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## CITY OF NORTH CANTON COUNCIL OFFICE

### NOTICE OF MEETINGS

#### Council Meeting Agenda Monday, March 10, 2014 – 7:00 p.m.

*President of Council*  
Daniel J. Peters

*Vice President of Council*  
Doug Foltz

*Council at Large*  
Mark Cerreta

*Council at Large*  
Dan Griffith

*Council at Large*  
Marcia Kiesling

*Councilperson, Ward 3*  
Stephanie Werren

*Councilperson, Ward 4*  
Jon Snyder

1. Call to Order: 7:00 p.m.
2. Opening Prayer: Fr. James Clarke, St. Paul's Catholic Church
3. Pledge of Allegiance
4. Roll Call
5. Consideration  
Council Meeting Minutes – February 10, 2014  
Mayor's Court Receipts – January, 2014
6. Committee Minutes
7. Proclamation – Sandra Jencks  
Recognition – Traffic Officers / Officer of the Year
8. Recognition of Visitors

#### OLD BUSINESS:

9. **Ordinance No. 18-14 – 3<sup>rd</sup> Reading – Finance & Property**  
An ordinance to make appropriations for current expenses and other expenditures of the City of North Canton, Ohio, for the period beginning January 1, 2014, and ending December 31, 2014, and declaring the same to be an emergency.
10. **Ordinance No. 19-14 – 3<sup>rd</sup> Reading – Finance & Property**  
An ordinance authorizing the Mayor of the City of North Canton to enter into an agreement and, provided there are no additional costs to or burdens upon the City, to take all actions necessary to accept the donation of real property from Sandra K. Kean, and known as Parcel No. 9200116, City Lot 2781, located in the City of North Canton and contiguous to Price Park.

**11. Ordinance No. 23-14 – 2<sup>nd</sup> Reading – Finance & Property**

An ordinance amending the health insurance benefits provided to North Canton's elected officials such that an elected official may receive single-rate, City-paid health insurance benefits only when the elected official does not have health insurance benefits provided by the elected official's full-time employer; that single-rate, City-paid health insurance benefits for elected officials shall be provided only as primary, and not as a secondary form of health insurance; and that City-paid health insurance benefits are not provided to elected officials' family members unless an elected official's spouse is also a City employee and entitled to City-paid health insurance benefits, and declaring the same to be an emergency.

**NEW BUSINESS:**

**12. Ordinance No. 24-14 – 1<sup>st</sup> Reading – Community & Economic Development**

An ordinance establishing the zoning classification of Parks and Institutional (P&I), as specified by Ordinance No. 50-03, Zoning Ordinance of the City of North Canton, for the premises known as the Walsh/Gressel Annexation, containing 1.549 acres of land, more or less, annexed by Ordinance No. 58-13.

**13. Ordinance No. 25-14 – 1<sup>st</sup> Reading – Community & Economic Development**

An ordinance amending Ordinance No. 50-03, Zoning Ordinance of the City of North Canton, to change the zoning district of the premises situated on East Maple Street and known as Parcel No. 9209516, to add and to overlay the Mixed Use Overlay District (MUO) to the existing Office Business District (OB).

**14. Ordinance No. 26-14 – 1<sup>st</sup> Reading – Community & Economic Development**

An ordinance amending Ordinance No. 50-03, Zoning Ordinance of the City of North Canton, to change the zoning district of the premises situated on East Maple Street and known as Parcel No. 10000416, to add and to overlay the Mixed Use Overlay District (MUO) to the existing Office Business District (OB).

**15. Ordinance No. 27-14 – 1<sup>st</sup> Reading – Finance & Property**

An ordinance declaring that certain Fire Department equipment owned by the City of North Canton, Ohio, is no longer required for municipal purposes; and, authorizing the Mayor of the City of North Canton to make a donation of said Fire Department equipment, namely, 5 jackets and 4 pairs of pants to Canton City Schools, and 4 jackets and 4 pairs of pants to the Portage Lakes Career Center, and declaring the same to be an emergency.

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Agenda**

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REPORTS – COUNCIL:

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

REPORTS:

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

ADJOURN:

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**COMMITTEE OF THE WHOLE  
Monday, March 10, 2014**

North Canton City Council will meet as a Committee of the Whole **Monday, March 10, 2014 immediately following the council meeting** in Council Chambers at North Canton City Hall.

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

1. Community & Economic Development Committee

Chairperson: Marcia Kiesling  
Vice Chairperson: Mark Cerreta  
Members: Stephanie Werren  
Doug Foltz  
Dan Griffith  
Daniel Peters  
Jon Snyder

Amendment to the Zoning Code re Section 1135.05(e) Site Development Regulations to delete Notes(a)(b)  
Marcia Kiesling

2. Park & Recreation Committee

Chairperson: Doug Foltz  
Vice Chairperson: Stephanie Werren  
Members: Daniel Peters  
Mark Cerreta  
Dan Griffith  
Marcia Kiesling  
Jon Snyder

Discussion – Resurfacing Tennis Courts  
Doug Foltz

Gail M. Kalpac  
Clerk of Council

3/6/14-gmk

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

## RECORD OF PROCEEDINGS

Minutes of COUNCIL OF THE CITY OF NORTH CANTON REGULAR

Meeting

DAYTON LEGAL BLANK, INC., FORM NO. 10148

Held Monday, February 10,

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## 1. Call to Order

The council meeting was called to order Monday, February 10, 2014 immediately following the Committee of the Whole meeting at 8:14 p.m. by President of Council Jon Snyder.

## 2. Opening Prayer

The opening prayer was delivered by Council Member Mark Cerreta.

## 3. Pledge of Allegiance

All present recited the Pledge of Allegiance.

## 4. Roll Call

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

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

## 5. Consideration

Council Meeting Minutes – January 27, 2014

Mr. Snyder: May I have motion to approve as presented the council meeting minutes, January 27, 2014.

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

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

No: 0

## 6. Committee Minutes

Mr. Snyder: May I have a motion and second to approve as presented the following executive session and committee minutes: an Executive Session for Finance and Property held the 27<sup>th</sup> of January, 2014; and the Committee Minutes for Finance and Property; and Ordinance, Rules and Claims held February 3, 2014.

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

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

No: 0

Abstain: Foltz, Griffith

**Executive Session for Finance & Property Committee:** Please refer to the minutes on file in the Council Office of the Executive Session for Finance & Property Committee meeting held January 27, 2014.

**Finance & Property Committee:** Please refer to the minutes on file in the Council Office of the Finance & Property Committee meeting held January 21, 2014.

**Ordinance, Rules & Claims Committee:** Please refer to the minutes on file in the Council Office of the Ordinance, Rules & Claims Committee meeting held January 21, 2014.

## 7. Recognition of Visitors

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

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Minutes of COUNCIL OF THE CITY OF NORTH CANTON REGULAR Meeting

DAYTON LEGAL BLANK, INC. FORM NO. 1014B

Held Monday, February 10, 20<sup>14</sup>

Chuck Osborne: 307 Fairview Street SE, North Canton, Ohio. I really don't know where to begin after hearing some of the remarks regarding the Jackson, Plain, Canton agreement. The public hearing in Jackson was a dog and pony show. There was no debate, no discussion, no anything, it was just a show of support for entering into the agreement. Mrs. Kiesling, I am just flabbergasted with somebody with your degree of credentials and education and everything. You have a peer who has, you know, years of college education, has been to law school, who's a - I guess has been a past mayor, I mean all this stuff, an attorney. She has researched this I'm sure far more than any of you all. She's rendered her best opinion. Tax payers obviously probably spent thousands of dollars for that opinion and you're basically just looking at the tax payer and says, piss it away we don't need that opinion, we're going to just overrule it. I just don't know how you can do that. You've got an educated opinion. Saying that she doesn't know the history, the frustrations, the turmoil that's gone on, that doesn't really matter. You call a policeman to a domestic violence he doesn't care if there'd been 20 calls there in the last three years. He gets there and he sees bruises or injuries, the handcuffs are going on you and you're going to jail for domestic violence. So she's looked at the facts. She's told you there is no benefit, it's an anti-annexation agreement. There's so many things that have been said it's just kind of mind-boggling. There is property to annex, it will take time, it will happen when it happens. Yes, the railroad touches the southwest corner or nearly the southwest corner of North Canton, but as it moves north, northwest, there are more and more, hundreds of parcels. So you're eliminating those opportunities which the Mayor has pointed out. Will trickle in and happen. There's been a number of annexations that Mr. - the Mayor has mentioned the Scheetz, the Walsh/Gressel one. I sat in on one when I was on Council, the Sanctuary. At that time Mr. Snyder, you weren't worried about paying twelve years of taxes back to Plain Township then.

Mr. Snyder: There wasn't any - it wasn't ....

Mrs. Kiesling: it was a CEDA (Community Economic Development Agreement).

Mr. Snyder: CEDA - there wasn't no taxes.

Mr. Osborne: CEDA, yes. And I voted against it because there was no benefit to North Canton whatsoever. In fact, we lost. We lost the water distribution rights. But again, that was an interested friend of Mr. Snyder, and that wasn't an argument that was raised that we had to pay these twelve years worth of taxes.

Mr. Snyder: We didn't pay twelve years worth of taxes. Please don't state things that are not true.

Mr. Osborne: What you're doing here is you're giving a township the ability to impose an income tax, which by law they're not allowed. You do that and you're never going to hear the end of the story then, because, they're going to control you. Mr. Griffith, I'll tell you, I'm just floored, you keep talking like Mr. Gonzalez. You must have had a Hollywood makeup artist cover up....

Mrs. Kiesling: Chuck, quit insulting us. Just talk.

Mr. Osborne: because you're really Mr. Gonzalez down deep. You're presupposing there are going to be unlimited opportunities. Again as we pointed out, and a few weeks ago at this very meeting you talked about it. Why would anybody want to do this? Mr. Cain did not want to do this. So there's no opportunities, except maybe one or two hotels. And whatever income tax you would generate from those won't even pay your last salary increase that you raised last summer. You are giving up your ability to control your borders and your destiny. Once this agreement is signed, these township officials are going to have you by the short hairs. They're not going to negotiate a damn thing with you. They got what they wanted. The area that's in question here is right smack in the middle of the Zimber Ditch Basin. There was a Stark County Drainage Engineer who wanted to speak over in Jackson Township, but he threw his hands up and walked out. You're wanting to concentrate and see if we can develop this area, and we haven't even solved our Zimber Ditch drainage issues. This is just wrong, wrong, wrong. And as the Mayor keeps pointing out, you keep forgetting about the property owner. They have to agree to the JEDD. They have to agree to this CEDA ....

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(five-minute timer bell)

Mr. Snyder: Thank you, Mr. Osborne, please ....

Mr. Osborne: Nobody's going to agree to that.

(Gavel)

Mr. Snyder: Mr. Osborne, your five minutes are up. Please take your seat. Thank you very much.

Mr. Osborne: Thank you, sir.

Mr. Snyder: Anybody else wishing to speak? Mr. Osborne, please take your seat.

Jamie McCleaster: 710 Pierce Avenue NW, North Canton. Members of Council, I'm here this evening not as an individual, but as a representative of a group of citizens within our community. Coupled with the budgetary woes we've heard about over the past several weeks and this meeting tonight, is an issue of health insurance benefits for you, the part-time elected officials. In November 2012, 6,480 residents or 72% of those voting, went to the polls and voted for Issue 5, an initiative petition that restricted the part-time elected officials of this City to individual health care coverage if, and only if, health insurance coverage wasn't available through their full-time employer. It also expressly ruled out health insurance coverage for family members of the part-time elected officials. Now, fifteen months later, as the City is facing a great financial crisis, two members of Council continued to not only take health insurance coverage for themselves, but for their families as well. Family health insurance coverage for these two council members was never publically discussed which leads one to believe that it was purposefully concealed from the residents. Additionally, the cost associated with these health care plans appears to be absent from the budget which is further evidence of concealment. I contend that the premiums alone amount to \$15,000 and \$25,000 per year to the City and the 6,480 people who voted to stop this practice. Yes, 15 to 25,000 dollars compared to a shortfall of \$800,000 that you Mr. Snyder talked about tonight is a drop in the bucket, but it's a start. That and the fact that voters spoke on this issue is precisely why this issue - this practice must be stopped. I'm sure that the two members of the Council who are still receiving family health insurance coverage through the City will say that they needed time to sign up for open enrollment with their employer. What I'd say to them is, you've had a year and a half to do this. You knew this was coming. I once saw a sign in a local store which will remain nameless, although horrible customer service, it rings true to this situation here. It read, "A lack of planning on your part does not constitute an emergency on my part." If you personally screwed up in signing up for insurance with your employer, why is it my fault? Why should I and the citizens of North Canton pay for your mistake? We're all adults. Take responsibility. Furthermore, it would be conceivable that any of you could call the HR (Human Resources) Departments at the companies you work for and ask for a change in your insurance coverage under a life-changing event. When I lost my insurance due to a layoff several years back, I was able to be added to my wife's policy the very next day. I understand that our Law Director has possibly convinced some members of this council that the initiative petition that was lawfully passed by voters and subsequently certified by the Stark County Board of Elections in November of 2012 is unenforceable. Why should this even be a thought in your minds? It is - it's important to note that it's not your job, or it's your job to serve and uphold the will of your constituents, not look for loopholes to personally enrich yourselves. If the voters overwhelmingly want something, but you think it has flaws, it's your job to fix the flaws, not secretly disregard the will of the voters. I think it's worth saying that elected officials at all levels of our government, especially some in this very room, along with the employees of these elected officials need to realize something. This is not futile Europe where the pheasants of the town live to serve those that rule them. We do not serve you, but rather you work for us. If you continue to take family health insurance benefits or if you continue to take individual health insurance benefits when you could be getting them from your employer, just because some lawyer found a loophole doesn't mean you should. The voters of this City spoke. If you continue to do so, you're turning your backs on the voters and the people who - and the residents. I undoubtedly know that some of you may feel that I, Jamie McCleaster, am being negative here. I want to again remind you that this is not just me. I'm simply the appointed spokesperson of a number of concerned citizens. As far as any perceived negativity goes, sometimes the truth hurts. As the City continues to deal with poor - its poor financial situation, the aforementioned group

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that I'm speaking for tonight, is simply requesting that these two individuals promptly return the cost of the insurance premiums to the City of North Canton, and that the City immediately remove the family members from these health insurance plans. If this practice is allowed to continue, each one of you should be as disgraced and outraged as we are. Furthermore, tonight you were set to vote on the 2014 budget. We respectfully ask that the five members of Council who honored the will of their constituents and didn't take City health insurance coverage vote no on the budget until the money for these insurance premiums is returned to the City. In this age when health care coverage dominates the national news, if any part-time City employee is deserving of health insurance benefits, it's our part-time EMS workers and Police Officers. We certainly hope this issue can be resolved without delay and look forward to hearing from each council member tonight about how this situation will be rectified. Thank you for your time and consideration.

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

Rod Covey: My name is Rod Covey. 35 Auburn Avenue SE. I've been in this room for Council, Planning, and other meetings nearly 200 times in eleven years, mostly regarding the Auburn Knolls Condo Association, that situation and of course the Veterans' Memorial. Both issues were never fully restored, so I'm designing an internet - internet website which will portray these issues and more from a journalist's standpoint, which I am. Having produced nearly 2,000 documents, photos and interviews during those eleven years, a book will probably follow. Oh the cheers deafening. Today a new issue, fairly simple, but one that's caught the attention of a wide internet audience under the name "Insurance Gate". Area media have been slow to react for reasons known only to the media which is having its own problems. The widest coverage aside from Facebook - and the Facebook is just loaded with information and conversations from citizens. Aside from Facebook, appeared yesterday in Martin - this subject appeared yesterday in Martin Olson's Stark political website. Super job, sir, if I may say so. Other speakers today will - may eliminate the issue, but my contribution is the hope that it will be resolved quickly, not like the Auburn Knolls thing which took six years and the Memorial which took seven years, and not to be drawn out with heated rhetoric increasingly back and forth, legal and procedural maneuvering. And especially obviation which described dozens of times the Auburn Knolls and the Veteran Memorial deliberation. For the good of the City, it's image, and noble history, and its people, especially the people, our friends, neighbors, families, and co-workers who are the prime beneficiaries of the North Canton City Charter which is affirmed by the first three words of that Charter, "we the people" - "we the people". You're the people. Thank you.

Mr. Snyder: Thank you.

Rita Palmer: I'm Rita Palmer. 307 Fairview Street SE, North Canton. My comments are based on a premise, and that premise, which I believe to be true, is that the City is not enforcing the health care ordinance for elected Council members and the Mayor for the term beginning December 1, 2013. The City's health care ordinance was lawfully enacted by a vote of 6,480 citizens, thus limiting elected officials beginning December 1, 2013, to at most, single plan insurance coverage. If this Council or its advisors felt that the ordinance was not enforceable, they should have taken public action to change the benefit package thirty days prior to the filing deadline of August 5, 2013 for nominating petitions for the November election of Council and Mayor. Not to have done so, puts into effect Section 4.04 of the City Charter which states, in part, quote, "...the compensation of the Mayor and each member of Council shall be fixed at least 30 days prior to the filing date of the nominating petitions for the terms beginning on the next succeeding first of December and shall not be changed during the term of office or any part thereof..." Since that public action did not take place, and the public did not know what benefits the Council and Mayor would receive in the new term, the health care ordinance remains in place. And the result is that those members receiving health care family benefits are violating both the Charter and the lawfully enacted city ordinance. And further, all costs for insurance premiums and health care claims paid to date, as well as any fines for fraud that might be levied by the insurance company, should be reimbursed to the City and thereby to the citizens by those elected officials involved. Thank you.

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

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Bill Knepp: I live at 519 Bachtel Street SE. I'm just going to talk a little about the elected, discuss a little about the JEDD program. I just think that when an opportunity comes by that we should do it. Work with Canton, Plain, Jackson, and North Canton will be together with a - to form a great special business venture that will benefit us all and we're sure any business that when they want to relocate here that they're coming into a strong political subdivision. The City will get some and much needed revenue from the Belden Village area that we didn't have before, and also a voice in the economical development of this area. Back in the 60's, the City of North Canton had the opportunity to annex the Belden Village area which at that time was nothing but a field. And the council members at that time decided that they were not going to go into this venture because they didn't want to put waterlines out that far. We could have even had the opportunity to get the Airport at one time, at that point. The City turned it all down because they didn't want to do that. Here we have an opportunity 50 years later to just dream of what we could have had, what we could have had and we lost it. Imagine what we could have had if we just agreed back then to annex that in. That again was a one owner that wanted to come into the City. And the City turned him down. He pleaded with the City to come in. Looking forward I think we should move forward in this, and at least get - we'll be getting a third of something in the future which is better than nothing at all. I mean right now we're not going to get anything on this. I understand the 50 year thing. I understand all that. But you know, things can be changed, they change every day. You can write stuff in stone and you know we could, if everybody gets together, cool heads get together, discuss all this, we can change things. We can use it to benefit us, the City. I think the Mayor mentioned that, or someone mentioned that the rules that the state sent out about the annexation has changed towards the township. And right now, the township has some power in that. But we can, if we work together on this, I think we can move forward and waiting is not being aggressive on what is good for our City and the communities around us. We have to act, I think, on this action. Thank you.

Mr. Snyder: Thank you sir. I appreciate your comments. Anyone else wishing to speak? George.

George Daniluk: 502 Werstler. I'll make this simple. To eliminate hearsay on this issue, since Council is in the process of reviewing the budget line by line, check the appropriate insurance account to verify that those currently receiving city-paid health insurance are in accordance with the eligibility requirement based on the passage of Issue 5. I don't pay my bills without knowing what I'm paying for. Whoever okayed or authorized payment needs to clarify his or her position or authority on changing the intent of Issue 5.

OLD BUSINESS:

- 8. Mr. Snyder: Thank you, sir. Anyone else wishing to speak? Thank you. Seeing none, we'll move to Old Business. May I have a motion to read by title only, third reading of Ordinance No. 8-14?

Mrs. Kiesling moved and Mr. Griffith seconded to **read by title only, third reading** of Ordinance No. 8-14. All members present voting:  
 Yes: Peters, Snyder, Werren, Cerreta, Foltz, Griffith, Kiesling  
 No: 0

**Ordinance No. 8-14 – 3<sup>rd</sup> Reading – Finance & Property**

An ordinance authorizing the Mayor of the City of North Canton to submit a Participation Agreement and request authority for the City of North Canton to participate in the Ohio Department of Transportation's ("ODOT") Contract for the purchase of sodium chloride (rock salt) for the 2014-2015 winter season.

Mr. Snyder: Even though that we've had some naysayers relative to our past purchase which saved us, I think about \$28.00 a ton which was a very good move on the Department of the Administration and the Administrator, this is our best bet. We didn't at any point run out of salt did we, Administrator Grimes?

Mr. Grimes: No, we didn't run out.

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Mr. Snyder: Right. So we had – we were judicious of the laying of it, and we had plenty of it and we saved almost half of what it cost us last year in salt so far this year. It's been a treacherous winter. So I think it's in our best interest to go ahead with the cooperative agreement again with the State and purchase the salt through ODOT. Any questions of members of the Committee? So, I'll entertain a motion to adopt the third reading of Ordinance 8-14.

Mrs. Kiesling moved and Mr. Cerreta seconded to **adopt the third reading** of Ordinance No. 8-14. All members present voting:

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

No: 0

## NEW BUSINESS:

9. Mr. Snyder: May I have a motion to – New Business, may I have a motion to read by title only, first reading of Ordinance No. 18-14?

Mr. Griffith moved and Mrs. Kiesling seconded to **read by title only, first reading** of Ordinance No. 18-14. All members present voting:

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

No: 0

**Ordinance No. 18-14 – 1<sup>st</sup> Reading – Finance & Property**

An ordinance to make appropriations for current expenses and other expenditures of the City of North Canton, Ohio, for the period beginning January 1, 2014 and ending December 31, 2014, and declaring the same to be an emergency.

Mr. Snyder: As I stated, we're going to give this another reading. And relative to some of the accusations that were made, if you look on the Council portion of the insurance that some members receives it's documented there, it's in full view. It's been there. It's never been hidden. If you come by, I'll show it to you.

Mr. Cerreta: Just another thing on that, we didn't bring that up in our discussion, you know, we are ongoing looking at this. If we ask for a one, three, and five year outreach, or looked at it,

Mr. Snyder: You're talking about....

Mr. Cerreta: The department heads go back and....

Mr. Snyder: Oh, yes....

Mr. Cerreta: what they could look at and cut in maybe one, three and five years. I'm okay giving this a couple ...inaudible..., but we ought to at least look at what they had planned on pulling back. Wouldn't we agree with that? That's kind of what we talked about last week.

Mrs. Werren: Right, yeah....

Mr. Snyder: Yeah, and that's why we're moving it – yeah, we'll - that's why we want to get another reading on it. Maybe two readings on this until we find – until we get a handle on it.

Mr. Cerreta: Okay.

Mr. Snyder: And you know, it can't be done in a week or two, and I know you're appreciative of that. So we will get that prior to the final passage.

Mr. Foltz: Yeah just a comment, President Snyder. I wasn't here, obviously, but the Park Levy did not move forward. There wasn't enough votes. So obviously we'll have to look at this budget and probably do some cuts. You know, I don't know where we're going to be next year, but we've got to slim it down. So hopefully, we all can add some input on that. You know, we saw the presentation two weeks ago....

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Mr. Griffith: Well I ....

Mr. Foltz: So I'm for taking our time on the readings and see what else we can do because I really don't want to cut park or recreation funds, but obviously if we look at the entire budget in its entirety and see what we can do in the future.

Mr. Snyder: Well I must point out if I may, and I respectfully submit to all members of Council and Administration that the '14 budget is balanced. Any money that we can save in this budget will be gratefully needed for the 2015 budget. The 2015 budget, and it's too early to forecast, we don't have any idea, is projected to have a shortfall of about \$800,000 which we were going to use to take away from the park - the general fund. That's neither - but we can, as we prepare the '15 budget, there will be significant cuts have to be made because - and as I say, we have about seven percent of discretionary cuts that we could make. The personnel cuts and the mandated cuts, there's not a lot we can do, so we have to - we have to keep looking at every line item because everything keeps coming back, such as we did tonight. You know we have 27, 28,000 dollars. Well if you do that a few times - I wonder what's the probability - is there any probability we can, through the Department of Natural Resources, get a grant for that pool liner?

Mayor Held: Not likely through the Department of Natural Resources, but we did make a request for an earmark audit the State budget.

Mr. Snyder: Because I know there's \$100,000 given every July from the department for parks and ....

Mayor Held: Right.

Mr. Snyder: easement, but maybe that's not applicable.

Mayor Held: That's typically based on need....

Mr. Snyder: Okay.

Mayor Held: So from what my understanding of it is, that North Canton, that particular region where the pool is located, we would not qualify for that.

Mr. Snyder: Oh, by income?

Mr. Foltz: Are you talking about Nature Works?

Mr. Snyder: Yes.

Mr. Foltz: Well, it's biannual. And the next funding phase is next year....

Mr. Snyder: Yeah.

Mr. Foltz: So it's 2015, as far as a grant application deadline. There's trails and some other things, but Nature Works is the one you want. It's going to be every two years. So I don't think we can wait until the middle of next year for the liner.

Mayor Held: Right.

Mr. Snyder: Well, the other thing is, that it's proper to point out, that the pool liner is in capital and it's not something that is impacting our shortfall. But I mean ....

Mr. Foltz: Okay.

Mr. Snyder: because it's in the capital account, it's not in the general fund account. It is a general fund shortage.

Mr. Griffith: Well I think we've all talked about it at several successive meetings that you're point about the 2015 budget is really being the issue is very well taken. I think we all feel that and we're obviously going to work to help Administration be in as good a position this year for next year, but rather than kind of really working through the budget cycle in

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February for this year, I think we're committed to saying, let's do some of that projecting for 2015 right now.

Mr. Snyder: The intention is to do that. I think that is very well taken....

Mr. Griffith: Right.

Mr. Snyder: And I think the thing to do is continue to work through this '14 budget, and as Mr. Cerreta pointed out a couple of weeks ago, as we begin the cycle for the 2015 budget, we'll go back the way I used to do to it is where we'll hold meetings every week, maybe twice a week, come in in the morning, we'll sit here, and we'll have every dollar defended. And every dollar has to be shown. You know, there's a request, because everybody has lots of requests, but we'll see what we can find, and then we'll get the trim out and see what we can - and we have to make every dollar count. And I agree. That's a good point.

Mr. Griffith: And that will give us the opportunity for more public participation ....

Mr. Snyder: Right.

Mr. Griffith: which I think we all would welcome.

Mr. Snyder: Well may I have a motion to adopt the first reading of Ordinance No. 18-14?

Mr. Griffith moved and Mrs. Kiesling seconded to **adopt the first reading** of Ordinance No. 18-14. All members present voting:  
Yes: Cerreta, Foltz, Griffith, Kiesling, Peters, Snyder, Werren  
No: 0

10. Mr. Snyder: May I have a motion to read by title only, first reading of Ordinance No. 19-14?

Mrs. Kiesling moved and Mrs. Werren seconded to **read by title only, first reading of** Ordinance No. 19-14. All members present voting:  
Yes: Foltz, Griffith, Kiesling, Peters, Snyder, Werren, Cerreta  
No: 0

**Ordinance No. 19-14 - 1<sup>st</sup> Reading - Finance & Property**

An ordinance authorizing the Mayor of the City of North Canton to enter into an agreement and, provided there are no additional costs to or burdens upon the City, to take all actions necessary to accept the donation of real property, from Sandra K. Kean, and known as Parcel No. 9200116, City Lot 2781, located in the City of North Canton and contiguous to Price Park.

Mr. Snyder: We discussed that in committee, Mrs. Kean has - wants to donate that to the City that contiguous to our present land. And since we - adding to the City boundaries, we cannot do that on an emergency basis so we'll have to have three readings and we'll go accordingly. So if there's no opposition, I would entertain a motion to adopt the first reading of Ordinance 19-14.

Mr. Peters moved and Mrs. Kiesling seconded to **adopt the first reading** of Ordinance No. 19-14. All members present voting:  
Yes: Griffith, Kiesling, Peters, Snyder, Werren, Cerreta, Foltz  
No: 0

11. Mr. Snyder: Thank you. On this next one, do I need to amend to remove that Ford cargo van?

Mrs. Kalpac: Yes, and the amount.

Mr. Snyder: 76,000 and some dollars ....

Mr. Grimes: 500 - 76,500....

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Mr. Snyder: 76,500?

Mr. Grimes: Yes, sir.

Mr. Snyder: Let me see ....

Mr. Foltz: Was this brought up last week in committee?

Mr. Snyder: Pardon me.

Mr. Peters: Yeah.

Mrs. Werren: Yeah, we talked about it for awhile.

Mrs. Kiesling: Yes, we spoke in length. The Chief did a great presentation.

Mr. Snyder: Prior to reading this, I would like a motion to amend Ordinance 20-14 to read "two marked cruisers, not to exceed \$76,500".

Mrs. Kiesling moved and Mr. Peters seconded to **amend Ordinance No. 20-14** as stated above. All members present voting:

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

No: 0

Mr. Snyder: May I have a motion to read by title only, first reading of Ordinance 20-14, as amended?

Mrs. Kiesling moved and Mr. Peters seconded to **read by title only, first reading, as amended**, of Ordinance No. 20-14. All members present voting:

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

No: 0

Mr. Fox: Gail, could you read back the not to exceed amount.

Mr. Snyder: Oh, excuse me. \$76,500

Mr. Fox: So what we're going to have is the lease purchase agreement of two marked cruisers not to exceed \$76,500?

Mr. Snyder: That's correct.

Mr. Fox: Okay, all right.

Mrs. Kalpac: I have one more question. Do you want the – did you want to advertise and receive bids too? Did you want that in there?

Mr. Grimes: I don't think we need it. We checked around and nobody can beat that price.

Mrs. Kalpac: Okay.

Mr. Grimes: Originally we thought about that, but we already checked.

Mr. Fox: Ready? Okay. A resolution authorizing the Mayor of the City of North Canton to enter into a mutual economic....I beg your pardon. I'm on 12, 11, 20-14.

**Ordinance No. 20-14 – 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 either a purchase agreement pursuant to the Ohio Cooperative Purchase Act, or a lease purchase agreement with a vendor for the lease purchase of two (2) marked cruisers, at a cost not to exceed \$76,500, for use by the City's Police Department, and declaring the same to be an emergency.

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Mr. Snyder: Again, we discussed this. These are two SUV's built to the specifications of the City and the Police Department. And we'll begin a rotation now of every – over the next four years of rotating out to get new equipment so that everything's replaced. And then at the end of the next year we'll start rotating possibly one, but we'll watch those. And what we want to do is at the end of this year get the gasoline and maintenance records on them and make sure everything is flowing accordingly. And we'll make a note of that and make sure that we know that we're getting the best for our dollar. But again, you can't over emphasize the Chief's point, these men are 6'5", 6'6", they're larger men, they're sitting in a cramped thing, and they can't sit in there eight hours and perform their job at the highest efficiency and hopefully this will help. Plus, they're easier to see. People see them. They're more visible. And we'll go accordingly. But I'll entertain a motion to adopt the first reading of Ordinance 20-14, as amended.

Mrs. Kiesling moved and Mr. Peters seconded to **adopt the first reading, as amended**, of Ordinance No. 20-14. All members present voting:  
 Yes: Snyder, Werren, Cerreta, Foltz, Griffith, Kiesling, Peters  
 No: 0

Mr. Snyder: As the health, welfare, and safety of the citizens as well as the Police Department, and time is of the essence, I would ask that we suspend the rules regarding Ordinance 20-14, as amended.

Mr. Griffith moved and Mr. Peters seconded to **suspend the rules, as amended**, for Ordinance No. 20-14. All members present voting:  
 Yes: Werren, Cerreta, Foltz, Griffith, Kiesling, Peters, Snyder  
 No: 0

Mr. Snyder: May I have a motion to adopt under suspension of the rules ....

Mr. Fox: We're going to adopt under the rules as well, right?

Mr. Snyder: Yeah, under the rules.

Mr. Fox: Right.

Mr. Snyder: Yeah.

Mr. Fox: Did you still – you still need to adopt.

Mr. Snyder: We have to adopt under the suspension, yeah. Adopt under suspension of the rules Ordinance 20-14, as amended.

Mrs. Kiesling moved and Mr. Peters seconded to **adopt under suspension of the rules, as amended**, Ordinance No. 20-14. All members present voting:  
 Yes: Cerreta, Foltz, Griffith, Kiesling, Peters, Snyder, Werren  
 No: 0

12. Mr. Snyder: Thank you. May I have a motion to read by title only, first reading of Resolution 21-14?

Mrs. Kiesling: So moved.

Mrs. Werren: Do we need to take out the clause, declaring it to be an emergency?

Mr. Snyder: No, because we won't suspend the rules. We have to do that on the third reading....

Mrs. Werren: Okay.

Mr. Snyder: If we didn't have six votes, but it can go. Unless you feel more comfortable with it removed, I'd gladly remove it.

Mrs. Werren: No, I just – I didn't know. Second.

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Mrs. Kiesling moved and Mrs. Werren seconded to **read by title only, first reading of Resolution No. 21-14.** All members present voting:  
 Yes: Foltz, Griffith, Kiesling, Peters, Snyder, Werren  
 No: Cerreta

**Resolution No. 21-14 – 1<sup>st</sup> Reading – Community & Economic Development**

A resolution authorizing the Mayor of the City of North Canton to enter into a Mutual Economic Development and Annexation Agreement ("Agreement") by and between the City of North Canton ("North Canton"), City of Canton ("Canton"), Jackson Township ("Jackson"), and Plain Township ("Plain"), and declaring the same to be an emergency.

Mr. Snyder: Chairman Kiesling.

Mrs. Kiesling: Are there any other questions?

Mr. Cerreta: Are we agreed to set up a public speak maybe next Tuesday, six o'clockish – somewhere in there?

Mr. Snyder: Whatever you'd like.

Mrs. Werren: Next Tuesday ....

Mr. Cerreta: Now can we put that on the – we don't have Monday next week.

Mrs. Kiesling: We're not meeting next week....

Mr. Cerreta: We're not meeting next Monday. So we're meeting Tuesday.

Mrs. Kiesling: We're not meeting next week – we're not having a meeting next week. I don't think, are we?

Mr. Snyder: No, we are set to meet the 24<sup>th</sup>.

Mrs. Kiesling: We're not meeting until the 24<sup>th</sup>.

Mr. Snyder: Unless you'd like to have a meeting of a public hearing next Tuesday....

Mr. Cerreta: We aren't having a meeting next Tuesday?

Mrs. Werren: Do we need to to move off the ....

Mr. Snyder: Well let's – let's do a 5:30 or 6:00 on the ....

Mr. Cerreta: Why aren't we meeting next week, first of all?

Mr. Snyder: Well cause we decided – remember we suspended that for Monday to Tuesday. However, we're trying for the next two months to try the accelerated meeting format.

Mr. Cerreta: I missed that meeting to suspend the meeting, I think.

Mr. Snyder: No, we talked about it last week. We wouldn't of excluded you sir, I promise you.

Mr. Cerreta: Okay, so you're saying ....

Mr. Snyder: Monday the 24<sup>th</sup>.

Mrs. Werren: Marcia, do you feel like we need to....

Mrs. Kiesling: We can do it next meeting.

Mr. Cerreta: Tuesday's the 18<sup>th</sup>.

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Mrs. Werren: Well we did have public speaks tonight, so you'll have two public speaks.

Mrs. Kiesling: Right.

Mr. Cerreta: This is a - this is an open forum. This is so - we have to put it out there for people. People didn't know they were going to speaking tonight. They're here to watch the entertainment for the most part. So it would be nice if they knew that they could of stood up and speak. And that way we could hear what those people have to say.

Mrs. Kiesling: We have a CIC (Community Improvement Corporation) meeting next Tuesday night. Don't we Eric?

Mr. Bowles (speaking from the audience): Yes ....

Mrs. Kiesling: At 6:15.

Mr. Snyder: Let's - can we go on the following Monday, the 24<sup>th</sup> at 6:00.

Mrs. Kalpac: No we have public hearings.

Mrs. Kiesling: No we have public hearings that night at starting at 6:00 or 6:15. That's all the annexations or the zoning at the... CIC won't take as long though, right?

Mrs. Kalpac: We have six of them.

Mayor Held: I mean, you know, I wouldn't want the,

Mr. Cerreta: Yeah, I think next week's a good time if you can make it.

Mayor Held: You know the Tuesday, I wouldn't let the, you know the previous meeting at what 6:15, there's no reason to interfere with that.

Mrs. Kiesling: Right, right. Yeah, that's - it should only take us 15 or 20 minutes.

Mr. Snyder: We'll do Tuesday at 6:00 then.

Mrs. Kiesling: Well no, our meeting's at 6:15.

Mrs. Werren: 6:30.

Mrs. Kiesling: Well yeah, probably at 6:30.

Mr. Cerreta: What day are we talking about?

Mrs. Kiesling: Tuesday the 18<sup>th</sup>.

Mr. Cerreta: Okay.

Mr. Snyder: 6:30?

Mr. Cerreta: Are you guys up for that?

Mr. Griffith: I am - absolutely.

Mrs. Kiesling: 6:30 and if we're running over it's ....

Mr. Foltz: Well you don't want to have a committee meeting. You want to have a public....

Mr. Snyder: Public hearing, that's all you'll have.

Mr. Foltz: Public hearing.

Mr. Snyder: That's all you'll have.

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Mr. Foltz: Because you want to be able to respect the wishes of the residents that want to come up and talk about it.

Mr. Griffith: That's right.

Mr. Foltz: So just call a public hearing at 6:30 next Tuesday.

Mr. Cerreta: Right. Okay, thank you very much.

Mrs. Kalpac: Don't we have to advertise in advance?

Mr. Snyder: Yeah, we can advertise.

Mrs. Kiesling: We'll advertise it tomorrow, too.

Mr. Snyder: We're not required for a 30-day advance on it. It's just a public hearing.

Mrs. Kiesling: Yeah, it's just an informal public hearing.

Mr. Snyder: Okay.

Mr. Cerreta: At 6:30. Okay, thank you.

Mr. Snyder: Not a problem.

Mrs. Kiesling: Now where are we at?

Mr. Snyder: Well we're waiting for a motion to adopt the first reading of Resolution 21-14.

Mrs. Kiesling: So moved.

Mr. Foltz: I think we've -- okay.

Mrs. Kiesling: No, no ....

Mr. Foltz: We've read it now we've got to motion it out.

Mr. Snyder: Now we've got to just -- now we need a second to ....

Mrs. Werren: Second.

Mrs. Kiesling moved and Mrs. Werren seconded to adopt the first reading of Resolution No. 21-14. All members present voting:

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

No: Cerreta

13. Resolution No. 22-14 - 1st Reading - Community & Economic Development

A resolution authorizing the Mayor of the City of North Canton to enter into a Mutual Economic Development and Annexation Agreement ("Agreement") by and between the City of North Canton ("North Canton"), City of Canton ("Canton"), Jackson Township ("Jackson"), and Plain Township ("Plain"), and declaring the same to be an emergency.

REPORTS - COUNCIL:

Mr. Snyder: Okay, as the next one (Resolution No. 22-14) did not get out of committee so it's a moot point. Reports of Council - Mr. Foltz.

Mr. Foltz: Yes, I guess the next committee meeting then will be two weeks ....

Mr. Snyder: On the 24th.

Mr. Foltz: from today. Is that correct?

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Mr. Snyder: That's correct.

Mrs. Werren: Right, right.

Mr. Foltz: Okay. I'd like to put on the committee – we did at the Park Board meeting have - let me find my notes, we had a request from the School Board as far as doing some work at the tennis courts. I'll have to do some research as far as when they were built. I believe they were built in the late '90's. Todd Henney came up and would like our participation as far as involvement with them to be resealed as a capital expenditure between the School Board and the City. So just to let everybody know I'll have some information in the packet then so that we can put that together. If that happens and I believe that figure's around 36,000. I don't know what I did with my notes from the Park Board right now, but we're going to have to decide whether we're going to take any capital expenditures in existing park improvements this year and reallocate that if it's so – if it's the wishes of Council. It's been probably 15 years since we've built that. Just off the top of my head the improvements, when we made them at that time, were a collaborate effort between the City and the School Board, but those courts are open to the public. That was one of the agreements that I remember discussing here. So just food for thought for everybody in the future. We also are going to have a request from the Jaycees to use Dogwood Shelter for no fee. I think that's something that I discussed with the Rec Board. They're not in favor of it because we just turned down North Canton's Women's Club for them to have the availability of using Dogwood Shelter with a fee waiver. So those are things that we're going to bring up in a couple weeks and I think we need to be consistent with the process. So just to let everybody know on committee. As far as our agreement, I think we had a lot of great discussion here, but what I said earlier, I think we have to – it's essential however this goes in the future my opinion is to cooperate rather than to be contentious, which we've been the last 10 years with what's going on in that corridor. But I really think we owe it to our residents to develop an economic game plan for our other borders. Even for within our corridors now in the City. I'm in favor of looking at this study to vacate Ream, look at whatever development we can do with the old high school that was torn down and that open space. Those are economic opportunities. Those are quality life issues that we have to direct our resources to. We can talk about the agreement with Jackson and Plain and Canton, but we – there's a lot we can do within our borders too that we need to move forward with. Great things are happening across the street with the outbuilding at Panera and so forth, but there's other things that we can do. So if anything this is a wakeup call in my mind that we all collectively get together and pursue our economic interests inside the City as well as outside the City. Whether agreements with townships and cities or other straight annexations. It's essential if we have to look that way and be very proactive towards economic development in our parks. That's it. Thank you.

Mr. Snyder: Mr. Foltz, you may want to check the budget line item, there's money for nets and resurfacing tennis courts.

Mr. Foltz: There is, yeah.

Mr. Snyder: I'm not positive, you might check with Superintendent Davis on what his plans are on that, but there is money in them.

Mr. Foltz: We looked at that tonight and discussed some of the courts are scheduled to be – the cracks filled and to be resealed. That might – we might find some money within those courts to contribute with the Hoover property or the Hoover school tennis courts and put them off a year. That will be part of the discussion to budget now. We've already looked at that.

Mr. Cerreta: Is that the total cost or is that our portion of it?

Mr. Foltz: That's our portion.

Mr. Cerreta: Are we – are they going ....

Mr. Foltz: I'll find this thing.

Mr. Cerreta: Are you going in with the Sideliners also or is that just or you could maybe get a third if the Sideliners step up.

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Mr. Foltz: Well here again, I have it right here. They got bids from Bachtel for \$160,000 and for total tennis for \$110,000. Those are just general estimates. They request the City of North Canton approve a third of the project for \$36,667.

Mr. Cerreta: That's what I thought. I thought the Sideliners ....

Mr. Foltz: We built the courts to their knowledge in '97 and I think that's about right. I remember just coming on Council with that. But I don't know where else they're getting their funding, they didn't disclose.

Mr. Cerreta: Sideliners I suppose.

Mr. Foltz: Whether it's the School Board or Sideliners or other agreements. But it's a total of \$110,000 expenditure to redo it. And I'll have these copies available to everybody for the committee meeting in two weeks.

Mr. Snyder: Ironically we just sent them a bill for \$39,000 for school guards.

(Laughter)

Mr. Foltz: But you're right Jon, we discussed that we have other capital improvements going into the parks, other tennis courts....

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

Mr. Foltz: if we feel it's essential to collaborate with our schools....

Mr. Snyder: You've got to do that. That's a quality of life issue.

Mr. Foltz: And they are open to the public.

Mr. Snyder: Oh, yeah.

Mr. Foltz: And they are the best courts in the City where the tennis matches occur. Maybe some of the other tennis court areas and the neighborhood parks can wait a year. That's a good solution that we've already discussed and I was going to bring forward as a solution to - during committee in two weeks. Thank you.

Mr. Snyder: You're welcome. Mr. Peters.

Mr. Peters: No report, sir.

Mr. Snyder: Mrs. Werren.

Mrs. Werren: Just one thought. I was in a meeting last week and the professor asked, it was Chuck Wurly, and he works for the Ohio State Extension Services and he runs our government academy, and at the end of the meeting we had 20 citizens there, some were elected, some aren't, some are interested in government service, and he said, "why do people want to serve governments or why do they want to be in it? And it made me think, what is the answer for that? And what we came back with as a collective group is you want to make the lives of your citizens better. And that hit me because I was thinking about this JEDD (Joint Economic Development District) and thinking how it affects the lives of our citizens. And it really is just a fundamental difference of which way we think it's going to go. And it's - we have a group that thinks that annexation is going to happen and that we're going to be giving up a lot if it doesn't. And the other group says, we want to be part of that collective group that's moving forward economically. And Mark you always think of these analogies with your golf carts or you know your daughter's credit card, and what I think of, and a citizen asked me today, what would you tell your kids in 10 years. Well I worry that my kids are on the outside looking into the playground where everyone else is playing and that we're not there. And that there's all this new equipment and there's all these new resources that those people are allowed to use and we can't be a part of that. And I want to be a part of that and I think it's a strong move for the City. And I think that collectively it's going to help our citizens in the future. But I appreciate everybody's thoughts. I think it's great discussion. I think if you sit on these boards and councils and you don't ask questions you're not doing the right thing. And I do raise my hand a lot and sometimes the

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questions maybe seem like common sense, but I was at a government forum this weekend and it was called, "Government Law Seminar" and it gave you the basic facts about zoning and JEDD's. And those aren't packets that are provided to new councils or new zoning appeals groups or zoning groups. And there were 80 citizens there that were newly appointed to these appeals and zoning issues. And people don't know those things and so it's important that we gain that knowledge and ask those questions. And so I'll continue to ask and try to cooperate. But I think we have a group of people that are trying to make the citizens' lives better here, and that's with the Administration. That's it.

Mr. Griffith: You know government can be very frustrating sometimes, particularly for those of us who sit on this side. And I certainly appreciate the frustration that a lot of people have expressed in a lot of ways tonight. But I just wanted to say how much I appreciate the fact that, particularly on this JEDD issue, there were political agendas here. I really think that everybody came to their conclusions based upon what they feel like as the best piece to the City. And on this particular issue I'm really glad, I'm really proud of that too. So I truly appreciate everybody's input. And certainly on one piece I think we can all broadly gain consensus on the - Chuck's suggestion that I could use a Hollywood makeup artist. I think we can all agree that's true. So no doubt about that.

Mr. Snyder: Mr. Cerreta.

Mr. Cerreta: I've probably said enough for this evening. But good discussion and that's the way the process should work. And we need to understand that we are representing the people, we are not the people. So we need to represent them and listen to what they say. And I'm interested to see where we go forward with this. So that's all.

Mr. Snyder: Mrs. Kiesling.

Mrs. Kiesling: No report.

Mr. Snyder: I would like to echo Mr. Griffith and Mr. Cerreta. I admire your passion. I respect you and I respect your opinion. And it will be given due diligence and great thought as we move ahead. I still am of the opinion that we are doing the right thing. And I will investigate that other for that we have it the next time around. And there's a saying, I won't repeat it in public, but there's a way to handle that and I will promise you I will have that back to you. And Mr. Mayor, I respect your position, sir, as you've always been a gentleman to me and we've discussed this. And I respect your passion and I understand it as you understand mine. And I thank you for that. And that says a lot about the quality of the man you are. Director of Law Fox.

REPORTS:

Mr. Fox: Yes, in many of the budget discussions the issue that did arise was getting behind the programs that did work for the City. So again, we talk a good bit about when it comes around the income tax program that we implemented last year. And new numbers are coming in for this year. I looked at what the program was in 2012, and the City received \$7,000 in 2012 under the former program. And as I said before, in 2013 it was 200,000. For 2014 it's a new record for January, it's nearly \$15,000 that we raised in January. So that is indeed a program that continues to work. I'll talk to a couple of you about some things that perhaps could help that program be more effective. And I hope those numbers will encourage you to be receptive to those ideas. That's it. Thanks.

Mr. Snyder: Director Alger.

Mrs. Alger: Just to tell you the State Auditors are in today to start the fiscal audit for 2013.

Mr. Snyder: Good. Director Grimes.

Mr. Grimes: We just had a couple of small salt deliveries over the weekend. And of course we put some more back out there. But we appreciate the guys and gals that are out there working to keep our streets clean. And we appreciate the citizens. I know a lot of them clean their driveways and then we go by and plow them back in later on.

Mr. Snyder: Yeah, you do.

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Mr. Grimes: So thanks for putting up with us on that. Thank you.

Mr. Snyder: Mr. Mayor.

Mayor Held: Yes, I thought it was a very healthy, vigorous discussion that we had tonight. And the reason that I feel so strongly about this agreement is because you know when you look at when we lost the Hoover Company, and we lost all those jobs, and you know you realize how difficult it is to bring tax dollars to the City. It's not easy. I mean we're limited as far as the area that we can bring in income tax. And the reason I'm so strongly opposed to the agreement that the Council's looking to approve, is because it gives up an opportunity for the City to expand our tax base. And I feel very strongly - I mean obviously I communicated that tonight. I don't think it could have been any stronger in that area. And, has nothing to do, you know, with anyone personally, because I truly love all of our council members. I really do. And, but when you look at it from an opportunity standpoint in the City, it restricts us, it just restricts our opportunity to grow our tax base and what we're getting in return. I do not believe, and neither does our consultant that we hired believe, that there is going to be that return that we're hoping for. We all want a return and we all want to expand our tax base, but our consultant does not that and neither do I. So, and neither does our Economic Development Director and neither does our City Engineer and neither does our City Administrator. And our Economic Development Director had questions and that's why he deferred down to an attorney in Columbus. And so again, I'm not sure how many other people we can gather to voice the concerns about entering into a 50 year agreement. But I just thought I'd take this opportunity to kind of reinforce my thoughts. And again, I do appreciate working with all of you. I appreciate you giving me the time and also the residents to speak my, speak my concerns. And that's all I have. But thank you.

Mr. Snyder: Thank you. Mr. Engineer.

Mr. Benekos: Thank you. We opened bids on the first waterline of the season. The estimate was \$291,000. The bids came in at \$235,000. So it saves some money through the water account, it doesn't help the general fund. But we have a couple other projects, waterline projects bidding out here shortly and hopefully we'll have good results with them also. Thank you.

Mr. Griffith: What was the status with the light at 10<sup>th</sup> and Main for today? It's been flashing. Do you - almost all day long. I just wondered. I'm always harassing you Jim about the traffic lights.

Mr. Benekos: Sure.

Mr. Griffith: So, I just thought I would continue that tradition.

Mr. Cerreta: Just taking a break.

Mr. Griffith: Yeah.

Mr. Benekos: Yes. I was not aware of that.

Mrs. Werren: Which one?

Mr. Griffith: Okay, we can talk about it afterwards.

Mr. Foltz: I'm sorry, what did you say, Woodrow?

Mr. Griffith: 10<sup>th</sup> and Main.

Mr. Foltz: Is that what you brought up?

Mr. Grimes: We can make it permanently red for Woodrow.

Mr. Foltz: You have a control button there at the house?

Mr. Snyder: No report?

0423

RECORD OF PROCEEDINGS

Minutes of COUNCIL OF THE CITY OF NORTH CANTON REGULAR Meeting

BEAR GRAPHICS 800-325-8084 FORM NO. 10148

Held Monday, February 10, 20 14

Mrs. Kalpac: No report. Thank you.

FINAL CALL FOR NEW BUSINESS:

Mr. Snyder: Let me reiterate to the press that we will meet next Tuesday the 18<sup>th</sup> - is that the 18<sup>th</sup>?

Mrs. Kiesling: Yes.

Mr. Snyder: At 6:30, is that correct?

Mrs. Kiesling: Correct.

Mr. Snyder: It's not a formal meeting. It's an informal meeting. If you'd be kind enough to print that. The public is invited to express any opinion they may have.

Unidentified (speaking from the audience): What time?

Mr. Snyder: Pardon me - 6:30.

Unidentified (speaking from the audience): 6:30 p.m. on the 18<sup>th</sup>.

Mr. Snyder: We'll be here to answer any questions they may have. And it's proper to note that Mr. Cerreta requested that and we'll give him due diligence and do that. Is there anything else to come before this body? I'll entertain a motion to adjourn.

ADJOURN:

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

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

No: 0

The meeting adjourned at 8:58 p.m.

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

ATTEST:

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

Meeting Minutes: EXECUTIVE SESSION - PERSONNEL & SAFETY COMMITTEE MEETING  
Held: February 10, 2014

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**EXECUTIVE SESSION  
PERSONNEL & SAFETY COMMITTEE**

**Monday, February 24, 2014**

The Personnel & Safety Committee of North Canton City Council met Monday, February 24, 2014 in the Council Chambers at North Canton City Hall.

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

Upon a roll call vote of Council, all present moved into an executive session at 5:30 p.m. for the purpose of discussing certain personnel matters pertaining to employment, dismissal, discipline, promotion, demotion, or compensation of a public employee. The executive session adjourned at 6:34 p.m. No action was taken as a result of the executive session.

Respectfully submitted:

\_\_\_\_\_  
Daniel Peters, Chairperson

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

\_\_\_\_\_  
Jon Snyder, Vice Chairperson

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

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

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Marcia Kiesling, Member

\_\_\_\_\_  
Stephanie Werren, Member

RECORD OF PROCEEDINGS – COMMITTEE OF THE WHOLE

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Meeting Minutes: EXECUTIVE SESSION - PERSONNEL & SAFETY COMMITTEE MEETING  
Held: March 4, 2014

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**EXECUTIVE SESSION  
PERSONNEL & SAFETY COMMITTEE**

**Tuesday, March 4, 2014**

The Personnel & Safety Committee of North Canton City Council met Tuesday, March 4, 2014 in the Council Chambers at North Canton City Hall.

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

Upon a roll call vote of Council, all present moved into an executive session at immediately following the special council meeting at 6:11 p.m. for the purpose of discussing certain personnel matters pertaining to employment, dismissal, discipline, promotion, demotion, or compensation of a public employee. The executive session adjourned at 8:10 p.m. No action was taken as a result of the executive session.

Respectfully submitted:

\_\_\_\_\_  
Daniel Peters, Chairperson

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

\_\_\_\_\_  
Jon Snyder, Vice Chairperson

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

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

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

\_\_\_\_\_  
Stephanie Werren, Member

3/5/14-gmk

RECORD OF PROCEEDINGS – COMMITTEE OF THE WHOLE

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Meeting Minutes: COMMITTEE OF THE WHOLE MEETING for COMMUNITY & ECONOMIC DEVELOPMENT  
Held: Tuesday, February 18, 2014 – 6:30 p.m.

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North Canton City Council met as a Committee of the Whole Tuesday, February 18, 2014 at 6:30 p.m. in the Council Chambers at North Canton City Hall. The purpose of the meeting will be to discuss and receive public input on the proposed Mutual Economic Development Agreement with the City of Canton, Jackson Township and Plain Township

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, and City Engineer Benekos.

Council members are in receipt of and discussed both proposed Mutual Economic Development Agreements with the City of Canton, Jackson Township and Plain Township.

Administrative personnel and members of the audience were given the opportunity to speak in favor of or against the proposed agreements. The majority of those present expressed concern with the portion of the agreement that would restrict annexation for fifty (50) years.

After a lengthy discussion, the meeting adjourned at 8:31 p.m. No action was taken as a result of this meeting. The second agreement (Ordinance No. 22-14) will be placed on the February 24, 2014 Committee of the Whole agenda for further consideration.

Respectfully submitted:

\_\_\_\_\_  
Jon Snyder, President of Council

\_\_\_\_\_  
Doug Foltz, Ward 1

\_\_\_\_\_  
Marcia Kiesling, Vice President of Council

\_\_\_\_\_  
Daniel Peters, Ward 2

\_\_\_\_\_  
Mark Cerreta, Council at Large

\_\_\_\_\_  
Stephanie Werren, Ward 3

\_\_\_\_\_  
Dan Griffith, Council at Large

2/28/14-gmk

# RECORD OF PROCEEDINGS – COMMITTEE OF THE WHOLE

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Meeting Minutes: COMMUNITY AND ECONOMIC DEVELOPMENT COMMITTEE MEETING  
Held: February 10, 2014

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The Community & Economic Development Committee, as part of the Committee of the Whole meeting, was called to order Monday, February 10, 2014 at 6:34 p.m., by President of Council Jon Snyder.

The following members of council responded to roll call: Chairperson Kiesling, Vice Chairperson Cerreta, Committee Members Werren, Foltz, Griffith, Peters and Snyder

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.

## **Agenda Item:**

### **Mutual Economic Development Agreement**

Mr. Snyder: The first thing on the agenda is Community and Economic Development, Chairman Kiesling.

Mrs. Kiesling: Yes, ...inaudible... talkative. So I think we all know what we're talking about, it's just going to depend on which agreement we want to agree to. I think we received a, you know, very detailed opinion from the attorney. I think that we agree that she obviously is an expert in her field. And we really appreciate the time she took to prepare the opinion for us. However, it is an opinion and over the weekend and over the week, many of us spoke at length regarding both agreements. And I decided to put both agreements on the agenda so we could decide up or down either agreement one way or the other. Obviously, there was a big article in the paper today. It sort of gives you an idea of where I'm at at this point. I'm willing to listen to anybody else. If we agree to the very first agreement, that is the 50 year agreement, which everybody knows what I'm talking about. We aren't going to pass it on emergency tonight. We'll take the emergency clause out of it and speak for another week regarding the issues to see if it brings any people forward. As I hear some people are coming forward, changing their minds about certain things. However, I'd like to remind everybody we have been working on this since last May-ish, at least April or May. It hasn't been a secret. I think we've brought everybody up to speed as much as we could. We did have a public hearing in Jackson in October. Our public, Jackson's public, Plain's public and Canton's public were all invited. It was advertised. It was not well attended. It is what it is. We didn't go into a whole lot of detail that night. We just went over the agreement. There weren't a whole lot of questions. There wasn't a whole lot of conversation. I think - I didn't have a whole lot of questions, so I didn't ask. But I was part of some of the communication. So at this point I will open it up, but I think we've talked and talked and talked. And I suppose we could talk some more and decide where we want to go with it. We're all part of the committee, so do you want me to go down the line, or, you know, actually I'd like to lead with Dan. I think Dan and Jon were the leads on this this year because they can meet in the middle of the day and I cannot. They did a lot of work with it. I appreciate it. Jon and I obviously have a huge history as going back to 2004 with this. Pat DeOrio, Jim Repace tried it again in '06 and '07. That's one thing the attorney can't or doesn't have. She doesn't have that history. She has no idea what we've gone through over the last ten years with Jackson and Plain. Canton wasn't involved in the beginning. So she can give us an opinion, and it can be expert in the facts, but she has no idea what the fact story is, what we've all talked about, what we've all agreed to, and then didn't agree to. So I just want to put that out there as well. There's - with experience, you know, things that we've spoken about personally has a lot to do with it as well, not just somebody who looks from the outside, which we appreciate as well. It was very helpful. But I don't think it's anything that we didn't know. We've all talked about how this agreement is. It's more of a vision. It's more of something that we'd like to see. Something that we'd like to do. But with no concrete okay we're

## RECORD OF PROCEEDINGS – COMMITTEE OF THE WHOLE

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Meeting Minutes: COMMUNITY AND ECONOMIC DEVELOPMENT COMMITTEE MEETING  
Held: February 10, 2014

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going to a JEDD (Joint Economic Development District) here, we're going to do a CEDA (Community Economic Development Agreement) here. At least I've understood that from day one. And I realize that I've been a part of it for ten years now. I understand why she thinks, you know potentially it is not a great idea because there are no specific agreements. But there are no concretes in this world. There are not "for sures" in government, that's pretty obvious if you ask me. I think the agreement just means we're going to agree to figure this out. And I think everybody needs to remember, it's just this corridor. It doesn't mean we can't go annex somewhere else that's contiguous, you know going towards Plain, going that way towards Jackson. It's just this corridor that we can't annex anything for 50 years. This does not preclude us from everything else. So everybody just remember, it's just this corridor as well. It's not our whole life. It's not, you know, all of our surroundings. I made a point the other night where we did the CEDA agreement with the Sanctuary, I don't know, 2003, 2004, and there was a three-year moratorium that we couldn't annex across the street, the actual Sanctuary Golf Course. That moratorium was included in the CEDA. Now it's been eleven or twelve years, and we've not even thought about jumping across the street and annexing that golf course. Now the owners haven't come to us either, but we haven't asked them. So, you know, we haven't really done anything. Yeah, we did the golf or the gas station out on Market. We just did the Walsh/Gressel annexation. We did attempt the Fosnaught annexation that cost us a quarter of a million dollars. So at this point I'm not for straight up annexations. I'm not sure they're - they really work. They haven't worked for us unless the person really wants to come into the city and nobody's knocking down our door, except maybe for something that's happening today, of course, at the last minute. And we have been working on this for, you know, eight months now. So we'll leave that go and see what happens. Anybody else?

Mr. Snyder: I would just - thank you Chairman Kiesling. You know, I - the Mayor asked me today why I am so adamant about this. Well first of all, I've gone through for fifteen years both aggressive and negotiated annexation. And I don't know the last time we did a hostile take-over, we're still paying for it. It worked out for the residents, but it wasn't financially beneficial to the City. But the problem, you know, we've negotiated - this is an agreement to negotiate agreements. We're not precluded from annexing any of those properties other than to talk to the particular municipality - or particular jurisdiction that holds title to the property. There are a couple of things that could be done going forward should we enter this original agreement, where we can negotiate and not provide any services. We're not providing police, fire or EMS services, road services, and we'd be collecting money. But to think that we can wrap ourselves up in a cocoon and just, as Chairman Kiesling pointed out, I remember distinctly when the agreement with Canton was presented. At that time the fiscal officer of Jackson said, "have at all that property, you want it go ahead and annex it all." But we've made no attempt to annex any of it. We didn't. Daryl was President at that time. We were going to - we had since 2005, ample opportunity to go there and annex that property. This came about, one of the property owners called me relative to water, I spoke to him and I explained to him, if we did give - provide the water that he was seeking, he would have to annex to our City, which he agreed to. But I also fully well known that Jackson holds an agreement with Canton that any annexations of their property, they will vigorously fight. And at that point that amount of money that we would have received in income tax would have been gone for naught because of the amount of time we would spend fighting it, probably again to the Supreme Court. And unfortunately we had people tortuously interfere with our negotiation with that particular property owner and he backed out because he did not appreciate the interference from people who were not in authority or in any means able to negotiate with them. They simply made statements to him that were not true. And he didn't appreciate it. And he told me that himself. But I think not moving forward, as I said, there is - there's a horse in there in the race here at the eleventh-hour and I spoke to at 4:30. And I heard conflicting story. And the particular horse that I'm speaking to, I've known for a long

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Meeting Minutes: COMMUNITY AND ECONOMIC DEVELOPMENT COMMITTEE MEETING  
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time. And I have a very good business and personal relationship with him. And so consequently, I'd like to pass this through tonight. And allow me to go talk to him and see the true facts, because he talks best at early in the morning rather than later in the afternoon as his time branded some to go into too much detail late in the afternoon. So - but I will do that by the next reading which will be the 24<sup>th</sup> (February). I don't know what else I can say. I mean, I realize philosophically I disagree with some of my colleagues on Council. I disagree with the Mayor. And it has nothing to do other than I firmly believe that without cooperative agreements amongst the surrounding municipalities, we have no ability to grow or to grow our particular government, to grow our particular boundaries, to grow cooperative services. Because my tenure and Mr. Foltz has been with me as long – I mean actually a year longer, will tell you - I remember when Mr. Wernet was the President of Council, we sat in this chambers right here with them, we promised them, we gave them our word. The next day we turned around and the Mayor at that time stabbed us. And I think this would be about the fourth time we've renege on our word. And I don't think it will ever come to fruition again if we renege at this particular time. Mr. Foltz.

Mr. Foltz: Yeah. Just to piggyback on some comments. I wasn't here last Monday, so obviously a lot of this information that, I think Mayor Held asked for was very enlightening from Bricker and Eckler Law Department. And there are a lot of true statements in this. I think it's a beginning. It's not perfect. It's not a - it's a really an anti-annexation agreement, looking for us to negotiate in the future for future economic development for JEDD'S in that area. And I think I have to look at this at a historical point. I was here nineteen years ago when we walked Thunderbird and those areas, and we walked Walkers Mountain. And we took the water agreements and we gave them to an attorney, and we tried to invoke them. And they didn't work out. And we gave away our services and didn't get the general fund revenue in return. And we lost that opportunity. And ever since we've discussed different negotiated working solutions with trustees from other townships, cities, and nothing has ever developed. The only think that I can say in this whole corridor that has worked out was Ziegler Tire on the corner of Wise and Portage. And that was even contentious with Jackson Township to my memory. So I guess is this perfect, no. Am I happy with everything in this agreement, no. But maybe that's – that's what it's going to take for us to make future agreements possible for North Canton revenue strength. I would just say, for nineteen years it hasn't happened, this could be a start. And I would just hope that we get our game plan together for our other borders and work more productively towards opportunities that we haven't had in that west side for us, because if it hasn't happened in nineteen years, who knows when it's going to happen? I just hope, if this passes, that we have some future development with the Strip Phase 2 or other economic opportunities in Jackson Township and Plain Township. Not just this corridor, because we're really giving away our services as far as infrastructure with water to help our general fund. And that's what this is coming down to. The win is we don't give up anything, we collect .66% of 1%, .66 of 1% for any future development. At least I'm told that's what I'm looking at here. Someone correct me if I'm wrong.

Mr. Peters: Of tow percent....

Mr. Foltz: Of two percent, correct. So divided – two percent divided three ways. That's a start because we can't do anything else now. We just can't. We haven't been able to. I just hope we have a better economic plan for the future of North Canton along our other borders and inside the City itself. We have a lot to offer. I think that's the thing that when you sit back and look at this, we bought into this community. We're elected officials that represent our constituents. We know how good our services are, our schools are, our parks are, our government workers are, our infrastructure is. And we can't get past why people don't want to come up and want to join us. That's the hurdle that I'm getting over mentality, why isn't this - why didn't that happen before? Why don't people want to come to North Canton with a lower income tax than Canton and great

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services? That's really the mindset we've got to get past, but it's not happening. So what do we do in the meantime? I guess if our best deal is to create economic activity with cooperative agreements, .inaudible... rather than contentious, we should be cooperative as far as working with our township and sister cities.

Mr. Cerreta: I think most people know where I stand on this, and I am not for this for several different reasons. We are a very unique city. I don't like to say we're in a cocoon. I think that we're a very unique city that a lot of people want to be like us and they want to. And so I've got some things here. I'm going to read them off here because there's enough of them here, I don't want to skip one out. But I want everybody - I want to summarize why we should not vote for this agreement that includes the 50 years. All right. And these are all facts. We talk about facts in the past, and what we should stay with the facts. Okay. The area in question parallels the railroad track blockade that has already been placed against us. All right, it's just another blockade. So it's a very interesting coincidence, first of all. If we vote yes on this agreement, we will not be able to annex to the west of our City border, the only really nonresidential area for the growth for the next 50 years. The rest is almost all residential, with a little bit to the north. Where's our businesses going to come from? Half of Council is not even 50 years old. I think I'm about right with that. No specifics to any of the area development except for a hotel. Outside of that we don't know what's going to go in there, what we're going to get a third of. No specifics, no collection of property taxes. That's a fact. No collection of bed tax. That's a fact. We do not - we do collect a third of the unsure income tax to the unsure business developments. That's a fact. Will we get or will we get the water or won't we? At what rate; inside rate, who pays that? Who pays for running the lines? We don't know that. You know there could be a situation where it actually comes out as negative to us. If we have to run the lines to these people, we don't know what rate we're going to charge them, if we charge them inside or - we could be in the red for years before we even get that. So that is one of the only things that you've got to be real careful about that. We paid to have experts out of Columbus, Bricker and Eckler, give us professional opinions since we are just part-time council people to make these decisions. And they came up with the fact that this was not really the best interest for us. We have a water annexation agreement with Cain Toyota. That's a fact. We have called - we have been just called by Dick Heiser, a North Canton business man who owns a great deal of land in that proposed area, over the last four hours he stated he can't believe what he has read in the papers about Council passing this agreement. He's against it and is willing to be annexed into the City. Now that was over the last four hours. Just think what could happen over the next 50 years. And, I keep saying 50 years is a long time. And everybody keeps saying, well, we have nothing now. We don't have anything. We can't get anything. Well 50 years, things change, people change, situations change, economies change. So I want to just end that that these are just facts. And you know, I would - I'm going down the line here. And I'd like all of you, of course, to vote against this 50 year thing. I'm wide open for collaboration with the people that are - want to collaborate with us. I've said that before, collaboration is very important. But you just can't go along with something that's going to collaborate just because we want to be friends with people. You know, there are no political friends. Friends politically are just people who will agree with you. And when they don't agree with you, they're not friends any more. That's political friends. In this situation I'm asking you to vote and have some courage here to vote against this and go it alone if it has to be that way. And do the best thing we can do for the City of North Canton now and in the future. And I also, I mentioned earlier, I would like to call for a public speaks. We had a public speaks in Jackson, two people showed up, maybe. It really wasn't - we weren't even talking about it at the time. So I think there's enough information that we have not received. I didn't even know about it at the time. We were just being informed about it at that point. I would like to see another public speaks for this for our City folks to come up and talk about it. And I think that's who we represent

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and we should hear and listen to them. So as Forrest Gump would say, "that's all I got to say about that."

Mr. Snyder: Let me correct a couple of things for the record.

Mr. Cerreta: Okay.

Mr. Snyder: Number one, the water and the running of the lines is our water. Those are negotiated in each individual JEDD.

Mr. Cerreta: Right.

Mr. Snyder: There will be no change on the existing water rates that are there. What is there now is, if we enter this agreement, those people stay in our water. If we don't enter into an agreement, I don't know what happens to them. But there's no change on the rates and any new future development is - could be a JEDD, because it would have to be a JEDD because those are commercial properties, the water rates will be, if we had to, would be negotiated. But the water lines, per our ordinance, are put in by the particular property owner. We don't front the waterlines.

Mr. Cerreta: Let me ask you, Jon, because I keep hearing you guys say, is that stated in this agreement?

Mr. Snyder: I think it states in there...

Mr. Cerreta: I don't see any of that in the agreement.

Mr. Snyder: It said JEDD, and the JEDD simply means, the one we negotiated, we can negotiate anything we want. I mean ....

Mr. Cerreta: That means talking about it later.

Mrs. Werren: Right.

Mr. Cerreta: But what you just said is not in that agreement. What you just said.

Mr. Snyder: No, but it says it's a JEDD....

Mrs. Werren: Right.

Mr. Griffith: You're right.

Mr. Snyder: It's fully negotiable. I mean we could ....

Mr. Cerreta: It's not ....

Mr. Snyder: you could attach a codicil on that agreement to ...inaudible... that.

Mr. Foltz: We're talking about it now ....

Mr. Snyder: Well that was....

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Mr. Cerreta: and it's not in that agreement.

Mr. Snyder: I talked to them when we negotiated this and they had ....

Mr. Cerreta: But it's not in that agreement, so I wanted to make sure. That's a fact, right?

Mrs. Kiesling: It's not, that's a fact.

Mr. Snyder: No. And it's not a problem, I don't think, typing it on that agreement. First of all, you know, for Canton to march up Whipple and provide water to the northern part of Whipple would be kind of impractical for them. You know, and they're not, that's not it. But, as far as a resident calling last minute, as I told you, at 4:30 I spoke to him, and that is not what he proffered. And I've known that man for a long time. And I've had a lot of dealings with him. And he told me that, you know, we'll discuss it but I don't want to do it in public, but that isn't what he said.

Mr. Cerreta: Give me one good reason, one benefit, versus against a 50 year annexation ....

Mr. Snyder: Number one ....

Mr. Cerreta: That this is going to give us, and maybe I'll think about voting for it, because I just can't see it in any scenario where this benefits us.

Mr. Snyder: Let me ask you this. For the last, since we, since the first agreement, we were given the opportunity to take it all, all of it, all by ourselves. We never made an attempt. You cannot get beyond the railroad track. And I don't care if it's a 5,000 thousand year ....

Mr. Cerreta: That's not a fact. That's an assumption.

Mr. Snyder: No, it's a fact. They own the land. They're not - do you expect them to give it up?

Mrs. Kiesling: We can't cross ....

Mr. Snyder: We fought it to the Supreme Court.

Mr. Cerreta: You're saying we can't ever. You said ever.

Mr. Snyder: Ever. Well, why would they give it up?

Mr. Cerreta: The next person who buys a property wants to come in, we can have that. Fifty years again, is a long time....

Mr. Snyder: Absolutely.

Mr. Cerreta: The word ever ....

Mr. Snyder: But we can also sit in a cooperative agreement, negotiate anything with them, and receive a third of it with providing no services and no out-of-pocket expense. I mean, and relative to the public hearing, we advertised a public hearing. There were a couple – Dick, in fact Dick (Heiser) was at that public hearing. And I mean right now, there's no possible way that you can annex beyond those tracks. And I don't see it in the next 50 years.

## RECORD OF PROCEEDINGS -- COMMITTEE OF THE WHOLE

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Mr. Cerreta: We don't want it to go beyond the tracks. We want on this side of the tracks.

Mrs. Werren: Right.

Mr. Cerreta: You said beyond the tracks, the west side.

Mr. Snyder: Well what are you - first of all the property owner, which if it's not a hostile annexation, the property owner has to want to come into the City.

Mr. Cerreta: Okay.

Mr. Snyder: And what are we going to provide that property owner singly to come into the City? One and one-half percent income tax? Lower water rates? More taxes? Our tax rates are higher than they are now existing in their - and then we have to pay back for the next twelve years with taxes, even though we collect them. We have to provide all the services over there. And we were already talking about last week when the Chief was here how his department was strained to provide on the budget - he's - they're budget constrained. So that means that we provide all the services, and they have to want to come in, and we have to collect the income tax. Plus how many of those people work in another municipality - or no, of course they wouldn't get reciprocity there, but ....

Mr. Cerreta: Let me get - touched on that again. I don't want to keep ...inaudible..., but we're one and a half. Sure, why would they come in? Let me answer this. Why would anyone want to come in this JEDD? Once we sign this there's a JEDD, you're out for 50 years. Why would anybody want to pay 2% when they don't have to pay anything right now, they're in Jackson Township. So we could be out there and nobody joins this JEDD, but yet we're 50 years out of annexation. There's another issue I mentioned - I guess ...inaudible...

Mr. Snyder: Well first of all, if they're going to join the JEDD, they have to be - want to come in, there must be a reason a compelling reason. Secondly....

Mr. Cerreta: Why would they though?

Mr. Snyder: Let me ask you this. If I was a company looking to come to North Canton or this portion of North Canton, the first thing I'm going to do is go on the computer and Google North Canton, Jackson, Plain, whatever. And I see where the cities do not get along, that they have people working in the community who are activists who were constantly belittling everything that goes on in this government. Would you locate your company in such a situation? I don't think so. Nor would I.

Mr. Cerreta: That's....

Mr. Snyder: I mean, there's other things besides that 82 ....

Mr. Cerreta: That's your opinion. That's your opinion.

Mr. Snyder: of the 82 acres that you're speaking of, 62 of them, I think the City of Canton owns. So I mean basically that 82 acres we've had free reign to take it. We've had free reign. I was with Doug, we walked that thing on Easter Sunday. We had those signatures. We presented

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those water agreements to the judge and they laughed. They literally laughed. Louie was following us right behind us. As we went, he would resign them up and we lost the whole thing.

Mr. Cerreta: I keep hearing about the past. The past does not equal the future. It is a different world here. I know I keep ....

Mr. Snyder: No, no. It's worse.

Mr. Cerreta: hearing about how you guys have all this experience about what is going on, but a bad deal is a bad deal whether it's past, present, or future.

Mr. Snyder: The laws have changed on annexation, they favor the townships. They no longer favor the cities....

Unidentified: That's true.

Mr. Snyder: When we took that thing 19 year ago, the annexation laws favored the city. We couldn't get it through on that. Now the annexation laws favor the townships, they're protected. You have to make them whole for twelve years, plus provide all the services. There's a difference. The laws have all changed. And I mean, you know, as I say, you know, I think we're missing other opportunities. As he pointed out, going up the road there's things in Jackson, there's things in Plain that we could mutually cooperate to do. It doesn't have, you know, there's money there for regionalization of services that we can get from the state. There's a lot of things that we can do. This is simply an agreement to cooperate on those 82 acres and to cooperate four ways on any economic development.

Mr. Cerreta: No. This is an agreement to say, "you cannot annex for 50 years."

Mr. Snyder: Those...

Mr. Cerreta: We can do those other things in any other agreement, any other agreement....

Mr. Snyder: They're not ....

Mr. Cerreta: This says 50 years.

Mr. Snyder: Why would they share that with us if we don't protect our boundaries? The only agreement is for the 82 acres along Whipple, not the complete township. It's those 82 acres.

Mr. Cerreta: It's a blockade all the way up the side.

Mr. Snyder: But if we don't enter into this agreement ....

Mrs. Kiesling: It already is.

Mr. Cerreta: Yeah, why would you need another one?

Mr. Snyder: Well I'll say if we don't cooperate, they're not going to sit down. We've stuck them in the eye too many times. I mean, I just believe that.

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Mr. Cerreta: It's not about Hoover socking you in the eye, it's about what's good for our city. Our North Canton.

Mr. Snyder: I think that's the best part of it.

Mr. Cerreta: It's not about what we're doing to the other counties or the other things like that. What's good for our people and our community, not now, but for my kids and their kids, in 50 years from now.

Mrs. Kiesling: And that's where we fundamentally disagree....

Mrs. Werren: Right.

Mrs. Kiesling: Because ....

Mr. Cerreta: That's where we disagree.

Mrs. Werren: Right.

Mrs. Kiesling: We believe in 50 years, there will be much more opportunity because we've agreed to agree with them, that we are not annexing anything in this area, it's not happening. But we may get a third of something and not provide any of the services, provide our water whether we do it inside rate or outside rate. I - yes, that's got to be negotiated in the JEDD. But it gives us the opportunity for the future, you know there are a lot of things that could happen and they are....

Mr. Cerreta: In 50 years.

Mrs. Kiesling: and they are not within – well yeah....

Mr. Cerreta: A lot of things could happen with that.

Mrs. Kiesling: Exactly.

Mr. Cerreta: And so don't – you can't say, we can't get that land ever. Now let's go in with them, and we'll never have to annex. And we'll just share one third for the rest of, and we'll get services we're not sure if we're going to make out on.

Mrs. Kiesling: And we don't disagree with you, Mark, at all. It is the most frustrating thing I've dealt with in the last twelve years. But the annexation laws have changed. We can't just straight up annex. We've tried and tried ....

Mayor Held: That's incorrect.

Mrs. Kiesling: It doesn't work. The water agreement, you guys haven't even pulled them out of a box. Where have we seen them? We haven't seen them. All of a sudden you're telling me at the last minute saying that Mr. Heiser has come to you. Listen, either agree or don't agree, but we want to move forward one way or the other today.

Mr. Cerreta: I think – I think we - I'd like to have a public speak and find out what the people said.

Mrs. Kiesling: I think they're all here, and it is public speaks tonight.

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Mr. Cerreta: Well, what are your guys' thoughts? The....

Mrs. Kiesling: I mean we have a meeting tonight.

Mr. Cerreta: An open discussion, open format, that is set up in stone that we have it set up ahead of time so that people know to come in. There are people out there that's been asking me about it. They hardly know anything about it as it was over at Jackson. Really, was it - we weren't even involved in it at that time. It was election time, and nobody was more into anything else. So that was not a big - fair public situation where people can come up here and state their opinion, people that we represent. So, I'd like to take a little bit of time maybe and set up an open discussion, an open forum for people can come in.

Mrs. Kiesling: That's - there's nothing wrong with that. But I think tonight we're going to put it on the agenda and give it its the first reading. We're not going to pass anything on an emergency. We haven't rushed so far. This has been going on since last April.

Mr. Cerreta: And what's the rush?

Mrs. Kiesling: Exactly. I'm in no rush, but I'm going to give it its first reading because we have told them that we are giving our due diligence. Whether we vote no in two weeks, we can all change our minds, and that - that will be fine.

Mr. Cerreta: Well I'd like to table that then. I don't think we should do that. We can vote against it I guess.

Mrs. Kiesling: Yeah, you can vote no.

Mr. Cerreta: Okay.

Mayor Held: Can I ask a question?

Mrs. Kiesling: You sure can.

Mayor Held: Which agreement is Council talking about? The one that Chris Schmenk proposed?

Mr. Snyder: No, the first one.

Mayor Held: or the first one. So we're talking about the original agreement that you want to give the readings on the first agreement?

Mr. Snyder: Right.

Mayor Held: Okay. And what - and I don't want to interfere with the committee's meeting, but at some point I would like to ask some clarifying questions.

Mrs. Kiesling: No, you can go ahead, you can ask now.

Mayor Held: First off, you know, I'm sure that all the Council members have read both the proposed agreement and the original agreement. And I'm just trying to get an understanding of

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the difference between the two. I want to see that the Council members understand the basic difference between the proposed agreement and the original agreement.

Mrs. Kiesling: The proposed agreement ....

Mayor Held: Yes.

Mrs. Kiesling: The original agreement states that in that corridor we will agree to agree to potentially do JEDD's or CEDA's, between the four entities. We will share the taxes, blah, blah, blah. The new or the amended, the - what came to us last week states that we will not try to straight up annex anything, but we will work with you to - if we want to annex anything in the future. We can maybe do a JEDD or a CEDA, but we will come to you, Jackson Township or Plain Township, we will come to you first and we'll try to work things out. There will be no moratorium straight up. There's no moratorium. There's no 50 year unless we put it in that existing JEDD that we potentially create. So this proposed agreement that we plan on voting on tonight, at least five or six of us, is the old agreement that says this is just a big vision of these 82 acres. Potentially there will be agreements that will come out of it. Potentially there won't. I'm not going to say there will. Obviously, there are no guarantees. And with each JEDD that we potentially negotiate, we'll negotiate all the terms. The second agreement states we're going to negotiate the terms before we agree to any moratorium to annex which is what we did with the CEDA at the Sanctuary. We negotiated a CEDA. You, Jim and I, went over there many times and negotiated it and put the moratorium on the Sanctuary Golf Course that said for three years we won't jump across and try to annex that. Those are the differences between the agreements.

Mayor Held: So the first agreement has a willingness for us to cooperate together.

Mrs. Kiesling: Correct.

Mayor Held: And there's a restriction ....

Mrs. Kiesling: So does the second.

Mayor Held: where we cannot, under any circumstances, agree to annex the property in that zone for 50 years unless all the Townships and the City of Canton agree. Correct?

Mrs. Kiesling: Agree to an agreement because we're not going to do a straight up....

Mayor Held: So you agree that there's an annexation restriction for 50 years in the first agreement, and there's a cooperative element in the first agreement. Correct?

Mrs. Kiesling: Correct.

Mayor Held: And then in the second agreement, in the proposed agreement, it's the same agreement with some modifications. Correct?

Mrs. Kiesling: Uh huh.

Mayor Held: And those modifications remove the annexation restriction.

Mrs. Kiesling: Yes.

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Mayor Held: But keep all the elements of cooperation and our willingness to work with the Townships, the City of Canton and Jackson.

Mrs. Kiesling: It does.

Mayor Held: Correct. So really what we're discussing in these two agreements, there's one main difference, and that is the removal of the restriction to annex property for the next 50 years.

Mrs. Kiesling: In that area...

Mayor Held: Right.

Mrs. Kiesling: Not across townships.

Mayor Held: So that's - so really the basic difference between the two agreements is that essentially when you look at the cooperative aspect, they're very, it's really the same agreement but with the annexation, the second agreement, the one that our consultant proposed, we're removing the annexation restriction. Correct? Everybody agrees with that?

Mr. Snyder: You also, the second agreement does not require us to enter a JEDD or a CEDA with the Township....

Mrs. Kiesling: Right. Those are ... right....

Mr. Snyder: We could try to take the property and keep it ourselves. We do not have to - there's nothing in there that provides that we negotiate a CEDA and a JEDD with the....

Mayor Held: And you're talking - which agreement are you talking about?

Mrs. Kiesling: The second.

Mr. Snyder: The second agreement.

Mayor Held: Okay. And what specific JEDD is in the first agreement?

Mr. Snyder: There are no – and we're talking ....

Mayor Held: Okay.

Mr. Snyder: about it. The first agreement is a ....

Mrs. Kiesling: And we made that clear.

Mr. Snyder: mutual agreement to cooperate an economic development through JEDD's or CEDA's.

Mayor Held: Okay.

Mr. Snyder: It doesn't identify anything. It just simply prohibits you from annexing anything in that corridor for 50 years. And my statement is for the last nine years why haven't we, if they, I

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distinctly remember Randy Gonzalez looking both of us in the eye at the Board of Elections and saying, "have at it, take it all if you want it." ....

Mayor Held: Well then I don't think that they would ....

Mr. Snyder: And we brought that here, and it never went anywhere.

Mayor Held: be opposed to the City removing that annexation agreement then would they?

Mr. Snyder: Well there has to be some, it's a negotiation, it has to be good for both sides.

Mayor Held: No, but what I'm saying....

Mr. Snyder: Obviously....

Mayor Held: If they're all for, if they're welcoming the City to annex property, if Randy Gonzalez, is that what you said, that he was ....

Mr. Snyder: Well that was before.

Mayor Held: But he did say that you can have at it. You can go ahead and annex the property.

Mr. Snyder: That's nine year ago.

Mayor Held: But, he did say that?

Mr. Snyder: He did.

Mayor Held: Then, why would they place a restriction?

Mr. Snyder: For....

Mayor Held: If they can't annex property, which is not true....

Mr. Snyder: No.

Mayor Held: But, if we couldn't because we annexed the Sheetz gas station.

Mr. Snyder: Oh, we annexed Chambers and then they sold it to Scheetz.

Mayor Held: Okay. But it was an annexation. And it was in the township and now it's in the City.

Mr. Snyder: Yeah. It was a negotiated ....

Mayor Held: And now all the Sheetz employees are paying income tax to the City of North Canton. Right?

Mr. Snyder: Right.

Mayor Held: The Walsh property. Did we annex the Walsh property? When did we do that? Was that in the last ten years? Five years?

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Mr. Snyder: Walsh College?

Mrs. Kiesling: Yes. The Walsh/Gressel, yes.

Mayor Held: What, a year ago, two?

Mrs. Kiesling: Well, last year. Yes.

Mr. Snyder: There's no money on that property.

Mayor Held: So we've had two properties that we've annexed. So annexations, to say they don't work, or the laws prohibit them, that's not correct.

Mrs. Kiesling: I never said that.

Mayor Held: You can annex property owners when they are willing to come into the city.

Mrs. Kiesling: And contiguous.

Mayor Held: I mean it's an economic development tool that the City has by law to annex property, willing property owners. I've always, you know, been of the position back when I first started as the Mayor and up until now, you know why is it we don't go and just annex property, because you want to have willing properties that come into the City. If you have a willing property owner, an industrial property owner like what happened today. We had an industrial property owner, one of the largest industrial property owners in the area, that said he has an interest to be annexed into the City. Under this agreement....

Mrs. Kiesling: But yet you're talking out of both sides of your mouth.

Mayor Held: How is that?

Mrs. Kiesling: You also want to use the agreement, supposedly Mr. Cain signed how many years ago, and forced him to annex if we get contiguous. He's made it very clear he doesn't want to become part of the City anymore.

Mayor Held: That's not untrue. That's not untrue....

Mrs. Kiesling: That's what I keep hearing, you have his water agreement and you want to force him ....

Mayor Held: That's absolutely not true.

Mrs. Kiesling: to annex.

Mayor Held: That is not true....

Mrs. Kiesling: Okay, well....

Mayor Held: Mr. Cain signed an agreement to be annexed into the City under the water agreement. He has that signed agreement.

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Mrs. Kiesling: Right.

Mayor Held: So it's – that's just incorrect. And that's what I'm trying - I'm trying to clarify some of the confusion that's out there. What I am asking Council to do is that you sign this original agreement it simply handcuffs the City from an economic development standpoint for the next 50 years. That is guaranteed. When we say there are no specifics, it is absolutely spelled out that if we sign this agreement, that the City of North Canton cannot annex any property in that zoned area unless the township, both townships agree.

Mrs. Kiesling: May I ask you a quick question? Who called who today?

Mayor Held: Mr. Heiser called me.

Mrs. Kiesling: Okay

Mayor Held: But I think that that's irrelevant. I mean I think what's important is that ....

Mrs. Kiesling: It's relevant.

Mayor Held: as Mark said, we're entering into a 50 year agreement, and you, you know, within days, you know have an individual that changes their mind. I mean that stuff happens. It happens in business. It happens in government. But what I'm asking Council to do, I mean, here's another question that I have, can any council member identify one benefit, one benefit, as to why somebody in that zone would enter into a JEDD. One reason why they would be willing, because the property owner has to agree. Can there be one reason why they would enter into this agreement, into a JEDD and pay two percent I'm just looking for one.

Mr. Snyder: Well, then on the same side, what would be the reason for the property owner to annex to the City?

Mayor Held: The water - our water.

Mr. Snyder: They already have it.

Mr. Cerreta: One and one half times percent, not two.

Mayor Held: Yeah, absolutely. And we have – we pay....

Mr. Snyder: That doesn't offset the income tax.

Mayor Held: Well let me make it clear here. We charge one and one-half percent income tax, and this JEDD is two percent.

Mr. Snyder: I understand that.

Mayor Held: And what is the incentive? There is one incentive, water, water - construction of waterlines, reduced water rates. Why did Mr. Cain sign the water agreement to be annexed? Why did he do that?

Mrs. Kiesling: Because he thought he was going to get that waterline free.

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Mayor Held: Absolutely. Absolutely. I mean it's a tool that the cities are able to use.

Mrs. Kiesling: That's all we wanted.

Mr. Snyder: That line – that water agreement, it was signed 12 or 15 years ago. And I....

Mayor Held: And we have a water agreement with the property owner where they've agreed to be annexed into the City....

Mr. Snyder: I don't know that you can enforce that.

Mayor Held: To say that annexation laws prohibit it is untrue. It's just not correct.

Mr. Snyder: I don't think you'd be able to enforce that.

Mayor Held: Well, that's a question that we'll have to decide at some point in the future. But why....

Mr. Snyder: And then....

Mayor Held: are we sitting here and we're going to just give away a right that we have as the City to grow our tax base and we're going to give it away because we want to cooperate. I mean, that is just irresponsible. I mean, I'm hoping that it's just that you're not clear on what the agreement is. I just can't understand why we would take a very valuable economic development tool that is assigned to us through the state, you know through the law, that we can exercise and we're just gonna give it away. We'll just give it away because – because we don't want to be uncooperative. How do you answer to the people in the City? I mean, how do you answer that? We have a property owner, an industrial property that wants to come into the City, and we're going to say, "well, we're going to give that away. We're going to give it away to the Township because we don't want to be uncooperative." I mean, I'm – I - the only thing that I can think of is that you're not clear - that you're not clear on it. You've got a proposed agreement. You've got one of the renowned experts in the State of Ohio that reviewed this agreement, and she made it crystal clear that this isn't a JEDD agreement as it was originally named. She said that this is a CEDA agreement. That this is an agreement to agree. It's an annexation restriction agreement. That's what it is. And what she's done, she's proposed a new agreement which basically says, we'll keep all the cooperative elements in it, but we'll just agree to take out the annexation restriction so that if Mr. Heiser, or if we look into the past, the Sheetz gas station or any other property owners that want to come in, we're able to welcome them. We can welcome them in....

Mr. Snyder: I went to ....

Mayor Held: I'm not about taking property by saying we're going to shut off their water. I've never supported that. I have no intention of supporting it. But you're just restricting our ability to welcome a property owner that comes into the City.

Mr. Snyder: Number one, I went to the respective parties when you and I discussed this last October about the annexation agreement with the fact of removing that. Dan will tell you. he was there. They said absolutely not. They ....

Mayor Held: That's their choice.

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Mr. Snyder: Right. And that's our choice to either enter into the agreement or not enter the agreement. I mean, and again, I say we're not, as Mr. Foltz so eloquently put, we're spinning our wheels. We've been doing this since - for 20 years, and we still have yet to bring the first property.

Mayor Held: No, that's not true. The Sheetz gas station is one example, they've been annexed into the City....

Mr. Snyder: Well they weren't there when ....

Mrs. Kiesling: It wasn't Sheetz.

Mayor Held: So we're saying that we haven't annexed property for 20 years, and we have all those jobs....

Mr. Snyder: It wasn't - it was Chambers, he was selling to Sheetz.

Mayor Held: Okay. But it was in the Township and now it's in the City. Right? Is that correct? Am I correct in this, or is it untrue? So to say that we have not annexed property for 20 years is not - that's not correct.

Mr. Snyder: And they came to us, Chambers came to us....

Mayor Held: Okay. Right. They - willingness came to the City and they wanted to be annexed....

Mr. Snyder: That's exactly right.

Mayor Held: And now you've got another industrial property owner....

Mr. Snyder: No, that isn't what I heard at 4:30. So I have to beg to differ with you on that....

Mayor Held: Well, but I'm ...inaudible...

Mr. Snyder: I'm not saying - I don't know what he told you. It doesn't make a difference. I'm not going to share....

Mayor Held: No, well please clarify because I'm ....

Mr. Snyder: No, I'm not going to share my - I told him I wouldn't share my conversation publicly. But I intend to see him tomorrow.

Mr. Cerreta: Well, that just backs up a public time when they can come in and talk to us. I think we do need a little bit of openness. That gives you a prime example of people now that find out, they're finding out about it because it's been quiet for a little bit, we didn't know where we were at. And all of a sudden the last couple of ....

Mrs. Werren: He came to the meeting.

Mrs. Kiesling: He was at the public hearing.

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Mr. Snyder: He was there.

Mr. Cerreta: Yeah, I know he was there. And he's just one example, I'm saying. He wasn't real happy there either.

Mayor Held: But people change their minds.

Mrs. Kiesling: I agree. I'm not disagreeing with you on that.

Mayor Held: I mean – and so the only thing that I'm ....

Mr. Snyder: Well this is not going to move at light speed. So I think there's nothing wrong with passing the first reading on it. And it will give me time to go speak to him and find out and not have the residents who try to negotiate things when they're not empowered to go do it and screw it up. Allow me to go do it and I - or if you want to come with me or send somebody else, that's entirely your privilege, but you know I'm saying that I think not....

Mayor Held: But sure – are you asking to ....

Mr. Snyder: not to move ahead with this, it doesn't bind us to anything but a first reading. And we're keeping within the timeframe....

Mr. Foltz: I concur, Jon. We have a first reading. If Heiser wants to come in, we've got two readings to go.

Mr. Snyder: That's what I'm saying.

Mr. Foltz: You going to come in or not?

Mr. Snyder: Yeah.

Mrs. Kiesling: It's amazing how all of a sudden the conversation is sparked....

Mr. Foltz: Maybe a sense of urgency is what these business owners need.

Mrs. Kiesling: We have community out here who haven't come to any meetings until this. I mean, it's awesome. And we were front page news, and now we've got to get going.

Mr. Cerreta: It tells you how important this is to our community. Isn't that correct?

Mrs. Kiesling: It has been in the paper for months, Mark.

Mr. Griffith: One of the things that I love most about living in North Canton is how optimistic everybody is. I mean, it's a great place to live, and we're a community of high expectations. I've talked about that a lot and I hear that all the time. We expect a lot of our kids that go to school. We expect a lot of our sports teams. We expect a lot of ourselves. I think there's no doubt about that. And I think that is reflected in the questions that we're asking tonight. If we do this, what will we give up? Right? What are we missing if we do this agreement. And that's a great question. It's a fair question, it's a legitimate question, and it's a very valid question. But I'm reminded of the speech that Dr. King gave, and I mean not Malone's Dr. King who lives here in North Canton, but the Dr. King, when he talked about the parable about the Good Samaritan. And when the first

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two guys passed by, it's the one most of us are familiar with. They asked the question, "if I help this man, what will happen to me"? And I think that's what we're asking tonight. If we do this agreement, what will happen to us? Good question. Very valid question. But what he said was, the story is important because the third man said, "if I do not help this man, what will happen to him"? And that's what we're missing here. We characterize this as an anti-annexation agreement, and that is absolutely accurate. And I'll tell you why I think that's a valid and important and essential element to this agreement. If we do nothing, which is in fact what the City has chosen to do for the last 20 years, relatively nothing. You made a couple of valid points about pieces that have gone in. But when we provided for the opportunity with our neighbors to collaborate, we have opted to go it alone. And on every single one of those opportunities, North Canton has lost - has lost. And the same thing will happen here. I can see a scenario. I'm one of the people who is under 50 as we sit up here. I can clearly see a scenario, in 20 years, where Jackson and Canton, who already have an agreement to collaborate together, have opted to move our borders immediately where that annexation, where they don't have any obligation to us to annex that property, where they move those borders all the way up to the edge where we are. Canton is allowed to do that. They could do that today. They could do that with Jackson today. And in fact, there's nothing stopping them doing that, and I would argue that they have very strong reason to try to do that, because Canton doesn't have the space and the ability to grow in other ways. And they've been very aggressive when it comes to annexation. So we talk about it 20 years from now, where are we going to be when we want to be there? I fear that 20 years from now, we'll be in a position where we, Dick Heiser won't be a part of North Canton. He won't be a part of the JEDD. He'll be part of the City of Canton. And we won't be able to ever do anything in that position. And that is a very, very valid concern. I think what we have an opportunity to do tonight, is to say, we missed the boat back in the day for whatever reason, we did, and we don't currently have a plan. It's a problem with government in every form that we have, we are not proactive. And we all are frustrated about that. All of us are. But the reality of the situation is, if we're going to move forward and create economic development one way or the other, we have two options. If somebody moves into that area that we're talking about, this limited area, and they say, "I would like to create my business in this area." All three of us or four of us can fight and spend hundreds of thousands of dollars, which we have done every single time it's happened when the hotel moved into the Burger King lot, that's exactly what happened. We fought. And all of the people fought. And we didn't get to the point where we had to spend legal dollars because wisely we came to the decision gosh it makes sense maybe not to do that, because we were able to do this agreement, or at least able to negotiate pieces of this agreement, that didn't happen. So we have the opportunity tonight to say we will aggressively as a group look for places where we can collaborate. We're going to collaborate and allow ourselves to take pieces of property that are in areas that we already gave up. We're going to take opportunities to grab pieces that are prior mistakes stopped us from taking a part of. And so that's what I want you to think about tonight is, we must very carefully consider what it is we're giving up on both sides of the ledger. We miss opportunities potentially, yes. Absolutely. But we also accept a great deal of risk by continuing to maintain our little cocoon here in North Canton and hoping for the best in the future.

Mayor Held: Can I ask a clarifying question?

Mr. Griffith: As many as you like.

Mayor Held: What missed – what opportunity are we missing?

Mr. Griffith: We're ....

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Mayor Held: I mean specifically, what opportunity are we missing when - if we don't sign this agreement?

Mr. Griffith: We're missing the opportunity to accept financial benefit. First of all....

Mayor Held: Specifically, what is the financial benefit?

Mr. Griffith: Financial benefit would be any tax revenue. First of all ....

Mayor Held: Well I mean give me just one example.

Mr. Griffith: Well any JEDD that we would be able to engage in.

Mayor Held: Okay so, you're talking about a JEDD. We would be giving up the opportunity ....

Mr. Griffith: To participate ....

Mayor Held: to enter into a JEDD. Right?

Mr. Griffith: Correct.

Mayor Held: Okay. So when you have a JEDD, who has to agree, under this agreement, under the first one, who has to agree in order for the JEDD to exist?

Mr. Griffith: The land owner in every case.

Mayor Held: The land owner. Why would the landowner agree to pay two percent? Can you come up with one reason why a landowner would agree to pay two percent?

Mr. Snyder: Well, the particular hotel is being built....

Mr. Griffith: Well let me answer ....

Mayor Held: No. I mean I just want to get this clear so that I know.

Mr. Griffith: Well, that's a great question too. Because it's, as you pointed out before, that's the question that we haven't been able to answer, which is my broad frustration here. I would love to be....

Mayor Held: So you don't – so what's the answer?

Mr. Griffith: Let me finish, please, please, Dave. You asked me a question, and I'm going to answer it. Okay.

Mayor Held: Right. So I'm....

Mr. Griffith: The issue here is what are we going to do to incentivize people to participate in economic development? Correct?

Mayor Held: Do you want me to answer that?

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Mr. Griffith: And you're saying - I'm answering your question. You're saying that the advantages of participating in a – there are – you're suggesting there are two options. One is to participate in the JEDD that's two percent or an annexation on our part which is one and one half percent and I think that that's a false choice. The reality is that there is a third choice, and that is for no one to participate in anything. And that's the reality of what we're looking at right now. If I'm a landowner such as Cain, I would say never mind. I work in an area with landowners who I've talked about this very issue. Who if I was a business owner, I would suggest not participate in this. We cannot give them more favorable real estate tax breaks, and we can't give them - they have no interest in the position right here. I would love to be able to say to them, come into North Canton, it's a better deal. There are other things that are beneficial. But we don't....

Mayor Held: But do you believe that's true?

Mr. Griffith: I believe that North Canton is a great place to be economically. But numerically, in a lot of cases for land owners that have existing infrastructure, the answer is no.

Mayor Held: Then why do you think property owners agree to annex? Why do you think the Sheetz gas station agreed to be annexed?

Mr. Griffith: Because we were able to provide infrastructure.

Mayor Held: Why do you think that Mr. Heiser called today and agreed that he wants to be annexed?

Mr. Griffith: Well I'm not going to talk about the Heiser issue because I don't have the details, but the reason that Sheetz was interested in annexing and the reason that Cain talked about participating, was because we were willing to give and provide infrastructure.

Mayor Held: Absolutely. Absolutely.

Mr. Griffith: And, that's exactly what we would do in the JEDD. The difference is, if we participate in the JEDD format, we don't have to provide all of that infrastructure ourselves. The taxpayers of North Canton....

Mayor Held: How do you know that?

Mr. Griffith: don't have to foot - let me finish. The taxpayers of North Canton don't have to foot 100 percent of the bill. We're able to share that responsibility with some of the other people.

Mayor Held: And where does that say that in the agreement?

Mr. Griffith: It doesn't.

Mayor Held: Exactly. That's exactly right.

Mr. Snyder: It says that in there. It says they'll provide the....

Mr. Griffith: Well It says – it does say that in any future – in any future agreement that we will share the infrastructure cost. It does say that. That - absolutely it does.

Mayor Held: Okay. If they agree to it.

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Mr. Griffith: If the landowner agrees.

Mayor Held: If they agree to it. Absolutely.

Mr. Griffith: Yeah, listen, what we're saying here...

Mrs. Kiesling: We're saying the same thing, Dave.

Mr. Griffith: What we're saying is we're providing a fertile field to grow businesses. What we have right now is a very small piece of property, a small swath of property that Jackson, that Canton, everybody wants a little piece of. And of course they want their own - we all want our own. We would like to have all of it. The logistical realities of the business side of it, which again is where I come from, and the technical side of it, the legal side of it, put us in a position where that's not going to be possible in the future. It is not pragmatic. It is not realistic....

Mayor Held: What is not possible?

Mr. Griffith: It's not realistic for us to assume that we would be able to....

Mayor Held: What is not possible in the future?

Mr. Griffith: It's not realistic for us to assume that we would be able to annex all of the property that's in this position right here.

Mayor Held: That's just incorrect. It's just incorrect.

Mr. Griffith: You and I fundamentally disagree about that.

Mayor Held: We can annex property. The law is set up so that if a property owner desires to come to the City, there is a mechanism for that to happen....

Mr. Griffith: And what we also see ....

Mayor Held: It has happened in the past, and it can....

Mr. Griffith: past performance is a great indicator of future performance. In the Fosnaught example, which is a great example, we had a willing property owner that we all would have loved to have in the City. And all advocated to come in....

Mayor Held: Right.

Mr. Griffith: And the reality was in that scenario, the courts ruled against us. And even though we had a willing property owner, and that's what I'm saying, that's the reality of the situation. We have people, including legal counsel for Plain Township, who has said to us with no uncertain terms in the meetings that we were in, that they would fight tooth and nail any opportunity to annex.

Mayor Held: Absolutely. Absolutely.

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Mr. Griffith: And I understand that. That's their right. I would disagree about that, but that's their prerogative. But that's what I'm saying, we have a choice, whether we will effectively be in a position where if we win battles, they'll be extremely hard-fought battles. Which I would argue if you look at the pure numbers of them, are going to provide low return on investment. I mean if you provide, like Cain, if you provide a 30,000 to 40,000 a year income tax bump, if you add a \$250,000 legal bill on top of that, the number for return on investment for annexing that property is going to be a lot lower. I'm looking at the numbers. The numbers are what govern here, Dave.

Mr. Snyder: Plus you have to provide all the safety services, all the infrastructure....

Mrs. Kiesling: Right and the infrastructure.

Mr. Griffith: Which are all factors that are here.

Mayor Held: Okay. You know what's amazing, when you look at this whole thing, everybody is talking about this in generalities, you know, and still the question that I would like Dan, that I would like you to answer, when you enter into a JEDD, the property owner has to agree. Correct?

Mr. Griffith: Correct.

Mayor Held: Now you go to property owner A, and you say, we would like you - we have this agreement with Jackson, Plain, North Canton, Canton, we would like you to enter into this JEDD. And we're going to offer you the ability, the opportunity to pay two percent income tax. Why would they say yes?

Mr. Snyder: Well, they have had one....

Mr. Griffith: Because we're going to provide them some....

Mr. Snyder: The hotel at the corner of Everhard said, yes, we'll do it.

Mr. Griffith: I answered that question, and I'll answer it again. The answer is...

Mayor Held: They said, yes that they will do it.

Mr. Snyder: Oh yes, he said yes.

Mayor Held: Okay. And what is the cost to the City on that?

Mr. Snyder: It's nothing.

Mr. Griffith: It's a fourth of what it would be otherwise.

Mayor Held: There's no - there's no cost?

Mr. Griffith: Minus the reduction in real estate taxes.

Mr. Snyder: There's no cost....

Mayor Held: What was that?

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Mr. Griffith: It's - the reality is to answer your question ....

Mr. Snyder: There is no cost to us.

Mayor Held: I've never seen that agreement.

Mr. Griffith: If we provide infrastructure then we don't have to provide all of it ourselves.

Mr. Snyder: We haven't drafted it yet.

Mayor Held: Okay. So it's all verbal. There's nothing that's written?

Mr. Snyder: Well we haven't - they're not going to - we have no....

Mayor Held: Why wouldn't you include that in the agreement? Why wouldn't you include this in this?

Mr. Snyder: First of all we have no standing to negotiate with that property owner. That's not - it's outside of our borders. It's across the road. He wants to open his hotel. He wanted water. He said - I spoke to him on the phone, he said, my employees will pay the income tax, corporation will pay the income tax. I want to move ahead. I'm not worried about one and one quarter, one and one half, or two. Well he knows in order to get the water he has to sign the agreement. He's going to sign the agreement. It has to be negotiated. But we have no standing to negotiate that agreement right now.

Mayor Held: So we're going to agree, we're going to sign an agreement which gives us the opportunity to negotiate future agreements. Is that what I'm hearing?

Mr. Snyder: Well, we don't have that opportunity now. We're barred from it.

Mayor Held: What bars us from that?

Mr. Snyder: That railroad track.

Mr. Cerreta: But we give up 50 years to get to that point.

Mayor Held: Yeah. I mean, what prohibits us from discussing....

Mr. Snyder: How are you going to get there? You're not contiguous.

Mayor Held: I'm not talking about that. I'm saying....

Mr. Griffith: We have the cooperation of the other political subdivisions that will agree not to proceed in other situations. We have the agreement of Jackson ....

Mayor Held: So it's all or nothing. So if we don't sign the agreement you're saying that the loss is what?

Mr. Griffith: Well from a practical standpoint, I think the answer is no.

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Mayor Held: The answer is no to what?

Mr. Griffith: Well first of all, I think there are a lot - there's a great deal of frustration amongst the other political subdivisions with the fact that North Canton has been a bad actor in the past.

Mayor Held: And wait, and what do you mean by bad actor? I mean please clarify that....

Mr. Griffith: I'm happy to do that.

Mayor Held: because I've been here now as Mayor for eight years, and I'd like to know what you mean by bad actor.

Mr. Griffith: I mean that's it's been very difficult ....

Mayor Held: Do you mean the Administration, do you mean the Council, the previous Council, what do you mean by that?

Mr. Griffith: I mean that the municipality in and of itself, has made it very difficult to participate with other people, other political subdivisions in the area.

Mayor Held: In what respect? I mean specifically I'd like to know. We're talking about this in generalities here.

Mr. Griffith: In the sense that when efforts have been made, as this one to negotiate agreements in good faith, that not one of those agreements has come to fruition.

Mayor Held: And what's the problem with that? If it's bad for the City, that's a good thing. If it's a bad agreement, it's a good thing that it didn't come to fruition.

Mr. Griffith: What's wrong with that is that we now have a border that's a railroad track that precludes us from ever getting west. What's wrong with that is that we have tens of thousands, potentially hundreds of thousands of dollars that would have been a part of other previous JEDD's, that these people that all of us are going to have to make up in some form of revenue enhancement because we've lost that opportunity. That is real. Those are real numbers that all of us have to deal with the consequential standpoint on a day to day basis. I am worried about 50 years from now, because I'm worried about how we're going to pay the bills in 50 years. I'm worried about how we're going to do that in five years. And I don't see any current plan, any current plan in place for us to ameliorate that issue by annexing properties as we've talked about it right now. And if there's some secret plan, I would love to know about it. And I'm happy to talk about it.

Mr. Cerreta: Should we just let other people do that instead of us coming up with our own plan? If we go to that, it's their plan to go where they want ....

Mrs. Werren: No, we're part of that plan.

Mr. Griffith: That's the difference, we get to participate. And if we do nothing tonight, then other people will continue to make our plans for us ....

Mrs. Werren: Right.

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Mr. Griffith: as they have done in the last twelve years.

Mayor Held: Make ...inaudible... How do you mean that? When you say, make the plans for the ....

Mr. Griffith: Then Jackson and Canton will have the opportunity ....

Mayor Held: how can they dictate, how can a township dictate what this City does?

Mrs. Kiesling: They already did, they blocked us.

Mr. Griffith: They dictate what our border is.

Mayor Held: What's that?

Mr. Griffith: They dictate what our border is. If Jackson and Canton have an agreement to cooperate together collaboratively....

Mayor Held: Then, let them do it.

Mr. Griffith: Well if they do that, it is to our loss though, Dave, in both cases..

Mayor Held: How is that? Tell me the reason why a property owner would agree to go into that section.

Mr. Griffith: Because we lose property irrevocably. If they go to Cain and say, we're going to give you some economic incentive, and Cain comes into the City of Canton, and Jackson....

Mayor Held: Why haven't they done it?

Mr. Griffith: Well partly because ....

Mrs. Kiesling: They're waiting for us.

Mr. Griffith: ...inaudible... and partly because it's their choice. They have that opportunity today and we don't because we're not contiguous to that property. So tomorrow there could be an announcement that that's going to happen. They could come in as a part of the City of Canton, and we would lose forever the right to gain any economic benefit from that property, forever. Not fifty years, by the way. Forever.

Mayor Held: Wait, wait, what is it - we're losing what forever? I mean here's the - you know, this is what everybody's talking in these grand terms oh everything opposite of the railroad tracks, it's forever, it's forever gone. That's not true.

Mr. Griffith: I'm trying to be as specific as possible.

Mayor Held: Yeah but what I'm getting at ....

Mr. Cerreta: Inaudible... answer as well.

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Mayor Held: it's not true, because that annexation could be rescinded. It could. It may not, but it could. It could happen. You know, you never know what can happen. I mean there's a number of things that can happen in 50 years, and we're talking in big, grand, ambiguous, vague terms, without any specifics. And we're looking at entering into an agreement. I mean the longest term agreement that I've ever made other than marriage is a mortgage, you know for thirty years. I've never entered into an agreement for fifty years. I don't think anybody in this room has entered into an agreement for fifty years, contractually. I mean and we're looking at - there is one thing that is guaranteed in this agreement, there's one thing. Does anyone know what that thing is guaranteed in this thing original agreement, what that is?

Mrs. Kiesling: We cannot annex that corridor for 50 years.

Mayor Held: Exactly.

Mr. Griffith: And that Canton can't annex anything in that corridor either.

Mayor Held: And they could do that now. They can do that now. Now why do you think that a property owner would agree to that? That's what I'm getting at. They'll do a JEDD?

Mr. Griffith: Because they could provide some future incentive that would give ....

Mayor Held: Such as what? Such as water?

Mr. Griffith: Such as tax incentives, such as real estate incentives, any of those things.

Mayor Held: Okay. Tax incentives as far as what? We'll give you, here property owner A, you come into our JEDD and what you get to do is get the same level of police, fire and Township services that you already get, but you get to pay two percent. And then the property owner goes, oh wow, what else do I get? Maybe you can get a discount in your water rates from the City of North Canton. Maybe the City of North Canton will construct a water line for you at a reduced cost. But why would North Canton want to do that?

Mr. Snyder: And we don't have to do that.

Mayor Held: So then that's my question. Why would the property owner agree to enter into the JEDD? Why?

Mr. Snyder: Well turn it around.

Mayor Held: No one can give me an answer.

Mr. Snyder: Why would the property owner agree to annex into the City of North Canton? What are you going to give them? Cheaper water rates.

Mayor Held: Absolutely.

Mr. Snyder: What else?

Mayor Held: Waterlines.

Mr. Snyder: Higher taxes -- higher taxes.

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Mayor Held: Extended water lines. Water.

Mr. Griffith: Higher income taxes and higher real estate taxes.

Mrs. Kiesling: Yes.

Mayor Held: What did you say, higher income tax?

Mr. Snyder: Higher real estate taxes. Look at the real estate tax chart. See what you pay and what ....

Mayor Held: Why did Mr. Cain sign his agreement?

Mr. Snyder: I have – well ....

Mayor Held: Why have other property owners signed their agreements?

Mr. Snyder: First of all, now you're saying two things. One you say you will never use the Cain agreement to do anything. Now you want to use it again. Either you ....

Mayor Held: No, I didn't. No, it's not true. Let me clarify this, what I'm saying is that if we already have existing agreements, if people have already agreed to be annexed into the City, what Council is about to approve is that you nullified those agreements that we've already gathered for years. You are saying we will nullify those....

Mr. Snyder: We did that once before ....

Mayor Held: Those are gone.

Mr. Snyder: I believe we nullified all of them, didn't we?

Mayor Held: Right. And so why would you do that? You're giving it up....

Mr. Snyder: We did it once before.

Mayor Held: Why? Why?

Mr. Foltz: Well we can't pursue them now that the railroad cuts us off at Walkers.

Mrs. Kiesling: We have to be contiguous.

Mayor Held: No but, I'm not talking about the opposite side of the road. I'm specifically talking about this side.

Mr. Foltz: Then why are we invoking them now, Mayor? Why aren't we doing it now? Let's turn this around.

Mayor Held: Because we may not be contiguous today....

Mr. Foltz: We probably are contiguous. Why aren't we enforcing it?

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Mayor Held: but we can be contiguous tomorrow or next year.

Mrs. Kiesling: There's that whole "what if". He's against our "what if", but we can't be against your "what if". I got you – I got you.

Mayor Held: Why did the Scheetz – why did we annex the Scheetz gas station 20 years or the property for Scheetz 20 years ago?

Mr. Foltz: If Heiser wants to come in, we'll pass the first reading, come in the City and we'll see what works out.

Mayor Held: But you know, you want to know - let me tell you something, you know what one of the property owners said to me that now has a desire to be in the City? He said, "if the City enters into this agreement you are handcuffing the City from an economic development standpoint." I said, I agree with you. You are taking our resource and our tool that we have a right under the state law to grow our tax base and you are giving it up for nothing specific. Nothing. You're just saying, here we go - here you go. This is a tool that we have available that the City of Akron has available, Cleveland, Columbus, I mean, any city throughout the State of Ohio, they have that right and that ability. And it's exercised every year, it's exercised. And we've exercised it this year in the City of North Canton. But in this specific zone, you're just giving it up to cooperate. Giving it up. Now with the proposed agreement what you can do, we can still agree to, you know, to cooperate and to work with them and approve this agreement. We just aren't giving up our right to annex a willing property owner, if somebody desires to come into the City. If a property owner or an industrial property owner desires to come into the City, let's say six months from now, we can't, we're sorry, we'd like to, but we signed an agreement for fifty years that you're not allowed to come into our property. Why would we do that?

Mr. Snyder: Well first of all, that second agreement, you might as well take it off the table, there's no way they're going to consider it. Absolutely....

Mayor Held: But that's not our decision to make.

Mr. Cerreta: Right. Right.

Mayor Held: That's their decision.

Mr. Cerreta: That's negotiating, that's what that's called.

Mr. Snyder: We have an agreement in front of us that was presented in good faith. If all of this should have been negotiated when we were negotiating - when Dan and I were over there, Tim Fox was over there. We should have brought all these points up at that point. Now after the race is three-fourths done, we're coming to the finish line, we want to change the rules. That isn't how you do things.

Mayor Held: Excuse me, I'd like to clarify that because there's no rules. No ....

Mr. Snyder: We've done this before....

Mr. Cerreta: There's no hurry.

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Mr. Snyder: There is a hurry.

Mr. Cerreta: Why is there a hurry?

Mr. Snyder: Because we're - they're losing the JEDD - the proposed JEDD is losing revenue by leaving it go. There are construction jobs out there.

Mr. Cerreta: There's one parcel there that they're working on.

Mr. Snyder: Well, what's the....

Mr. Cerreta: That's the only one we know about in the entire thing.

Mr. Cerreta: We've been doing this since May and they signed in December, I think. You know, all we're doing now is we're just going to start arguing back and forth. Madam, Chairman, is there any other, anything new in this? Otherwise, we'll move on - adjourn.

Mrs. Kiesling: No. I'm ready to move on to the next item.

Mr. Snyder: What's the choice? Place it on the agenda?

Mrs. Kiesling: I was going to place the first agreement on the agenda.

Mr. Snyder: Do you have the concurrence of four members of Council?

Mr. Foltz: Which is what ordinance, 21-14?

Mrs. Kiesling: Yes. The first one.

Mr. Snyder: I think it's 12, isn't it?

Mr. Foltz: We don't know.

Mrs. Kiesling: It is 21-14, yes.

Mr. Cerreta: I'd like to move to table it until we get a public hearing to listen to our ....

Mr. Snyder: Well there's only- there is a motion on it. You can't put a second motion on the table until we vote on the first motion, because - do we have four members in concurrence? Okay, so it is now - what is your motion Mr. Cerreta?

Mr. Cerreta: My motion is to table this until we have a public hearing of the citizens of North Canton to see what they've got to say about it.

Mr. Griffith: I'm all for additional input.

Mrs. Kiesling: Right.

Mr. Griffith: I think that's important, and that's essential, and that's part of why I don't have an objection if we pass it on first reading tonight, which I would not approve under emergency legislation.

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Mr. Snyder: That's how it's set up.

Mr. Griffith: Then we would invite – I think we should invite that additional public speaks. Absolutely.

Mrs. Kiesling: Plus we have public speaks tonight.

Mr. Griffith: Yeah, I'm – I'm fully ....

Mr. Cerreta: But my motion is to table it. Not even vote on it ...inaudible....

Mr. Snyder: Is there a positive second for that? Seeing none motion denied.

**RECOMMENDATION:** Based upon the above discussion and debate, the Committee recommended the following actions:

**Item 1:** The Committee recommended a first reading of the legislation for the original agreement be considered at the council meeting held this date, authorizing the Mayor to enter into a Mutual Economic Development and Annexation Agreement by and between the City of North Canton, City of Canton, Jackson Township, and Plain Township, which is attached hereto as "Exhibit A," and is incorporated herein by this reference.

The Community & Economic Development Committee meeting ended at 7:39 p.m.

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MARCIA KIESLING, CHAIRPERSON  
COMMUNITY & ECONOMIC DEVELOPMENT  
COMMITTEE

ATTEST:

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CLERK OF COUNCIL

2/24/14

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# RECORD OF PROCEEDINGS – COMMITTEE OF THE WHOLE

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Meeting Minutes: FINANCE AND PROPERTY COMMITTEE MEETING  
Held: February 10, 2014

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The Finance & Property Committee of North Canton City Council, as part of the Committee of the Whole meeting, was called to order Monday, February 10, 2014 by President of Council Jon Snyder.

The following members of council responded to roll call: Chairperson Snyder, Vice Chairperson Kiesling, Committee Members Griffith, Foltz, Peters 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.

## **Agenda Items:**

**Item 2a.           Donation of City Lot 2781, Parcel No. 9200116**

**Item 2b.           Purchase of 2 marked cruisers and 1 Ford cargo van**

**Item 2c.           2014 Budget**

Mr. Snyder: Moving to Finance and Property. We were approached by a lady who owns a very small portion of land that's contiguous to Price Park. Her parents died and left that to her and is of no buildable value to her and she wants to donate that to the City. It is a - I think we gave you a small map on it last week so you're aware of that. So we'd like to put that on the agenda to accept that small piece of ground and move it accordingly. Okay. Item b. is a purchase of two marked cruisers and one Ford cargo van not to exceed \$100,000. I know last week we did have a presentation by Chief Wilder, and he presented his case for that. I know there's some question as to the total need of all that equipment right at this particular time. It's on Appendix A in the 2014 budget. However, if the two marked cruisers are about \$54,000, I think, isn't that right?

Mr. Grimes: With that equipment ....

Mr. Snyder: Equipment ....

Mr. Grimes: about \$76,500.

Mr. Snyder: For the two?

Mr. Grimes: To make sure we have enough.

Mr. Snyder: Okay. And then if you add the truck, is about 20?

Mrs. Kiesling: About 21....

Mr. Grimes: Yeah, if I could, we would like to remove the Ford cargo van at this time. We think that we've got another solution for that.

Mr. Snyder: Okay.

Mr. Grimes: The Chief and I have been working on it.

Mr. Snyder: So you want to go forward with just the two cruisers?

Mr. Grimes: Just the two cruisers, yes sir.

Mrs. Kiesling: It's two SUV's.

## RECORD OF PROCEEDINGS – COMMITTEE OF THE WHOLE

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### Meeting Minutes: FINANCE AND PROPERTY COMMITTEE MEETING Held: February 10, 2014

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Mr. Snyder: Yeah, I'm sorry, SUV's, yes. And he did present a valid reason why they should be purchased. They are actually more efficient fuel wise and actually for the size of the officer to ride in and so forth.

Mrs. Kiesling: We were asking – looking for the maintenance records on them though. Have we got that, on the other cars? Right....

Mr. Grimes: Yeah, you've got apples and oranges....

Mrs. Kiesling: Because we have 80,000 in the budget.

Mr. Grimes: It's an apples and oranges thing. It's a little different vehicle. But we know every year it's going to cost you more. We just know that when you get to seventy some thousand, you're going to start paying a lot on that. The last nine years, five of those years, you bought two cars a year just to keep up with what we're doing. So I think the Chief is just asking for two and getting into a rotation for that. But you've never purchased less than two cars in the last nine years, and five times you purchased more than that just to keep up with what we need.

Mrs. Kiesling: We didn't purchase any cars in '02, '03, '04, '05, '06 – there was many years we didn't purchase any cars.

Mr. Grimes: Pardon.

Mrs. Kiesling: We didn't purchase any cars for like five years in a row. I think it was '05, '06, '07, '08, '09, and '10.

Mr. Snyder: Well, we used to purchase six at a time.

Mrs. Kiesling: Well I know we used to do three a year.

Mr. Snyder: We'd buy all six. Every four years we'd buy six.

Mrs. Kiesling: And, then we went to three a year, and then we went to two a year, and then we went to oops, none a year.

Mr. Snyder: So, we're back to two again.

Mr. Foltz: I thought we bought a couple two, three years? Didn't we buy any two years ago – didn't we buy any?

Mrs. Kiesling: We bought three last year.

Mr. Cerreta: We had talked about this last week, and we also talked about planning, forecasting, and looking ahead one year, two years, three years, out five years I believe. Looking at it, you know, we was talking about our parks levy how we want – need to slim down a little bit, we can get by without the parks levy. And I think this is a prime example of not letting this go by. I would say one year, and then next year buy another one and then look at the third year. Do we need a car and a van, if at all, even one. But we've got to start somewhere in creating this budget kind of squeezing, especially if we're not going to do the park levy. And that was the whole idea of not doing the park levy, let's look at what we have, let's kind of reduce some things that maybe are on the overhead. This is a prime example, I mean can we forecast out maybe break up in a couple of years?

## RECORD OF PROCEEDINGS – COMMITTEE OF THE WHOLE

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Mr. Grimes: Yeah, we can forecast it out, but we know you're going to need two cars minimum a year. We know that. We've been doing this since, you know, '08 when we had the budget crisis. And we've got different scenarios, but at some point then you're going to have to go back to needing four or five cars, and that's going to be maybe a year that you need an ambulance or something, you know pretty big. So that's why we're at the two right now.

Mr. Snyder: Did we determine the lease probability. It wasn't practical.

Mr. Grimes: That's correct. It was like four and some percent and police cars just aren't very attractive for leasing.

Mr. Snyder: Okay. Well there is - you know I can see now what we're going to go on a - if we purchase two of those cruisers this year, we in turn would need two next year until we've replaced the whole fleet with those, is that correct? So for the next three years, we'll be purchasing two cars. Next two and a half years, I guess.

Mr. Grimes: Correct, if our mileage is where we believe that mileage is, we would ...inaudible....

Mr. Snyder: And then at that point we go to one car a year as we replaced the first one.

Mr. Grimes: And, then you've still got detective cars, you've got those kind of vehicles too....

Mr. Snyder: Right.

Mr. Grimes: that at some point you've got to look at. And I think those are all about eight or nine years old.

Mr. Cerreta: Well once again, you know, we've got to prioritize. I - like that golf cart that I brought up. You've got to prioritize somewhere. You've got to cut somewhere if we're going to, you know, meet the goals of what we want to do. This is just a small little example, and we should take a step sometimes and say this is how we're going to do some things here. Not just keep going at what we did in the past, and what we're used to in the past. What are we going to do to make it better as we go forward, especially with this budget. Especially with how we foresee, forecasting that we're not going to make what we used to make.

Mr. Grimes: We saw that before '08, that's why we went to the two and we had to change on that. You know, we already - that's back in the days when, you know, we hit us hard back in '08. So you know we've got to get that officer to the scene, and we've got to do it safely, and it's got to be reliable. That be ...inaudible... reliable.

Mr. Cerreta: Are you saying our cars are not reliable right now?

Mr. Grimes: Once you get up pretty high, they're not reliable.

Mr. Peters: My question in regards to the maintenance was, is that going to go down exponentially if we start getting on this rotation 'cause I haven't seen it. We've averaged almost \$80,000 a year in maintenance of equipment. And I know....

Mr. Snyder: Well, that's not all cruisers....

Mr. Foltz: Well, I know that said it's all cruisers....

## RECORD OF PROCEEDINGS – COMMITTEE OF THE WHOLE

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Mr. Snyder: The problem is, as I told you last week, when they run those things much past three years, it costs more to maintain them than it is to buy a new one. And we found that in the Fire Department with the ambulances. They found that in the Street Department with the trucks. Now those trucks are set up on a ten-year rotation. They're obviously a lot more money, they're 140, 50 thousand dollars a unit. But those things really, they're run 24/7. They constantly run. So they really, the life expectancy is, you get over three years, the maintenance dollar for dollar in maintenance.

Mr. Grimes: And maintenance comes out of general revenue.

Mr. Snyder: Yeah. Yeah.

Mr. Grimes: The purchase is going to be out of capital....

Mr. Snyder: Yeah.

Mr. Grimes: I understand it's still money, but the higher maintenance is going to affect your general revenue.

Mr. Snyder: But you know, you're better to, you know, if we get a handle on it, and we get back to where we're rotating them out, but we're going to - probably the skinniest that we can get is one car a year, but you've got to get to that first two to three years where we're buying two cars a year and then start replacing one every year. Well we'd actually probably have to do, odd years do two because you need a detective car and a chief's car and....

Mayor Held: If I could add.

Mr. Snyder: Please.

Mayor Held: Maybe what we could do. We're asking for two marked cruisers, and if we were going to compromise at all, we could do that, I would say, probably with the cargo van.

(Everyone talking at once)

Mayor Held: Okay. So that's out. So, now we're just down to the two cruisers. And, really as our Administrator mentioned, you can keep a car running, it's just, you know, how much maintenance you're going to put into it, and then also the reliability of the vehicle. And so really we felt that it was, you know, I remember some years back as the Administrator, we were replacing six, seven vehicles all at once. And then we narrowed it down to like four one year, and then three the next year. So now we're down to two, right? Is it two, two a year? We could go down to the one. We could look at doing that, but then, I - as the Administrator mentioned, I think what you'll find is that you're going to get into higher mile vehicles, and then you're just going to see the expense for the repairs go up.

Mr. Snyder: Well you know that's a good point, Mayor. The other point is, you know, we have right now a fleet of six vehicles plus that present SUV we have. So if you want to replace one, you're going to have five vehicles that are put together with gum and paper, you know, and that's a situation that's not in the best interest of either the City or the officer. I think you, ideally is to get on a rotation over the next three years to get two, two, and two, to get it back to six. And then that fourth year buy, trade out one of the first ones you got, and go to a year rotation so that every five years you've got a new fleet.

Mr. Cerreta: Are we looking at going to all SUV's?

Mr. Snyder: I think that's his intention except for the private marked cars.

## RECORD OF PROCEEDINGS – COMMITTEE OF THE WHOLE

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Mr. Cerreta: What's the best car between an SUV and a Caprice?

Mr. Grimes: About one mile in the city.

Unidentified: Price difference?

Mr. Cerreta: No the gas.

Mr. Grimes: One mile.

Mr. Cerreta: One mile.

Mr. Grimes: The difference is you're not on the - you're not on the – you're not going to Columbus or something, you're sitting in the City. You're, you know, idling most of the time, and going low speeds.

Mr. Snyder: I think mileage - the fuel efficiency is greater in the SUV idling than it is the car. Am I correct in that, Chief or am I - did I understand you correctly? I apologize. When it's sitting idly, which is about 70% of the time, the mileage efficiency is greater in the SUV than it is the car?

Mr. Grimes: It's fairly close. The Michigan State Police run all the tests. They're the testing, pretty good testing agency for all police vehicles in the nation. That's what they do. And when the Chief originally asked for an SUV, I was completely against that. We thought we would try one and so I did some researched myself, so that's why I know about the mileage, because I was surprised myself.

Mr. Cerreta: What do you guys ...inaudible...

Mrs. Werren: I think they did compromise a little bit by taking off the cargo van. And I think you can have a lot of the same uses with the SUV, I mean you mentioned the cones, and taking people to meetings. So hopefully the SUV could be used for that or maybe in the end you don't even need the cargo van at some point.

Mr. Grimes: When we originally had the choice between the Crown Vic and the Chevy Caprice, we went with Crown Vic because it is a little bigger....

Mrs. Werren: Right.

Mr. Grimes: That Chevy Caprice starts to squeeze you in there. I mean it's tight and now the Chief has a lot more, you know, technical equipment with the MVT's and that. So and if you've seen the last several people we hired they're kind of monstrous, you know. They're big folks.

Mr. Foltz: I had a point. Look at the fleets Council Member Werren gave me. The 2011 Crown Victoria's have 74,066 respectively. So the 2013's have 7,034, that's a big difference. Obviously, if we get two patrol cars or one's an SUV or both of them are SUV's, whatever we're going to do, that's going to put at least four cars in the fleet or four vehicles in the fleet well under 30,000. So, I think we're putting us in good shape here. But that's just my opinion looking at that real quickly.

Mr. Grimes: And generally when you bid a car, it takes a while to put the bid in, ....

Mr. Foltz: It takes a while to get all your specifications ....

Mr. Grimes: They've got to build it, you've got to get it, you're months and months down the road.

Mr. Foltz: Right.

## RECORD OF PROCEEDINGS – COMMITTEE OF THE WHOLE

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### Meeting Minutes: FINANCE AND PROPERTY COMMITTEE MEETING Held: February 10, 2014

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Mr. Grimes: And then you've got another 35,000 miles on whatever you have sitting around.

Mr. Foltz: Well that's a good thing, we have low mileage on the new cars.

Mr. Snyder: So the consensus of the Committee then is to move forward to the regular Council meeting and pass it on an emergency basis as time is of the essence there. You want to go to the state bid, is that or the alternative, is that what we're doing?

Mr. Grimes: Yes, sir.

Mr. Snyder: Alright.

Mr. Peters: That's just the two vehicles, right Jon? Two.

Mr. Snyder: Two vehicles. Two SUV's. Finally, under Finance and Property, we're discussing, we discussed last week – we discussed again, that we are operating on a temporary budget. We need to put the budget in place by sometime in hopefully early March. We meet again on the 24<sup>th</sup> for a Council Committee meeting and a Council meeting, and we'll hopefully pass it at that point. The Finance Director was erected to produce, and she did, got a little chart of actually where the money goes. And of the budget proposed, 56% of it is personnel. Of our dollar coming in, 56 cents of every dollar goes to personnel. Thirty-seven percent is a mandated or legal obligation that we have, whether it be the Health Department or some service that we're provided by either the revised code or by charter or some ordinance to mandate it that we have to pay that. Seven percent is discretionary, and that's where capital and other things that we do fall upon. And just to cap that off for you, the personnel, at the 56%, costs us \$4,134,000 a year. A mandated and legal obligation is \$2,740,000. Discretionary spending is \$546,000. So when the question in total non-personnel services that we provide is, that's 44% for a total expenditure of the general fund of \$7,421,000, and we're collecting about 6,800,000, 6,700,000. So consequently you see we are short again as we talked about \$800,000. Those numbers are pretty firm numbers. I mean they are firm, there's nothing we can do about that. And that's before we begin the next round of negotiations coming up. And the safety forces, two of the safety forces, do have the right to binding arbitration as you know so. But the telephone system here cost us about \$21,000. The electric bill is astronomical, \$214,000 we pay Ohio Power a year. Cell phones are \$10,000 a year; gasoline to run all our vehicles, city-owned, \$105,000; and internet and cable which provides and drives most of the internal things here and the Civic Center and outlying areas because that's how they communicate, is about \$1700. So that's where we're at. And as Mr. Cerreta has said, we're going to continue to look at every line item. Even though we're on temporary budget, every item comes back to us to consider such as we did for that \$100,000 line item that is out of capital. We're required by ordinance to spend 25 percent of our income tax dollars on capital. And we've fulfilled most of that obligation. Thank goodness the Administration has obtained, through the Engineer, a million and some dollars for East Maple, another million dollars, I believe, from the State ODOT (Ohio Department of Transportation) money, so we're able to do projects that we couldn't possibly internally fund. As we talked about, we do have a five-year plan which we paid for, and we want to bring that out off the shelf and start to implement that and get that done because we have to do those projects. I mean after this winter our infrastructure is going to be in sordid shape. So is there any questions on that? I'd like to move the budget along for the first reading on the council of the - regular council meeting.

Mr. Cerreta: A couple of things that we've talked about.

Mr. Snyder: Go ahead.

## RECORD OF PROCEEDINGS – COMMITTEE OF THE WHOLE

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### Meeting Minutes: FINANCE AND PROPERTY COMMITTEE MEETING Held: February 10, 2014

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Mr. Cerreta: I would like the Administration's opinion of this too. And again, I don't want to step ...inaudible... Recent changes allowed that the approval of anything under \$50,000, where it was \$25,000, am I correct?

Mr. Snyder: No bid, that's correct.

Mr. Cerreta: I'd like to get your opinion about moving that back down to 25 (25,000). I mean a lot can be spent in 50 (50,000) without anybody knowing what's going on with that. And I know I ...inaudible... a couple of people over here and they thought we need to talk about that. I'd like to go, maybe from Dave's side over there, what - is that going to strap you guys in any way or how that has ...inaudible – yes....

Mr. Fox: Mark, that's actually in your charter.

Mr. Cerreta: That's in our charter?

Mr. Fox: Yes, sir.

Mr. Cerreta: But I'd like to – we'd like to change that. Is there a way to change this? Or is that a charter review and we have to ....

Mrs. Kiesling: It's a charter amendment.

Mr. Cerreta: Charter amendment. That's why I wanted to ask.

Mr. Fox: It's called a charter amendment. You'd have to place it on the ballot. Yes, sir. It follows the state's statute. It's far back a number of years, it was \$12,000, \$15,000 and it, you know, slowly moves up ....

Mr. Cerreta: But we're a house rules ....

Mr. Fox: Just prior it was \$25,000, and now it's \$50,000.

Mrs. Kiesling: Right, we can go back if electorate allows us to.

Mayor Held: Yeah. I think probably to answer the question, it's really just probably - it sounds what you're bring up, Mark, is to just bring greater accountability to what we're spending. And I – and there's really two ways of doing that. One, when we're originally appropriating the budget, just as we went through line item by line item, getting a more specific understanding of what each line item consists of. If we're asking for, you know, in capital improvement budget, how many vehicles do we have in the budget that we're approving. And in some cases some line items may be more specific than others. And in some line items it could be less specific. But I think what we can do as we're going through the budget in the future, and even now, we just identify, because there's two ways that Council approves every expenditure. One is, every penny is approved in the overall budget as we go through the budget process. The second is, if there is anything over \$50,000 then of course the Administration has to come back to Council for approval on that. And the reason that they moved that amount up is just, just for the regular city operations. You know, as the cost of items become more expensive and more necessary, if you're down to \$25,000, there's a lot less that you can purchase through the course of the City operation. And so I think that you know, \$50,000, at least from my prospective, is a pretty healthy balance. That's what they've established in the rest of the state. And but if that's a concern, what we could do is just be more specific in the budget.

## RECORD OF PROCEEDINGS – COMMITTEE OF THE WHOLE

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### Meeting Minutes: FINANCE AND PROPERTY COMMITTEE MEETING Held: February 10, 2014

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Mr. Cerreta: Yeah, because it seems like we're going in opposite directions here. They take away, we try to cut, they increase cost spending. I mean that's just a recipe for failure sooner or later. And you know, everything gets caught up in professional services. We don't see it....

Mayor Held: Right.

Mr. Cerreta: So, being specific is very helpful, agreed.

Mr. Griffith: I wonder, Tim, you're obviously response was accurate from an obligation standpoint. In order for us to change the legal obligation, we'd have to change the Charter because it's based on statute. But I think maybe what you're asking for is informally, if you guys make an expenditure above \$25,000, it would be helpful to us, as we look at the remainder, if you would at least let us know....

Mr. Cerreta: Get our statement as I call it.

Mr. Griffith: Right. And I think like - I know you guys want the same thing, to have a balanced budget and ....

Mrs. Werren: Right.

Mr. Grimes: As Administrator, I have no problem with that, touching base with you. That's fine because we've been all working together, so....

Mr. Snyder: I don't ever recall any money, other than a thousand dollars or something, being spent that has run through Council, that I can recall.

Mayor Held: When you look at the police cruisers. We could have purchased, you know, a police cruiser or a van without coming to Council. So what we'd like to do, I mean it's just an accepted practice administratively, that if we're going to make a capital improvement, Mike likes to put it before Council just so that we have an agreement....

Mrs. Werren: Right.

Mayor Held: I mean there's no real healthy reason operationally for us to just go and buy something without getting Council's input. You know, something that we feel is significant, like purchasing three vehicles. And in this case, we just go back to two rather than three.

Mr. Snyder: Well, the significance is, the spirit of the law was in case there's an emergency, one of the doors blow off the Fire Department, I mean you're able to go over and fix them without a bid or without convening a council meeting....

Mayor Held: Right.

Mr. Snyder: That's the purpose of you know, that's - it wasn't really to build a new wing on this building or buy cars or so forth. It's designed - it's intended for a specific use.

Mr. Cerreta: And I don't mean this in any mistrust when I said that....

Mr. Snyder: No....

Mr. Cerreta: We need to do some different things. We're seeing that. Things need to be different. We need to look at these things and decide, you know, what we should change. If we continue - it's

RECORD OF PROCEEDINGS – COMMITTEE OF THE WHOLE

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insanity, right? We're going to be - we cannot continue to do the same things and come up with the figure that Jon keeps giving us. So that's just coming up with some things that we need to change or let's throw that expectation out there.

Mr. Snyder: I applaud you and I applaud your efforts.

Mr. Cerreta: And not putting – and you guys have done ....

Mr. Grimes: I'm ...inaudible... I think, you know because it's safety services.

Mr. Cerreta: And I'm putting – and you guys have done – and I'm just saying, if we're not here tomorrow, we need something for the next people.

Mr. Grimes: I mean we're safety, service, communication. Part of it is communication. We don't mind doing that, you know. That's fine.

Mr. Snyder: Good. So if that's alright we'll move that for the next – for a reading, first reading on the meeting. All right, there being nothing else to come before the Council for the Council of the Whole, I'll entertain a motion to adjourn this portion of the meeting?

Mr. Foltz moved and Mrs. Kiesling seconded to adjourn the Finance & Property Committee meeting. All members present voting:

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

No: 0

The meeting adjourned at 8:14 p.m.

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JON SNYDER, CHAIRPERSON  
FINANCE & PROPERTY COMMITTEE

ATTEST:

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CLERK OF COUNCIL



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

## CITY OF NORTH CANTON

**Michael J. Grimes**  
Director of Administration

TO: President of Council

RE: Agenda Items Request for March 10, 2014 Meeting

March 4, 2014

Please consider the following requests and if possible schedule towards the beginning of the meeting as these folks will probably have family and guests who are there only for the recognition portion.

- (1) The Mayor wishes before Council to recognize and present Sandra Jencks a proclamation and mention her recent retirement from EMS & years of service to our city.
- (2) – Chief Wilder wishes before Council to recognize and present the police officers who recently won some awards for their traffic work. I asked him to keep it short – no longer than 15 minutes due to meeting length considerations.

These are some positive City things that maybe we need to make sure gets noticed.

Thanks in advance for your consideration.

Respectfully Submitted,

Michael J. Grimes  
Director of Administration

Copy: Mayor David Held  
Chief Stephan Wilder  
File

The following police officers are being recognized by the Stark County Safe Communities Committee in cooperation with the Ohio Traffic Safety Office for their efforts and contributions pertaining to city and county traffic law enforcement.

Each officer is receiving an "Award of Excellence certificate in recognition of outstanding dedication and commitment to traffic safety in Stark County and a job well done."

Patrolman Matthew L. Buzzard  
Patrolman Justin D. Brumbaugh  
Patrolman Scott E. Carrel  
Patrolman Cody R. Dollinger  
Patrolman Chad E. Marceric  
Patrolman Philip Taylor

Patrolman John R. Hemric has been selected to receive the Stark County Safe Communities 2013 Traffic Officer of the Year Award.

Through their efforts and willingness to promote traffic safety and traffic law enforcement, these police officers lead the way for the police department to help this past year:

- Citywide traffic crashes declined by 18% (99 fewer crashes)
- Public Property crashes declined by 18% (71 fewer crashes)
- Private Property crashes declined by 18% (28 fewer crashes)
- Operating a Motor Vehicle while Impaired (OVI) Arrests increased by 13 % (4 Adult and 5 Juvenile)
- Overall Traffic citations increased 5% (1901 issued)
- Written warnings increased 7% (3998 issued)

Congratulations to each one of them and my sincere appreciation for their efforts in promoting traffic safety and enforcement of traffic laws with the goal of making the city of North Canton a safe and desirable place to liv, work, and visit.

Thank you.

Chief Wilder

2/26/14-gmk  
(Community & Economic Development)

Ordinance No. 24-14

An ordinance establishing the zoning classification of P&I, Parks and Institutional, as specified by Ordinance No. 50-03, Zoning Ordinance of the City of North Canton, for the premises known as the Walsh/Gressel Annexation, containing 1.549 acres of land, more or less, annexed by Ordinance No. 58-13.

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

- Section 1. That the zoning classification of P&I, Parks and Institutional, as specified by Ordinance No. 50-03, Zoning Ordinance of the City of North Canton, for the premises known as the Walsh/Gressel Annexation, containing 1.549 acres of land, more or less, annexed by Ordinance No. 58-13, be, and the same is hereby established.
- Section 2. That a map indicating the zoning classifications for the Walsh/Gressel Annexation area is attached hereto and incorporated herein as Exhibit "A".
- 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: \_\_\_\_\_, 2014

ATTEST:

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

3/3/14-gmk  
(Community & Economic Development)

Ordinance No. 25-14

An ordinance amending Ordinance No. 50-03, Zoning Ordinance of the City of North Canton, to change the zoning district of the premises situated on East Maple Street and known as Parcel No. 9209516, to add and to overlay the Mixed Use Overlay District (MUO) to the existing Office Business District (OB).

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

- Section 1. That Ordinance No. 50-03, Zoning Ordinance of the City of North Canton, be, and is hereby amended to change the zoning district of the premises situated on East Maple Street and known as Parcel No. 9209516, to add and to overlay the Mixed Use Overlay District (MUO) to the existing Office Business District (OB).
- Section 2. 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: \_\_\_\_\_, 2014

ATTEST:

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

2/26/14-gmk  
(Community & Economic Development)

Ordinance No. 26-14

An ordinance amending Ordinance No. 50-03, Zoning Ordinance of the City of North Canton, to change the zoning district of the premises situated on East Maple Street and known as Parcel No. 10000416, to add and to overlay the Mixed Use Overlay District (MUO) to the existing Office Business District (OB).

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

Section 1. That Ordinance No. 50-03, Zoning Ordinance of the City of North Canton, be, and is hereby amended to change the zoning district of the premises situated on East Maple Street and known as Parcel No. 10000416, to add and to overlay the Mixed Use Overlay District (MUO) to the existing Office Business District (OB).

Section 2. 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: \_\_\_\_\_, 2014

ATTEST:

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

2/26/14-gmk  
(Finance & Property)

Ordinance No. 27-14

An ordinance declaring that certain Fire Department equipment owned by the City of North Canton, Ohio, is no longer required for municipal purposes; and, authorizing the Mayor of the City of North Canton to make a donation of said Fire Department equipment, namely, 5 jackets and 4 pairs of pants to Canton City Schools, and 4 jackets and 4 pairs of pants to the Portage Lakes Career Center, 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 it is hereby declared that certain Fire Department equipment; namely, 9 jackets and 8 pairs of pants, owned by the City of North Canton is no longer required for municipal purposes, does not exceed \$1,000 in estimated value and was not purchased with grant funds.
- Section 2. That the Mayor of the City of North Canton, be, and is hereby authorized to make a donation of Fire Department Equipment, namely, 5 jackets and 4 pairs of pants to Canton City Schools for their students who want to enter the field of emergency services.
- Section 3. That the Mayor of the City of North Canton, be, and is hereby authorized to make a donation of Fire Department equipment, namely, 4 jackets and 4 pairs of pants to the Portage Lakes Career Center for their students who want to enter the field of emergency services.
- 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 resolution.
- 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 for the timely donation of the jackets and pants to Canton City Schools and Portage Lakes Career Center for their emergency services programs; wherefore, provided it receives the affirmative vote of six (6) or more members of Council elected thereto, this resolution 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: \_\_\_\_\_, 2014

ATTEST:

\_\_\_\_\_  
CLERK OF COUNCIL  
g:\2014 legislation\27-14 donation of fire equipment.docx

(d) Maximum Schedule 1135.04: Area And Density Regulations.

	RMF-A	RMF-B
(1) Minimum development area	20,000 square feet	20,000 square feet
(2) Maximum density	12 dwelling units per acre	24 dwelling units per acre
(3) Maximum coverage	30%	30%
(4) Minimum width at building line	100 feet	100 feet
(5) Minimum lot frontage	60 feet	60 feet

**1135.05 SITE DEVELOPMENT REGULATIONS.**

The following regulations are established to regulate the design and development of buildings in an RMF district.

- (a) Setback from Existing Rights-of-Way. The setback of a principal building from an existing public right-of-way shall not be less than the distance set forth in Schedule 1135.05.
- (b) Setback from Project Boundary. The setback of a principal building from any project boundary that is not an existing public right-of-way shall not be less than the distance set forth in Schedule 1135.05.
- (c) Building Spacing. The minimum distance between buildings on the same site shall not be less than the distance set forth in Schedule 1135.05. The following definitions shall apply to terms used in this Section.
  - (1) Main Wall. The outside wall of a building that contains the primary windows of any living, family or dining room.
  - (2) End Wall. The outside walls other than a main wall of a building, which may be blank or contain windows not considered to be primary windows.
- (d) Building Arrangement. Multi-family buildings may be arranged in a group and need not directly front onto a street.

(e) Schedule 1135.05. Site Development Regulations.

	RMF-A	RMF-B
(1) Setback from existing public street right-of-way	40 feet	40 feet
(2) Setback from project boundary when adjacent to RMF or non-residential district	20 feet	20 feet
(3) Setback from project boundary when adjacent to R-70, R-50 or R2F District	40 feet (a)	40 feet (a)
(4) Setback of interior street from:		
A. Proposed public right-of-way	20 feet	20 feet
B. Pavement of a private street	20 feet	20 feet
(5) Distance between buildings within the same project boundary		
A. Main wall of one building facing main wall of another building	50 feet (b)	50 feet (b)
B. Main wall of one building facing an end wall of another building	35 feet (b)	35 feet (b)
C. End wall of one building facing an end wall of another building	20 feet (b)	20 feet (b)
Notes to Schedule 1135.05:		
(a) Except that when the length of the building wall facing the lot line is longer than 50 feet, the setback from the project boundary shall be increased by one additional foot of setback for every two feet of wall length greater than 50 feet.		
(b) Except that when the length of the longer of the two building walls facing each other is longer than 75 feet, the spacing between the two walls shall be increased by one additional foot of setback for every two feet of wall length greater than 75 feet.		

**1135.06 HEIGHT REGULATIONS.**

All buildings and structures shall comply with the following height regulations:

- (a) The height of principal buildings shall not exceed 35 feet.
- (b) The height of accessory buildings shall not exceed 15 feet.
- (c) Principal buildings in excess of 35 feet may be permitted as a conditional use when the Planning Commission determines that the conditional use criteria set forth in Sections 1145.02 and 1145.03 has been met.

An ordinance amending Chapter 1135 Multi-Family Residential District Regulations, specifically Section 1135.05(e) Site Development Regulations of Ordinance No. 50-03, Zoning Ordinances of the City of North Canton to delete Notes(a)(b).

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

Section 1. That Chapter 1135 Multi-Family Residential District Regulations, specifically Section 1135.05(e) Site Development Regulations of Ordinance No. 50-03, Zoning Ordinances of the City of North Canton, be, and the same is hereby amended to read as follows:

**SECTION 1135.05 SITE DEVELOPMENT REGULATIONS.**

The following regulations are established to regulate the design and development of buildings in an RMF district.

- (a) Setback from Existing Rights-of-Way. The setback of a principal building from an existing public right-of-way shall not be less than the distance set forth in Schedule 1135.05.
- (b) Setback from Project Boundary. The setback of a principal building from any project boundary that is not an existing public right-of-way shall not be less than the distance set forth in Schedule 1135.05.
- (c) Building Spacing. The minimum distance between buildings on the same site shall not be less than the distance set forth in Schedule 1135.05. The following definitions shall apply to terms used in this Section.
  - (1) Main Wall. The outside wall of a building that contains the primary windows of any living, family or dining room.
  - (2) End Wall. The outside walls other than a main wall of a building, which may be blank or contain windows not considered to be primary windows.
- (d) Building Arrangement. Multi-family buildings may be arranged in a group and need not directly front onto a street.
- (e) Schedule 1135.05. Site Development Regulations.

	RMF-A	RMF-B
(1) Setback from existing public street right-of-way	40 feet	40 feet
(2) Setback from project boundary when adjacent to RMF or non-residential district	20 feet	20 feet
(3) Setback from project boundary when adjacent to R-70, R-50 or R2F District	40 feet <sup>(a)</sup>	40 feet <sup>(a)</sup>
(4) Setback of interior street from:		
A. Proposed public right-of-way	20 feet	20 feet
B. Pavement of a private street	20 feet	20 feet
(5) Distance between buildings within the same project boundary		
A. Main wall of one building facing main wall of another building	50 feet <sup>(b)</sup>	50 feet <sup>(b)</sup>

B. Main wall of one building facing an end wall of another building	35 feet <sup>(b)</sup>	35 feet <sup>(b)</sup>
C. End wall of one building facing an end wall of another building	20 feet <sup>(b)</sup>	20 feet <sup>(b)</sup>

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RECORD OF ORDINANCES

0271

Dayton Legal Blank Co.

Form No. 30043

Ordinance No. ....

Passed .....

YEAR

4/19/99-mlb  
(Park & Rec.)

ORDINANCE NO. 33-99

WHEREAS, the City of North Canton shall make a one time payment to the North Canton Board of Education in the amount of thirty-three thousand (\$33,000.00) dollars.

WHEREAS, the North Canton Board of Education is desirous of building five tennis courts on Hoover High School property, and;

WHEREAS, the North Canton Board of Education is desirous of the City of North Canton sharing the cost of this project, and;

WHEREAS, the North Canton Board of Education shall make the courts available for use by students and community residents.

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

Section 1. That the City of North Canton shall make a one time payment to the North Canton Board of Education in the amount of thirty-three thousand (\$33,000.00) dollars, pursuant to a certain letter of understanding dated April 16, 1999 between the City of North Canton and the North Canton Board of Education, as attached hereto and incorporated herein.

Section 2. That the Director of Finance of the City of North Canton, through the Board of Control, be, and is hereby authorized to make a one time payment in the amount of thirty-three thousand (\$33,000.00) dollars to the North Canton Board of Education as the City's share in the construction of five tennis courts on Hoover High School property.

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: 5/10/99

*Daryl L. Reynolds*  
MAYOR

SIGNED: May 10, 1999

ATTEST:

*Mary Louise Bittle*

Published in THE REPOSITORY  
DATE: May 19, 1999



Ordinance No. ....

Passed ..... YEAR

## Our Children - Our Future - Our Best

April 16, 1999

The Honorable Mayor Revoldt  
 City of North Canton  
 North Canton, Ohio 44720

Dear Mayor Revoldt,

This correspondence is intended to serve as a letter of understanding as requested by your law department between the City of North Canton and the North Canton City School District Board of Education pertaining to the use of the soon to be constructed 5 tennis courts on the Hoover High School site.

Please be advised that North Canton City residents are welcomed and encouraged to use these 5 new tennis courts when they are not being used for our tennis teams or physical education classes. This similar arrangement has been in place between the City and the Schools regarding the use of the Witwer Park tennis courts.

Essentially our tennis teams would have priority usage for practice and matches from August 1<sup>st</sup> through October 31<sup>st</sup> and March 1<sup>st</sup> through May 31<sup>st</sup> of any given year. Our physical education classes would have priority usage on school days from approximately 8:00am to 3:00pm. All other days and times would be available for general public usage by North Canton City residents.

Should you desire more or expanded information, please contact me at your convenience.

Sincerely,

A handwritten signature in cursive script that reads "Thomas A. Shoup".

Thomas A. Shoup, Superintendent  
 North Canton City Schools

REC'D  
 APR 23 1999  
 MAYOR'S OFFICE  
 NORTH CANTON, OH

525 Seventh St., NE  
 North Canton, OH 44720

Board of Education  
 Treasurer's Office  
 (330) 497-5610  
 District Office  
 (330) 497-5600  
 Community Education  
 (330) 497-5634  
 Computer Services  
 (330) 497-5610  
 Food Service  
 (330) 497-5670  
 Gifted/Talented  
 (330) 497-5669  
 Instruction & Title I  
 (330) 497-5668  
 Special Education  
 (330) 497-5665  
 Transportation  
 (330) 497-5615

Hoover High School  
 (330) 497-5620  
 525 Seventh St., NE,  
 North Canton, OH 44720  
 Athletic Department  
 (330) 497-5660  
 Career Center  
 (330) 497-5630  
 Guidance Department  
 (330) 497-5627

Middle School  
 (330) 497-5635  
 605 Fair Oaks Ave., SW  
 North Canton, OH 44720

Clearmount Elementary  
 (330) 497-5640  
 150 Clearmount Ave., SE  
 North Canton, OH 44720

Greentown Elementary  
 (330) 497-5645  
 3330 State St., NW  
 North Canton, OH 44720

Northwood Elementary  
 (330) 497-5650  
 1500 School Ave., NE  
 North Canton, OH 44720

Orchard Hill Elementary  
 (330) 497-5655  
 1305 Jonathan Ave., SW  
 North Canton, OH 44720

Kindergarten Center