

## RECORD OF PROCEEDINGS

Minutes of COUNCIL OF THE CITY OF NORTH CANTON REGULAR Meeting

PEAR GRAPHICS 800-925-8084 FORM NO. 10146

Held Monday, April 28,

20 14

## 1. Call to Order

The council meeting was called to order Monday, April 28, 2014 at 7:35 p.m. by President of Council Daniel Peters.

## 2. Opening Prayer

The opening prayer was delivered by Rev. Diana Thompson, Good Shepherd Lutheran Church.

## 3. Pledge of Allegiance

All present recited the Pledge of Allegiance.

## 4. Roll Call

Mr. Peters: Clerk, will you 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 Finance Alger, Director of Law Fox, City Engineer Benekos, and Clerk of Council Kalpac.

## 5. Consideration

Council Meeting Minutes – April 14, 2014

Mr. Peters: And before we get to consideration, let the record show that Member Griffith joined us half way through executive session. Okay, may I have a motion and second to approve as presented council meeting minutes, April 14, 2014.

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

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

No: 0

## 6. Committee Minutes

Mr. Peters: May I have a motion and a second to approve as presented the committee report minutes for Finance & Property held April 14, 2014.

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

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

No: 0

**Finance & Property Committee:** Please refer to the minutes on file in the Council Office of the Finance & Property Committee meeting held April 14, 2014.

## 7. Voice Vote – Appointment of Arthur Brakus to the Civil Service Commission

Mr. Peters: Okay, next up a voice vote for the appointment of Arthur Brakus to the Civil Service Commission. May I have a motion and a second to appoint Mr. Arthur Brakus to the Civil Service for a six year term commencing 1/1/14 through 12/31/19?

Mrs. Kiesling: I motion we appoint Mr. Brakus.

Mr. Foltz: Second.

Mrs. Kalpac: Griffith

Mr. Griffith: Can I – can we have a quick discussion about ...inaudible...

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Mr. Cerreta: Yeah, I was just going to say can we talk a little bit about this, gentlemen? Because I don't particularly, you guys, those who know him. That we can hear some things? Because I'm going to abstain if not.

Mr. Snyder: I – in fact he is a constituent of mine. I've known Mr. Brakus probably 20 years now. He's Julie Herr, our ex-Finance Director, that's her father. He's very active in the community. He's President, I think, of the – I don't know what they call that, the NELA (Homeowners Association), is that what that lawyer part of that ....

Mrs. Kiesling: Down in Ward 4 where ....

Mr. Snyder: Where we went to the breakfast that time?

Mrs. Kiesling: Breakfast they have every Labor Day.

Mr. Snyder: He's active – he's available, he's a good guy. I would highly recommend him and his ability. In fact Mr. Marcus is here, who's a neighbor of his ....

Mrs. Kiesling: Right.

Mr. Snyder: Who also can attest to his veracity as in his honesty. He's – he cares about the City. In fact I think he spends more time talking to Eric than anyone of us about different items in the City that need addressed.

Mrs. Kiesling: I'll second that. He's a great, great gentleman. He'll do a great job.

Mr. Griffith: I apologize.

Mrs. Kiesling: And he's available.

Mr. Cerreta: That's what we should do.

Mrs. Kiesling: And he really wants to do it.

Mr. Cerreta: I'd like to know too. I didn't know who he was ....

Mr. Griffith: Right, right.

Mr. Cerreta: Nothing wrong with asking.

Mr. Griffith: Yes.

All members present voting:

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

No: 0

8. Presentation by M. J. Albacete on the Educational Recycling Grant

Mr. Peters: Okay, next we have a presentation by Mr. Albacete on the Educational Recycling Grant. Mr. Albacete, welcome.

Mr. Albacete: Thank you. My name is M. J. Albacete. And I am resident of North Canton, 515 Glenwood SW. And I'd like to thank the President of North Canton City Council, Jeff Peters, and the members of City Council, and Mayor Held, for the opportunity to draw your attention to two proposals I would like to offer this evening. First, a general announcement has been made through the **Repository** and the arts media that I am planning to retire as Executive Director of the Canton Museum of Art within a month or two, and thereafter I will be what you might call a "free agent." As such, I intend to devote much of my personal time to the advancement of the arts. And by that I mean all of the arts, I'm interested in dance and music and art, all of these things, but with particular and dedication to my own community of North Canton. In that capacity, I would like to offer my services to those arts agencies, schools, and the universities in our general area and certainly to North Canton City Council in developing our City into a popular arts destination. But you may remember we did for two years, two summers, we did a program over at North Canton Civic Center. I have many

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programs, lectures, and other activities in my suitcase and many contacts with prominent individuals in the arts, and many ideas I would like to explore. So from this time on, I will be "on call." Secondly, I am announcing to North Canton City Council my first significant activity in our community, which is a two-sided project with Walsh University, for which I am soliciting a grant through the Recycling program provided by Kimble, I think it is. As one of my last projects through the Canton Museum of Art, we're collaborating with Walsh University in the creation of an original exhibition called "Dante's *Inferno*, Seen Through the Eyes of Amos Nattini." This exhibition will consist of 34 large-format framed lithographs printed in Italy in the late 1920's by prominent Italian artist for a huge, two foot by three foot volume that we have at the Museum. This would be of great interest to the religious community, to Walsh University, the other universities really, and to the large Italian population, I think, particularly in our general area. I brought one of the framed images and I'm going to show it here to City Council and then to the people assembled here. The pages of the actual book are the size of this framed image. So you can see how big the book is. And there are 34 of these images plus a couple of text panels that go along with Dante's book. And for those of you familiar with "Dante's *Inferno*", it is the most important piece of Italian literature ever written about the 1300's. And Walsh is designing a whole series of programs around it. (Let's turn this around. I'm letting her do most of the work.) This is going to be shown – this exhibition, incidentally, will be shown at Walsh University, not at the Canton Museum of Art, it will be at the Birk Center for the Arts on the campus of Walsh. And it will be shown there for the duration of the 2014 fall semester. A series of programs and lectures are being planned involving faculty of Walsh, including Father Patrick Manning; Associate Professor of Theology, and Chair of the Division of Theology; and Professor Katherine Brow, Director of Museum Studies and Assistant Professor of Art History, as well as a number of guest speakers. The topics are going to include theology, art, music, language, literature, readings of Dante in Italian and English, and various other topics. The cost of matting and mounting and framing these images, and including several additional text panels, will be approximately \$10,000. Will concurrently with this exhibition, we're planning a series of Walsh outreach projects on campus, designed to involve Walsh students interacting with visiting school students in the design, decoration, and construction of a variety of giant geometric models in recycled cardboard. I want to pass around a couple of these photographs of one of the projects that we did in North Canton. This one is one we did at the Museum and we have many of these which is what we will be doing with Walsh. Those of you who attended a similar activity in the North Canton Civic Center the past two summers will remember that and how much fun the students had in the activity, not merely an arts activity, but a geometry activity, which shows how arts can be combined with other fields. And I'm confident that these events will motivate considerable positive media coverage. So I'm going to leave my request with all of you a copy of it complete with typographical errors and two photographs for you to observe and I hope you will give it your fullest support on behalf of Walsh University for the combined hosting of this particular project. So thank you for your time. If you have any questions, I'd be happy to respond to them.

Mr. Peters: Any questions?

Mrs. Kiesling: Thank you.

Mr. Snyder: I feel that – first of all, let me say that most of you know that Al's married to my sister, so that there's no conflict there. And the thing is our grant from a financial standpoint, our grant funds that we receive from the recycling; a portion of them must be by virtue of agreement with them, used for educational purposes. And this year we're on track to come in just a little over \$50,000 in grant money. And a portion of that we use for the bags for the leaves. Last year – the last two years we used about 5,000 for the educational and this year they upped that for this. And I think it serves two purposes, I know that Mayor Held and Member Griffith and Cerreta are looking at ways to bring Walsh closer to the City and for the City to come closer to Walsh. And this begins that journey that this City finally be known as the home of Walsh University and brings that over and it's our way of doing that and I think it's a good way to start. Plus the children in the school from the grade schools up to the junior high have a chance to participate and learn and share in the arts. Dottie's gone to those and people – they have an average attendance, I think, of about 150 people at the lectures they have. So little by little it's growing. And this community's great and it does need the arts. And so that's why the Mayor, I know, has been gracious enough, as well as Council, over the

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last three years to support that. And it does serve those two focuses. So that's the reason for that.

Mr. Peters: Any other questions?

Mr. Griffith: MJ, best of luck in your retirement. You are a gem in the City and we very much appreciate all the work that you do. And I'm sure that you will do plenty more good work and we appreciate that in advance.

Mr. Albacete: Thank you very much, thank you.

Mr. Griffith: Very good.

Mrs. Werren: I've worked with MJ numerous times. And we've been hearing these rumors for so long and I'm glad you kept holding us out and making us wonder, "is it now".

Mr. Albacete (speaking from the audience): For years I've been promising to step down.

Mrs. Werren: Right, right. I'm glad you waited and North Canton is so lucky to have your resources. And you know now it's on record forever that you volunteered your services for anyone, all the time. The only you didn't give was your phone number, maybe you just want to hold off on that. So thank you, really.

Mayor Held: I would also like to say, too, I was very impressed with that article. I didn't know - I mean I learned so much about you from that article, I thought it was very well written and I know that you're very proud of it, both you and your wife. It was very impressive.

Mr. Peters: Any other comments? Mr. Albacete, thank you. Okay, next Recognition of Visitors. Anybody wishing to address Council, please step forward, state your name and address.

#### 9. Recognition of Visitors

Chuck Osborne: 307 Fairview Street SE, North Canton, Ohio. I'm sure most of you all remember, I guess it was about a year ago when people up on Woodrow were quite alarmed at the destruction by AEP (American Electric Power) in trimming all those tree up there. It was upsetting to see the loss of those beautiful trees that lined Woodrow. Well if anybody's driven down East Maple here in the last week, we've totally lost the trees over there. I fully understand, you know, there's a tradeoff sometimes with progress. I guess we probably - I didn't count them when I was over there the other day taking pictures, probably 60 trees or so; towering maples that lined East Maple that have been there for decades. It's fine when there's a tradeoff and the community benefits in other ways with the loss of something like that, but as I was just talking to Mr. Benekos and I had already garnered that information months past, I don't think the community is gaining a thing. We're now going to provide a loading zone in front of the Hoover District and we're gaining a second traffic signal. As Mr. Benekos pointed out to me, the one at McKinley is going to be relocated maybe 100 feet east to the entrance to the new "Y" parking lot and then we're getting a second light down at Taft. I'm sure you'll all agree that West Maple is almost impassable, it's been like that. We've stood here by and just scratched our head and done nothing about it. Well East Maple is the same way. People do anything they can to avoid going through the square. They come through all the neighborhoods. My way over here tonight, did I come through the square, heck no, I came down Harmon, came down through a potholed filled alley to avoid that square. Why aren't we doing something to expedite traffic, major east, west quarter through the City right here into the square? We're spending a million dollars, I guess, again for the benefit of the Hoover District, the owners of Maple Street Commerce, and the community is really not going to benefit here with the movement of traffic. I was sitting here at the square the other day, because I was heading north and I had to, and I'm sitting there and there's trucks in the right lane, and it

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dawned on me, these trucks are going to have a hell of a time making a right turn onto East Maple. So I just come up here to express my sadness to see all those trees gone, because it's going to slowly change the whole character of this whole downtown, YMCA area. And I did talk to Mr. Fonte or Font, ... pronounces it, God forbid you allow them to destroy all those trees that buffer my neighborhood in an attempt to expand that parking lot. They've already told me they can't relocate the trail over there. So if they have to lose those trails over there that run along the park – the southern end of the parking lot, they're just going to run the trail right down East Maple. You're walking down the sidewalk, you don't even have any trees overhead to shield you from the sun or provide you a sense of nature. I wished Council would of taken a little more interest and thought more about this and made this improvement of East Maple a true improvement for the movement of traffic. So I guess we'll probably weather this another 10 years. Months past you were talking about trying to rectify the problems out here on Ream when the problem is out here on West Maple. Does this City have a plan for anything? It's a little discouraging. And when you live right down here near the square, near downtown, I'm seeing just a decline; the traffic that comes down my street because people do not want to go through that square. Some of your traffic can't even go through the square and navigate either east or west off of Main Street. So I'd just thought I'd pass that on. I don't know if anybody is going to be rushing in here like they did when Woodrow lost its trees, but you have totally lost all those trees on East Maple. I did call a few Council Members, and I won't name them, we have one that when I was on Council with that individual talked about creating a tree commission – we're going to be tree lovers here in North Canton, but we're not very good tree lovers. Thank you.

Mr. Peters: Thank you, Mr. Osborne.

Mr. Cerreta: If you don't mind, I'd like to make a couple comments about that. I don't usually do that. But you know sometimes you have to look at the positives. We are losing some trees there, but in the long-run we're getting rid of that ugly parking lot over there and we're going to make some progression there because that's going to be replaced by some pillars, some rod iron fence, some mulch with some bushes on the side and everything. Not everything is a reason to be negative about things. Alright, and I do come through the square, I enjoy it and a lot of my friends come through. So don't say that nobody likes coming because they go through your neighborhood. Alright, that's a good opinion, but that's what we like to hear, but I'm – I don't think you're speaking for everybody on that. And I think we've spent a lot of time and a lot of effort trying to make that East Maple Street look good in plans and we have that in plans and we are going to put that out here pretty soon. So if you don't know what you're talking about, then don't talk about that, please. That's all I have to say.

Mr. Peters: Anyone else wishing to – Mayor, did you have something to say?

Mayor Held: Just a – you know when you look at the development that we have going on in the City, I think that Chuck you brought up good points as far as the trees, because it is discouraging whenever you see a tree that's cut down. I mean nobody likes to see a tree that's cut down along Main Street or Maple Street. I did have a number of people call me as far as how the City is facilitating the trees that are being chopped down. And you know we looked at that as far as the trees out there. One of the challenges too is the trees really weren't properly maintained and so a lot of them were not growing in the way that they should have been. And I think that when you look at how we manage the trees that are in the area of the City's authority, that we do have to look at that. And we've got to look at, you know, planting additional trees when we take trees down that we can add other trees, maybe not in that same spot, but in other areas. And I know that Council has talked about, like up on Applegrove where we had widened our Main Street just beyond Applegrove to add trees in that area. So I think that there's ways that we can go about it that is smart and efficient and at the same time, you know, it provides greenery to the City. So certainly nobody's opposed to it. And as far as the planning, there's a great deal of planning that goes into widening streets. And you know you look at our synchronization when you talk about the traffic flow, that's an \$800,000 project to synchronize the traffic lights. You know it's not an easy thing to do. And so again, I think that we're working hard to try to, you know, keep that balance of development, we're keeping our income tax, keeping the jobs here in the City, and trying to keep that balance. And I think that there's a way that we can go about it by you know adding trees, maybe not in that particular area down there, but you know somewhere in other strategic locations we can do that.

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

Keith Bennett: Stark County Engineer. North Canton resident – 266 Creekside Circle NE. I'm not only as the Stark County Engineer, but as the Representative Chairman of District 19 at Ohio Public Works Commission Integrating Committee, which serves Stark County. I believe tonight on your agenda you may have a resolution in favor of support of State Issue 1, which is on the ballot next Tuesday. I'm here to basically express how important this is to the people and residents of Stark County. This is the third renewal of what is called the State Capital Improvement Program. It was founded in 1987. It's been renewed twice before. Basically what it is, it is a ten-year bond levy that allows the State to sell bonds to basically finance infrastructure through grants and loans. My department would be lost without this money. I'm sure Jim can attest the importance of this money to the City of North Canton to fund roads, bridges, sewer lines, and water lines. Since 1987 this program alone has brought to Stark County 128 million dollars in infrastructure funding, funding over 400 projects. That 128 million dollars has been used to match local funds and federal funds in the tune of another 142 million dollars for about 370 million dollars' worth of infrastructure. The renewal is for ten years. The State has seen fit for the past ten years they've put 150 million dollars statewide per year into this program. If it is renewed, that number will go up for the first five years to 175 million dollars per year statewide and after five years be increased to 200 million dollars per year, for a total of about 1.875 billion dollars in infrastructure funding. As I said, this money is fairly easy to work with, it doesn't come with a lot of the strings that federal dollars do. We love it at the County Engineer's Office. We'd like to get it all every year for my department, but Jim's done a pretty good job applying for grants and loans to fund projects here in North Canton as well. But I'm just asking that as you consider that resolution tonight, that you keep that in mind. I hope that you pass your support for that and also get the word out to your neighbors that will be going to the polls next Tuesday as to how important this program is and how important it is to the people in the State of Ohio. Thank you.

Mr. Peters: Thank you, Mr. Bennett.

Mr. Cerreta: Thank you.

Mr. Benekos: If I could ask ....

Mr. Peters: Yes.

Mr. Benekos: Is that going to be amended – is the agenda going to be amended to add that?

Mr. Peters: Yes, yes.

Mr. Benekos: Okay. Thank you.

Mr. Griffith: Keith, we were able to appreciate your comments ....

Mr. Fox: That was last week or previous meeting wasn't it?

Mr. Foltz: The committee meeting, right?

Mrs. Kalpac: No.

Mr. Fox: Wasn't it on the committee meeting?

Mrs. Kalpac: No, we were going to amend the agenda to include the one for the software, but I guess you could amend the agenda to include the one for that one too.

Mr. Cerreta: Didn't we just cover this, the resolution?

Mr. Foltz: Yeah, I thought we talked about it and put it on the agenda.

Mr. Snyder: Yeah, we'll have to amend it tonight. Yeah.

Mr. Griffith: Yeah, that's what we said, right.

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Mr. Foltz: From the committee meeting.

Mrs. Kalpac: The one for the software was the one that we were going to amend the agenda for.

Mr. Snyder: Well we could amend it for this, couldn't we?

Mrs. Kalpac: Yes.

Mr. Griffith: Do it for both, right?

Mr. Peters: Yeah, absolutely, we could, yeah.

Mr. Griffith: Keith, we were able to talk about it earlier and we fully in support of it too, but really appreciate you coming here and ....

Mr. Bennett (speaking from the audience): No problem.

Mr. Foltz: Alright, thank you.

Mr. Peters: Is there anyone else wishing to address Council at this time? Please step forward, state your name and address.

Rod Covey: Spoke here recently on another subject, but that's kind of behind us. But I wasn't even going to speak at all, but since we're talking about trees tonight, I'd like to talk about one particular tree. This tree is so particular that there's only one like it in this whole world, on this whole planet. And Doug, maybe you know how many trees there are in the world, but I'm going to throw out a number, I think there are about 14 trillion. But nobody can dispute that because nobody can count them of course. But the tree of course I'm speaking of is right down on South Main Street where Everhard bumps into South Main. And if you were Wonder Woman and jumped over those trees you'd land on the cucumber magnolia tree, which is the largest tree of its species in the entire planet. That tree is 434 years old and it is so – the trunk is so big it would take from the Chairman to Mrs. Werren with their hands out, holding hands, that's big the trunk is. That's a pretty big tree. But the part that's interesting about it is that this species, there are species of magnolia trees and the normal magnolia trees are not much higher than oh probably that that lamp right there. But why would this one tree grow to be nine stories high and the other magnolia trees that you see in the movies, down in Mississippi, the movie "Steel Magnolias", big beautiful flowers, but that's the other seven species. But there's only one tree that has a cucumber, which is about the size of my thumb. It contains six peanut-sized seeds and that's how the tree is propagated, of course. But, the mystery of this is is that if this species none of the them every lived more than 100 years, why did this one tree live 400 years? When we have guests, I live in the neighborhood where the tree is, I can see it from my front – from my second floor deck, I tell the people, if for example that tree is 434 years, four times the normal age of that species, why did it get that old. What if I, as a person, as a man, were 400 years and to the ladies in the audience I say, boy wouldn't you like to clone me? They don't laugh but I don't think – they know I wasn't serious either. But anyway the tree – you hear about the tree that grows in Brooklyn, but the tree that grows in North Canton has attracted 1,600 visitors from seven countries, and eight states, it's the single reason why people, the most important reason why people come to North Canton. I worked very care – closely with John Kiste, who runs the Stark County Visitors Bureau, and he's been very supportive of this tree. We're on the websites and media coverage has been just fantastic, it's been on three Cleveland TV channels, six stories in the **Beacon**, six stories in the **Rep**, on and on and on, and the grand total of that coverage is that 5 million people have been exposed to this tree. So it's bringing visitors to North Canton. And John Kiste gave me a figure and I used that figure to multiply times the people who come here, and it brings in about \$100,000 worth of business to this community, one little tree. Except it's one big tree. And I hope you all come down to visit it if you haven't.

Mr. Peters: Thank you, Mr. Covey. Is there anyone else wishing to address Council at this time? Seeing none, we will move onto Old Business. May I have a motion and a second to adopt the second reading of Ordinance No. 30-14?

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Mrs. Kalpac: No, no, no....

Mr. Peters: Oh, I'm sorry.

Mrs. Kalpac: You need to read it first.

Mr. Fox: Motion to read by title only.

Mr. Peters: Oh, I'm sorry. Motion and a second to read by title only the second reading of Ordinance No. 30-14.

## OLD BUSINESS:

10. Mr. Foltz moved and Mrs. Kiesling seconded to **read by title only, second reading** of Ordinance No. 30-14. All members present voting:  
 Yes: Kiesling, Peters, Snyder, Werren, Cerreta, Foltz, Griffith.  
 No: 0

**Ordinance No. 30-14 – 2<sup>nd</sup> Reading – Water, Sewer & Rubbish**

An ordinance approving, confirming, and accepting a Perpetual Public Waterline Easement ("Easement"), granted by Nesbitt Enterprises, LLC, an Ohio limited liability company, ("Grantor") to the City of North Canton, an Ohio municipality, its successors and assigns, ("Grantee"), the perpetual right of way and Easement located in part of the Northeast Quarter of Section 6, Township 11 (Plain Township), Range 8.

Mr. Peters: Chairman Cerreta.

Mr. Cerreta: Yes. This seems like a long time ago that we had the first reading on this. What this was is that there was a waterline put there over 20 years ago and there was no easement acquired for it and so this is just to clean that up and make it right. So I move that we go forward with it on the second reading.

Mr. Cerreta moved and Mr. Foltz seconded to **adopt the second reading** of Ordinance No. 30-14. All members present voting:  
 Yes: Peters, Snyder, Werren, Cerreta, Foltz, Griffith, Kiesling  
 No: 0

11. Mr. Peters: Thank you. A motion and a second for the second read – read by title only, the second reading of Ordinance No. 31-14.

Mr. Foltz moved and Mrs. Kiesling seconded to **read by title only, second reading** of Ordinance No. 31-14. All members present voting:  
 Yes: Snyder, Werren, Cerreta, Foltz, Griffith, Kiesling, Peters  
 No: 0

**Ordinance No. 31-14 – 2<sup>nd</sup> Reading – Street & Alley**

An ordinance authorizing the Mayor of the City of North Canton, through the Board of Control, to enter into a Supplemental Right of Way and Easement Agreement ("Easement"), for and in consideration of One Dollar and other valuable consideration, the City of North Canton, State of Ohio, ("Grantor") with Ohio Power Company, an Ohio corporation, being a unit of American Electric Power, ("Grantee"), to revise and grant and convey a right of way and easement, owned by the City of North Canton, located in the Southwest Quarter of Section 19, County of Stark, Township 11 (Plain Township), Range 8, and known as Parcel No. 5280106.

Mr. Peters: But before I turn it over to the Chairman, Director Grimes do you have a comment on this?

Mr. Grimes: I would ask that we table this. While checking it out we found that there's another supplemental easement in between with some wording. And I called AEP and I'd like to go back to them to straighten this out before we pass another supplemental that doesn't say what we need it to say.

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Mr. Peters: Okay.

Mr. Griffith: I'll move to table.

Mr. Grimes: Thank you.

Mr. Foltz: Second

Mr. Griffith moved and Mr. Foltz seconded to **table Ordinance No. 31-14**. All members present voting:

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

No: 0

12. Mr. Peters: Okay, may I have a motion and a second to read by title, the second reading of Ordinance No. 33-14?

Mrs. Kiesling moved and Mr. Griffith seconded to **read by title only, second reading** of Ordinance No. 33-14. All members present voting:

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

No: 0

**Ordinance No. 33-14 – 2<sup>nd</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 at 160 Applegrove Street NE and known as Parcel No. 9208695, and located in the City of North Canton from Office Building District ("OB") to Parks and Institutional ("P&I").

Mr. Peters: Chairman Kiesling.

Mrs. Kiesling: Yes. This is the – sorry just waiting for you Jeff – the rezoning of the property on Applegrove where St. Luke's is. One of their parcels was still zoned Office Business. We're going to clean it up and rezone it Parks and Institution. I motion we adopt.

Mrs. Kiesling moved and Mr. Cerreta seconded to **adopt the second reading** of Ordinance No. 33-14. All members present voting:

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

No: 0

13. Mr. Peters: May I have a motion and a second to read by title only, the second reading of Ordinance 34-14?

Mrs. Kiesling moved and Mrs. Werren seconded to **read by title only, second reading** of Ordinance No. 34-14. All members present voting:

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

No: 0

**Ordinance No. 34-14 – 2<sup>nd</sup> Reading – Community & Economic Development**

An ordinance accepting the recommendations of the City of North Canton Tax Incentive Review Council ("TIRC"), concerning the agreements granting exemptions from property taxation, to continue two (2) and modify one (1) of the existing Community Reinvestment Area ("CRA") agreements.

Mr. Peters. Chairman Kiesling.

Mrs. Kiesling: Yes, we're going to continue the LMD Property agreement on South Main Street and the Reed Funeral agreement on Pittsburg Avenue, as approved several years ago. And we're going to amend the L. T. Parker & Associates agreement on Applegrove Street to change it to 25 percent for the next five years and it will be looked at each year. Any questions? I motion we adopt.

## RECORD OF PROCEEDINGS

Minutes of COUNCIL OF THE CITY OF NORTH CANTON REGULAR Meeting

BEAR GRAPHICS 800-325-8004 FORM NO. 10148

Held Monday, April 28, 2014

Mrs. Kiesling moved and Mr. Foltz seconded to **adopt the second reading of Ordinance No. 34-14**. All members present voting:

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

No: 0

Mr. Peters: Okay, may I have a motion and a second to amend the agenda to include Item No. 14, Resolution No. 36-14, and to waive the rules requiring a committee report?

Mrs. Kiesling moved and Mrs. Werren seconded to **amend the agenda to include Item No. 14, Resolution No. 36-14, and to waive the rules requiring a committee report**. All members present voting:

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

No: 0

14. Mr. Peters: May I have a motion and a second to read by title only, first reading of Resolution No. 36-14?

Mr. Snyder moved and Mrs. Kiesling seconded to **read by title only, first reading of Resolution No. 36-14**. All members present voting:

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

No: 0

**Resolution No. 36-14 – 1<sup>st</sup> Reading – Finance & Property**

A Resolution of North Canton City Council authorizing the Stark County Regional Planning Commission ("Commission") to submit a loan application on behalf of the City of North Canton ("City") to the Local Government Innovation Fund ("LGIF") for the purchase of a permitting software system for use by the City's Building and Engineering Department, and declaring the same to be an emergency.

Mr. Peters: Chairman Snyder.

Mr. Snyder: Thank you, Mr. President. As we spoke, we do not know the City's share. However, we're going to go into this agreement asking that we be included and brought back to us at that point and to the advise of either the Director of Administration or Permits and Development, we'll move accordingly.

Mr. Grimes: Mr. President.

Mr. Peters: Yes.

Mr. Grimes: If I may, Councilman Snyder jogged something in my memory. This was brought on very quickly at the end here and I was able to go back through. We're down the road for our software, in fact I've signed a PO (purchase order) for it. So I don't see a reason to go with the County on this. We're moving ahead on our own. So I apologize for Administration bringing this to you, but I see no sense in going with the County if we're already down that road. We're looking at about 19 grand to do our software and everything. So....

Mr. Snyder: Yeah, I thought that.

Mr. Cerreta: I'm glad you brought that up. Thanks for coming out with that.

Mr. Peters: Okay.

Mr. Grimes: But my apologizes.

Mr. Peters: Let it go then? Okay. Alright, very good. Now we're going to do this one.

Mr. Snyder: We've got to defeat it, don't we? Don't we have to defeat it now?

Mr. Peters: We've read by title only.

Mr. Foltz: I don't know. We've never amended the agenda and then not voted for it. We're in new territory here.

## RECORD OF PROCEEDINGS

Minutes of COUNCIL OF THE CITY OF NORTH CANTON REGULAR Meeting

BEAR GRAPHICS 800-925-8094 FORM NO. 10148

Held Monday, April 28,

20 14

Mr. Snyder: Don't you have to defeat it?

Mrs. Werren: Gail, you're the expert, what do we do?

Mrs. Kalpac: Yeah, if you don't make a motion or a second it will just die. On that other one, you don't have to suspend the rules.

Mr. Fox: The motion was only to read it.

Mr. Foltz: To read it anyway, so we don't have to ....

Mr. Fox: Do anything more.

Mr. Peters: I'm sorry, Gail, what was that?

Mrs. Kalpac: On 37-14 you can take the last two off of there, you don't have to suspend the rules for it, it's ceremonial in nature.

Mr. Peters: Right, but I do need a motion to amend the agenda?

Mrs. Kalpac: Yes, amend the agenda to include it and waive the rules requiring a committee report.

Mr. Peters: Okay, may I have a motion and a second to amend the agenda to include Item No. 15, Resolution No. 37-14, and to waive the rules requiring a committee report?

15. Mr. Griffith moved and Mrs. Werren seconded to **amend the agenda to include Item No. 15, Resolution No. 37-14, and to waive the rules requiring a committee report.**  
All members present voting:  
Yes: Werren, Cerreta, Foltz, Griffith, Kiesling, Peters, Snyder  
No: 0

Mr. Peters: Okay now may I have a motion and a second to read by title only, the first reading of Resolution No. 37-14?

Mr. Griffith moved and Mrs. Werren seconded to **read by title only, first reading** of Resolution No. 37-14. All members present voting:  
Yes: Cerreta, Foltz, Griffith, Kiesling, Peters, Snyder, Werren  
No: 0

**Resolution No. 37-14 – 1<sup>st</sup> Reading – Street & Alley**

A Resolution expressing North Canton City Council's support in urging Ohio voters to back State Issue I, renewal of the State Capital Improvements Program, on the May 6, 2014 ballot.

Mr. Peters: Okay, Mr. Bennett was here to address this on that. And I fully support it as I hope the rest of Council does. So are there any other comments in regards to this?

Mr. Griffith moved and Mrs. Kiesling seconded to **adopt the first reading** of Resolution No. 37-14. All members present voting:  
Yes: Foltz, Griffith, Kiesling, Peters, Snyder, Werren, Griffith  
No: 0

REPORTS – COUNCIL:

Mr. Peters: Okay, before reports just a quick reminder – all elected officials, their **Financial Disclosure Forms** must be completed and submitted by May 15, 2014. And with that, reports of council, Member Werren.

Mrs. Werren: No report.

Mr. Peters: Member Snyder.

Mr. Snyder: Nothing, Mr. President.

## RECORD OF PROCEEDINGS

Minutes of

COUNCIL OF THE CITY OF NORTH CANTON

REGULAR

Meeting

BEAR GRAPHICS 800-325-8094 FORM NO 10146

Held

Monday, April 28,

20

14

Mr. Peters: Member Kiesling.

Mrs. Kiesling: No report.

Mr. Peters: Member Griffith.

Mr. Griffith: Briefly, a number of us had a chance to attend the meeting last week relative to the trail expansion for Stark Parks – most of us were there actually.

Mrs. Werren: Yeah.

Mr. Griffith: I thought it was a good discussion, good participation, and again, really excellent expansion here in North Canton of something that we all appreciate very much. So the irons aren't all wrinkled out, but at the end of the day I thought it was very thoughtful and deliberative and I'm appreciative of the Stark Parks taking time to really truly seek people's input. So ....

Mrs. Werren: Yeah. And I think they had four of their own people there. And they had maps and displays and it was very thorough.

Mr. Griffith: And I was glad there were so many of us there too. That was good. That was great.

Mrs. Werren: Yeah.

Mr. Griffith: By anyway, that's all that I had.

Mr. Peters: Member Cerreta.

Mr. Cerreta: No report.

Mr. Peters: Member Foltz.

Mr. Foltz: Just a quick note. I did receive some calls about mowing on Easter. And I don't – I believe – have we contracted the mowing out then?

Mr. Grimes: Some of the mowing just like last time.

Mr. Foltz: So I would ask that they not do mowing on Sundays ...inaudible... That was my fear when we got into this. But there needs to be some parameters ....

Mr. Cerreta: Yeah, there still needs to be some rules ....

Mr. Snyder: Inaudible... my house ...inaudible...

Mr. Foltz: Easter Sunday people were outside and trying to enjoy their backyard and I received some calls about mowers. And I was hoping we weren't paying our personnel double time and a half to do that. So obviously – so I would look at that contract, whatever you guys signed and say that there be no mowing on Sunday at all. I don't think it's necessary. So that's my ....

Mrs. Werren: Could there be some areas though, based on their work load? I mean why else were they mowing on Sunday?

Mr. Foltz: I don't know.

Mr. Cerreta: Probably because they didn't get it done on their regular time. And hopefully they'll do it on our time – regular time. So maybe just have a talk with them about that and....

Mr. Grimes: Yeah, we'll check with them and have them stay out of the public areas on Sunday.

Mrs. Werren: Yeah. And I'm sure this area is very – isn't as close to houses where, if they had to, right, you could maybe readjust the map.

## RECORD OF PROCEEDINGS

Minutes of COUNCIL OF THE CITY OF NORTH CANTON REGULAR Meeting

PEAR GRAPHICS 800-325-8094 FORM NO. 1014R

Held Monday, April 28, 2014

Mr. Grimes: Yeah, we've got some outer areas that could mow on that. And they work around the weather and that type of thing too. But we'll make sure, Councilman Foltz.

Mr. Foltz: Okay, thank you.

Mr. I'm glad you brought that up.

Mr. Peters: I have no report. But I just wanted to say that I was feeling – Chuck, I was under the weather this weekend and I'm still feeling the effects today, that's why I didn't return your call. But I share your sadness, I mean when I drove by today. They left the stumps fall, you know bare. They should of just cut them down. That broke my heart driving by and seeing those up there. So I share your sadness, but I think it – at the end of day what we're going to see is going to be something we can all be proud of. So - but I did share your shock and sadness today. Tim, any report?

## REPORTS:

Mr. Fox: No report, sir.

Mr. Peters: Finance Director.

Mrs. Alger: No report.

Mr. Peters: Director of Administration.

Mr. Grimes: Our Nuisance Officer has moved. He's still working on the junk motor vehicles and parking in the yards, but he's now into minimum housing code. He's working on about 17 of those cases right now to get compliance with the folks. So....

Mr. Foltz: Who is that Mike?

Mr. Grimes: The Law Director is running down some of the names for him.

Mr. Foltz: Is that Wurgler?

Mr. Grimes: That's Mike Wurgler.

Mr. Foltz: And who's involved in that? Is it – is Marty still doing it too or ....

Mr. Grimes: Marty's still ....

Mr. Foltz: Is he still involved with the complaints?

Mr. Grimes: He's still involved because he followed up on a lot of that stuff over the couple years. And that's what we've done is made a spreadsheet on everything we've done, followed up, started with that. So ....

Mr. Foltz: Good. Because I had a call, I didn't get a chance to return. I think that individual might be here and if you're wanting to stay afterwards, we'll discuss the situation on Bel Air. Okay, appreciate that. Thank you.

Mr. Grimes: But Mr. Wurgler is our point person.

Mr. Foltz: He's your point person now.

Mr. Grimes: He's the guy.

Mr. Foltz: Okay, thank you.

Mr. Peters: Mr. Mayor.

## RECORD OF PROCEEDINGS

Minutes of COUNCIL OF THE CITY OF NORTH CANTON REGULAR Meeting

BEAR GRAPHICS 800-325-8094 FORM NO 10148

Held Monday, April 28, 20 14

Mayor Held: Just an update with some of our new paramedics that were sworn in today. We have two new part-time paramedics, Joseph Dixon, who actually comes to us from England. He's been here for a number of years in the U.S. And he's going to be serving as part-time paramedic; he was sworn in today. And then we also have Randi Hickman, a young lady,

who's going to be serving as a part-time paramedic for the City of North Canton EMS Department. And so we have a lot of young people that are serving our Fire and EMS Department. I think we have 48 total in our Fire Department, now, part-timers. So it's really been a very, very positive response here in the recent years in that area. And in addition to that we had announced at the

State of the City that we're going to a two-person transport rather than three for our ambulance service calls; so we have two paramedics. And this is really to increase our operational efficiency; we have two medics that go out to a call. And then based on the nature of the call, if it's an advanced life support or a basic, they'll determine whether or not they move with three medics or two. And – but the program's going very well. Mike Grimes and our Fire Chief have been working on this, along with the Captains, and they've told me today in a meeting that it's going really, really well and the employees are fully behind it and it's working well. So good news.

Mr. Peters: Mr. Engineer.

Mr. Benekos: Just a few items. Mr. Bowles wanted me to pass on that at 700 Portage Street there'll be an open house on May 11<sup>th</sup> from 2 to 4. If you want to mark your calendars, but you'll be getting a formal invite on that. And it is construction season. East Maple Street, we'll be starting there shortly. You saw the trees are starting to come down and we'll get those stumps out of the way soon. I apologize. And then we'll be starting the waterline on Freedom Avenue. We open bids on the Marquardt waterline on Friday. And next Monday, we'll have a plethora of legislations to authorize the rest of the projects for the year.

Mr. Snyder: A plethora.

Mr. Benekos: So bring your pajamas it will be a long night. That's all I have.

Mr. Foltz: That's progress.

Mr. Peters: Madam Clerk.

Mrs. Kalpac: No report, thank you.

Mr. Foltz: In follow up to Jim Benekos' comments. 700 Portage it's - you take your victories when you can get them, because that's been an eyesore for 7 years, 8 years. We hit a homerun with this one. I think this construction company did job in Ward 4 and he's really done a nice job. The dumpster's unsightly, but it's worth the view when he customizes the house for everybody. So I – anybody can attend this do so, because we need to find more of these contractors that want to get involved or business entities to help upgrade our neighborhoods. Because you put that much money in that house it's going to affect the rest of Portage, I hope, at least in my mind it will, and I think it's a domino effect. So we'll take our victories where we get them. It's been a long road. I know Eric's worked hard and Marty and Tim Fox with violations and sending some of the residents or owners of some of the properties to Mayor's Court, is rightfully so. I mean we've got to continue that. We can't lapse on it. I think hopefully we're getting stronger with some of the personnel changes over in building. So I'm looking forward to that. And some other language we need to look at to just strengthen our city in the future. So that was a good thing for Eric in getting involved. It took a long time, but sometimes some things are worth the wait, I guess. Thank you for that update, Jim.

Mr. Benekos: Sure.

FINAL CALL FOR NEW BUSINESS:

Mr. Peters: Final call to Council for any new business. Seeing none, may I have a motion to adjourn?

## RECORD OF PROCEEDINGS

Minutes of COUNCIL OF THE CITY OF NORTH CANTON REGULAR Meeting

BEAR GRAPHICS 800-325-8094 FORM NO. 10148

Held Monday, April 28, 20 14

## ADJOURN:

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

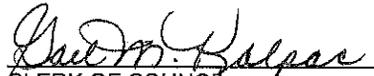
Yes: Griffith, Klesling, Peters, Snyder, Werren, Cerreta, Foltz

No: 0

The meeting adjourned at 8:22 p.m.

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

## ATTEST:

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

5/5/14-gmk

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