ...

(Laughter)

Mr. Snyder: Mr. Engineer.

Mr. Benekos: Yes, just two items. We spoke before about working with Walsh on a waterline on the north side into their ball fields area. We've come to an agreement with them on sharing the cost of the waterline. It's much less than \$50,000, our portion of it. It does not need to come back to Council. There's money in an account for that. So just wanted to make you aware of that that construction on that might be starting even next week. Regarding the Hoover Building and improvements on East Maple Street, the JRS Grant, we've been talking with the developer. Construction on the Building 16 on the second floor improvements to that should begin here within a couple of months. Also, improvements on East Maple Street that we'll be making, will start in a couple of months which means detours perhaps and a lot of headaches for traffic. But hopefully by the end of summer that will be done and opened up and everybody will be able to enjoy that.

Mr. Snyder: I have a couple of things. Number one, on the 26<sup>th</sup> of this month, which is I believe is two weeks from tomorrow, at the Civic Center, we'll be holding a 4<sup>th</sup> Ward Crime Prevention Safety Seminar conducted by our local Police and Fire Department. And as we mentioned in an email, any ward representative is privileged to do the same. In the 4<sup>th</sup> we'll be inviting every person, every household in the 4<sup>th</sup> Ward to come as crime has become stronger as the economy is weaker it seems to be. They'll do that as well as identity theft and so forth conducted by Lieutenant Strausser and Chief Wilder and Chief Bacon and Gary Cohen, our prevention officers. And then the next Thursday night right after on the 28<sup>th</sup>, I think that's a Tuesday I beg your pardon - on Thursday the 28<sup>th</sup>, I'll have Representative Schuring and hopefully the three Commissioners, the Director of the Ohio Emergency Management and we're going to invite people from the Department of the Army, of the Army Corps of Engineers to address the situation. I had the full cooperation of the Mayor who sent in for grant money for eleven homes that are down there. And we did - they received our grant and filed it. So we'll be doing that. And then I've since - the Mayor and I were the architects of a letter to Jim Renacci. He forwarded it to the Army Corps who said that the Zimber Ditch is - repair is a priority. And they assigned Mr. Benekos as our point guard. So anybody - we'll direct everybody to Administration when a call comes in on the Zimber to send it to Engineering and he'll take your ...

Mr. Fox: That's Steve Nash

(Laughter)

## RECORD OF PROCEEDINGS

Minutes of

COUNCIL OF THE CITY OF NORTH CANTON

REGULAR

Meeting

DAYTON LEGAL BLANK, INC., FORM NO. 10148

Held

Monday, March 11

7:00 p.m.

20 13

Mr. Snyder: But he's been to a meeting, and it's not a laughing matter, but I just thought I'd ... So we are making some progress there. So hopefully if any of you would like to attend, we'll be there. And then finally, on a very sad note, from the Council and Administration our deepest sympathies to Member Werren on the loss of her grandmother. And please extend our sympathies to your parents and to your family. That's not an easy thing anytime and we extend our deepest sympathies.

Mrs. Werren: Thank you. Appreciate that.

## FINAL CALL FOR NEW BUSINESS:

Mr. Snyder: Any other comments to come ...

Mr. Osborne: Mr. Snyder, can I make some remarks?

Mr. Snyder: Do it very shortly -- quickly.

Chuck Osborne: 307 Fairview Street SE, North Canton, Ohio. I'm a little bit disturbed about this Council creating statistics and data which we don't know to be factually true. Mr. Foltz, regarding your comments of seven fields playing, I've received strident emails from people whose children participate out there, people who are connected. They don't play seven of those fields at the same time. So to start generating numbers here -- since this Community is big on surveys and collecting data, I would urge you to go out there and have a city official out there through a season of play and start collecting data, find out actually what is indeed happening there. I don't think the existing parking lot is being utilized efficiently. And if you're going to have hundreds of cars converging in a concentrated time, maybe it's time that we start putting a police department out there during those four hours or whatever, to direct the traffic, to park people. There's no reason to create hundreds more parking spaces to accommodate something that we don't even know exists. And someone needs to be gathering data to see the hours of use, how much incoming traffic we have out there, and maybe to guide people where to park. I dare say -- and I'm going to go out there. I'm curious now myself. I'm going to take my own advice. I daresay you have people -- one car taking up two and three places because they're not parking in the painted stall which I did go out there, they do have painted stalls. And I'm getting ready to send a letter to the Administration, there's debris thrown in the wellands out there. There is a huge sign, about 4 x 6, thrown off into the wellands a metal sign. There is a wood structure with a electrical panel bolted to it also thrown in the wellands. There's debris all around the perimeter of that property. If you go over into the Luzio property and the other property, I don't know who we got that from, all kinds of debris in there. It needs to be cleaned up and picked up. And I don't know whether you want to assign that to the lessors or the lessees of the property or you want the taxpayers to pay to clean that up. But I will be getting a letter to the Administration.

Mrs. Kiesling: We'll send you a letter Chuck, and ask you to volunteer.

Mr. Cerreta: Hey Chuck, have you ever been to a Little League game?

Mr. Osborne: You're very cute, Mrs. Kiesling.

Mr. Cerreta: Answer me, have you ever been to a Little League game out there?

Mr. Osborne: And there's also a big ...

Mr. Cerreta: That's all I needed to hear.

Mr. Osborne: There's also a big PVC culvert about twelve feet long, about sixteen inches in diameter. But please, go out there and see for yourself what is going on instead of just making up data to generate what you want to happen in the future. Thank you.

## Adjourn:

Mr. Snyder: That's a point well taken. Thank you. Any member of Council? If not, I'll entertain a motion to adjourn.

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

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

No: 0

The council meeting adjourned at 8:01 p.m.

\_\_\_\_\_  
PRESIDENT OF COUNCIL

ATTEST:

\_\_\_\_\_  
CLERK OF COUNCIL



145 North Main St. · North Canton, OH 44720  
Phone: 330-499-3986 Fax: 330-499-2080  
[citycouncil@northcantonohio.com](mailto:citycouncil@northcantonohio.com)

## CITY OF NORTH CANTON COUNCIL OFFICE

### EXECUTIVE SESSION MEETING MINUTES

*President of Council  
Jon Snyder*

The Personnel & Safety Committee of North Canton City Council met Monday, March 11, 2013 in the Council Chambers at North Canton City Hall.

*Vice President of Council  
Marcia Kiesling*

Present for the meeting were: Vice Chairman Snyder, Member Cerreta, Council Members Foltz, Griffith, Kiesling (arrived shortly after the start of the meeting) and Werren. Chairman Peters was not present for the meeting.

*Council at Large  
Mark Cerreta*

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

*Council at Large  
Dan Griffith*

*Councilman, Ward 1  
Doug Foltz*

Upon a roll call vote of Council, all present moved into an executive session at 6:15 p.m. for the purpose of discussing personnel matters pertaining to the appointment, 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 Dispatcher/Lead Dispatcher, Ohio Patrolmen's Benevolent Association (Patrolmen); and North Canton Service and Clerical Employees concerning Compensation. Subsequent to the discussion, the executive session adjourned at 6:41 p.m.

*Councilman, Ward 2  
Daniel Peters*

*Councilwoman, Ward 3  
Stephanie Werren*

Respectfully submitted,

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Jon Snyder, Vice Chairman

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Mark Cerreta, Member

3/12/13-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 RESOLUTION

Resolution No. 23-13 Passed \_\_\_\_\_, 2013

3/20/13-tlf  
(Finance & Property)

### Resolution No. 23-13

A Resolution by the Mayor and Council for the City of North Canton, strongly opposing the Ohio General Assembly's passing of House Bill 5, which proposes uniformity measures for municipal income tax in the form of unfunded mandates that will result in a substantial loss of municipal revenue, and declaring the same to be an emergency.

**WHEREAS**, House Bill ("HB") 5, legislation sponsored by House Majority Whip Cheryl Grossman (R-Grove City) and Representative Mike Henne (R-Vandalia), is a reintroduction of HB 601 from the previous General Assembly; and

**WHEREAS**, the Municipal Income Tax Uniformity Coalition, headed by the Ohio Society of CPA's, with business community membership including the Ohio Chamber of Commerce, with support from Representatives Grossman, met with members of the Ohio Municipal League and municipal income tax representatives; and

**WHEREAS**, the purpose of the meetings was to achieve a consensus on issues regarding legislation on municipal income tax uniformity; and

**WHEREAS**, municipalities agree that revenue neutral uniformity on issues that will ease compliance burdens for businesses in, and those potentially locating in Ohio, would be of great benefit to all of Ohio; and

**WHEREAS**, the Coalition has drafted and introduced language that is detrimental to the financial stability of municipalities, will drastically reduce revenue for all municipalities in Ohio, and includes "unfunded mandates," which will cripple the ability for municipalities to provide basic services to residents and resident businesses alike; and

**WHEREAS**, the reduction in the Local Government Fund has resulted in a loss of \$471,500 in revenue for North Canton; and

**WHEREAS**, the elimination of the Estate Tax will result in a loss of \$1,200,000 annual in revenue for North Canton; and

**WHEREAS**, the proposals in HB 5 will result in an additional estimated loss of revenue of \$949,500 for North Canton; and

**WHEREAS**, HB 5 includes provisions that require State oversight of municipal income tax administration, administrative policies and procedures for municipal income tax collection, and administration that dramatically hamper the ability to administer the tax in an effective manner; and

**WHEREAS**, it appears the intended long-term purpose of HB 5 is State oversight of municipal income tax operations, which likely would result in centralized collection of municipal income tax; and

**WHEREAS**, key pieces of HB 5 reduce municipal income tax obligations for businesses by reducing tax liabilities, which will not simplify the process of calculating municipal income tax; and

## RECORD OF RESOLUTION

Resolution No. 23-13 Passed \_\_\_\_\_, 20

**WHEREAS**, Ohio municipalities, with the support of the Ohio Municipal League, have supported and participated in discussions of uniformity for the past 13 years, and have worked to achieve uniformity in many areas of municipal income tax; and

**WHEREAS**, municipalities have been responsive to efforts to streamline rules and regulations and to create uniformity in local tax codes; and

**WHEREAS**, municipalities possess the unique ability to provide personal service and assistance in the preparation and filing of their tax returns to their resident taxpayers; and

**WHEREAS**, municipalities can ensure their resident taxpayers receive prompt and proper municipal tax preparation assistance, thus ensuring that taxpayers pay their fair share without causing higher costs of compliance for all, and without the burdensome and costly restrictions included in HB 5; and

**WHEREAS**, municipalities aggressively pursue those non-compliant and delinquent taxpayers who, by their omission or deliberate deceit, drive up the costs of compliance for all municipal residents; and

**WHEREAS**, HB 5 renders all municipal income tax ordinances obsolete, reduces revenue due to "unfunded mandates," and appears to have been crafted for the benefit of specific taxpayer interests at an enormous cost to municipalities at a time when each municipality faces significant additional cuts in revenue; and

**WHEREAS**, HB 5 jeopardizes and restricts a municipality's right of "Home Rule," guaranteed under Article XVIII, Section 3 of the Ohio Constitution, which authorizes municipalities "to exercise all powers of self-government and to adopt and enforce within their limits such local police, sanitary and other similar regulations as are not in conflict general laws"; and

**WHEREAS**, HB 5 further threatens municipalities with a loss of control of their largest revenue source, which permits them to provide essential municipal services, thereby promoting a positive quality of life that residents and businesses alike rely upon, and any forced reduction in this revenue will have a negative impact on residents and businesses, creating an environment detrimental to retaining and attracting business in Ohio.

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

- Section 1. That the Mayor and Council of the City of North Canton hereby declare their strong opposition to any effort by the Ohio General Assembly to pass legislation that creates "unfunded mandates" and a loss of revenue under the guise of municipal income tax uniformity.
- Section 2. That the Mayor and Council urge their state legislators to reject HB 5, and any amendment to pending bills, and further opposes the introduction of new legislation that proposes to reduce municipal income tax revenue to Ohio municipalities.
- Section 3. That HB 5 appears to cater to the requests of special interest groups and to the detriment of Ohio municipalities.

# RECORD OF RESOLUTION

Resolution No. 23-13 Passed \_\_\_\_\_, 2013

- Section 4. That the Ohio General Assembly should request the drafting of legislation that would address the multitude of issues that were agreed upon as a result of the Interested Parties meetings, which will bring uniformity and simplify the compliance process for businesses and individuals alike.
- Section 5. That the Ohio General Assembly should focus on restoring previous funding levels to the Ohio Business Gateway and focus on correcting its multitude of programming problems and customer service issues to make that tool less cumbersome, more useful and relevant to municipalities, businesses, and individuals as a simple, generic, one-stop method of filing local business income tax returns.
- Section 6. That the members of the Ohio House and Senate should engage in constructive dialogue with local officials to gain a consensus on revenue-neutral commonality and uniformity municipal income tax provisions.
- Section 7. That this Resolution is declared to be an emergency measure necessary for the immediate preservation of the public peace, health, safety and welfare and for the further reason that the City must maintain revenue levels without threat of assault via legislation proposed by the Ohio General Assembly; therefore, this Resolution shall be in full force and effect immediately upon its adoption by Council and signature of the Mayor.

North Canton, OH  
Passed:

\_\_\_\_\_  
MAYOR

SIGNED: \_\_\_\_\_, 2013

ATTEST:

\_\_\_\_\_  
CLERK OF COUNCIL