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## CITY OF NORTH CANTON COUNCIL OFFICE

### NOTICE OF MEETINGS

*President of Council  
Jon Snyder*

*Vice President of Council  
Marcia Kiesling*

*Council at Large  
Mark Cerreta*

*Council at Large  
Dan Griffith*

*Councilman, Ward 1  
Doug Foltz*

*Councilman, Ward 2  
Daniel Peters*

*Councilwoman, Ward 3  
Stephanie Werren*

Mr. Jon Snyder, Chairman of the Finance & Property Committee of North Canton City Council, has requested a meeting of said Committee Members, Council, Mayor, Director of Administration, Director of Law, and Director of Finance, **Tuesday, May 28, 2013 at 6:10 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 sale of property at competitive bidding. The executive session will not be open to the public.

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Representatives from Kimble and Republic will be present **Tuesday, May 28, 2013 at 6:30 p.m.** in the Council Chambers at North Canton City to address Council concerning their recent bids to provide refuse service for residential garbage, rubbish, recyclables and yard waste refuse hauling.

The meeting will be open to the public.

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Mr. Daniel Peters, Chairman of the Personnel & Safety Committee of North Canton City Council, has requested a meeting of said Committee Members, Council, Mayor, Director of Administration, Director of Law, and Director of Finance, **Tuesday, May 28, 2013 immediately following the presentation by Kimble and Republic**, in the Council Chambers at North Canton City Hall.

The purpose of the meeting will be to consider authorizing legislation to accept or reject a proposed Side Letter of Agreement by and between the City of North Canton and the North Canton Service and Clerical Employees, to amend Section 23.01 of the current collective bargaining agreement pertaining to Call-Out List. The meeting will be open to the public.

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### Council Meeting Agenda Tuesday, May 28, 2013 - 7:00 p.m.

1. Call to Order: 7:00 p.m.
2. Opening Prayer: Rev. Mel Lindberg (Retired) United Methodist Church

3. Pledge of Allegiance
4. Roll Call
5. Consideration

Council Meeting Minutes – May 13, 2013  
Mayor's Court Receipts – April, 2013  
Financial Statement – April, 2013

6. Committee Minutes
7. Recognition of Visitors

**OLD BUSINESS:**

8. **Ordinance No. 30-13 – 2<sup>nd</sup> Reading – Water, Sewer & Rubbish**  
An ordinance authorizing the Mayor of the City of North Canton, through the Board of Control, to enter into a franchise contract for a three (3) year period commencing July 1, 2013 and terminating June 30, 2016, for the collection of residential garbage, rubbish, recyclables, and yard waste in the City of North Canton.
9. **Ordinance No. 33-13 – 2<sup>nd</sup> Reading – Ordinance, Rules & Claims**  
An ordinance amending TITLE THREE – LEGISLATION, of the Codified Ordinances of the City of North Canton, specifically CHAPTER 111 – COUNCIL and to repeal CHAPTER 115 – RULES OF COUNCIL, and repealing any and all legislation inconsistent herewith, and declaring the same to be an emergency.
10. **Ordinance No. 34-13 – 2<sup>nd</sup> Reading – Ordinance, Rules & Claims**  
An ordinance amending Ordinance No. 50-03, Zoning Ordinance of the Codified Ordinances of the City of North Canton, specifically CHAPTER 1177 – CONDITIONAL USE PERMITS AND SIMILAR USES, and repealing any and all legislation inconsistent herewith.

**NEW BUSINESS:**

11. **Ordinance No. 35-13 – 1<sup>st</sup> Reading – Finance & Property**  
An ordinance authorizing the supplemental appropriation of funds of the City of North Canton, Ohio, to be appropriated from the unappropriated resources of the Capital Improvement Fund to the Paving/Curb/Gutter – Contract Payments Account in the amount of \$240,000 for the current expenses during the fiscal year ending December 31, 2013, and declaring the same to be an emergency.
12. **Ordinance No. 36-13 – 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 an Agreement by and between the City of North Canton and the Board of Stark County Commissioners in conjunction with Community Development Block Grant funding in an amount not to exceed \$150,000, for the Hillcrest Avenue NW & Royer Avenue NW Waterline Replacement (5<sup>th</sup> Street NW to 7<sup>th</sup> Street NW), and declaring the same to be an emergency.

13. **Ordinance No. 37-13 – 1<sup>st</sup> Reading – Street & Alley**  
An ordinance amending Section 3. of Ordinance No. 9-13 for the resurfacing, repaving, replacement, repair, and preventative maintenance of certain streets, alleys, and city parking lots, to increase the allocation in an amount not to exceed \$645,000, and declaring the same to be an emergency.
14. **Ordinance No. 38-13 – 1<sup>st</sup> Reading – Water, Sewer & Rubbish**  
An ordinance amending CHAPTER 937 – WATER RATES, specifically Section 937.05, Bulk Water Charge, of the Codified Ordinances of the City of North Canton, to require the installation of a meter and backflow device for all bulk water customers using water from a City hydrant, to establish a meter fee and a refundable equipment damage deposit.
15. **Ordinance No. 39-13 – 1<sup>st</sup> Reading – Water, Sewer & Rubbish**  
An ordinance amending CHAPTER 935 – WATER LINES AND HYDRANTS, specifically Section 935.02 Connection Charge Other than by Assessment and Section 935.07 Use of Water from Fire Hydrants, of the Codified Ordinances of the City of North Canton, to establish fees and usage policies.

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

5/23/13-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

An ordinance amending Ordinance No. 97-11, Collective Bargaining Agreement ("CBA") by and between the City of North Canton ("City") and the North Canton Service & Clerical Employees ("Union") to enter into a Side Letter of Agreement ("Agreement") to supersede the applicable provisions contained in Section 23.01 of the CBA pertaining to the Call-Out List, and declaring the same to be an emergency.

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

- Section 1. That Ordinance No. 97-11, CBA by and between the City and the Union, to enter into an Agreement to supersede the applicable provisions contained in Section 23.01 Call-Out List, be, and the same is hereby amended to read as outlined in Exhibit B of said Agreement.
- Section 2. 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 for the timely acceptance of the Agreement; 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

An ordinance rejecting an amendment to Ordinance No. 97-11, Collective Bargaining Agreement ("CBA") by and between the City of North Canton ("City") and the North Canton Service & Clerical Employees ("Union") to enter into a Side Letter of Agreement ("Agreement") to supersede the applicable provisions contained in Section 23.01 of the CBA pertaining to the Call-Out List, and declaring the same to be an emergency.

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

- Section 1. That an amendment to Ordinance No. 97-11, CBA by and between the City and the Union, to enter into an Agreement to supersede the applicable provisions contained in Section 23.01 Call-Out List, be, and the same is hereby rejected.
- Section 2. 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 for the timely rejection of the Agreement; 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

SIDE LETTER OF AGREEMENT

between

THE CITY OF NORTH CANTON

and

THE NORTH CANTON SERVICE

and

CLERICAL EMPLOYEES

(NCS&CE)

This Side Letter of Agreement ("Agreement") is made between the City of North Canton ("Employer") and the North Canton Service & Clerical Employees ("Union") to amend a certain provision of the current Collective Bargaining Agreement ("CBA"), which was executed on November 1, 2011, and is effective August 1, 2011 until July 31, 2014.

This Agreement is the result of negotiations between the parties, which began as a result of a reopening of the CBA for wages only. It is not intended to supersede any of the other terms and conditions of employment contained in the CBA unless specifically stated herein. Specifically, this Agreement is intended to supersede the applicable provisions contained in section 23.01 of the CBA. It shall be effective upon the date of its execution and shall remain in force for the duration of the CBA.

In consideration of the foregoing, the parties agree as follows:

Exhibit B  
Call-Out List

It is the Employer's intent to utilize all labor, including Union and exempt personnel, to accomplish necessary tasks in the most efficient and expeditious manner. Therefore, when conditions warrant voluntary or mandatory overtime, which, during exigent circumstances and for snow removal crews only, may include exempt personnel, the Employer shall utilize a Union member call-out list according to the conditions and seniority levels described below:

Voluntary Overtime

- 1) Qualified Department employees must be called out for voluntary overtime on a Department Seniority basis.
- 2) Qualified non-Department employees who are members of the North Canton Service and Clerical Employees Bargaining Unit must be called out on a Bargaining Unit Seniority basis.
- 3) Qualified Non-Department employees who are members of the North Canton Drinking Water Plant Operators Bargaining Unit must be called out for voluntary overtime on a Bargaining Unit Seniority basis.

Mandatory Overtime (when necessary)

- 1) When the overtime is required in the Service and Clerical job classifications, qualified employees who are members of the North Canton Service and Clerical Bargaining Unit will be called out for mandatory overtime on a reverse bargaining unit seniority basis.
- 2) When the overtime is required in the Drinking Water Plant, qualified employees who are members of the North Canton Drinking Water Plant Operators Bargaining Unit will be called out for mandatory overtime on a reverse bargaining unit seniority basis.

Seniority Call-Out List:

Employer shall maintain and post a current Department Seniority and Bargaining Unit Call-Out List. The current list at the time of signing is attached below as a sample form.

Employer shall call each Union member, one time, in the order described herein. Employer shall make all reasonable efforts to contact each Union member, but is not responsible for missed-messages, non-functioning answering machines, full voice-mailboxes, or messages taken by those who answer the Union telephone. The Union member is solely responsible for ensuring that Employer is provided with the member's current telephone number.

<b>DEPARTMENT SENIORITY LIST</b>			
<b>Department</b>	<b>No.</b>	<b>Name</b>	<b>Department Date</b>
DWP	1	Jesse Cottrell	January 4, 1993
DWP	2	Mark Leichtamer	May 10, 1999
DWP	3	Andrew Williams	March 13, 2000
DWP	4	Ann Reikowski	Sept. 18, 2000
DWP	5	Ted Schumacher	Feb. 24, 2003
DWP	6	Natividad Martinez	Sept. 25, 2011
DWP	7	Gary Neisel	Dec. 28, 2011
DWP	8	Scott Kelly	Mar. 25, 2013
Parks & Rec	1	William McKinney	March 10, 1986
Parks & Rec	2	John Minger	July 22, 1990
Parks & Rec	3	Robert Beadle	January 3, 2005
Sanitary	1	Matthew Shaw	July 9, 2001
Street	1	Matthew Morrow	April 29, 1998
Street	2	Anthony Brown	March 27, 2000
Street	3	Kathryn Boresh	January 10, 2005
Street	4	Michael Guth	Nov. 1, 2010
Street	5	Dan Richards	June 20, 2011
Water	1	Eugene Philippi	October 19, 1998
Water	2	Christine Barnes	Jan. 14, 2002
Water	3	Jay Swallie	Feb. 13, 2006
Water	4	James Whaley	January 1, 2009
Water	5	Gabriel Schwallie	May 23, 2010
Water	6	Brian Kehner	Nov. 1, 2010
Water	7	James Martin	Nov. 30, 2011
<b>BARGAINING UNIT SENIORITY LIST (NON-DWP OPERATORS)</b>			
<b>No.</b>	<b>Name</b>	<b>Current Department</b>	<b>Bargaining Unit Date</b>
1	Jay Swallie	Water	April 18, 1982
2	Eugene Philippi	Water	Feb. 10, 1986
3	William McKinney	Parks & Rec	March 10, 1986
4	John Minger	Parks & Rec	July 22, 1990
5	Matthew Morrow	Street	April 29, 1998
6	Anthony Brown	Street	March 27, 2000
7	James Whaley	Water	July 17, 2000
8	Ann Reikowski	DWP	Sept. 18, 2000

9	Dan Richards	Street	April 29, 2001	
10	Matthew Shaw	Sanitary	July 9, 2001	
11	Christine Barnes	Water	Jan. 14, 2002	
12	Robert Beadle	Parks & Rec	January 3, 2005	
13	Kathryn Boresh	Street	January 10, 2005	
14	Natividad Martinez	DWP	April 24, 2006	
15	Gabriel Schwallie	Water	May 23, 2010	
16	Michael Guth	Street	November 1, 2010	TIE
17	Brian Kehner	Water	November 1, 2010	
18	James Martin	Water	Nov. 30, 2011	

<b>BARGAINING UNIT SENIORITY LIST (DWP OPERATORS)</b>			
<b>No.</b>	<b>Name</b>	<b>Current Department</b>	<b>Bargaining Unit Date</b>
1	Jesse Cottrell	DWP	January 4, 1993
2	Mark Leichtamer	DWP	May 10, 1999
3	Andrew Williams	DWP	March 13, 2000
4	Ted Schumacher	DWP	Feb. 24, 2003
5	Gary Neisel	DWP	Dec. 28, 2011
6	Scott Kelly	DWP	Mar. 25, 2013

This Agreement may be executed in counterparts, each of which, when fully executed by all of the undersigned, shall be deemed an original, but all of which shall constitute one and the same Agreement.

Agreed to by the Parties this \_\_\_\_\_ day of \_\_\_\_\_, 2013.

**For North Canton Service  
& Clerical Employees**

**For the City of North Canton**

\_\_\_\_\_  
Donald P. Opatka

\_\_\_\_\_  
Honorable David J. Held, Mayor

\_\_\_\_\_  
Tad Martinez

\_\_\_\_\_  
Michael Grimes, Administrator

\_\_\_\_\_  
Committee Member

\_\_\_\_\_  
Timothy L. Fox, Esq. (as to form)

\_\_\_\_\_  
Committee Member

**RECORD OF PROCEEDINGS**  
COUNCIL OF THE CITY OF NORTH CANTON REGULAR

Minutes of

Meeting

DAYTON LEGAL BLANK, INC., FORM NO. 10148

Held Monday, May 13 7:00 p.m. 20 13

**Call to Order:**

1. The council meeting was called to order Monday, May 13, 2013 at 7:22 p.m. by President of Council Jon Snyder.

**Opening Prayer:**

2. The opening prayer was delivered by Pastor Hal Oswald, Saint Jacob Community 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, Peters, Snyder, and Werren.

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

**Consideration:**

5. Special Council Meeting Minutes – April 15, 2013  
Council Meeting Minutes – April 22, 2013

Mr. Snyder: Thank you. May I have a motion and second to approve as presented, special council meeting minutes dated April 15, 2013 and council meeting minutes dated April 22, 2013.

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

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

No: 0

**Committee Minutes:**

6. Mr. Snyder: May I have a motion and a second to approve, as presented, executive session meeting minutes for Personnel and Safety held April 22; for Finance and Property held May 6, 2013; Committee Report Minutes for Ordinance Rules and Claims; Street and Alley; and Water, Sewer and Rubbish, all held May 6, 2013, Park and Recreation held April 22 and May 6, 2013.

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

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

No: 0

**Executive Session for Personnel & Safety Committee:** Please refer to the minutes on file in the Council Office of the Executive Session meeting for Personnel & Safety held April 22, 2013.

**Executive Session for Finance & Property Committee:** Please refer to the minutes on file in the Council Office of the Executive Session meeting for Finance & Property held May 6, 2013.

**Ordinance, Rules & Claims Committee:** Please refer to the minutes on file in the Council Office of the Ordinance, Rules & Claims Committee meeting held May 6, 2013.

**Park & Recreation Committee:** Please refer to the minutes on file in the Council Office of the Park & Recreation Committee meetings held April 22, and May 6, 2013.

**Street & Alley Committee:** Please refer to the minutes on file in the Council Office of the Street & Alley Committee meeting held May 6, 2013.

**Water, Sewer & Rubbish Committee:** Please refer to the minutes on file in the Council Office of the Water, Sewer & Rubbish Committee meeting held May 6, 2013.

RECORD OF PROCEEDINGS

Minutes of

COUNCIL OF THE CITY OF NORTH CANTON REGULAR

Meeting

PAYTON LEGAL BLANK, INC., FORM NO. 1014R

Held	Monday, May 13	7:00 p.m.	13
			20

Recognition of Visitors:

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

Scott Walter. 9327 Golf Course Road, Sugar creek. And I'm here representing the Kimble Family and Kimble Recycling and Disposal. I also have with me Dan Marcheck, our Chief Financial Officer, and Keith Kimble, our owner. Just a few comments relative to the discussion that just took place, just want to shed some light on a couple of comments that may not be completely clear. Number one, the bid specs that the City put out for this contract, there was really only one major change in the bids specifications from five years ago. And that change in the bid specs was asking for automated pricing for both recycling and trash collection. In fact, on the pricing sheet it was in bold, black print. So it was very obvious that the City was interested - very interested in getting pricing for automation. And in fact our competitor, Republic Waste, did supply a price for automated services under option four. Their bid was \$11.05 for the automated trash collection and \$3.54 for the recycling automated collection, for a total of \$14.59. And again, that compares to our automated alternatives of \$13.02 and \$13.17. So it may be a little bit of a stretch for our competitors to say they weren't aware that the City was interested in that type of program. The second thing I want to shed light on was the - there was a requirement - also one of the changes, was a requirement for a financial incentive to be supplied and I think it's already been pointed out, our competitor did not supply a financial incentive. Our financial incentive was \$27,000. And yes, that was predicated on the City approximately doubling what they produce now, which we thought was a fair estimate to make. And that \$27,000 is not predicated in any way or fashion as to what the market does. It was applied - that rebate is somehow tied to the commodity markets and what they do. And yes they do go up and down, but we gave a solid \$15.00 a ton rebate option there. I also want to clarify again that our alternatives for automation - we did clarify this last week, just to say it again since it was brought up, it was based on the same unlimited service you have now. In other words, if extra cans or materials are set out next to the tote, our drivers will get out of the truck and pick them up. So I wanted to clarify - that question was answered last week as well. I'll stop there unless there's any questions. I think maybe one of my colleagues may want to make some comments as well. Thank you.

Mr. Snyder: Thank you sir. Please.

Mr. Kimble: Council President, Mayor, it gives me great pleasure to be here representing our family and our company. We've been working up here for about five years and the great team of men and women working for our company and enjoy the relationship. Our bid includes a million dollars worth of containers. These are high quality containers with wheels. I was at a city council meeting recently where a 250 pound man was inside the container and a 130 pound purchasing agent lady pushed the container in with one hand. Granted it was a flat surface, not up and down hill, but she was able to push it in and set it down. And everyone was surprised when this rather large sanitation director got out of the can. And that was a 95-gallon can. I'm not sure he could have fit into the 65. However, the point is that you know, the residents are going to have to take the trash up and down to the curb. Most people use cans, some use bags, but we've been working in communities boosting recycling enormously by putting in these larger containers. I recycle at my house, and it's very convenient, we put all the materials in one bin. No more carrying bins - these little 18 gallon bins out. They were good when participation wasn't as high as it is now, when there weren't as many commodities available and opportunities to sell the products. We built a ten million dollar recycling plant just recently. We're a significant player. We also have a plant in Canton. But don't overlook the cost - overlook the cost impact that residents will feel, and it's going to be a positive thing, when they don't have to buy trash bags. It's a huge amount of money that you save when you can avoid those trash bags. If you figure everybody puts out five bags that could be over a million dollars over the term of the three-year contract. Also as far as storage of those containers, when you think about it, they are not very large. They're only about 24" wide and they do tend to fit in garages and sometimes better than multiple smaller cans that are lower. So I think that there's a lot of advantages that come from that. These containers are being provided with - they're very durable, and so our trucks have these automated arms that pick them up standard to the industry. And these cans are very durable. So, if you look at the fact that residents also won't have to buy additional garbage cans. And lastly, I've actually personally hauled the trash in this town when I was short a driver and so I've seen the trash out there. I've seen multiple cans, containers, and the town recycles a lot. I think these containers are going to be very useful to you. So when you consider the cost, Republic, Rumkey, all bid automated, we bid automated and our automated or carts provided service is about \$282,000 cheaper than our competitor. And so I thank you for the opportunity to speak to you, and the opportunity to serve you.

Mr. Snyder: Thank you, sir. I appreciate your comments. Anyone else wish to speak to us this evening? Madam please step forward, state your name and address for the record.

Marilyn Davies: My name is Marilyn Davies. I live at 1121 Southwoods Lane SE, North Canton.

**RECORD OF PROCEEDINGS**  
COUNCIL OF THE CITY OF NORTH CANTON REGULAR

Minutes of

Meeting

DAYTON LEGAL BLANK, INC. FORM NO. 10148

Held	Monday, May 13	7:00 p.m.	13
			20

Susan Meadows: And I'm Susan Meadows. I live at 232 6<sup>th</sup> Street NE, North Canton. Last fall we, at the swimming pool, had a petition signed by 40 some people ...inaudible...

Ms. Davies: In the course of 20 minutes.

Ms. Meadows: In the course of 20 minutes and we were told that we were harassing people, because the pool was closing earlier than it did the year before, which was before Labor Day. This year it's closing seven days earlier than that. We feel that with the type of summers that we're having we need to have the pool until Labor Day. Not only does it short-change the lifeguards pay check, it short-changes people with passes that range for families anywhere from \$100 to \$425. I do see that it hasn't gone up since last year, but if you're paying \$425, you want your money's worth. We have - we offered to have a committee to do other options such as the lifeguards go to school so they get out at approximately 2:30. They said they'd be more than glad to earn the money to come to the pool 2:30 to 3:00 o'clock, be open until 8. We could, if the concession stand was a problem, so you don't really need the concession stand. You could have it so that pass holders only get in. They were concerned about a number of people. They tried to limit the number of people. They conceded and gave us two extra days and the number of people was going to be limited to come into the pool, but that kind of didn't work out very well because you had pass-holders being refused to come into the pool. We're willing to form a committee or work for it or help out or do whatever, but in 20 minutes we had 40 some signatures. I'm quite sure there are more people that are concerned with the situation. It just closes earlier every year.

Marilyn Davies: And I was told - I did talk to Jim Davis and I said, why is this pool closing earlier? And he said, it's due to the school year. And I said, well, what if next year, the school should decide to close August 6<sup>th</sup>? I was a teacher for 35 years in Plain Local, and sometimes the schools do change their schedules. We changed it due to the fact that we had a new high school being built. And so we started earlier and got out earlier. So I said, what if they should decide to close the pool earlier when the schools do? And he said, yes, we would close August 6<sup>th</sup> if the schools opened August 6<sup>th</sup>. And I thought who is deciding when the pool opens and closes? Revenue is part of this too. I was told for Memorial Day last year, the pool took in ten thousand dollars. Now, they just took it in and that didn't pay for everything, but that was a big chunk of money. Memorial Day and Labor Day are probably the two biggest weekends of the summer. And if you're closed on Labor Day, you're not taking in any money on Labor Day. So, we were very willing, and we're representing a lot of people, we're not just here by ourselves. We would be willing to work with the committee. And we don't even know if we're at the right place. I mean we know you have the purse strings, but we didn't know who to contact, and sometimes it's hard to find somebody to talk to. So we thought we'd start here and see what you have to say. And if we are not in the right place, tell us where we should go. Do you have anything else? Oh and I did want to mention, there are other pools around here. When our pool closed, it was extremely warm and I was looking for a pool. And I tried the Fairways, but you have to be a member. I tried Meadowlake, you can go to Meadowlake and pay. I talked to a friend that had - her daughter works at Shady Hollow. Of course that's a private place too, but I was told when they hire the lifeguards, the lifeguards get the job with the idea that the pool is open till Labor Day. So maybe if our lifeguards had that - and I had asked Matt Johnson, the Manager, is it hard to find lifeguards for Dogwood Pool? And he said, no, everybody wants to work at Dogwood Pool. So, I think when they hire - if they hire with the idea that it has to be covered through Labor Day, I think it could be done. But if it's not addressed, I don't think it will be done.

Mrs. Meadows: And also the Y had - closes down their pool for two weeks. So there is lifeguards available that maybe would like to earn some money at the pools.

Mrs. Davies: And we are very willing to talk with people and come up with any ideas - work with people. But I think if we don't do, say something, nothing is going to be done. And I worry that the season will be shorter and shorter every year.

Mr. Snyder: Mr. Foltz

Mr. Foltz: I'll comment once they take their seats.

Mr. Snyder: Please.

Mr. Foltz: And, please, I want to make some comments. Take your seat. And I'm more than willing to meet with you after the meeting.

Mrs. Davies: Okay. Thank you very much.

Mr. Foltz: If you're willing to take a little longer, we'll discuss this in detail.

Mrs. Davies: Yes, that would be very nice.

**RECORD OF PROCEEDINGS**

COUNCIL OF THE CITY OF NORTH CANTON REGULAR

Minutes of

Meeting

DAYTON LEGAL BLANK INC. FORM NO. 10148

Held	Monday, May 13	7:00 p.m.	13 20
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Mr. Foltz: Thank you very much. A couple of things, I'd love to try to keep it open later. In fact last year, to Jim Davis' credit, we opened it earlier. We were never open for Memorial Day. It was a very warm spring. A lot warmer spring than we're experiencing now. As we all know that with fall and everything with softball and baseball being played. So at least that went in our favor. I think the thing that happened, and Jim Davis has to be part of this, as well as the person that runs the pool, Ohio State changed from, I think quarters to semesters if I'm getting this right. So, they used to go to school late September. Now they're going to school as well as - the same schedule as a lot of the other universities. And we lost a lot of eligible lifeguards when that happened. If there is a way to do it, I'm more than happy to meet with you, look at the numbers, include the Administration because they are the oversight over this. I think we're all proponents of that pool. We're very proud of it. I was happy to get it open Memorial Day. And if there is a way to do it, maybe not open during the week, maybe open extending it through a weekend, if we can do it safely. I think safety is the major consideration when we're looking at the evaluation process of keeping the pool on later, because you have to have lifeguards and personnel there that are trained, that are capable, once you open that pool for the members or the young people that want to use it at a walk-up rate. So I think the pool has done well last year. Hopefully we'll have another good year. We're making improvements there. I understand the passion for the pool. So I'd be more than - I didn't know this petition occurred last year to my knowledge. So I'm more than happy to meet with you, maybe have you meet with Mr. Davis or Mr. Grimes and go over these numbers and see what possibilities that we might have later this year, or at least next year. Is that fair?

Mrs. Meadows: Yes. Thank you.

Mr. Foltz: Thank you.

Mr. Snyder: Thank you for those comments.

Mr. Cerreta: If I may.  
Mr. Snyder: Please.

Mr. Cerreta: Susan and Marilyn, you know, just to comment on the way you presented yourself tonight. I really appreciate the way you came and expressed yourself. Not only that, you volunteered to help on a committee. We don't get that too much. We get people that come up and they start, you know, giving us the, you know, what they want to see. So thank you for coming up that way and volunteering and putting your service into that. I'm sure you put some time into this and effort in that. And I'm sure Doug will really put some time into that too. So thanks very much.

Mrs. Werren: I thought that exact same thing. I've only been here six months, but to hear you say a committee, and work with others, and can we share lifeguards with other pools. A lot of them do shut down, so that might be an option. I'm in an allotment where we have a pool and the neighbors, believe me, want it open the same time too. And we now have a company out of Cleveland that is going to be running it for us and it's called Hastings. And during that week when the kids go back, our weekly rates, so they have divided it for us, it's kind of on a weekly basis, I think the rates went up by almost three times, you know, per hour. And so we said to the residents, is it worth X amount of dollars? They said no to a certain portion, but we are still open Memorial Day and Labor Day and Labor Day is huge, so you're right about the revenue. I've heard about your concession stand. But we also have lifeguards from I think that when school's over so the 4 to 8 timeframe because we don't have lights. And so you have to watch lights because it gets dark earlier. But the residents definitely appreciate it other than we work it into the budget, so there's a way.

Mr. Snyder: Good. Mayor.

Mayor Held: Yes. Ladies, I appreciate you coming up here also. And I think if you remember last year when you circulated the petition, I did support the idea of keeping it open. And then it didn't transpire the way that both of you had intended and hoped for, and certainly not what I had expected either. And really what happened was that, as Councilman Foltz had mentioned, it was just getting enough lifeguards and enough personnel to keep the pool functioning at the level that's required to meet all the safety standards. And so what Jim Davis was faced with was whether you have a partial opening, meaning that you limit the number of residents that are permitted to be in the pool at a particular time based on the number of lifeguards that are available. And you know, we just didn't see that given the volume of participation that we had last year, that that was really going to be something that would work, that was going to be able to work. So I appreciate your effort on this and I will assure you that if there is any way that we can keep the pool open for that last week, we will do that.

Mrs. Davies: Thank you very much.

Mayor Held: Okay, thank you.

Mr. Snyder: Anyone else wishing to speak? Sir.

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Dan Marchak from 1304 College Street in North Canton. I hate to go from swimming back to trash, but I thought I should. When I left last week, it was real windy, just a quick comment, and just going home, there were trash cans on the road. There was a lid that flew across the street. It was – I said, if the Council was there, it was the perfect time to see the fact that the automation with the sturdy lids, the sturdy cans, would be a big help. You still may have some plastic bags outside or something like that, but it was really a, it was kind of like God's way of saying, here's automation, should be on its way. So I thought I should make that comment at least. Thank you.

Mr. Snyder: Appreciate that, sir. Anyone else wishing to speak?

Greg Sarbaugh: Good evening, I'm Greg Sarbaugh. 611 Northbury Circle. I'd like to thank Council for again this year having a Memorial Day Service, which is two weeks from tonight. And, once you get all the garbage and the swimming pool things solved, I am sure you're going to want to show your face in public, so we're going to invite you to ride in the Memorial Day Parade as councilmen. So if you would like to do that, please get in touch with me. I think you all have my home number. If you don't, Gail can give it to you. So if any elected officials and some of you did last year, but we'd like for all of you if you'd like to be involved in the parade. You can ride the parade and people can see who you are. And we still ban paint guns, so nobody is going to be shooting at you.

(Laughter)

Mr. Sarbaugh: We'd like you to participate in our services here. Thank you.

Mr. Snyder: Thank you.

Mrs. Kiesling: The parade starts at 9, right?

Mr. Sarbaugh: That's correct.

Mr. Foltz: Greg, you do a wonderful job with that. Thank you for taking care of that for all of us.

Mr. Snyder: OK. Madam.

Bernadette Genetin: Good evening. I live at 405 Nathan Circle NE, North Canton. I wanted to weigh in on the garbage and trash pickup and recycling. And I favor the Kimble proposal. One of the things I find really attractive is the larger containers for recycling. I really appreciate that we'll be able to recycle one through seven or whatever it is. Right now, my husband and I, we try to reuse, recycle. So, we have the ones and twos that go out. We have this other container right now for everything else. And we don't get it to Diamond or wherever it should be often enough, so that's always on my list. It would be really nice to be able to put it in one container and take it out. Additionally, I find that the 18 gallon container blows away a lot. And throughout the year, often I'll come back and I'll have to pick up my recycling because it blew away and didn't get picked up. And my recycling container is often gone too. So I think it would be a lot more helpful to me. The other thing about the trash, I also think the larger container will be beneficial in some ways. It will save us one trip instead of two. And when things are icy out there, I think that's very helpful. So and in some ways I don't know, but it could help to stabilize too. First of all, you have fewer trips. And also if it's a little bigger, maybe that would be helpful. At least for me, I really like the larger recycling and the ability to recycle more. Thank you very much.

Mr. Snyder: Thank you, madam for your comments. Anyone else wishing to speak this evening? Again, we appreciate the comments and please come back in the future. Excuse me. Someone there? Please step forward.

Linda Beam: My name is Linda Beam. And I live at 1221 Sunford SE in the City of North Canton. And I, as many might have already guessed, am in one of those graying areas. My question is, although I think that the containers - the larger ones would be nice, how do you propose that people who maybe are not as able as I am to get their trash down and on a slippery driveway? I have a bit of a slope. Other people have more of a slope on my same street. And somebody that is disabled, how do they get their trash. Do they have to hire someone to bring it down? What's the answer?

Mr. Snyder: You know Ma'am, those are very good questions. And you know, thankfully we're all able here to be able here to do our own. But we're going to have to consider that in that situation. I did have a call from a lady who lives over by the middle school who has a very sloping driveway and felt that they were unable to – be unable to push the cart up. Although last week I know that they have a couple of carts here. They seem to travel at pretty good speed. And again, but, if you are physically challenged, it may be a little bit difficult. So,

Mrs. Kiesling: Then they'd have the opportunity to still use the blue bins? Will you - I mean, they're dumping the trash in there...

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Mr. Snyder: No, they wouldn't change from what they are.

Mrs. Kiesling: I mean you could still set your trash out as you do right now?

Mr. Cerreta: I think in the bid we heard last week, you can pay three or four dollars a month more and you just put it outside your garage door – it's called backdoor pickup.

Mrs. Kiesling: Inaudible...

Mr. Cerreta: That was their answer to that last year when we asked them or last week when we asked the question. Backdoor pickup is what it's called. Right?

Mrs. Beam: There is a backdoor pickup?

Mr. Cerreta: There is a backdoor ...

Mrs. Kiesling: Yes. You pay more for it.

Mr. Snyder: There is presently - presently today in the – and you can pay additionally to have backdoor pickup. They offer that service right now. I don't – there's not many residents that use it, but there are ...

Mr. Fox: 110.

Mr. Snyder: 110? Presently, there's 110 using that. I think it's three or four dollars a month.

Mr. Fox: Even if you leave your garage door open and if you indicate through the City to – right now through Kimble, if you leave the garage door open, the driver will come to your garage and take it out and return it.

Mrs. Beam: I have a one-car garage and a large bin will not fit.

Mr. Fox: Well they've also offered – whatever you're using now, they said you can continue to use.

Mrs. Beam: Thank you. I will be in touch.

Mr. Fox: Yes ma'am.

Mr. Snyder: Thank you, ma'am. We appreciate your comments.

Mr. Peters: Hey, Jon, I didn't hear, how much extra do they charge for the...

Mr. Snyder: I think it's four dollars

Mr. Cerreta: It's like four dollars month.

Mrs. Werren: No, it's \$13.75, and it says backyard \$6.25. Right?

Mr. Snyder: Oh it's \$6.75 .

Mrs. Werren: \$16.25

Mr. Griffith: That's the bid versus the curb.

Mrs. Werren: No, it's not. Curbside...

Unidentified: 2.50

Mr. Grimes: \$13.17 regular, curbside \$14.67 or backyard right now.

Mr. Snyder: So, it's a dollar more.

Mrs. Werren: \$1.67.

Mr. Grimes: Yeah.

Mrs. Werren: So you can add approximately forty cents a trip.

Mr. Grimes: A buck and a half.

Mrs. Kiesling: And we all made the comment last week about the trash can having to be in our garage. I'd like to see the ordinance because mine has been on the side of my garage for 20 years. So the trash cans do not have to be in people's garage. They just have to be not in the front.

Mr. Foltz: That was not my point.

Mrs. Kiesling: Okay.

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Mr. Foltz: My point was, and we have a fine reporter from the Repository. But, my intent of that comment was that the garbage containers do not become an ornate structure of your front porch or your front yard.  
Mrs. Kiesling: Right.

Mr. Foltz: It still has to meet our housing codes, our exterior housing codes, as far as esthetically nice looking in a neighborhood. I obviously understand, especially with larger bins, residents are not going to be able to fit one, let alone two into a single car older garage. That wasn't my point. If you have the availability to do it, it would be nicer, but my point is it has to be secured in a way that it doesn't take away from the integrity or the aesthetic pleasantness of the neighborhood, while meeting our codes. We can't use that as an excuse. The other thing I wanted to say, too, is I'm glad it was brought up again. The discussions I've had with residents, as we all have, I've told them as far as I understand whatever decision that the Administration makes in Board of Control, that they can continue to use their existing containers if they chose - if they so choose. If that is not the case, I will not vote for that contract. Okay. I went on the record to state that to the residents. I told them that. But if I find out differently I will not be in favor of a mandated 65 or 95 gallon trash receptacle. I'm not going to do it, in my opinion. That's my vote. So I did offer that to them. As we've discussed, if there is additional trash or rubbish to hauled away, that can sit alone next to the trash container of their choice, or if the Administration, Board of Control, chooses to use the 65 gallon container bid through Kimble, they are still going to pick that up too. Nothing changes as far as what they pick up. We'd like to see, if we go that route, more people involved with the larger containers, but it's not mandatory.  
Mrs. Kiesling: Right.

Mr. Foltz: Is that understood? Is that - are we pretty - are we clarified on that point for our residents?

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

Mr. Cerreta: They did mention that last week.

Mrs. Kiesling: That's what he said last week.

Mr. Foltz: Because this is an educational process for us as well as to our residents, while we're looking at these bids. So I think - I just want to make sure everyone's on the same page.

Mr. Cerreta: Right. Although it's not a promotion of the automated system...

Mr. Foltz: Right.

Mr. Cerreta: because they will pick up your regular trash if you decide to not take the bin, or the cart.

Mr. Foltz: And that becomes a labor intensive process through that trash hauler regardless of who takes the larger bin.

Mr. Snyder: Right.

Mr. Foltz: Correct? Okay.

Mr. Snyder: We want to encourage using the bins, but if they don't want to use the bin they can have ...

Mr. Foltz: Right.

Mr. Snyder: They can have pick up as they - I do think our Ordinance, it's important that we knew that our Ordinance does require that the trash not be placed, I think before, is it four or six p.m.?

Mrs. Kiesling: It's 24 hours.

Mr. Foltz: Twenty-four hours.

Mrs. Kiesling Twenty-four hours before your time.

Mr. Snyder: Then it must be removed. The bin must be removed

Mrs. Kiesling: Within 24 hours.

Mr. Foltz: Within 24 hours, I believe.

Mrs. Kiesling: I think it's 24, 24 Yeah.

Mr. Foltz: Yeah, it is.

Mrs. Kiesling: Because there are some people who work out of town, there's some people work that work 12-16 hour shifts. I mean..

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Mr. Foltz: And there are nuisance letters being sent out, if you see the trash cans along the side doors or right near the street. I mean Eric has been sending those out with, through Permits and Inspections, as he should rightfully.

Mr. Cerreta: Also, the backyard pickup too, we need to push that a little better. I think - I didn't know that. That would be great. Open up your door and let them come in and do that.

Mrs. Werren: And it's ... Inaudible.

Mr. Cerreta: For my father who's 85

Mrs. Werren: And it's just 40 cents.

Mr. Foltz: That's a nice Christmas gift for whoever has the contract. Right? To pay the difference.

Mrs. Kiesling: That's true, that's great.

Mr. Cerreta: Right.

Mr. Snyder: I notice the smiles left on everybody's face out there in the audience.

Mr. Cerreta: Thank you back there for bringing all that up.

Mr. Fox: And I'm also, at this time, I thought it was appropriate to look over the current ordinance that we have regarding sanitation and so forth. And we'll make sure that we'll take a look at it to see if it needs any updating. One area that I think is important that we update is right now for water and sewer. If someone signs up for that for the City, and they move away and they don't pay the last couple months, that the City has the option to simply assess that amount on the property card. You know many times it's the landlord if it's a rental unit has that responsibility and we'll make sure that that's clear so that the landlord knows to make sure that they include that in that security deposit. But we can also do the same thing with sanitation because we see that happen, and it's a smaller amount, a couple of months of sanitation bill might only be 40, \$45, maybe \$50. And then it's look at the process of what it would cost to file suit to recover on that when, if we put it in our ordinance, we can simply assess it the property tax and then the City will be covered because we still will have to pay the supplier to us. So I think that's a reasonable way to go ahead and recover that. So that is one of the areas that I wanted to amend in the ordinance.

OLD BUSINESS:

8. None

NEW BUSINESS:

9. Mr. Snyder: Okay. Thank you everyone. Moving to New Business, may I have a motion to read by title only, the first reading of Ordinance No.29-13?

Mr. Griffith moved and Mrs. Kiesling seconded to **read by title only, first reading** of Ordinance No. 29-13. All members present voting:

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

No: 0

**Ordinance No. 29-13 – 1<sup>st</sup> Reading – Street & Alley**

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 Hoover District Streets Resurfacing Project (Charlotte, Orchard, Hower, Witwer, and Park), in conjunction with the contract for the East Maple Street Improvements Project, at a total cost not to exceed \$2,051,069, and declaring the same to be an emergency.

Mr. Snyder: Chairman Griffith.

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Mr. Griffith: We've had a good conversation about the fact that this is JRS (Job Ready Site) grant money. Our goal is to do the bid and see what comes in and then make adjustments subsequently to that related to what's going to happen on East Maple. But I think it's fair to say, and I hope I can speak for everybody here, that we're committed to making sure that we go back to kind of the original plan that we make the movement that would be both beneficial, but also really helpful to the folks at the Y and other people that are around here. I think we're all committed to that. I would urge it's adoption and move actually for its adoption.

Mr. Griffith moved and Mrs. Kiesling seconded to **adopt the first reading** of Ordinance No. 29-13. All members present voting:  
Yes: Peters, Snyder, Werren, Cerreta, Foltz, Griffith, Kiesling  
No: 0

Mr. Snyder: Since time is of the essence to complete this project, may I have a motion to suspend the rules of council for Ordinance No. 29-13?

Mrs. Kiesling moved and Mr. Griffith seconded to **suspend the rules** for Ordinance No. 29-13. All members present voting:  
Yes: Snyder, Werren, Cerreta, Foltz, Griffith, Kiesling, Peters  
No: 0

Mr. Snyder: May we have a motion to adopt under the suspension of the rules, Ordinance No. 29-13?

Mr. Griffith moved and Mr. Peters seconded to **adopt under the suspension of the rules**, Ordinance No. 29-13. All members present voting:  
Yes: Werren, Cerreta, Foltz, Griffith, Kiesling, Peters, Snyder  
No: 0

10. Mr. Snyder: May we have a motion to read by title only, first reading of Ordinance 30-13?

Mr. Foltz moved and Mr. Peters seconded to **read by title only, first reading** of Ordinance No. 30-13. All members present voting:  
Yes: Cerreta, Foltz, Griffith, Kiesling, Peters, Snyder, Werren  
No: 0

**Ordinance No. 30-13 – 1<sup>st</sup> Reading – Water, Sewer & Rubbish**

An ordinance authorizing the Mayor of the City of North Canton, through the Board of Control, to enter into a franchise contract for a three (3) year period commencing July 1, 2013 and terminating June 30, 2016, for the collection of residential garbage, rubbish, recyclables and yard waste in the City of North Canton and authorizing for collection of residential garbage, rubbish, recyclables and yard waste in the City of North Canton.

Mr. Snyder: Chairman Cerreta.

Mr. Cerreta: Yes, we spent some time on this today as well as last week. This is the - just entering into the approval of the contract. There is no contract awarded at this time, make that very clear. But we need to move forward on approving this with three readings because it is a franchise contract. I believe it requires three readings. So we're going to move forward with it and make that decision between now and next week. So I move that we go ahead and approve Ordinance No. 30-13, first reading.

Mr. Peters: I'll second, but I have a question. Are we going to have this on the agenda next week? Are we going to discuss this?

Mr. Snyder: If you'd like it, we can do that. It's up to the Chairman.

Mrs. Werren: I would like to. We have to, because I think we're going to get more calls from residents again this week.

Mr. Snyder: Mr. Chairman, do you want that on the agenda next week then?

Mr. Cerreta: Please. Let's do that.

Mr. Cerreta moved and Mr. Peters seconded to **adopt the first reading** of Ordinance No. 30-13. All members present voting:  
Yes: Foltz, Griffith, Kiesling, Peters, Snyder, Werren, Cerreta  
No: 0

11. Mr. Snyder: May I have a motion to read by title only, first reading of Ordinance No. 31-13?

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Mr. Griffith moved and Mr. Foltz seconded to read by title only, first reading of Ordinance No. 31-13. All members present voting:

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

Ordinance No. 31-13 - 1st Reading - Park & Recreation

An ordinance establishing rental rates and policies for the rental of the North Canton Dogwood Park Shelter, located at 241 Seventh Street, NE, repealing Ordinance 125-05, and any and all legislation inconsistent with this ordinance, and declaring the same to be an emergency.

Mr. Snyder: Chairman Foltz.

Mr. Foltz: Yes, there was some language that was changed in it by Administration, and recommended by the Park Board, or Rec. Board, excuse me. Basically we went up \$25 from \$75 to \$100 for half Dogwood Shelter, and a total of \$25 from \$150 to \$175 for the entire shelter. So that's it. I recommend - make a motion to pass this on emergency...

Mr. Peters: Second.

Mr. Foltz: For first reading.

Mr. Foltz moved and Mr. Peters seconded to adopt the first reading of Ordinance No. 31-13. All members present voting:

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

Mr. Snyder: Since time is of the essence and we'd like to capture the new rental rates, we'd like to suspend the rules of Council for Ordinance 31-13.

Mr. Foltz moved and Mr. Peters seconded to suspend the rules for Ordinance No. 31-13. All members present voting:

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

Mr. Snyder: May we adopt under the suspension of the rules, Ordinance No. 31-13.

Mr. Foltz moved and Mrs. Werren seconded to adopt under the suspension of the rules, Ordinance No. 31-13. All members present voting:

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

12. Mr. Snyder: Companion legislation, Ordinance No. 32-13, may I have a motion to read by title only, first reading of 32-13?

Mr. Foltz moved and Mrs. Kiesling seconded to read by title only, first reading of Ordinance No. 32-13. All members present voting:

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

Ordinance No. 32-13 - 1st Reading - Park & Recreation

An ordinance establishing rental rates and policies for rental of the North Canton Civic Center, repealing Ordinance No. 37-10 and any and all legislation passed previously and inconsistent with this ordinance, and declaring the same to be an emergency.

Mr. Snyder: Chairman Foltz.

Mrs. Foltz: Yes, the major change here was the Events Hall on Saturday, the rate was reduced from \$1200 to \$900 to make us more competitive for future rentals. With that, I'll make a motion to pass the first reading.

Mr. Foltz moved and Mr. Peters seconded to adopt the first reading of Ordinance No. 32-13. All members present voting:

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

Mr. Snyder: Again, time is of the essence, we want to capture as much of this business as we can, so we can suspend the rules for Ordinance No. 32-13.

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Mr. Foltz moved and Mrs. Kiesling seconded to **suspend the rules** for Ordinance No. 32-13. All members present voting:  
 Yes: Foltz, Griffith, Kiesling, Peters, Snyder Werren, Cerreta  
 No: 0

Mr. Snyder: May we adopt under suspension of the rules Ordinance No. 32-13.

Mr. Foltz moved and Mrs. Kiesling seconded to **adopt under suspension of the rules** Ordinance No. 32-13. All members present voting:  
 Yes: Griffith, Kiesling, Peters, Snyder, Werren, Cerreta, Foltz  
 No: 0

13. Mr. Snyder: Okay. May I have a motion to read by title only, first reading of Ordinance No. 33-13?

Mrs. Kiesling moved and Mr. Cerreta seconded to **read by title only, first reading of** Ordinance No. 33-13. All members present voting:  
 Yes: Kiesling, Peters, Snyder, Werren, Cerreta, Foltz, Griffith

**Ordinance No. 33-13 – 1<sup>st</sup> Reading – Ordinance, Rules & Claims**  
 An ordinance amending TITLE THREE – LEGISLATION, of the Codified Ordinances of the City of North Canton, specifically CHAPTER 111 – COUNCIL and to repeal CHAPTER 115 – RULES OF COUNCIL, and repealing any and all legislation inconsistent herewith, and declaring the same to be an emergency.

Mr. Snyder: Chairman Werren.

Mrs. Werren: It was simply just cleaning up the wording and there were redundancies and so we're just making it simpler and just a clarification.

Mr. Snyder: Okay.

Mr. Peters moved and Mr. Cerreta seconded to **adopt the first reading** of Ordinance No. 33-13. All members present voting:  
 Yes: Peters, Snyder, Werren, Cerreta, Foltz, Griffith, Kiesling  
 No: 0

Mr. Snyder: In order for us to get this codified and into the books, we'd like to suspend the rules of council for Ordinance 33-13.

Mrs. Kiesling: I don't believe we can suspend it, can we?  
 Mr. Snyder: Yeah ...  
 Mrs. Kiesling: Can we? Awesome.  
 Mr. Griffith: Actually...

Mrs. Werren: I thought we were going take this to three readings.

Mr. Snyder: Oh, you want to do it that way.

Mrs. Werren: Because I think that we just wanted to give people a chance to..

Mr. Snyder: Alright. Well then we'll just give it another reading. Then it has an emergency in the clause in it. Just strike that portion, Clerk. Thank you. Okay, may I have a motion to read by title only, first reading...

Mr. Griffith: I'm sorry, Jon. Could we have it on the agenda for next week then? Can you make sure that it's on the agenda for next week...

Mr. Snyder: For Committee again?  
 Mr. Griffith: Right.

Mr. Snyder: Absolutely. At Chairman's request, we'll put it on the Committee. May I have a motion to read by title only, first reading of Ordinance No. 34-13?

14. Mr. Peters moved and Mrs. Kiesling seconded to **read by title only, first reading of** Ordinance No. 34-13. All members present voting:  
 Yes: Snyder, Werren, Cerreta, Foltz, Griffith, Kiesling, Peters  
 No: 0

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**Ordinance No. 34-13 – 1<sup>st</sup> Reading – Ordinance, Rules & Claims**

An ordinance amending Ordinance No. 50-03, Zoning Ordinance of the Codified Ordinances of the City of North Canton, specifically CHAPTER 1177 – CONDITIONAL USE PERMITS AND SIMILAR USES, and repealing any and all legislation inconsistent herewith.

Mr. Snyder: Chairman Werren.

Mrs. Werren: This was again just a cleanup of what was there. And before we had just what, non-similar use, is that what it was Tim?

Mr. Fox: Right.

Mrs. Werren: And so now it just gives us nonconforming. Sorry. And so now it's just for both of them, and it was just helping to move legislation through. So I move that we put it on – what are we doing for?

Mrs. Kiesling: Adopting it.

Mrs. Werren: Adopting it. Okay.

(Laughter)

Mr. Snyder: First reading. Yeah, that needs to be done in three readings.

Mrs. Werren: And there's no emergency, so we'll take it to a second reading.

Mr. Snyder: Right.

Mr. Peters: I'll second.

Mrs. Werren moved and Mr. Peters seconded to **adopt the first reading** of Ordinance No. 34-13.

All members present voting:

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

No: 0

Mr. Snyder: Thank you. May I say, pursuant to Section 3.05(3) of the Charter of the City of North Canton, the Director of Finance, on May 6, 2013, submitted a schedule of anticipated income for the next succeeding fiscal year to the Mayor and to the Council. You received a copy. The Clerk has a copy. The Mayor has a copy. And there's a receipted copy in the Office of Administration. Thank you to Director Alger for following through on that. Also, to all elected officials, it is incumbent that I remind you that on Wednesday, May 15, 2013, you are required by State Law to have a financial disclosure form printed to the Ethics Commission. If you haven't done it, please do so. It will result in a serious fine if you don't. So, that's that housekeeping. Any comments? Member Foltz.

REPORTS – COUNCIL:

Mr. Foltz: No comment. ...laughter...

Mr. Snyder: Member Peters.

Mr. Peters: I have no report.

Mr. Snyder: Member Werren

Mrs. Werren: I just appreciate both vendors with the information. There's still questions that we had, and I had a lot of calls this week. So you helped to even keep clarifying that, and I appreciate your timeliness in all that. This Thursday I am attending first annual 16<sup>th</sup> District Empowering Local Leadership Conference in Washington, D.C. So if any of you want me to tell Mr. Renacci anything, please let me know. I'm sure I'll be first on his list of what's going on. And I'm excited to go and I'm going for work and for this since I do the Leadership Academy through Leadership Stark County. We thought it was a good fit. And just working with other people and seeing what they're doing and see how it works. So I'm excited to go to that. And I was at the Federal League track tournament this weekend for the 7<sup>th</sup> and 8<sup>th</sup> graders. And Plain Local, so that is part of our school district in North Canton southern tier, and North Canton were the first and second place groups. So we have strong runners in our little area here.

Mr. Snyder: That's good to know. Member Griffith.

Mr. Griffith: Well I was - also wanted to appreciate the ladies who came and talked about broader pool hours. I know that one of my little girls probably would have learned how to write her name in order to sign the pictures if she was given the opportunity. So - and I would encourage in addition

RECORD OF PROCEEDINGS  
COUNCIL OF THE CITY OF NORTH CANTON REGULAR

Minutes of

Meeting

DAYTON LEGAL BLANK, INC. FORM NO. 10148

Held Monday, May 13 7:00 p.m. 13  
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to that, if we were able to find a way to allow for adult swim in the morning, that would be outstanding too. I know there are a lot of people who take advantage of that over at the Y and a lot of them would love to do long course. I would love to do that too. If that's a dissuasion or a good thing, either way.

Mrs. Kiesling: Yeah, I would love to work there this year.

Mr. Griffith: I don't know if I'm strong enough for water works. But anyway, I appreciate your coming, and I'm glad we're going to have a conversation there. And I've also heard that one of our police officers had a baby, is that right? Officer Novelle had his baby this afternoon?

Mr. Grimes: I don't know.

Mayor Held: His wife had a baby.

Mr. Grimes: Yeah his wife.

(Laughter)

Mr. Griffith: Well his wife, too. Yes, I'm going to get yelled at home for that too. Right. Yeah, but anyway, congratulations to them as well.

Mr. Snyder: So very good. Member Cerreta.

(Laughter)

Mr. Cerreta: A couple of things. Kudos, Doug. Went by our parks, and I didn't mention this the last time, we kind of rushed out the last time, Witwer Park looks terrific by the way. They redid the fencing around the tennis courts, and there are people there all the time. So way to go to get that done. As with Dogwood, I know we increased the fee for Dogwood. If you look now it's stoned all the way around and it looks beautiful. So thank you for your pushing on that, you really pushed that, both you guys did.

Mr. Foltz: Well, it's a consensus of Council too.

Mr. Cerreta: Yeah.

Mr. Foltz: You guys accepted it in the budget. And so I think it's a team effort. You've got to vote for it to happen. You can't have one or two voices. And you've been a big proponent Mark.

Mr. Cerreta: We got it done and you guys did a nice job on it.

Mr. Foltz: As a former member of Rec Board, we love your input too, and the rest of Council.

Mr. Cerreta: The other thing that I wanted to mention to the public is that we actually have been pushing this thing about housing. And you know, on the other side of it, you know, I've been walking around, everybody's been driving around, we've let so many people do so much to their homes over the last two weeks. If you noticed everything's blooming, people are planting. We don't talk about that enough. And so we need to give kudos to some of our residents who are out there. I mean, you're going to get a hiccup in every neighborhood, you know, where it's maybe not up to the standards that you wish them to be. But to most of ours - the people in our town I'm really proud of the way that they're buying stuff and putting in new plants and doing whatever they need to do, and cutting their grass and everything. I think we really look classy in our town. So we really need to make sure that we continue to push that, you know, encouragement to folks out there. So that's all.

Mr. Griffith: A lot of people on Woodrow are planting trees.

(Laughter)

Mr. Snyder: They have plenty of room for them.

Mr. Cerreta: Out by the road? Underneath the wires?

Mrs. Kiesling: Exactly

Mr. Foltz: I just see mostly plumbing renovations. But I'm sure the trees are there too.

Mrs. Kiesling: No report.

Mr. Snyder: Relative to that, Mr. Cerreta, you're right. And one of the things that we are missing fundamentally that we've not done over the last probably four years, is our street improvements. And that's a very basic element to keep property values and property upkeep high. We've talked about it, we've looked at it, we must now begin to revisit using those, that municipal bond levy, or levy that we have to look at doing some street. Our streets are starting to get run down. And once

**RECORD OF PROCEEDINGS**

Minutes of

COUNCIL OF THE CITY OF NORTH CANTON REGULAR

Meeting

DAYTON LEGAL BLANK INC. FORM NO. 16148

Held	Monday, May 13	7:00 p.m.	13 20
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that happens, the people don't take care of their yards quite as well as they would when you give them a brand new paved street and a very esthetically beautiful. So we must address that here prior probably to leaving for the summer vacation so that we can because we're going to have to start doing that again. So we want to get to that. But I appreciate everyone's comments. Director of Law.

Mr. Fox: Yes, sir. I echo your comments and with Councilman Cerreta, that it is important that, you know, our residents do, you know, maintain their residences, and in the fine, you know, manner. And unfortunately there are a couple. However, given that we have what, about 7500 odd households in North Canton, when you look at we have two, three, four that can be somewhat problematic. You know, you'll take that any day in comparison to some other of the municipalities. Nevertheless, for some of those ones that continue to turn a blind eye to that, understand that the Mayor's Court will be utilized for those violations. Our Director of Permits will be issuing citations, and he'll look at what, you know, the reasonableness is to have those things fixed. What's a reasonable time to get those things solved? And each circumstance will probably be a little bit different depending upon if it's an un-mowed lawn or if it's a new roof or gutters or painting, or whatever it is. But certainly we're absolutely going to utilize Mayor's Court to make sure that people when they have the ability to comply, that they indeed do so.

Mr. Snyder: Appreciate that. Director Alger

Mrs. Alger: Just to report that today was the first of pool passes, and we had about 84 customers. So, that's a good start.

Mr. Foltz: How many?

Mrs. Alger: 84.

Mrs. Kiesling: Can we buy those online? We can't, can we yet?

Mrs. Alger: No, not yet.

Mrs. Kiesling: No? That would be great for us full-time working Moms. I'm not sure how you get up here to buy one.

Mrs. Werren: Good idea.

Mrs. Kiesling: I'll have to send my oldest in to buy mine. I can't buy them. I don't ... I work 40 hours a week.

Mrs. Alger: We tried to do that. I'm looking at them.

Mrs. Kiesling: Okay.

Mrs. Alger: That was our intention.

Mr. Snyder: They do accept credit cards.

Mrs. Kiesling: Right. Right, but you have to come up here to do it. So that's my issue. I'm not up here ever. So, okay.

Mr. Snyder: Can't you call on the phone and buy one?

Mrs. Alger: Not anymore. For security reasons, they kind of don't require us to do that.

Mr. Snyder: Oh, you have to swipe your card.

Mrs. Alger: It's for security reasons that she doesn't give me the number. The number gets aside, somebody picks it up and then....

Mrs. Kiesling: Oh, that's fine. I just thought - I couldn't remember if we talked about the line.

Mr. Cerreta: That's a good point. Are we looking into that Jon? I mean, are we looking... There's a good point...but, you can't...

Mrs. Alger: We were talking ...

Mrs. Kiesling: You know what, though. but, we can't because we have to prove that they live in the school... I mean it's such a...

Mrs. Alger: It's something that we're working on.

Mrs. Kiesling: It will be tricky. It will be tricky.

**RECORD OF PROCEEDINGS**  
COUNCIL OF THE CITY OF NORTH CANTON REGULAR

Minutes of

Meeting

DAYTON LEGAL BLANK, INC., FORM NO. 10149

Held	Monday, May 13	7:00 p.m.	13
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Mr. Grimes: If it doesn't match up with the data base....  
Mrs. Kiesling: Yeah. Right. That's true.

Mr. Snyder: Director Grimes.

Mr. Grimes: Just to mention that this week is Police Memorial Week. Our flags will be down on Wednesday in honor of those officers that, you know, gave the ultimate sacrifice to protect and save us. Pool passes, like the Finance Director said, did go on sale today. We did try to keep it open last year. We did hear from the petitioners. We could not find enough guards to keep it open. We couldn't find enough from the Y. Some of those guards take that down time. It's time to take their vacation. And you know we'll try to look at everything we can do to keep it open. But that was our issue. But I just don't want them to think that we didn't – we did get their petition and try to do whatever we could do. So this year Mr. Davies, if you have a membership at the pool, normally the pool opens at 11. If you have a membership, you'll be allowed in at 10:30 so you can grab your favorite spot or whatever. Also, there will be some water aerobics at 10:40 until 11:00. So, a little bit of something for the people that do buy the pool passes. On June 1<sup>st</sup> is the Mayor's fishing rodeo and that's for children 2-12 that live in the North Canton or North Canton School District. If you've ever been there, the Eagles really help put on a pretty good show there. If you are a parent that doesn't want to take the fish off the hook or whatever, don't worry there's enough Eagles around to help you. Nobody walks away without a prize there. It's a huge table full of prizes and that. And I think you get a prize for just showing up and saying your name. So if you have a small one that likes to fish or whatever, please bring them. So, thank you Mr. President.

Mr. Snyder: Thank you. Mr. Mayor.

Mayor Held: We will do everything we can to make sure that that pool stays open as long as it possibly can because I'm in full support with you ladies. And as I mentioned before, it's just a matter of making sure we get enough personnel to keep that moving. But we will keep you posted and keep you in the loop and in the process. Okay. And then, the City signs you can see that we've got the metal on the signs. They look beautiful. When you're coming up Applegrove and the sun is setting, they literally shine and they reflect. And you did a very nice job, Mark. Very nice.

Mr. Cerreta: Thank you. It's not completely done yet, so we've got sponsors to put on the back, but coming along. Thank you.

Mayor Held: My kids noticed it when they were in the car. They're like, dad, those City signs, they look nice. And I noticed them too, because I couldn't see with the sun reflecting off of the - it was so beautiful, it looked nice. The - also there was an article in the **Canton Repository**, and if any of you have seen it, I mean it, I thought that it was the great article by Mr. Hillibish, and it was entitled "The City That Works", and when you look at the City of North Canton and everything we've been through since the Hoover Company closed in 2008, this City just as many other cities, took a huge hit. I mean we've watched our revenue and our government funds decline, the estate tax decline and then be eliminated. You know, we've watched our income tax bottom out from seven million, which was 13 years ago, down to 5.4 million. But, now we're coming back, and it's still – it's still a struggle, but I think that what's important is that we have a City Council, we've got City employees that truly have a heart to serve the people of the City. And when you bring people together that truly have a heart to serve others, you can overcome those big obstacles. And I think that North Canton has really been a reflection of that. And I mean, there are so many people that are involved in the City operation, and I do appreciate all of our council members and our City employees. They put a lot of time and a lot of effort – the full time employees. And, they're the ones that make it happen. And, so I just want to thank you all, and I thought it was a great article. If you haven't seen it, please, I would encourage you to read it. And you too, Jim, I was looking at these full-time employees, I meant this full-time employee.

Mr. Benekos: Thanks David.

Mr. Snyder: Mr. Engineer, anything?

Mr. Benekos: Just two items. We've started Donner Street Reconstruction. They said we'll be pouring curbs tomorrow on the one side, but I looked at it this evening, and I don't know if they're telling the truth or not. But we'll be getting that done here shortly, but they have started, and now they're making good progress. The other item I wanted to just remind Council, about a year or so ago, we talked about the possibility and looking into our sewer system and the County's water system and trading those systems. The County hired a firm to compare the systems and what the value of each one was – is, and the possibilities of trading those systems. There are two reports in Council's office if you're interested in looking at those. And we'll be talking with the County here in the next few weeks or months to explore – further explore that possibility and we'll report back to you when we have something to let you know about. So and if there are any other questions, feel free.

RECORD OF PROCEEDINGS

Minutes of

COUNCIL OF THE CITY OF NORTH CANTON

REGULAR

Meeting

DAYTON LEGAL BLANK, INC. FORM NO. 10148

Held	Monday, May 13	7:00 p.m.	13
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ADJOURN:

Mr. Snyder: Anything else to come before this body? If not, I'll entertain a motion to adjourn.

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

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

No: 0

The council meeting adjourned at 8:20 p.m.

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

ATTEST:

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

5/21/13-bkp

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## CITY OF NORTH CANTON COUNCIL OFFICE

### EXECUTIVE SESSION MEETING MINUTES

*President of Council  
Jon Snyder*

The Finance & Property Committee of North Canton City Council met Monday, May 20, 2013 in the Council Chambers at North Canton City Hall.

*Vice President of Council  
Marcia Kiesling*

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

*Council at Large  
Mark Cerreta*

*Council at Large  
Dan Griffith*

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

*Councilman, Ward 1  
Doug Foltz*

Upon a roll call vote of Council, all present moved into an executive session at 6:40 p.m. to discuss the sale of city property at competitive bidding. The executive session adjourned at 7:22 p.m.

*Councilman, Ward 2  
Daniel Peters*

*Councilwoman, Ward 3  
Stephanie Werren*

Respectfully submitted,

\_\_\_\_\_  
Jon Snyder, Chairman

\_\_\_\_\_  
Dan Griffith, Member

5/21/13-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 COUNCIL OFFICE

### EXECUTIVE SESSION 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 Personnel & Safety Committee of North Canton City Council met Monday, May 20, 2013 in the Council Chambers at North Canton City Hall.

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

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

Upon a roll call vote of Council, all present moved into an executive session at 7:22 p.m. for the purpose of reviewing collective bargaining sessions with public employees concerning their compensation. The executive session adjourned at 7:41 p.m.

Respectfully submitted,

\_\_\_\_\_  
Daniel Peters, Chairman

\_\_\_\_\_  
Jon Snyder, Vice Chairman

\_\_\_\_\_  
Mark Cerreta, Member

5/21/13-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 COUNCIL OFFICE

### 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, May 20, 2013 in the Council Chambers at North Canton City Hall.

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

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

#### Items discussed:

- a. Mayor's Court Receipts – April, 2013: The Mayor's Court Receipts were reviewed and will be placed on the May 28, 2013 council agenda for formal approval.
- b. Financial Statement – April, 2013: The Financial Statement was reviewed and will be placed on the May 28, 2013 council agenda for formal approval.
- c. Supplemental Appropriation re Street Maintenance Program: The Committee authorized legislation, on an emergency basis, authorizing the supplemental appropriation of funds of the City of North Canton, Ohio, to be appropriated from the unappropriated resources of the Capital Improvement Fund to the Paving/Curb/Gutter – Contract Payments Account in the amount of \$240,000 for the current expenses during the fiscal year ending December 31, 2013.

- d. Community Development Block Grant re Hillcrest/Royer Water Line Replacement:  
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 Board of Stark County Commissioners in conjunction with Community Development Block Grant funding in an amount not to exceed \$150,000, for the Hillcrest Avenue NW & Royer Avenue NW Waterline Replacement (5<sup>th</sup> Street NW to 7<sup>th</sup> Street NW).

Respectfully submitted,

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Jon Snyder, Chairman

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Marcia Kiesling, Vice Chairperson

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Dan Griffith, Member

5/21/13-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 COUNCIL OFFICE

### ORDINANCE, RULES & CLAIMS COMMITTEE MEETING MINUTES

*President of Council  
Jon Snyder*

The Ordinance, Rules & Claims Committee of the North Canton City Council met as part of the Committee of the Whole Monday, May 20, 2013 in the Council Chambers at North Canton City Hall.

*Vice President of Council  
Marcia Kiesling*

*Council at Large  
Mark Cerreta*

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

*Council at Large  
Dan Griffith*

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

*Councilman, Ward 1  
Doug Foltz*

Item discussed:

*Councilman, Ward 2  
Daniel Peters*

- a. Discussion re Proposed Amendments to Chapters 111 Council; Repeal of Chapter 115 Rules of Council: Item was discussed. Council to consider amending Ordinance No. 33-13, at their May 28, 2013 meeting, to change the word "shall" to "should" in Section 111.11(b) of said ordinance.

*Councilwoman, Ward 3  
Stephanie Werren*

Respectfully submitted,

\_\_\_\_\_  
Stephanie Werren, Chairperson

\_\_\_\_\_  
Doug Foltz, Vice Chairman

\_\_\_\_\_  
Marcia Kiesling, Member

5/22/13-gmk



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## CITY OF NORTH CANTON COUNCIL OFFICE

### STREET & ALLEY COMMITTEE MEETING MINUTES

*President of Council  
Jon Snyder*

The Street & Alley Committee of North Canton City Council met as part of the Committee of the Whole Monday, May 20, 2013 in the Council Chambers at North Canton City Hall.

*Vice President of Council  
Marcia Kiesling*

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

*Council at Large  
Mark Cerreta*

*Council at Large  
Dan Griffith*

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

*Councilman, Ward 1  
Doug Foltz*

Item discussed:

*Councilman, Ward 2  
Daniel Peters*

Amendment to Ordinance No. 9-13 re 2013 Street Maintenance Program:  
The Committee authorized legislation, on an emergency basis, amending Section 3. of Ordinance No. 9-13 for the resurfacing, repaving, replacement, repair, and preventative maintenance of certain streets, alleys, and city parking lots, to increase the allocation in an amount not to exceed \$645,000.

*Councilwoman, Ward 3  
Stephanie Werren*

Respectfully submitted,

\_\_\_\_\_  
Dan Griffith, Chairman

\_\_\_\_\_  
Daniel Peters, Vice Chairman

\_\_\_\_\_  
Doug Foltz, Member

5/22/13-gmk

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## CITY OF NORTH CANTON COUNCIL OFFICE

### WATER, SEWER & RUBBISH 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 Water, Sewer & Rubbish Committee of North Canton City Council met as part of the Committee of the Whole Monday, May 20, 2013 in the Council Chambers at North Canton City Hall.

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

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

#### Items discussed:

- a. Discussion re Residential Garbage, Rubbish, Recyclables & Yard Waste Contract: Item was discussed. Representatives from Kimble and Republic will be present Tuesday, May 28, 2013 at 6:30 p.m. to address Council concerning their recent bids to provide refuse service for residential garbage, rubbish, recyclables and yard waste refuse hauling.
- b. Amendment to Chapter 937.05 re Bulk Water Charge: The Committee authorized legislation, amending CHAPTER 937 – WATER RATES, specifically Section 937.05, Bulk Water Charge, of the Codified Ordinances of the City of North Canton, to require the installation of a meter and backflow device for all bulk water customers using water from a City hydrant, to establish a meter fee and a refundable equipment damage deposit.

- c. Amendment to Chapter 935.02 and 935.07 re Water Lines and Hydrants: The Committee authorized legislation, amending CHAPTER 935 – WATER LINES AND HYDRANTS, specifically Section 935.02 Connection Charge Other than by Assessment and Section 935.07 Use of Water from Fire Hydrants, of the Codified Ordinances of the City of North Canton, to establish fees and usage policies.

Respectfully submitted,

---

Mark Cerreta, Chairman

---

Dan Griffith, Vice Chairman

---

Jon Snyder, Member

5/22/13-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 ORDINANCES

Dayton Legal Blank, Inc.

Form No. 30043

Ordinance No. \_\_\_\_\_ Passed \_\_\_\_\_, 20\_\_\_\_

5/21/13-gmk  
(Finance & Property)

Ordinance No. 35-13

An ordinance authorizing the supplemental appropriation of funds of the City of North Canton, Ohio, to be appropriated from the unappropriated resources of the Capital Improvement Fund to the Paving/Curb/Gutter – Contract Payments Account in the amount of \$240,000 for the current expenses during the fiscal year ending December 31, 2013, and declaring the same to be an emergency.

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

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

Appropriate From:

The unappropriated resources of the 330 Fund  
CAPITAL IMPROVEMENT FUND \$240,000

Appropriate To:

330 CAPITAL IMPROVEMENT FUND  
330.546.5229 Contract Payments \$240,000

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

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

Section 4. That this ordinance is 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 funding of the 2013 Street Maintenance Program; wherefore, provided it receives the affirmative vote of six (6) or more members of Council elected thereto, this ordinance shall take effect and be in full force immediately upon its adoption by Council and approval by the Mayor. Otherwise, it shall take effect and be in force from and after the earliest period allowed by law.

North Canton, OH  
Passed:

\_\_\_\_\_  
MAYOR

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

ATTEST:

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

# RECORD OF ORDINANCES

Dayton Legal Blank, Inc.

Form No. 30043

Ordinance No. \_\_\_\_\_

Passed \_\_\_\_\_, 20\_\_\_\_

5/21/13-gmk  
(Finance & Property)

## Ordinance No. 36-13

An ordinance authorizing the Mayor of the City of North Canton, through the Board of Control, to enter into an Agreement by and between the City of North Canton and the Board of Stark County Commissioners in conjunction with Community Development Block Grant funding in an amount not to exceed \$150,000, for the Hillcrest Avenue NW & Royer Avenue NW Waterline Replacement (5<sup>th</sup> Street NW to 7<sup>th</sup> Street NW), and declaring the same to be an emergency.

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

Section 1. That the Mayor of the City of North Canton, through the Board of Control, be, and is hereby authorized to enter into an Agreement by and between the City of North Canton and the Stark County Commissioners for Community Development Block Grant funding in an amount not to exceed \$150,000 for the Hillcrest Avenue NW & Royer Avenue NW Waterline Replacement (5<sup>th</sup> Street NW to 7<sup>th</sup> Street NW).

Section 2. 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 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 for the timely execution of the Agreement and completion of the Project; wherefore, provided it receives the affirmative vote of six (6) or more members of Council elected thereto, this ordinance shall take effect and be in full force immediately upon its adoption by Council and approval by the Mayor. Otherwise, it shall take effect and be in force from and after the earliest period allowed by law.

North Canton, OH  
Passed:

\_\_\_\_\_  
MAYOR

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

ATTEST:

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

# RECORD OF ORDINANCES

Dayton Legal Blank, Inc.

Form No. 30043

Ordinance No. \_\_\_\_\_ Passed \_\_\_\_\_, 20\_\_\_\_

5/21/13-gmk  
(Street & Alley)

## Ordinance No. 37-13

An ordinance amending Section 3. of Ordinance No. 9-13 for the resurfacing, repaving, replacement, repair, and preventative maintenance of certain streets, alleys, and city parking lots, to increase the allocation in an amount not to exceed \$645,000, and declaring the same to be an emergency.

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

Section 1. That Section 3. of Ordinance No. 9-13 for the resurfacing, repaving, replacement, repair, and preventative maintenance of certain streets, alleys, and city parking lots, be, and the same is hereby amended to read as follows:

208	STREET CONST, MAINT, & REPAIR FUND	
208.543.5227	Contract Payments – Concrete	\$ 10,000
208	STREET CONST, MAINT, & REPAIR FUND	
208-543.5229	Contract Payments	\$ 30,000
209	STORM SEWER LEVY	
209.745.5229	Contract Payments	\$ 25,000
210	STREET IMPROVEMENT LEVY	
210.543.5229	Contract Payments	\$ 300,000
330	CAPITAL IMPROVEMENT FUND	
330.546.5229	Contract Payments	\$ 240,000
651	WATER, EXP, REP & IMPROVEMENT	
651.767.5229	Contract Payments	\$ 15,000
652	SANITARY SEWER OPERATING FUND	
652.779.5501	Facilities – Sewer Lines	\$ 25,000
		\$ 645,000

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

Section 4. 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 5. 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 in order to maintain the city streets in the proper condition for safe travel; wherefore, provided it receives the affirmative vote of six (6) or more members of Council elected thereto, this ordinance shall take effect and be in full force immediately upon its adoption by Council and approval by the Mayor. Otherwise, it shall take effect and be in force from and after the earliest period allowed by law.

North Canton, OH  
Passed:

\_\_\_\_\_  
MAYOR

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

ATTEST:

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

# RECORD OF ORDINANCES

Dayton Legal Blank, Inc.

Form No. 30033

Ordinance No. \_\_\_\_\_ Passed \_\_\_\_\_, 20\_\_\_\_

5/21/13-gmk  
(Water, Sewer & Rubbish)

Ordinance No. 38-13

An ordinance amending CHAPTER 937 – WATER RATES, specifically Section 937.05, Bulk Water Charge, of the Codified Ordinances of the City of North Canton, to require the installation of a meter and backflow device for all bulk water customers using water from a City hydrant, to establish a meter fee and a refundable equipment damage deposit.

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

Section 1. That CHAPTER 937 – WATER RATES, specifically Section 937.05, Bulk Water Charge, the Codified Ordinances of the City of North Canton, be, and the same is hereby amended to read as follows:

### 937.05 Bulk Water Charge

- (a) Bulk or construction water may be sold only with the consent and approval of the Director of Administration and at the current rate, as may be amended from time to time.
- (b) All bulk water purchases require a meter installation to measure the amount of water purchased together with a backflow prevention device to protect the City of North Canton's water system. The equipment rental fee for the meter and backflow prevention device, which includes installation and removal, is \$100.00, together with a \$1,250.00 equipment security deposit, which shall be returned if the equipment is returned timely without damage beyond normal wear and tear and has not been removed or altered by other than a City employee or its contractor.
- (c) The bulk water purchaser is responsible to protect the meter and backflow prevention device from harm until it is removed by a City employee or its contractor. If said equipment is removed or altered by someone other than a City employee or its contractor, the bulk water purchaser shall be wholly responsible for the resulting damages to the equipment and City water supply, which may exceed the amount of the security deposit.
- (d) Prior to purchasing the bulk water, the purchaser must sign an agreement to pursue no claims or actions of any kind against the City that result from the purchaser's defective equipment, construction, negligence, or intentional acts, in conjunction the purchase and use of the bulk water, and to hold the City harmless, and to defend and indemnify it against all forms of liability and expense for injury, losses, harm, or damages resulting from the same.

Section 2. 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 3. That this ordinance shall take effect and be in full force from and after the earliest period allowed by law.

North Canton, OH  
Passed:

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

ATTEST:

\_\_\_\_\_  
CLERK OF COUNCIL  
g:\2013 legislation\38-13 amendment to 937.05 bulk water.docx

# RECORD OF ORDINANCES

Dayton Legal Blank, Inc.

Form No. 30043

Ordinance No. \_\_\_\_\_

Passed \_\_\_\_\_, 20\_\_\_\_

5/21/13-gmk  
(Water, Sewer & Rubbish)

### Ordinance No. 39-13

An ordinance amending CHAPTER 935 – WATER LINES AND HYDRANTS, specifically Section 935.02 Connection Charge Other than by Assessment and Section 935.07 Use of Water from Fire Hydrants, of the Codified Ordinances of the City of North Canton, to establish fees and usage policies.

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

Section 1. That CHAPTER 935 – WATER LINES AND HYDRANTS, specifically Section 935.02 Connection Charge Other than by Assessment, of the Codified Ordinances of the City of North Canton, be, and the same is hereby amended to read as follows:

**935.02 CONNECTION CHARGE OTHER THAN BY ASSESSMENT.**

(a) Fee Where Connection Cost is not Paid by Assessment.

(1) Where a connection is made into a waterline, the front foot cost of \$25.00 shall be paid into the City Treasury before the connection may be permitted.

(2) Upon authority of the Director of Finance and the Director of Administration, on a case by case basis, a payment plan or payment plans may be established for the connection and tap-in fees for residential single owner occupied premises connecting to preexisting waterlines of the water system of the City, located within the corporate limits of the City, and with said payment plans not to exceed one year.

(b) Water Tap-In Fees.

(1) Water tap-in fees for City water Customers, are hereby established as follows:

<u>Meter Size</u>	<u>Inside City</u>	<u>Outside City</u>
5/8"	\$ 205.00	\$ 258.00
1"	305.00	408.00
1½"	555.00	783.00
2"	750.00	1,075.00
3"	1,098.00	1,597.00
4" Compound	2,860.00	4,240.00

<u>Small Taps</u>	<u>Inside City</u>	<u>Outside City</u>
1" Tap w/ 5/8" meter	\$ 970.00	\$1,275.00
2" Tap no meter	1,275.00	1,675.00

<u>Large Taps</u>	<u>Inside the City</u>
4" Tap on 6" line	\$1,435.00
4" Tap on 8" line	1,440.00
4" Tap on 12" line	1,520.00
6" Tap on 6" line	1,625.00
6" Tap on 8" line	1,650.00
6" Tap on 12" line	1,700.00
8" Tap on 8" line	1,850.00
8" Tap on 12" line	1,895.00
8" Tap on 16" line	2,280.00
12" Tap on 12" line	2,800.00

# RECORD OF ORDINANCES

Duyton Legal Blank, Inc.

Form No. 30043

Ordinance No. \_\_\_\_\_ Passed \_\_\_\_\_, 20\_\_\_\_

Large Taps	<u>Outside the City</u>
4" Tap on 6" line	\$2,053.00
4" Tap on 8" line	2,060.00
4" Tap on 12" line	2,180.00
6" Tap on 6" line	2,338.00
6" Tap on 8" line	2,375.00
6" Tap on 12" line	2,450.00
6" Tap on 16" line	2,455.00
8" Tap on 8" line	2,675.00
8" Tap on 12" line	2,743.00
8" Tap on 16" line	3,320.00
12" Tap on 12" line	4,100.00

(2) Costs for large taps are based on six hours labor. If there is extra time involved, there is an extra cost of \$95.00 per hour inside the City and \$115.00 per hour outside the City.

(3) The contractor shall do the road opening and road repair on all taps and is responsible for all digging and backfilling on taps.

(4) The City shall provide one tap or tapping sleeve, whichever it deems appropriate, per water service. The contractor shall be responsible for the cost of all material and labor and other costs associated with water service from the water main to the meter.

Section 2. That CHAPTER 935 – WATERLINES AND HYDRANTS, specifically Section 935.07 Use of Water from Fire Hydrants, of the Codified Ordinances of the City of North Canton, be, and the same is hereby amended to read as follows:

**935.07 USE OF WATER FROM FIRE HYDRANTS.**

(a) No person except an authorized agent of the Water Department or the North Canton Fire Department or a person with a special permit issued by the Director of Administration shall disturb or tamper with any fire hydrant or any part thereof or take any water from hydrants under any circumstances. This section applies to all hydrants connected to the North Canton water supply system.

(b) Installation of a meter and backflow device for all bulk water customers using water from a City hydrant, meter fees and refundable equipment damage deposit can be found under the provisions of Section 937.05 Bulk Water Charge.

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

Section 4. That this ordinance shall take effect and be in full force from and after the earliest period allowed by law.

North Canton, OH  
Passed:

\_\_\_\_\_  
MAYOR

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

ATTEST:

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