

RECORD OF PROCEEDINGS

Minutes of COUNCIL OF THE CITY OF NORTH CANTON REGULAR Meeting

DAYTON LEGAL BLANK, INC., FORM NO. 10148

Held Monday, March 10,

20¹⁴

1. Call to Order:

The council meeting was called to order Monday, March 10, 2014 at 7:00 p.m. by President of Council Daniel Peters.

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. Peters: Gail, please call the roll.

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

Also present were: Mayor Held, Director of Administration Grimes, Director of Law Fox, Director of Finance Alger, City Engineer Benekos, Director of Permits & Development Bowles, Superintendent of Streets & Utilities Davis, Police Chief Wilder, and Clerk of Council Kalpac.

Mr. Peters: At this time, I will turn it over to the Mayor and Chief Wilder.

5. Proclamation – Sandra Jencks

Mayor Held: Okay. Alright. Thank you, Mr. President. First off, I'd like to thank all of you for coming here tonight. You know, at first when you take a look at all of the police officers here, you might think, boy what's on the agenda? Why do we have so many police officers here? It's not for security purposes. It's because we want to recognize our police officers here this evening for their top performance and at the same time, the first person that I would like to introduce, Sandy if you don't mind coming up here. You know in the City of North Canton what we believe is that, and what we know, is that the people, the employees - Sandy has served the North Canton Police or the North Canton EMS for 22 years. Well you've also served the Police Department too, for 22 years. She started out as a part-time EMT, and then she worked her way up into a - was it a full-time paramedic and you've done a great job. And what a lot of people don't realize, is that when you look at the Proclamation, there's a picture of the EMS building, but that picture's probably blazoned in your minds, because you've been there

Ms. Jencks: Heart.

Mayor Held: In your heart and your mind because you've spent so many years here. The EMS personnel, they sleep at the EMS Department. So when they're on shift, it's 24 hours. And when there's a call, they get up and they go. And you know so often we underestimate, well I should say I think that our EMS personnel easy to underestimate what you do for the community, because when you're on the receiving end and you are in an emergency and a crisis, it is the EMS personnel, our fire personnel, all of our police officers, everybody are like angels to the people that are in need. And I've been on the receiving end more often than I would like, you know with family and friends and that's how it comes across. And what we wanted to do tonight is just recognize you for your service. And I think also what is special with Sandra is that tradition of excellence you've passed on to your son Zack. Do you want to raise your hand? Zack serves as a Dispatcher for our Police Department. And so whenever you see people that are in public service, you can see that they hand that down from one generation to the next. So you started a good thing. There is a strong legacy there. If you don't mind, I'd like to read this. I'm going to put my glasses on so I can read it. "Whereas, I, David J. Held as the Mayor of the City of North Canton, Ohio, hereby thank and recognize Sandra Jencks for her 22 years of continued service to the City of North Canton. Whereas, Sandra Jencks

RECORD OF PROCEEDINGS

Minutes of COUNCIL OF THE CITY OF NORTH CANTON REGULAR Meeting

DAYTON LEGAL BLANK, INC. FORM NO. 10148

Held Monday, March 10, 20 14

began her career with the City of North Canton on December 9, 1992 as a part-time EMT. She joined the department full time in July of 1998 and has served the public with dedication and professionalism. She will retire with our respect for a job well done on February 28 (which has already occurred). Sandra Jencks' responsibilities included billing, updating the Emergency Operations Plan manual, and continually updating employees' driver licenses and EMS state certifications. She has answered many calls for residents using her patient care skills. Whereas, Sandra Jencks willingly and cheerfully helped make our EMS Department, cheerfully that's true, very cheerful, helped make our EMS an outstanding service to our residents. Now as she retires, the City wishes Sandra, our North Canton resident, to continue to enjoy scrapbooking, drawing, and being involved in her church activities. Now, therefore, I, David J. Held, as the Mayor of the City of North Canton, do hereby proclaim February 28th, 20 as a day of recognition for Sandra Jencks and for all of you to join with me in doing so."

(Applause)

Mayor Held: And if you're wondering about the date on this, originally what February 28th was actually the last day that Sandra has served the City. And we just thought that it would be appropriate to invite her up so that we can have our Council recognize her and all of the people here in the public. And with that, Chief if you don't mind standing. Whose phone is that? Please turn off your cell phones. That's my phone, I'm just kidding. What we'd like to do is, you know here in the City there are a number of things that people always compliment, at least to myself and I know the Council members, are the snow plowing during the winter, they love our snow plowing, and they love the community because it's a nice, safe community. And the reason that it's so safe is because we have excellent police officers. I mean we have the best police officers in the state and I believe in the country because they're - you know when there's a call, if any of you have ever called and needed police, you know you wonder why they get there so quick. Number one because their time and response, but number two, because they are all over the City, which is a good thing. So with that, we do have - we'd like to recognize our police officers, and so I'm going to turn that over to Chief Wilder.

Recognition -- Traffic Officers / Officer of the Year

Chief Wilder: Good evening everyone. Sandy, again congratulations on 22 years of service to the City of North Canton, that's outstanding. Folks, the City is safe, even though we have a number of our officers here; we still have officers on the road, okay. So, please - please relax. But I come to you tonight; 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 the 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. My first officer, well I'll call their name, please stand up and I'm going to have the Mayor present you with your Award of Excellence Certificate is: Patrolman Matthew L. Buzzard. Matthew, he's got a year and a half on for us, and finishing up on two years. Next Patrolman I'd like to recognize is Justin D. Brumbaugh. Justin, again a year and a half on our department, coming up on his two year anniversary. Thank you. Patrolman Scott E. Carrel. Scott is a 17 year veteran, still out there hammering on the streets. I can't ask anything more from an office with that tenure on our department. Patrolman Cody R. Dollinger. One and one half years, going on his second year anniversary. Cody, thank you again. You don't see him; he's on midnights, unless you're out after midnight. Okay. Patrolman Chad E. Marceric. Chad's coming up on his second anniversary. Thanks again, Chad. Chad works afternoons. And Patrolman Phillip Taylor. Phil's got 14 years on, 8 with Hartville and 4 with us -- 6 with us, excuse me. And he had his certificate already presented to him at an earlier banquet recognition. Please remain standing there fellows. The next person I'd like to recognize is Patrolman John R. Hemric. John, would you please stand here please. He was selected to receive the Stark County Safe Communities 2013 Traffic Officer of the Year Award. So he's our top traffic officer for Stark County contributing with these officers here towards the promotion of safety, traffic safety, and traffic enforcement. And so John, once again, 2013 that's an outstanding that is an outstanding mark for us. And he's been with us for 14 years. And again, when you have a veteran like that still out there willing to, you know, enforce traffic laws and promote safety, that's an outstanding accomplishment. A plaque to recognize you with that again, John. It reads: "Stark County Traffic Officer of the Year

RECORD OF PROCEEDINGS

Minutes of COUNCIL OF THE CITY OF NORTH CANTON REGULAR Meeting

DAYTON LEGAL BLANK, INC., FORM NO. 10148

Held Monday, March 10,

20 14

2013 presented to John R. Hemric, North Canton Police Department in recognition of outstanding dedication to traffic safety from the Stark County Safe Committees Coalition." Thanks again, John.

Officer Hemric: Thank you, thank you very much.

(Applause)

Chief Wilder: Again, traffic enforcement is one of our many duties that we perform. But I'd like to just bring this to closure on this point, through their efforts and willingness to promote traffic safety and traffic law enforcement, these officers led the way for our Police Department to help this year. City-wide traffic crashes declined by 18%, we are down about 99 crashes, almost 100 from last year, and that involves property and public crashes. Our OVI (Operating a Vehicle while Impaired) arrests, for operating a vehicle while impaired, that increased by 13%. We arrested nine more people for violating driving impaired. Overall our traffic citations increased 5%; we had 1901 issued this year. And to come to - and to go along with that they also wrote written warnings that increased 7%. We have 3,998 written warnings issued to motorists. So I think it's an even, pretty even work out there in the amount of citations issued and warnings given to individuals to remind them to drive safely and cautiously. Congratulations to each one of them. 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 again a safe, desirable place to live, work, and visit. Thanks again for your time.

(Applause)

Chief Wilder: Oh, one other thing. Their families are here to support them. And just remember too, behind them is our Dispatching Center too, our communications, because as much as they're working on the road, there's always somebody in the Communication Center answering the questions, getting things entered. And I want to thank the families for their graciousness to allow them the time away from families. Yes they're compensated for their time away, but it's still I appreciate the graciousness that you share as a family member allowing them to perform some extra work for our City. Thanks again.

Mayor Held: Also, you know, when you take look at our police officers here, and the ones that are the ones in the back, somebody had asked me if we have a height requirement for the Police Department. And we don't, but you know what's nice is that, and I remember a number of these officers I had the opportunity to hire, and you know they are very physically imposing individuals, you can tell. But if you're a bad guy, you wouldn't want to mess with this bunch. But at the same time they're all, they're gentle giants, you know. They're very kind and they're respectful to the people in the City, which you know you've got to be able to do that and then turn it on when you need to. So we absolutely appreciate the service that you folks provide to us. We feel really safe. Chief, thank you.

Chief Wilder: Thank you, Mayor. Thanks, Council. If your families have to leave, because I see you've got little ones, go right ahead, please. Thank you. Thanks again for your time.

6. Consideration
Council Meeting Minutes – February 10, 2014
Mayor's Court Receipts – January, 2014

Mr. Peters. Okay. Moving along, could I get a motion and second to approve, as presented the council meeting minutes February 10, 2014, and the Mayor's Court Receipts, January 2014?

Mr. Foltz moved and Mrs. Kiesling seconded to approve, as presented, the council meeting minutes and the Mayor's Court receipts. All members present voting:

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

No: 0

RECORD OF PROCEEDINGS

Minutes of COUNCIL OF THE CITY OF NORTH CANTON REGULAR Meeting

DAYTON LEGAL BLANK, INC. FORM NO. 10148

Held Monday, March 10, 20 14

7. Committee Report Minutes:

Mr. Peters: And could I also have a motion and second to approve, as presented the Executive Session Meeting minutes for Personnel and Safety Committee held 2/24/14 and 3/4/14, summary of Committee of the Whole for Community and Economic Development Committee Meeting held 2/18/14, Committee Report Minutes, for Community and Economic Development and Finance and Property, both held 2/10/14.

Mr. Foltz moved and Mr. Cerreta seconded to approve as presented, the executive session and committee report minutes. All members present voting:
Yes: Kiesling, Peters, Snyder, Werren, Cerreta, Foltz
Abstain: Griffith

8. Recognition of Visitors:

Mr. Peters: Anyone wishing to address the Council? Please step forward, state your name and address.

Larry Tripp: 1127 East Maple, North Canton. I too, along with Mayor Held, you know, just feel very comfortable with the group of officers we just saw tonight, from Mr. Grimes down to Chief Wilder, and excellent. Over 25 years I've gotten to know some of them from being a crossing guard, just walking the neighborhood, always friendly. You know, just a super bunch of guys from what I can gather. Just a super bunch of guys. So you know, your training paid off and it's paying off with Chief Wilder. So thanks. Just very briefly, I had about a four page letter here, and I was going to read it, but I think I would probably go over the five minutes. But, I've been coming to meetings for about, oh five years now, and I've seen things happen. I've gotten the work ethics of the Council members and their work towards the City. I've heard remarks from many of the North Canton residents. Seen new faces on the Council and Administration. And do I feel more comfortable now with local government than I did five years ago, two years ago, a year ago, even two weeks ago? Absolutely not, no, huh uh. Over the five years, I've appeared before this Council and voiced my opinion on the issues of concern such as additional parking at Little League. Council voting themselves a pay raise, and more recently the proposed park levy. I too was one of the 70% of North Canton who favored Issue 5. I too was one of the North Canton residents who read the article in the Canton Repository that said the citizens should be mad as hell. I was one of those people. In fact tonight I was hoping and would have expected the four council members who violated the mandate of North Canton citizens would have, and should have resigned. Ironically, an article appeared in the Canton Repository titled, "The Art of an Apology" written by Nicole Simms. Two sentences really caught my eye. The first being, "Never make a person say they are sorry unless they are truly, unless they truly mean it." And the other celebrity apology in which one does something out of the ordinary and believes a simple, "I'm sorry" gives them a free pass. Mrs. Baughman, in her search of public records forced their hand and basically forced their public apology. This, in my opinion, did they really mean it or was this just an easy way out? I have watched some videos on the Stark County Political Report Website, and I just, I really did not feel comfortable with the apologies. Now we speak of more transparency, I've watched the video in which Council President Peters says we're going to be having. Let's just assume now that Mrs. Baughman, with her eagle eye, had not spotted where council members were receiving insurance benefits. Would this have continued by some of the four in violation? Would it have continued until each had met their own personal agenda hoping this never would have happened, met the public eye, thus never an apology. That's why I made reference to the article, "The Art of an Apology". Never make a person apologize unless they are sorry. I went back and reviewed some other minute meetings, particularly the one of July the 8th and with Councilman Peters had kind of a rebuttal towards some remarks I made. And basically we had thought that night would be belittling the City. Well, I really feel belittled now after what just transpired with this, you know after 70% of the voters say, you know say, no insurance, and this continues. And then, you know, we elect - we give him a presidency when he was in violation and missed, lost my trust. I could go on and on. We could bring out the point of the Law Director being hired. I believe that Councilman Peters, you were President at that time of the Personnel Committee. You know, if I'm wrong, tell me. But maybe someday you can catch me with coffee and you can tell me how this one went down. But really in closing, the last two council bodies with terms of 2011 and 2013 and 2013 and 2015 have created their legacy already, that being mistrust, unorganized, and self-serving. North Canton deserves a lot better. Thank you.

RECORD OF PROCEEDINGS

Minutes of COUNCIL OF THE CITY OF NORTH CANTON REGULAR Meeting

Held Monday, March 10,

20 14

Mr. Peters: Anyone else wishing to address Council?

Jamie McCleaster: 710 Pierce. Members of Council, I'm here this evening in my official capacity as the spokesman for the Concerned Citizens of North Canton Political Action Committee (CCNC). It was exactly one month ago that I first spoke of the health insurance situation here in North Canton. In that time we have seen over six thousand dollars repaid to the City, a savings of well over \$30,000 for this year alone, and many structural changes here in Council. These are all positive actions and we commend you for moving in the right direction. However, tonight you were set to vote on the second reading of Ordinance No. 23-14. CCNC pack urges you to table this, or at the very least not vote for the Ordinance as it is currently presented. City Council has acted, or should I say not acted, based upon faulty legal opinion. Given the situation we're all now in, a situation you collectively put the City in, City Council should ask for an actual legal ruling or determination before any more health care ordinances are passed or outright ignored. At the time that the initiative petition was presented to Council and ultimately sent to the Board of Elections, you had two attorneys on Council and long-time municipal attorney Roy Battista was the acting Law Director. They all saw it. Why no action then? With Mr. Batista's 30 plus years of experience as a Law Director, would he have sent the initiative petition to the Board of Elections if it was flawed? Additionally, how can you just arbitrarily determine which law is valid and which one is not solely on one attorney's opinion without having an actual ruling made? If you decide to not ask for an actual ruling or determination, but instead choose to continue down the shifting sandy path of your current legal opinion, you should at least consider changes to the ordinance such as - because itself is flawed. Before voting Sections 1 and 2 should be removed. It was the Law Director that determined that the initiative petition is void, not Council. And we see where his advice has gotten you, don't we? Both Sections 1 and 2 refer to the initiative petition as proposed. It isn't proposed. It was a lawfully and active petition passed by 72% of the electorate and certified by the Board of Elections. Two weeks ago when this was first read, wasn't the emergency provision removed? Why does 23-14 (Ordinance) appear tonight as an emergency? What is the actual purpose of this Ordinance? Are you trying to trick the citizens into thinking that you actually acted on this issue? Furthermore, if you decide to pass this ordinance, whether by emergency or with two more readings, it won't take effect until 2015, so why the rush? Don't you want to get it right this time lest we end up in the same situation sometime down the road? Thank you for your time.

Chuck Osborne: 307 Fairview Street SE, North Canton, Ohio. I too have some concerns here with 23-14 (Ordinance). And I would like to ask this Council to just think for yourself. When Issue 5 was first brought to the City, I believe it was May 9th of 2012, that's required by law. The City was put on notice that signatures were going to be collected for a proposed taxpayer initiated law. No concerns were raised. Each and every one of you were on Council. We had Mr. Griffith on Council as an attorney. We had Mr. Fox on Council as attorney. And at the time we had Hans Nilges as the Law Director. Nobody questioned it. The petitions were turned in, 1,109 signatures, I think and all but 19 were validated. They were turned in mid to late June. They were on display for study and evaluation. This Council, the Clerk of Council, I'm sure she's acting on your behalf, sent these signatures down to the Board of Elections. Again, I'm sure this was - this body was very well aware of the process. The signatures came back. This Council passed a resolution putting this issue on the ballot. No issues were raised. No criticisms. In that interim, Mr. Batista, a former longstanding City Law Director takes office as Law Director in, I believe it was late June, it might have been into July. So he was the Law Director July, August, September. He had no criticisms, no concerns. Our present Law Director assumes the role of Law Director. Again, does he raise any concerns here? So it goes to the ballot in November. Again, as it's been repeated over and over 72% of the voters approved. And on late November, it was, the vote was certified and by state law this became official law December 2nd of 2012. Again all of you in place, and now we've gone through three Law Directors. In February of last year, I wrote a letter to Mr. Fox asking why this didn't appear on the City's website as an ordinance, a lawfully enacted ordinance for 2012. I never got a response. So February, March, April, May, June, July, August, September, October, November, December, January. Thank goodness for this group, Concerned Citizens for North Canton. They discovered it. The City just thought they could put their head in the sand like an ostrich I guess and hope everybody would forget this. So you long since passed your opportunity to raise this issue. Clearly some of you recognized it and respected the will of the people and the law that was passed. We passed every hurdle required by State Law and North Canton City Charter. And obviously

RECORD OF PROCEEDINGS

Minutes of COUNCIL OF THE CITY OF NORTH CANTON REGULAR Meeting

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

Held Monday, March 10, 20 14

a few of you respected that and did not take the coverage. I don't know why simultaneously while the Finance Director was issuing letters to allow people to enroll in their own full-time employer's coverage, simultaneously, she was enrolling people to continue on the City's health care coverage. I'd like to thank Mr. Foltz, the Mayor, for respecting the law that was passed. And it's still a lawfully-enacted law. Until you openly challenge this and get a ruling from a judge, it's still a lawfully-enacted law. The public should not be required to jump through all the hoops and get an issue passed and then beyond that, have to prove to you that it's a lawfully enacted law. It's ludicrous. So Mr. Fox, from the time he was on Council in May of 2012, until this was revealed early this year, he must not think much of his opinion because he doesn't want to stand up and hold it up to the world and say, "I challenge your law". As far as 23-14, Mr. Snyder, as former president, you said you would remove the emergency off of this, I don't know why that's still there. Again as Mr. McCleaster pointed out, you're not kidding anybody.

Mr. Snyder: I don't control the agenda. I'm sorry. I have no control over the agenda.

Mr. Osborne: As we all know, whether it passes today or three months from now, it won't become effective until the next term of Council in December of 2015. So if you're trying to make the public think that oh, you're trying to right your wrongs, you haven't. So I would ask you to think for yourself. You've long since passed up any opportunity to challenge this. So I ask you to recognize Issue 5 which is law now, and to derail 23-14 because it's meaningless. Thank you.

Mr. Peters: Anyone else wishing to address Council?

Rod Covey: 35 Auburn Avenue SE, in North Canton. Events of the past few weeks have become known as Insurance Gate, is almost behind us, but the enormous media coverage, newspaper, television, radio, the internet, and even the water cooler talk all around North Canton, Stark County and Northeast Ohio and because the internet, beyond the borders of this State. But we feel it's time for healing of the fine image this City has enjoyed for more than a 100 years based primarily on the gentleman who had the ingenuity and generosity and character of a man, his name was Hoover, and known to friends and neighbors as Boss as we all know. To understand one needs only to read the inscription of the plaque under his statue across the street. It set forever the image of New Berlin later, North Canton, as a caring, welcoming industrious community. That image has been and is as precious to tens of thousands of North Canton men and women and children, but an image is a very delicate asset, very delicate, easily tarnished and must be protected at all costs. The bottom line of my 60 years in PR, Marketing and Research for 150 companies and 30 non-profits, all of which I served as pro bono of course, the biggest task for me was growing and protecting their images. But who can protect the image of a city, the coalition of all the churches and synagogues, how about the two political parties or some spin-off of one of those parties, like a tea party for example, the schools, the Chamber of Commerce, can they do it? How about the Jaycees, or the Kiwanis, the League of Women Voters? If the League of Women Voters could do what they'd like to do, they would probably be the greatest single force that could make some change. Women have a way of doing that, don't they guys? Historically, only the people can effect change, informed, resolute, dedicated people like our colonists who sent a strong message to King George III, the marches in Selma, Alabama and North Canton people who skewered the Kaiser by changing the name of their city, New Berlin. The recent change in the Chamber was a result of six people who sent the message that was amplified by the media to tens of thousands in the City, County and Region. Yes, our image has suffered, but it's not beyond repair. Six concerned citizens and their followers will see to that by building on the many unique assets of our cities. Let's build a more informed citizenry. It started, but may we suggest absolute openness in all affairs of Council and Administration? No stalling or changing of transmission procedures, more sunshine, not less sunshine. And finally Concerned Citizens of North Canton has developed a communications plan that will raise to new heights the number of citizens who will attend meetings, become more involved, and more supportive of everything that will make our city - make our great city greater than even Boss Hoover would have imagined. Thank you. Thank you.

Mr. Peters: Anyone else wishing to address Council?

RECORD OF PROCEEDINGS

Minutes of COUNCIL OF THE CITY OF NORTH CANTON REGULAR Meeting

DAYTON LEGAL BLANK, INC., FORM NO. 10148

Held Monday, March 10,

20 14

Melanie J. Roll: 308 Portage Street. Different topic. It has to do with Ordinance 25-14 and 26-14 that you're going to vote on tonight. I realize that Maple Street Commerce wants these changes. And I realize also that we cannot have a dialogue among you and myself during Public Speaks. But to my understanding by looking at the parcel numbers, this does not include Parcel Number ending in 415 which would be on the southern border of this property abutting the Hipp property.

Mrs. Kiesling: Correct.

Mrs. Roll: Thank you. I thought that was omitted and you weren't going to vote on that tonight, but I wanted to verify that

Mrs. Kiesling: Correct.

Mrs. Roll: and what you will be doing with that property will perhaps come to light at a later time.

Mrs. Kiesling: From the communication that I got this week from the owners, they were looking into how, if it could even become a parking lot. They were going to do some testing and maybe do some plans, and we're hoping to maybe sit down with the residents in that area before we bring it back to Council.

Mrs. Roll: Would it come back to Council or Planning?

Mrs. Kiesling: If it stays as it is, it will come back to Council because it has already gone through Planning. If they want a different change, it will have to start all over. Or they can pull their request and leave the zoning as is without doing anything else.

Mrs. Roll: Zoning is difficult to understand.

Mrs. Kiesling: Yes.

Mrs. Roll: I think myself and many others are opposed to having that property that's on the southern border next to the Hipp property, changed as far as trees, large wall and that kind of thing. I just wanted to verify that you were not going to vote on that part this evening.

Mrs. Kiesling: Correct. We are not voting on that parcel tonight.

Mrs. Roll: Thank you.

Mr. Peters: Is there anyone else wishing to address Council? Seeing none, we'll continue with Old Business. May I have a motion and second to read by title only, third reading of Ordinance No. 18-14?

Old Business

8. Mr. Cerreta moved and Mr. Griffith seconded to **read by title only, third reading** of Ordinance No. 18-14. All members present voting:
Yes: Kiesling, Peters, Snyder, Werren, Cerreta, Foltz, Griffith
No: 0

Ordinance No. 18-14 – 3rd 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. Peters: Chairman Snyder.

Mr. Snyder: Thank you. We've looked at this for several weeks and now almost into months. As I told you originally, it has to be in place by April the 1st, that's the State Law. We've pretty much depleted the temporary budget that was passed in early January, the funds. We're not to a state where we're now appropriating by supplemental appropriation to fill those accounts. No one has contacted me outside of the change which I had the Finance Director note to you. We moved 15,224 I believe is the number, from Council

RECORD OF PROCEEDINGS
COUNCIL OF THE CITY OF NORTH CANTON

Minutes of

REGULAR

Meeting

DAYTON LEGAL BLANK, INC., FORM NO. 10148

Held

Monday, March 10,

20

14

Healthcare to Capital Improvements. I know there was some money being looked at for additional paving of tennis courts, and that is about almost 50% of that total cost. The only other thing in question, I know there's a line

item in there for the officers' range. And no one's - I haven't heard if that wants to stay or we're going to strike that or what the pleasure of Council is on that. That is a commitment of one fifth, incidentally. That will be each year for the next five years will be \$50,000 to accomplish that. Just so you understand the big picture in it. And what they - what their intentions are is to escrow that money until they eventually get the \$250,000 and are able to move ahead with the

Mrs. Werren: I mean I have done some research on that and there are some different options. And I've talked to some of the other chiefs in the various townships and counties and the Sheriff, and there are some options for us to collaborate and share. There's even a truck that comes down from Cuyahoga County, the big semi, and the Sheriff has used it and Canton City has used it. It's a free truck, and you can shoot in that. I don't know if we've had that here before or not. So I really just think that some of it is communicating with the other chiefs and having our Chief talk to Canton's and see what kind of arrangements could be made.

Mr. Griffith: The bottom line from a budgetary standpoint though is that we don't necessarily have an objection to leaving the appropriation in knowing that, by consensus, we want to have further discussion on it before....

Mrs. Werren: Right.

Mr. Griffith: anything is actually spent

Mrs. Werren: Right.

Mr. Griffith: So I mean personally I don't have an objection to leaving it in the budget and then we'll have further discussion about it.

Mrs. Werren: Yeah. It definitely seems like there are other options. So I'd like to investigate it further and get our Chief talking to someone else, and see what else is out there.

Mr. Snyder: Well I would caution you on one thing, and that's fine to leave it there, because it does bump up against the maximum appropriation that could be spent. However, prior to that being spent I would like a caveat added to this ordinance that that money not be spent until it comes back the approval of Council. Another thing is you know we're going to be facing, within probably at the very most two weeks, is the condition of our streets. And unfortunately we're going to have to start using the \$300,000 that's appropriated for road repaving. We're going to probably have to use some of that money to fill some of the potholes. One of the things in the budget contains some type of sophisticated equipment that will fix the pot holes more permanently than what we've been doing them. So Mr. Davis and his crew have done well over the last ten days getting the holes that they're able to address because I don't know the technical reason, but that stuff just doesn't stick. With this new equipment hopefully we're able to address that. So we - I think what we - we leave any money in there, and it gives us time to appropriate that and we look at it at that point to make sure that we're all in that comfort zone that we want to spend that money. I think that would be better, a little wiser than to just say, well, it's there and let's go forward with it. Is that - and you'll continue to do that?

Mrs. Werren: Yes.

Mr. Snyder: So I offered an amendment to that said ordinance that it says that that be required to be returned to Council to be spent, to be appropriated. Mr. President, I ask you to call the question there, please on that amendment.

Mr. Peters: A motion has been called to Ordinance 18-14 in regards to the expenditures of \$50,000 line item for the firing range. Motion and second to amend?

RECORD OF PROCEEDINGS

Minutes of COUNCIL OF THE CITY OF NORTH CANTON REGULAR

Meeting

DAYTON LEGAL BLANK, INC., FORM NO. 10148

Held Monday, March 10,

20¹⁴

Mrs. Kiesling moved and Mr. Griffith seconded to **amend Ordinance No. 18-14 that all encumbrances/expenditures of the \$50,000 budget reserve for the indoor firearms training range shall require City Council authorization.** All members present voting:

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

No: 0

Mr. Snyder: Thank you.

Mr. Peters: Okay, so a motion and a second to adopt the third reading, as amended.

Mrs. Kiesling moved and Mr. Snyder seconded to **adopt the third reading of Ordinance No. 18-14 as amended.** All members present voting:

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

No: 0

9. Mr. Peters: Alright, thank you. Can I have a motion and second to read by title only, the third reading of Ordinance No. 19-14?

Mrs. Kiesling: Do we have to put that on emergency to get it done by the end of March or we don't.

Mr. Snyder: It is an emergency in it.

Mrs. Kiesling: Oh, the emergency's in it. Got you.

Mr. Foltz moved and Mrs. Kiesling seconded to **read by title only, third reading of Ordinance No. 19-14.** All members present voting:

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

No: 0

Ordinance No. 19-14 – 3rd 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. Peters: Chairman Snyder.

Mr. Snyder: Thank you, Mr. President. Again, we've talked about this. It's a lady whose father died and left a small parcel of land which is contiguous to Price Park. And the inherent value's to the City not to the property owner. So they want to get that to the City, and it's been clear through both Engineering and Administration and I move its adoption.

Mr. Cerreta: Second.

Mr. Snyder moved and Mr. Cerreta seconded to **adopt the third reading of Ordinance No. 18-14.** All members present voting:

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

No: 0

10. Mr. Peters: May I have a motion and second to read by title only, the second reading of Ordinance 23-14?

Mr. Snyder: Mr. President, I rise to amend 23-14.

Mr. Peters: Yes, sir.

Mr. Snyder: I request that you strike the sentence "declaring the same be an emergency".

RECORD OF PROCEEDINGS

Minutes of

COUNCIL OF THE CITY OF NORTH CANTON

REGULAR

Meeting

DAYTON LEGAL BLANK, INC., FORM NO. 10148

Held

Monday, March 10,

20

14

Mr. Snyder moved and Mrs. Werren seconded to **amend Ordinance No. 23-14 to delete "declaring the same to be an emergency"**. All members present voting:
Yes: Foltz, Griffith, Kiesling, Peters, Snyder, Werren, Cerreta
No: 0

Mr. Fox: An ordinance amending

Mrs. Kalpac: Excuse me, You just amended it to remove the emergency. We have to move to read by title only.

Mr. Peters: Got you. Alright, a motion and second to read by title only, second reading of Ordinance No. 23-14 as amended.

Mr. Griffith moved and Mrs. Werren seconded to **read by title only, second reading of Ordinance No. 23-14, as amended**. All members present voting:
Yes: Griffith, Kiesling, Peters, Snyder, Werren, Cerreta, Foltz
No: 0

Ordinance No. 23-14 – 2nd 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.

Mr. Peters: Chairman Snyder.

Mr. Snyder: Thank you, Mr. President. The intent of this ordinance is to mirror the intent of the electorate and there is some question on that ordinance, and I'm sure somewhere along the line it will, by the prior of fact it will be determined. However, to make sure that the electorate gets exactly what they thought they voted on, we're replacing this ordinance into - and it's true, it will not take effect until the next session of the Council as the Revised Code prohibits in term changes in compensation. But other than that, that's it, Mr. President.

Mr. Peters: A motion and second to approve the second reading of Ordinance No. 23-14, as amended.

Mr. Cerreta moved and Mrs. Kiesling seconded to **adopt the second reading of Ordinance No. 23-14**. All members present voting:
Yes: Kiesling, Peters, Snyder, Werren, Cerreta, Foltz, Griffith
No: 0

11. Mr. Peters: May I have a motion and second to read by title only, the first reading of Ordinance No. 24-14?

Mrs. Kiesling moved and Mr. Griffith seconded to **read by title only, the first reading of Ordinance No. 24-14**. All members present voting:
Yes: Peters, Snyder, Werren, Cerreta, Foltz, Griffith, Kiesling
No: 0

Ordinance No. 24-14 – 1st 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.

Mr. Peters: Chairman Kiesling

RECORD OF PROCEEDINGS

Minutes of **COUNCIL OF THE CITY OF NORTH CANTON** **REGULAR** Meeting

DAYTON LEGAL BLANK, INC., FORM NO. 10148

Held Monday, March 10, 2014

Mrs. Kiesling: Yes, this is the property contiguous to Walsh University. They purchased the land from the Gressel family. We are going to rezone it Parks and Institution which is what it currently abuts in North Canton. So I motion we adopt the first reading.

Mrs. Kiesling moved and Mr. Griffith seconded to **adopt the first reading** of Ordinance No. 24-14. All members present voting:

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

12. Mr. Peters: A motion and second to read by title only, the first reading of Ordinance No. 25-14.

Mrs. Kiesling moved and Mr. Cerreta seconded to **read by title only, first reading** of Ordinance No. 25-14. All members present voting:

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

Ordinance No. 25-14 – 1st 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).

Mr. Peters: Chairman Kiesling.

Mrs. Kiesling: Yes, this is the parcel right beside the YMCA, the parking lot that is gated off right now. Nobody - well, it has been opened up here and there. But usually you're not allowed to park there. This is that parcel we're going - that is currently zoned OB, we're going to place mixed use overlay on top of it. And just to clarify what mixed use overlay, the intent of mixed use overlay, the three main categories for this zoning code is to protect and preserve the appearance and character of the community, to reduce the impact between zoning districts, and to provide interest along the streetscapes, hoping to result in the creation and maintenance of a town center area west of City Hall. So it's all just only in this area that mixed use overlay can be placed onto a current zoning. And I motion we adopt.

Mrs. Kiesling moved and Mr. Foltz seconded to **adopt the first reading** Ordinance No. 25-14. All members present voting:

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

13. Mr. Peters: May I have a motion and second to read by title only, the first reading of Ordinance No. 26-14?

Mrs. Kiesling moved and Mrs. Werren seconded to **read by title only, first reading** of Ordinance No. 26-14. All members present voting:

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

Ordinance No. 26-14 – 1st 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).

Mr. Peters: Chairman Kiesling

Mrs. Kiesling: Yes this is the piece of property across the street where the car ports currently sit. That is currently zoned Office Business, we're going to place the mixed use overlay on top of that as well. I explained to you what the intent of the mixed use overlay is and it will keep it contiguous with the other properties. I motion we adopt.

RECORD OF PROCEEDINGS

Minutes of COUNCIL OF THE CITY OF NORTH CANTON REGULAR Meeting

DAYTON LEGAL BLANK, INC., FORM NO. 10138

Held Monday, March 10, 20 14

Mrs. Kiesling moved and Mr. Cerreta seconded to **adopt the first reading** of Ordinance No. 26-14. All members present voting:

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

No: 0

14. Mr. Peters: May I have a motion and second to read by title only the first reading of Ordinance No. 27-14?

Mr. Foltz moved and Mr. Cerreta seconded to **read by title only, first reading** of Ordinance No. 27-14. All members present voting:

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

No: 0

Ordinance No. 27-14 – 1st 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.

Mr. Peters: Chairman Snyder.

Mr. Snyder: Thank you, Mr. President. We had talked about this in the Committee. Normally that equipment has served its life expectancy; it would be destroyed and shredded. However, Chief of the Fire Service talked to these two entities, they have feeder classes that train these young men and women to be firefighters. They don't have the funds to purchase the equipment, and it serves – it's in such a condition that it will serve them well. And I don't know if I emphasized last time in my committee report that we'd like this on an emergency simply for the fact that they are training and they do need it to continue their education. I know we are somewhat reticent to pass things on emergencies, but this will move the equipment down there immediately and let them start using it.

Mr. Peters: May I have a motion and second to adopt the first reading for Ordinance No. 27-14?

Mr. Cerreta moved and Mrs. Kiesling seconded to **adopt the first reading** of Ordinance No. 27-14. All members present voting:

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

No: 0

Mr. Peters: May I have a motion and second to suspend the rules for Ordinance No. 27-14?

Mr. Cerreta moved and Mrs. Kiesling seconded to **suspend the rules** for Ordinance No. 27-14. All members present voting:

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

No: 0

Mr. Foltz: May I have a motion and second to adopt under suspension of the rules Ordinance No. 27-14.

Mr. Foltz moved and Mrs. Werren seconded to **adopt under suspension of the rules** Ordinance No. 27-14. All members present voting:

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

No: 0

COUNCIL – REPORTS:

Mr. Peters: Next up reports - Mrs. Werren.

Mrs. Werren: No report

RECORD OF PROCEEDINGS

Minutes of COUNCIL OF THE CITY OF NORTH CANTON REGULAR Meeting

DAYTON LEGAL BLANK, INC., FORM NO. 10148

Held Monday, March 10,

20¹⁴

Mr. Peters: Mr. Snyder.

Mr. Snyder: Thank you. One thing, my question is, I was privileged to get an email from the Engineer relative to a company that's probably able to fulfill one of my fondest dreams and that is the ability of the City to lay out a five-year plan for the reconstruction and resurfacing of all our streets. Historically, I've pitched it be done with a - some type of borrowing. However, there is now a company that claims that they can do this on a five to eight year cycle using our existing municipal road levy which brings in around \$400,000 a year. And I would ask the indulgence of Council and ask the privilege of the Engineer to invite the people here that we can see a first-hand presentation and be able to begin that five-year program without costing the citizens of North Canton any undue leverage burden on their taxes. So if Council would extend that privilege, I'd appreciate it.

Mr. Foltz: That's a great idea, Jon.

Mr. Cerreta: That's precisely the kind of thing we need to think about, way out in the front like that. So

Mr. Snyder: Right. And they contacted us. The Engineer was kind enough to forward the information to me and so we're going to move. If that would be all right with you, Jim, and sometime in the next few weeks we'll get that started. But I appreciate that. Thank you.

Mr. Peters: Mrs. Kiesling.

Mrs. Kiesling: Are you ready for me? Oh, no report. Sorry I thought - I was thinking, wow you got me already. No report.

Mr. Foltz: Forgot you were in the council meeting.

Mrs. Kiesling: No report.

Mr. Peters: Mr. Griffith.

Mr. Griffith: Just briefly. We had a good discussion relative to updating and clarifying what some of our public records standards are so that we can bring those out front to modernize it and we had a good discussion about that. Tim has provided us with some additional information, and we're going to work on that some more too. But I think the more we clarify that, and get on the same page with that, we're going to be in good shape. So I want everyone to know that we're working on that, and we'll have that to you soon. So....

Mr. Peters: Mr. Cerreta.

Mr. Cerreta: Last Tuesday, I think it was, the Mayor and I had the privilege to present Dr. Tim Novelli with a Proclamation. We did it at his - for the Patriot Project that he has been, actually the - he started the whole thing. So it's a very honorable project where Chiropractors and physicians will serve military - will treat military people at no charge. And we were - we did it at his place because he had a meeting with all these Generals that came in to see him. So we represented the City with that. And I want to make sure - he was going to come here tonight, maybe it would have been a little more private, but I wanted the Council to realize that so if you see Dr. Tim Novelli, you know, give him a good congratulations for the Proclamation. The Mayor did a wonderful job at presenting it to him. So outside of that no report.

Mr. Peters: Mr. Foltz.

Mr. Foltz: Yeah. I had a constituent call me on wanting a sign, and Mike and Jim you can weigh in as Administrator and Engineer. Coming from the west city limits, traveling east up Portage, you come to the intersection of Pittsburgh and Portage. And I know there's some decals in the street, but they're looking for a sign along the side of the road, that would be the right hand side that would have directional arrow to go left onto Pittsburgh and then one to verify you can go straight ahead. Maybe even look the other way too, travelling west through that intersection. I thought it was a great idea. Because we're familiar with it, I'm familiar because I drive that road all the time, but it would give more notice to people traveling up the hill that you need to get in the right lane. So I know like I

RECORD OF PROCEEDINGS

Minutes of COUNCIL OF THE CITY OF NORTH CANTON REGULAR Meeting

DAYTON LEGAL BLANK, INC., FORM NO. 10148

Held Monday, March 10,

20 14

said, we have it marked on the road, but see if we have money in the budget to look for a few signs either direction going east and west for that intersection indicating that there is a turn at Pittsburg. I'd appreciate that. That's it.

Mr. Peters: Director of Law.

Mr. Fox: No report.

Mr. Peters: Director of Finance

Mrs. Alger: No report.

Mr. Peters: Director of Administration.

Mr. Grimes: We will look at the signage on Portage. I know that's an issue sometimes. There's a small sign, but it doesn't catch people's eyes. Also, Stark Parks, just before our meeting, held an informational meeting on connecting the park walkway between Dressler and the Y. And I do have the slide presentation on that, I'll be passing out to Council so you're at least aware of it. I did call the parks and ask them the next time they have a meeting to take into account our Council meeting so that we can attend, and they said they would do that. But tonight was their first meeting. But I will pass that around so that you at least know what was presented at that meeting.

Mr. Peters: Thank you. Mr. Mayor.

Mayor Held: Yes, two things I have – well actually three. First off, I appreciate Council taking the time to recognize our police officers and EMS because that's, you know, why our City's so safe. And in addition to that I have Mark Cerreta, he invited me over there to Dr. Tim Novelli's office, Chiropractor. And what an incredible business that he has there of service, you know, to the residents of North Canton, but and also to the wounded warriors. So it was a very nice event and I appreciate you allowing me to take the opportunity to recognize Dr. Novelli. And also a special thanks to Council for the budget. A lot of work went into the budget. It's not an easy budget to pass when you consider the state funding continues to go down, the property taxes declined, the income taxes; again, they're moving in the right direction, it's positive, but still a very, very tight budget. And I know that the Council members, all of our Council members, take a very active role in putting the budget together. But I'm very proud of the work that was done by Mike Grimes and Karen and Tim Fox, Jim Benekos, Jim Davis, Eric, all of our department heads came together and we have a balanced budget. And so I appreciate everyone's hard work on that. And lastly, hopefully, one last little hurrah here for snow on Wednesday and hopefully that's the last one. And – but I think that, you know, our roads did take a – they took beating this year. And so as you consider all the streets that you're going to put together for Jim Benekos, if you would prioritize them it would help. You know whether it's 10, 15, 20 streets - there's a lot of streets that

Mr. Benekos: Everybody gets one street.

Mayor Held: Oh yeah.

(Laughter)

Mr. Benekos: A small street.

(Laughter)

Mayor Held: But I think what's important is that we want to make sure that we're considering all of the input of the elected officials and so prioritization is important. Right?

Mr. Benekos: Yeah.

Mayor Held: Just trying to help you out there, Jim.

RECORD OF PROCEEDINGS

Minutes of COUNCIL OF THE CITY OF NORTH CANTON REGULAR

Meeting

DAYTON LEGAL BLANK, INC., FORM NO. 10148

Held Monday, March 10,

20¹⁴

Mr. Benekos: Thanks.

Mayor Held: And that's all.

Mr. Peters: Engineer.

Mr. Benekos: I want to thank you for the budget. We will get busy prudently spending those funds on improvements in the City. So thank you.

FINAL CALL FOR NEW BUSINESS:

Mr. Peters: Alright. Final call for New Business, and if there is none, I'll entertain a motion to adjourn.

ADJOURN:

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

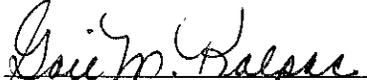
Yes: Cerreta, Foltz, Griffith, Kiesling, Peters, Snyder, Werren

No: 0

The council meeting adjourned at 8:06 p.m.


PRESIDENT OF COUNCIL

ATTEST:


CLERK OF COUNCIL