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## CITY OF NORTH CANTON COUNCIL OFFICE

*President of Council*  
*Daniel J. Peters*

### Council Meeting Agenda Monday, May 12, 2014

*Vice President of Council*  
*Doug Foltz*

1. Call to Order: 7:00 p.m.
2. Opening Prayer: Pastor David Warren, 1<sup>st</sup> Southern Baptist Church
3. Pledge of Allegiance
4. Roll Call
5. Consideration
  - Mayor's Court Receipts – March 2014
  - Financial Statement – March 2014
  - Council Meeting Minutes – April 28, 2014
  - Special Council Meeting Minutes – May 5, 2014
6. Committee Minutes
7. Recognition of Visitors

*Council at Large*  
*Mark Cerreta*

*Council at Large*  
*Dan Griffith*

*Council at Large*  
*Marcia Kiesling*

*Councilperson, Ward 3*  
*Stephanie Werren*

*Councilperson, Ward 4*  
*Jon Snyder*

#### OLD BUSINESS:

8. **Ordinance No. 30-14 – 3<sup>rd</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.
9. **Ordinance No. 33-14 – 3<sup>rd</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”).

10. **Ordinance No. 34-14 – 3rd 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.

**NEW BUSINESS:**

11. **Ordinance No. 40-14 – 1<sup>st</sup> Reading – Water, Sewer & Rubbish**  
An ordinance amending CHAPTER 935 – WATER LINES AND HYDRANTS, specifically Section 935.02(b)(4) Water Tap-In Fees, of the Codified Ordinances of the City of North Canton, to establish fees and usage policies.
12. **Ordinance No. 41-14 – 1<sup>st</sup> Reading – Personnel & Safety**  
An ordinance authorizing the Mayor of the City of North Canton to enter into an Emergency Reserve Dispatching Agreement, by and between the City of North Canton and Nimishillen Township, to provide dispatching capabilities to the City’s dispatching center in the event it became unusable or inoperable, and declaring the same to be an emergency.
13. **Ordinance No. 42-14 – 1<sup>st</sup> Reading – Personnel & Safety**  
An ordinance amending Chapter 155 Personnel Regulations of Part One-Administrative Code of the Codified Ordinances of the City of North Canton, as amended, specifically Section 1. GENERAL PERSONNEL REGULATIONS.
14. **Ordinance No. 43-14 – 1<sup>st</sup> Reading – Street & Alley**  
An ordinance authorizing the Director of Administration of the City of North Canton to advertise and receive bids, and for the Mayor, through the Board of Control, to enter into a contract for the Price Park East parking Lot Rehab Project at a total cost not to exceed \$95,000.
15. **Ordinance No. 44-14 – 1<sup>st</sup> Reading – Street & Alley**  
An ordinance authorizing the Mayor of the City of North Canton to apply for, accept, and utilize a Surface Water Improvement Fund Grant (“SWIF”), through the Ohio Environmental Protection Agency (“OEPA”), for improvements to the Price Park east parking lot, and authorizing the Mayor, through the Board of Control, to enter into an agreement for said grant, and declaring the same to be an emergency.
16. **Ordinance No. 45-14 – 1<sup>st</sup> Reading – Street & Alley**  
An ordinance authorizing the Director of Administration of the City of North Canton to advertise and receive bids and authorizing the Mayor of the City of North Canton, through the Board of Control, to enter into a contract for the resurfacing, repaving, replacement, repair and preventative maintenance of certain streets, alleys and city parking lots within the corporate limits of the City of North Canton, at a cost not to exceed \$460,000, and declaring the same to be an emergency.
17. **Ordinance No. 46-14 – 1<sup>st</sup> Reading – Water, Sewer & Rubbish**  
An ordinance authorizing the Director of Administration of the City of North Canton to advertise and receive bids, and for the Mayor, through the Board of Control, to enter into a contract for the 2014 Sanitary Sewers Rehab Project, at a total cost not to exceed \$100,000.

18. **Ordinance No. 47-14 – 1<sup>st</sup> Reading – Water, Sewer & Rubbish**  
An ordinance authorizing the Director of Administration of the City of North Canton to advertise and receive bids, and for the Mayor, through the Board of Control, to enter into a contract for the Foster Avenue SE (Hartman Street SE to East Maple) and Hartman Street SE (Foster Avenue SE to Pershing Avenue SE) Waterline Replacement Project, at a total cost not to exceed \$95,000.
19. **Ordinance No. 48-14 – 1<sup>st</sup> Reading – Water, Sewer & Rubbish**  
An ordinance authorizing the Director of Administration of the City of North Canton to advertise and receive bids, and for the Mayor, through the Board of Control, to enter into a contract for the South Main Street Waterline Replacement Project (50<sup>th</sup> Street SE to Knoll Street SE), at a total cost not to exceed \$225,000.
20. **Ordinance No. 49-14 – 1<sup>st</sup> Reading – Water, Sewer & Rubbish**  
An ordinance authorizing the Director of Administration of the City of North Canton to advertise and receive bids, and for the Mayor, through the Board of Control, to enter into a contract for the Whipple Avenue Waterline Extension Project (Wise Avenue NW to Portage Street NW), at a total cost not to exceed \$185,000, and declaring the same to be an emergency.
21. **Resolution No. 50-14 – 1<sup>st</sup> Reading – Finance & Property**  
A resolution authorizing the Director of Finance of the City of North Canton, to compensate City employee, Daniel Richards, his regular salary for all of his summoned dates of Grand Jury Duty Leave, upon the Director of Finance's receipt of the documents, including pay vouchers/check from the Clerk of Courts, needed to corroborate his service time.

REPORTS – COUNCIL:

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

REPORTS:

Director of Law	Director of Finance	Director of Administration
Mayor	City Engineer	

FINAL CALL FOR NEW BUSINESS:

ADJOURN:

Gail M. Kalpac  
Clerk of Council

5/8/14-gmk

## 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

## 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...

## 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

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

## RECORD OF PROCEEDINGS

Minutes of COUNCIL OF THE CITY OF NORTH CANTON REGULAR Meeting

BEAR GRAPHICS 800-825-8094 FORM NO. 10148

Held Monday, April 28,

20 14

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 Cerrera 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

## RECORD OF PROCEEDINGS

Minutes of

COUNCIL OF THE CITY OF NORTH CANTON

REGULAR

Meeting

BEAR GRAPHICS 900-325-8064 FORM NO. 10148

Held Monday, April 28,

20 14

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

## RECORD OF PROCEEDINGS

Minutes of COUNCIL OF THE CITY OF NORTH CANTON REGULAR Meeting

BEAR GRAPHICS 800-326-8094 FORM NO. 1014B

Held Monday, April 28,

20 14

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.

## RECORD OF PROCEEDINGS

Minutes of

COUNCIL OF THE CITY OF NORTH CANTON

REGULAR

Meeting

BEAR GRAPHICS 800-325-8084 FORM NO 10148

Held Monday, April 28,

20 14

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.

## RECORD OF PROCEEDINGS

Minutes of COUNCIL OF THE CITY OF NORTH CANTON REGULAR Meeting

BEAR GRAPHICS 800-325-8084 FORM NO. 10148

Held Monday, April 28,

20 14

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?

## RECORD OF PROCEEDINGS

Minutes of COUNCIL OF THE CITY OF NORTH CANTON REGULAR Meeting

DEAR GRAPHICS 800-325-9094 FORM NO. 10148

Held Monday, April 28, 2014

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.

## RECORD OF PROCEEDINGS

Minutes of COUNCIL OF THE CITY OF NORTH CANTON REGULAR Meeting

PEAR GRAPHICS 800-325-8094 FORM NO. 10148

Held Monday, April 28,

20 14

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 800-325-0004 FORM NO 1014E

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 800-325-8094 FORM NO. 10146

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 1014B

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 800-322-9094 FORM NO. 1014B

Held Monday, April 28,

20 14

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 800-325-8084 FORM NO 10149

Held Monday, April 28, 2014

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 800-325-8084 FORM NO. 1014B

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, Kiesling, 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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## RECORD OF PROCEEDINGS

Minutes of COUNCIL OF THE CITY OF NORTH CANTON SPECIAL Meeting

BEAR GRAPHICS 800-325-9094 FORM NO 10148

Held Monday, May 5, 6:45 p.m. 20 14

## 1. Call to Order

The special council meeting was called to order Monday, May 5, 2014 at 6:55 p.m. by President of Council Daniel Peters.

## 2. Roll Call

Mr. Peters: Clerk, can you call the roll please?

The following members of council responded to roll call: Cerreta, Foltz, Griffith, Peters, Snyder, and Werren. Council Member Kiesling was not present for the special council meeting. Also present were: Mayor Held, Director of Administration Grimes, Director of Law Fox, Director of Finance Alger, City Engineer Benekos, and Clerk of Council Kalpac.

Mr. Peters: Alright, first order of business – oh yes, may I have a motion and a second to excuse Member Kiesling.

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

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

No: 0

## 3. Mr. Peters: Okay, number 3 on the agenda; may I have a motion and a second to read by title only, the first reading of Resolution No. 38-14?

Mr. Griffith moved and Mr. Cerreta seconded to **read by title only, first reading** of Resolution No. 38-14. All members present voting:

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

No: 0

**Resolution No. 38-14 – 1st Reading – Finance & Property**

A Resolution on submission of request to the Stark County Auditor, pursuant to Ohio Revised Code Section 5705.03(B), to certify to the City of North Canton, Stark County, Ohio, as the City's taxing authority, the total current tax valuation as a subdivision, and the dollar amount of revenue that would be generated for a renewal tax of one (1.0) mill; and a renewal tax of one (1.0) mill and an increase of one-half (0.5) mill totaling one and one-half (1.5) mills, pursuant to Ohio Revised Code Sections 5705.19, 5705.191, and 5705.25, for the purpose of providing additional funds for the City's portion of storm water sewer improvements in the City of North Canton, commencing in 2015, first due in calendar year 2016, and declaring the same to be an emergency.

Mr. Peters: Chairman Snyder.

Mr. Snyder: Thank you, Mr. President. This is the first prong to a three-step process. The law requires that we first send to the Auditor's Office the determination of the actual millage that would generate. Presently they are one mills, this is a five-year continuing levy. It's been on the books, I believe it dates back to somewhere in the '70's. We're not necessarily asking for an increase, we're asking that we be given both figures. Presently it is one mill generating about 387,000 annually, as the devaluation took place a couple years back. I think, and I'm basing that on memory, it's about \$32 a year, \$33 a year, they predicate it on a \$100,000 home. So we are – this is for storm water control and storm water in the – the complete City. So we're asking to give us the number at one mill to renew what we presently have, give us one and one-half mills, what it would yield. And again, the Committee is not saying that we should raise it. This will be given to the voters. It will be their decision whether to renew whatever we put forth, either renew or to increase. And as some of you will remember historically, we went and tried to raise it once before and it came right back to us in an early May primary, and we put it – and it failed because we went from one to one and one-half. We resubmitted it in the fall at the old figure one and it passed about 9 to 1. So that's a lesson that we probably should well keep in mind. So it is my recommendation that we get both. We'll be back. And time is of the essence, because it does take some time – it takes about 10 days

## RECORD OF PROCEEDINGS

Minutes of COUNCIL OF THE CITY OF NORTH CANTON SPECIAL Meeting

BEAR GRAPHICS 800-325-8094 FORM NO. 10148

Held Monday, May 5, 6:45 p.m. 20 14

to 16 days for him to turn it around. He does work part-time there now so his time is somewhat challenged. We'll get it back. We have to have it ready to go by June, early July, because of the fact of the summer vacation, and the ballot issues have to be presented down there, I think, by the 5<sup>th</sup>, 4<sup>th</sup> or 5<sup>th</sup> of August. But again, it's a very integral part of our operation. It saves – there's salaries involved and it does save the City's general fund. But we're going to ask for one mill and one and one-half and probably lean towards the one. Is there are questions of the Committee or Council on that? If not, Mr. President, that's – that completes that section.

Mr. Peters: Okay. Alright, may I have a motion and a second to adopt the first reading of Resolution No. 38-14?

Mr. Cerreta moved and Mr. Foltz seconded to **adopt the first reading** of Resolution No. 38-14. All members present voting:  
Yes: Peters, Snyder, Werren, Cerreta, Foltz, Griffith  
No: 0

Mr. Peters: May I have a motion and a second to suspend the rules for Resolution No. 38-14.

Mr. Foltz moved and Mr. Cerreta seconded to **suspend the rules** for Resolution No. 38-14. All members present voting:  
Yes: Snyder, Werren, Cerreta, Foltz, Griffith, Peters  
No: 0

Mr. Peters: Now may I have a motion and a second to adopt, under the suspension of the rules, Resolution No. 38-14.

Mr. Foltz moved and Mr. Cerreta seconded to **adopt under the suspension of the rules** Resolution No. 38-14. All members present voting:  
Yes: Werren, Cerreta, Foltz, Griffith, Peters, Snyder  
No: 0

4. Mr. Peters: Alright, may I have a motion and a second to read by title only, the first reading of Resolution No. 39-14?

Mrs. Werren moved and Mr. Cerreta seconded to **read by title only, first reading** of Resolution No. 39-14. All members present voting:  
Yes: Cerreta, Foltz, Griffith, Peters, Snyder, Werren  
No: 0

**Resolution No. 39-14 – 1<sup>st</sup> Reading – Finance & Property**

A Resolution on submission of request to the Stark County Auditor, pursuant to Ohio Revised Code Section 5705.03(B), to certify to the City of North Canton, Stark County, Ohio, as the City's taxing authority, the total current tax valuation as a subdivision, and the dollar amount of revenue that would be generated for a renewal tax of one (1.0) mill; and a renewal tax of one (1.0) mill and an increase of one-half (0.5) mill totaling one and one-half (1.5) mills; and a renewal tax of one (1.0) mill, pursuant to Ohio Revised Code Sections 5705.19, 5705.191 and 5705.25 for the purpose of providing additional funds for the City's portion of street improvements in the City of North Canton, commencing in 2015, first due in calendar year 2016, and declaring the same to be an emergency.

Mr. Peters: Chairman Snyder.

Mr. Snyder: Thank you, Mr. President. Again, this is mirror to the original Ordinance 38-14. This goes back – this is for street repair, municipal road street repair. Again, it's generating about \$385,000. You know as Mr. Foltz and I have agreed that we're able to someday implement the five-year plan this is the piece that will make it work. I know this is probably not germane to this subject, but upon further checking of that rate person that we had out in California, I don't think that's going to work in our best interest at this present time. So what we'd like to do is see this renewed and passed using this 385,000 plus 100,000 from water and 100,000 from sewer, which is about \$580,000 which we can leverage into that plan and

## RECORD OF PROCEEDINGS

Minutes of COUNCIL OF THE CITY OF NORTH CANTON SPECIAL Meeting

BEAR GRAPHICS 800-325-8094 FORM NO 10140

Held Monday, May 5, 6:45 p.m. 20 14

implement that plan finally going into fiscal year '15. So it's important again, we'll look at one mill, one and one-half mill also. Not looking to increase, but to be able to tell the people of the City this millage that you're going to read or the mill and a half, whatever we decide to do, you'll be able to see implemented going on next year going on that five-year program. You can carry with you that list and for the next five years we know exactly where we're at. And the Engineer has prudently figured it out. He feels that we can do that. Leverage that money either into short-term borrowings or long-term bonding. The problem about bonding streets you're only guaranteed about 15 years. So sometimes that's not the best way to finance your streets. But again, we'll look at that down the road a little ways. But that's the plan right now. Hopefully we're able to implement that. So it's a very important thing. Again, costing the people no additional revenue; about \$32 a year on a \$100,000 home.

Mr. Peters: Okay. Any questions from Council? Alright, with that can I have a motion and a second to adopt the first reading of Resolution No. 39-14?

Mr. Foltz moved and Mr. Cerreta seconded to **adopt the first reading** of Resolution No. 39-14. All members present voting:

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

No: 0

Mr. Peters: May I have a motion and a second to suspend the rules for Resolution No. 39-14?

Mr. Cerreta moved and Mrs. Werren seconded to **suspend the rules** for Resolution No. 39-14. All members present voting:

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

No: 0

Mr. Peters: Motion and a second to adopt under suspension of the rules Resolution No. 39-14.

Mr. Foltz moved and Mr. Cerreta seconded to **adopt under suspension of the rules** Resolution No. 39-14. All members present voting:

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

No: 0

#### 5. Adjourn

Mr. Peters: Alright, thank you. Pursuant to Section 2.04 of the Charter no other subjects shall be considered at a special meeting. Therefore, may I have a motion and a second to adjourn the special council meeting?

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

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

No: 0

The special council meeting adjourned at 7:05 p.m.

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

ATTEST:

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

RECORD OF PROCEEDINGS – EXECUTIVE SESSION

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Meeting Minutes: EXECUTIVE SESSION FOR PERSONNEL & SAFETY COMMITTEE MEETING  
Held: Monday, April 28, 2014

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**EXECUTIVE SESSION  
PERSONNEL & SAFETY COMMITTEE**

**Monday, April 28, 2014**

The Personnel & Safety Committee of North Canton City Council met Monday, April 28, 2014 in the Council Chambers at North Canton City Hall.

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

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

Upon a roll call vote of Council, all present moved into an executive session at 6:30 p.m. to prepare for bargaining sessions with public employees concerning their compensation and other terms and conditions and other terms and conditions of their employment. The executive session adjourned at 7:15 p.m. No action was taken as a result of the executive session.

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

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

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Jon Snyder, Vice Chairperson

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

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

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

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Stephanie Werren, Committee Member

5/6/14-gmk

4-28-14 executive session for personnel & safety

# RECORD OF PROCEEDINGS – COMMITTEE OF THE WHOLE

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Meeting Minutes: FINANCE AND PROPERTY COMMITTEE MEETING  
Held: April 28, 2014

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The Finance & Property Committee of North Canton City Council, as part of the Committee of the Whole meeting, was called to order Monday, April 28, 2014 at 6:52 p.m.

The following members of council were present for the meeting: Chairperson Snyder, Vice Chairperson Kiesling, Committee Members Griffith, Cerreta, Foltz, Peters and Werren.

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

## **Agenda Items:**

- 3a. Financial Statement – March, 2014**
- 3b. Mayor's Court Receipts – March, 2014**
- 3c. Storm/Sewer Levy – Auditor Certification of Dollar Amount**
- 3d. Street Levy – Auditor Certification of Dollar Amount**
- 3e. Resolution of Support re Loan application for Software**

Mr. Peters: Alright, next up on the agenda, Finance and Property. Chairman Snyder.

Mr. Snyder: Thank you, Mr. President. The first thing on the agenda, you were all given a copy of the March 2014 financial statements. If there are no questions of the Committee, I will present those for acceptance as presented next Monday evening. Item b is the Mayor's Court Receipts for March 2014. Again, if the Committee has no questions of me relative to that, I will present those as presented for acceptance next Monday evening. Items c and d, are bothers and sisters. These levies go back, they predate 1990. When we originally had them they were one percent generating approximately \$100,000 in revenue and we would renew them every five years, such as we're looking at doing this one. In 2005 I asked that they be reevaluated and at that point the yield came in a little over 400 and some thousand, same amount of millage, one mill. But as you can see it went in. And then of course the properties were devaluated in late '12 and early '13. So the present yield on the rate at one mill is about \$354,000. These are on track to expire at the end 2014. However the collection will end to us at the end of '15 because you run twelve months behind. The Finance Director gave you a yield chart. Those two departments, street and storm water are running up against 650 to 700,000 per year to operate those departments, to which we are receiving about 50 percent of that. Now here's the situation, we can go into the November election with the existing, just a renewal, changing nothing and nothing will change. The same amount of yield will come to us, 354,000. We could go into the November election asking for a replacement and at that point some of the discounts that the residents receive will come off. And not having anything in front of me, because we first have – this is a one prong of a three prong step. We have to first go to the Auditor and he'll tell us the yield. That's the way the law was changed about ten years ago. And at that time we would ask for the resolution to be placed on the ballot, which is the second prong. And the third prong we would vote to place it on the ballot. However, if we ask for a replacement it would probably generate 50, \$60,000 additional revenue, because we've already bought most of the depreciate – depressed market in our thing. However, we may want to consider a one and a half mills on this each. But again, I don't – not knowing exactly where the Administration wants to go. We've got to stay within ten mills, because that's the state law. If we're going to start getting – we're going to be like a township, we're going to charge income tax, then charge our residents property tax for the service that

Meeting Minutes: FINANCE AND PROPERTY COMMITTEE MEETING  
Held: April 28, 2014

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they're supposed to be provided for through their income tax. We've got to be careful what we're doing. We don't want to get too greedy. It would be my suggestion that we take the first step and ask for the yield from the Auditor, both at one mill and one and a half mills. And then intelligently think about it a few weeks and have some discussion and some public input on it, because I will be very honest with you, the last time that we tried this, raising it from one mill to one and a half, one passed, one failed. I don't know if that was a message from the electorate that we were going overboard or what, because when we resubmitted it at the one it passed. If we go on the November ballot and for some odd reason that was the only time in the 31 years that it's been on the ballot that it failed. If it would fail in the November election, we would still be able to go into the May election and replace them again and still have a full collection year. However, the problem going into '15, I think the school's going to go on the ballot. And you know ... unfortunately collecting taxes is not Christianity, you run out of people. And you run out of ways of collecting money and you know we're pumping against that right now. We have to be careful how we do this. We have a 45, 48 percent aging population in the City. And we start placing nickel, dime levies on them, you know, that gets to be – it gets to be a problem. So we have to – my suggestion, it would not be that invasive to ask the Auditor for the two yields at one and one and one and a half. We should have this back in about a 7 to 10 day period. Still allowing us almost the month of May to decide what we would like to do, really into June. The deadline, the crunch deadline, would be I think it's August 5<sup>th</sup> or something, to be placed on the ballot. It is something that we have to seriously look at, but I don't think we have to move expeditiously quickly on it. I think we do need to have some people come in and have a public meeting on this. The problem that we have, we would like to initiate our five-year program that we have for streets. We need about 350 to \$400,000 a year just to retire the note that we're probably going to incur without putting undue pressure on our general fund. But again, what we have to think about, when I gave you the projections for '15 and '16, I was, you know, I figured it was costing about \$700,000 on our street levy and 700 for our storm water. So those are things that we – that I think we may even dedicate a whole meeting to nothing but those two levies. And that we really thoroughly vet it and that we know that we're not just jumping out there and placing a levy because it's a band-aid. It will last for five years and five years we'll put - let somebody else worry about it. I think the people deserve more than that. That's – so that's it. So I would open it to the Committee as a whole for any discussion or any comment on that thought process.

Mr. Cerreta: Well we've got a great – Jim's done a great job of our main roads. We're not putting any new roads in. It's things that are out of hand that are destroying our roads - our winters. It's not like we're going around with trucks and we're destroying all our roads, those are out of our control. So what we're trying to do really is get enough money that to help everyone's roads.

Mr. Snyder: That's it.

Mr. Cerreta: So it keeps our property taxes up. We're doing all this....

Mrs. Werren: Right.

Mr. Cerreta: for the people of the community, right?

Mr. Snyder: Exactly.

Meeting Minutes: FINANCE AND PROPERTY COMMITTEE MEETING  
Held: April 28, 2014

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Mr. Cerreta: So we need to get that information out to them. It's not like we have a choice here in any way. This is part of doing business in a city that wants to maintain its infrastructure.

Mr. Snyder: Well you're 100 percent right. Level one economic development is infrastructure in the community, the roads and the streets that are in your neighborhood. By fixing those roads and streets the people will fix their home up, they pay money into their home, they revitalize their neighborhoods....

Mr. Foltz: Right.

Mr. Snyder: and ultimately it brings in new, young couples paying more income tax. And that's what it's all about ...inaudible... Mr. Foltz.

Mr. Foltz: Also Jon you're aware of this, and some of the older members of Council, but we spent a lot of money on curb and gutter and infrastructure within the last 15 years or so, that window. We haven't done much the last 3 or 4 ....

Mr. Snyder: No.

Mr. Foltz: But all those roads are going to start coming up to be due to be repaved, unfortunately. We did a great job with everything underneath the waterlines, the storm lines, sanitary lines. Now it's time, we're going to start looking at 15 years, 12, 15 to start replacing the asphalt. That's just ....

Mrs. Kiesling: Yeah.

Mr. Foltz: The reality of it.

Mr. Snyder: And that's maximum life 15 years.

Mr. Foltz: Yeah. And that's where we're going to be at here and especially with these harsh winters. So it's a reality we have to face, along with the other financial situations that the state legislature granted to us. You know we're losing – we keep talking about it, it's the truth, inheritance tax and the local revenue sharing, we don't have it.

Mr. Snyder: Well one thing I didn't point out, I apologize. Predicated, and it seems to be the magic number \$100,000 evaluated house, is about \$32.00 a year per mill. So on a one mill it's \$32.00, on a mill and a half it about \$47.00. So one tire about \$300, so if you lose a tire in a chuckhole ....

Mrs. Werren: Yeah.

Mr. Snyder: It's not hard to figure out. Investment's pretty good on it.

Mr. Cerreta: This is true.

Mr. Snyder: But I really – one thing that you have to say about those people in the City of North Canton, if you – and Mark said this eloquently when we talked about the parks, if we show them what we're going to do, here's our plan, this is the reason we're doing it, we're not

## RECORD OF PROCEEDINGS – COMMITTEE OF THE WHOLE

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Meeting Minutes: FINANCE AND PROPERTY COMMITTEE MEETING  
Held: April 28, 2014

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just doing it because of this. They say, well that's logical, it makes a lot of sense. And I think if we bring them in, we have a little time, let's bring them in a night and advertise the fact to say, what do you think? Are you going to buy into our program? Because they all do pay ....

Mr. Cerreta: And you're talking about your – the five-year rotating plan.

Mr. Snyder: Right, right. Yeah.

Mr. Cerreta: I've kind of muddled that around with some people and they think that's a good idea. You know that can be, you know, different things can change that. We can't be so tight to that, that ....

Mr. Snyder: No.

Mrs. Werren: Right. Inaudible...

Mr. Cerreta: We can't move over and fix a road that things have created.

Mr. Snyder: No.

Mr. Cerreta: We can have a whole discussion on that. I think that would be a wise thing to do.

Mr. Snyder: I think it's invaluable. And I think the people, the more input we get ....

Mr. Cerreta: Right.

Mr. Snyder: Because it needs to be done. So a....

Mr. Cerreta: We can add the post office on that too.

Mr. Snyder: We are.

Mr. Cerreta: To ...inaudible...

Mr. Snyder: Matter of fact I see – there's some light there, I see where ....

Mr. Cerreta: One rotation in itself.

Mr. Snyder: That's it, one parking lot.

Mr. Cerreta: Every year.

Mr. Snyder: But if it's okay with the Committee, and in which in this case counts with everybody, we'll ask that this be sent down to Auditor. And the Director of Finance will send it down. We'll start the process. And again, we're under no obligation. We'll get a quote of both a mill and a mill and a half and see where we're at.

Meeting Minutes: FINANCE AND PROPERTY COMMITTEE MEETING  
Held: April 28, 2014

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Mrs. Werren: Yeah, good starting point.

Mr. Snyder: Is that good? Okay, appreciate that. Item e is a Resolution of support regarding a loan application for software. If you recall a couple, about three years ago, they put out – two years ago they put out a – money from the state for regionalization. If you would regionalize and you cooperate you could apply for a grant and receive money from the State to setup regionalization. I think this is through the County. It's a software purchase so that all building departments that issue permits, which I believe there's only about three of us now, will be on the same software, so that they all interface, although we would have total proprietary to each city. So they're not going to be able to tap into our system. And at least that's the way I understand it. And the problem is they want to get it in this quarter. So they would like – they sent Eric a kind of a fast thing that needs he immediately. Although my question is, of the \$200,000 what is the cost to the City of North Canton? It wasn't put in there. Of the loan.

Mr. Grimes: I don't know that we know what that loan's going to be yet? That's my one hang-up on it.

Mr. Snyder: Well the requested amount is 200,000, I know. Because my memory, we put 50,000 in our budget, the '14 budget contains \$50,000 for software for Permits. Is that part of that? Is that what that's for?

Mr. Grimes: That's not part of that. That's where we were looking at software. I personally think we can do a little cheaper than what the County's getting, but I think Eric wants to go with the County and see what they end up getting and then we judge that way.

Mr. Snyder: So in other words this is not going to bind us to purchase it.

Mr. Grimes: No, the way Eric explained it to me it's not going to bind us because I think we need to see what's out there. Because I think the original proposal is a little high for what our use is, and I think if they get that they need to look around at you know, some bidders and that and then ....

Mr. Snyder: I would agree, that would be prudent.

Mr. Grimes: But it's not going bind us.

Mr. Snyder: So that – so in other words if we pass this this evening on emergency, it only allows them leave to go ahead and find out a price?

Mr. Grimes: That's correct, sir. That's the way Eric explained it to me.

Mr. Snyder: And then the original 50,000 we have in the budget is – Eric's exploring that software yet for our own systems.

Mr. Grimes: Correct. We've looked at some software we think that will actually work for us at that level.

Mr. Snyder: We're not going to do both?

Meeting Minutes: FINANCE AND PROPERTY COMMITTEE MEETING  
Held: April 28, 2014

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Mr. Grimes: No, we wouldn't do both. We just need one software.

Mr. Snyder: Okay. That was my only question. Members of the Committee, Council, any questions? So with your permission we'll place – we'll amend the agenda tonight and place that as an emergency. He does need it by the 6<sup>th</sup>. He apologized. As you read the email from the Regional Planning, it came up on him quickly. So they want to get that. So we're going to do that. That completes that portion, Mr. President.

The Finance and Property Committee meeting adjourned.

**RECOMMENDATIONS:** Based upon the above discussion and debate, the Committee recommended the following action:

- 3a. **Financial Statement – March, 2014:** The Financial Statement was reviewed and will be placed on the May 12, 2014 council agenda for formal approval.
- 3b. **Mayor's Court Receipts – March, 2014:** The Mayor's Court Receipts were reviewed and will be placed on the May 12, 2014 council agenda for formal approval.
- 3c. **Storm/Sewer Levy – Auditor Certification of Dollar Amount:** The Committee authorized legislation, on an emergency basis, A Resolution on submission of request to the Stark County Auditor, pursuant to Ohio Revised Code Section 5705.03(B), to certify to the City of North Canton, Stark County, Ohio, as the City's taxing authority, the total current tax valuation as a subdivision, and the dollar amount of revenue that would be generated for a renewal tax of one (1.0) mill; and a renewal tax of one (1.0) mill and an increase of one-half (0.5) mill totaling one and one-half (1.5) mills, pursuant to Ohio Revised Code Sections 5705.19, 5705.191, and 5705.25, for the purpose of providing additional funds for the City's portion of storm water sewer improvements in the City of North Canton, commencing in 2015, first due in calendar year 2016
- 3d. **Street Levy – Auditor Certification of Dollar Amount:** The Committee authorized legislation, on an emergency basis, A Resolution on submission of request to the Stark County Auditor, pursuant to Ohio Revised Code Section 5705.03(B), to certify to the City of North Canton, Stark County, Ohio, as the City's taxing authority, the total current tax valuation as a subdivision, and the dollar amount of revenue that would be generated for a renewal tax of one (1.0) mill; and a renewal tax of one (1.0) mill and an increase of one-half (0.5) mill totaling one and one-half (1.5) mills, pursuant to Ohio Revised Code Sections 5705.19, 5705.191 and 5705.25 for the purpose of providing additional funds for the City's portion of street improvements in the City of North Canton, commencing in 2015, first due in calendar year 2016,

RECORD OF PROCEEDINGS – COMMITTEE OF THE WHOLE

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Meeting Minutes: FINANCE AND PROPERTY COMMITTEE MEETING  
Held: April 28, 2014

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- 3e. Resolution of Support re Loan application for Software:** The Committee authorized 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.

Legislation to be considered at a meeting held this date and is subject to waiver of the rules requiring a committee report.

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Jon Snyder, Chairperson  
Finance and Property Committee

Attest:

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Clerk of Council

Mr. Peters: Alright, that concludes the Committee of the Whole. May I have a motion and a second to adjourn?

Mr. Foltz moved and Mr. Cerreta seconded to adjourn the Committee of the Whole meeting.

Mr. Peters: All in favor say, "aye".

All members present voting:  
7 – aye  
0 – no

# RECORD OF PROCEEDINGS – COMMITTEE OF THE WHOLE

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Meeting Minutes: STREET AND ALLEY COMMITTEE MEETING  
Held: April 28, 2014

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The Street and Alley Committee of North Canton City Council, as part of the Committee of the Whole meeting, was called to order Monday, April 28, 2014 at 7:15 p.m.

The following members of council were present for the meeting: Chairperson Griffith, Vice Chairperson Peters, Committee Members Foltz, Cerreta, Kiesling, Snyder and Werren.

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

## **Agenda Item:**

### **Resolution of Support re State Issue 1**

Mr. Peters: And first up on the agenda is the Street and Alley Committee. Chairman Griffith.

Mr. Griffith: Thank you very much. We have – Jim has brought for us a statement of support that we can provide for State Issue 1. And Jim, would you can to enlighten us on what you'd like us to support?

Mr. Benekos: I would love to. This is Ohio Public Works Commission, and as you can see over the years North Canton has profited from this grant program. It's not an increase in taxes. It's not to increase any taxes through the state. They do sell bonds and so forth. And in the write-up here you can see it's been in effect for 27 years. And believe it or not, the first year it was in place I got a grant from it successfully when I worked for the City of Norwalk, Ohio. But North Canton, since '87, we received over 9.2 million dollars in OPWC funds. The County Engineer, who's heading up this support for this in the County, wanted to be here and he might be coming later. So during the actual legislation portion if he does show up if you'd grant him the opportunity to speak, if he's not here for public speaks, we'd appreciate that and I'll let you know if he's here. But - any questions?

Mr. Griffith: I've done a little research on it myself in response to tonight's meeting, and really there's no downside. In fact I'm sure we get more than our fair share of the state dollars and so I would urge it's adoption. I look forward to working and hopefully it will do well.

Mr. Foltz: Jim, could you repeat that? How much have we received in grants since when?

Mr. Benekos: 9.2 million since 1987.

Mr. Foltz: Fantastic, when you consider we used to never apply for grants. So I applaud the Engineering and Mr. Bowles and everybody that's been involved with going after the grant dollars here. It's made us a stronger city infrastructure wise. So thank you for your efforts.

Mr. Benekos: Thank you.

RECORD OF PROCEEDINGS – COMMITTEE OF THE WHOLE

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Meeting Minutes: STREET AND ALLEY COMMITTEE MEETING  
Held: April 28, 2014

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The Street and Alley Committee meeting adjourned.

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

**Item 1. Resolution of Support re State Issue 1:** The Committee recommended authorized legislation, 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.

Legislation, to be considered at the council meeting held this date, is subject to suspension of the rules requiring a committee report.

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Dan Griffith, Chairperson  
Street and Alley Committee

ATTEST:

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Clerk of Council

# RECORD OF PROCEEDINGS – COMMITTEE OF THE WHOLE

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Meeting Minutes: WATER, SEWER AND RUBBISH COMMITTEE MEETING  
Held: April 28, 2014

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The Water, Sewer, and Rubbish Committee of North Canton City Council, as part of the Committee of the Whole meeting, was called to order Monday, April 28, 2014.

The following members of council were present for the meeting: Chairperson Cerreta, Vice Chairperson Griffith, Committee Members Snyder, Foltz, Kiesling, Peters, and Werren.

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

## **Agenda Item:**

### **Amendment to Chapter 935.02 re Water Tap-In Fees**

Mr. Peters: Okay, with that next up Water, Sewer and Rubbish Committee. Mr. Cerreta.

Mr. Cerreta: Yeah, this is in addition – and Jim you can explain it.

Mr. Benekos: Sure.

Mr. Cerreta: Where we're adding onto the water tap-in where it says, "...the contractor shall be responsible for the cost of all materials, and labor, and other costs associated with water services from the water main to the meter. The City shall tap the water main. You want to give us a reason why? There must have been a reason that that was added after all these years.

Mr. Benekos: Well it's actually in there – the clause is in there, but it's just written a little awkwardly and it kind of doesn't – the contractor could take issue who's doing what. What he's responsible for and what the City is. So this is just to clarify it.

Mr. Cerreta: So there was some confusion and we're just making it unconfusionable.

Mr. Benekos: Correct. As much as we can.

(Laughter)

Mr. Cerreta: Okay then. I'm good with that. And as long as people can understand that and our language, that's good.

Mr. Griffith: Good luck transcribing that, Gail.

Mr. Foltz: You sound like an attorney there.

Mr. Griffith: Yeah.

Mr. Cerreta: I did sound like an attorney ...inaudible... them up with noble words.

Mr. Fox: There was a provision in there, I believe that mentioned a per foot fee. But when you read it, it wasn't clear that it was feet per foot, the amount that was going to be charged. Say like \$25.00, but there was a per feet....

RECORD OF PROCEEDINGS – COMMITTEE OF THE WHOLE

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Meeting Minutes: WATER, SEWER AND RUBBISH COMMITTEE MEETING

Held: April 28, 2014

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Mr. Cerreta: It was \$25.00 per foot....

Mr. Fox: So we made it a little clearer that, yes, it's \$25.00 per feet, whatever that amount would be.

Mr. Cerreta: So you're wanting to add something else now per feet or foot or ....

Mr. Fox: No, no, no, no, it's - part of it was clearing that up. Yeah.

Mr. Cerreta: Okay. So that's at number 4 we're basically just explaining it in a little better language what they're responsibilities are.

Mr. Benekos: Correct.

Mr. Cerreta: So we can put that on. Any questions or any more comments? Okay. And that does not need to be an emergency, right? We'll just put it on there and vote that thing three times.

Mr. Benekos: Yes, sir.

Mr. Cerreta: Okay. I'm good with that.

The Water, Sewer and Rubbish Committee meeting adjourned.

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

**Item 2. Amendment to Chapter 935.02 re Water Tap-In Fees:** The Committee recommended legislation, amending CHAPTER 935 – WATER LINES AND HYDRANTS, specifically Section 935.02(b)(4) Water Tap-In Fees, of the Codified Ordinances of the City of North Canton, to establish fees and usage policies.

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Mark Cerreta, Chairperson  
Water, Sewer and Rubbish Committee

ATTEST:

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Clerk of Council

# RECORD OF ORDINANCES

Dayton Legal Blank, Inc.

Form No. 30043

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

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

4/29/14-gmk  
(Water, Sewer & Rubbish)

### Ordinance No. 40-14

An ordinance amending CHAPTER 935 – WATER LINES AND HYDRANTS, specifically Section 935.02(b)(4) Water Tap-In Fees, of the Codified Ordinances of the City of North Canton, to establish fees and usage policies.

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

Section 1. That CHAPTER 935 – WATER LINES AND HYDRANTS, specifically Section 935.02(b)(4) Water Tap-In Fees, of the Codified Ordinances of the City of North Canton, be, and the same is hereby amended to read as follows:

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

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

(1) Where a connection is made into a waterline, the front foot cost of \$25.00 per foot

shall be paid into the City Treasury before the connection may be permitted.

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

(b) Water Tap-In Fees.

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

<u>Meter Size</u>	<u>Inside City</u>	<u>Outside City</u>
5/8"	\$ 205.00	\$ 258.00
1"	305.00	408.00
1½"	555.00	783.00
2"	750.00	1,075.00
3"	1,098.00	1,597.00
4" Compound		2,860.00 4,240.00
<u>Small Taps</u>	<u>Inside City</u>	<u>Outside City</u>
1" Tap w/ 5/8" meter	\$ 970.00	\$1,275.00
2" Tap no meter	1,275.00	1,675.00
<u>Large Taps</u>	<u>Inside the City</u>	
4" Tap on 6" line	\$1,435.00	
4" Tap on 8" line	1,440.00	
4" Tap on 12" line	1,520.00	
6" Tap on 6" line	1,625.00	
6" Tap on 8" line	1,650.00	
6" Tap on 12" line	1,700.00	
8" Tap on 8" line	1,850.00	
8" Tap on 12" line	1,895.00	
8" Tap on 16" line	2,280.00	
12" Tap on 12" line	2,800.00	

# RECORD OF ORDINANCES

Dayton Legal Blank, Inc.

Form No. 30043

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

## Large Taps

## Outside the City

4" Tap on 6" line	\$2,053.00
4" Tap on 8" line	2,060.00
4" Tap on 12" line	2,180.00
6" Tap on 6" line	2,338.00
6" Tap on 8" line	2,375.00
6" Tap on 12" line	2,450.00
6" Tap on 16" line	2,455.00
8" Tap on 8" line	2,675.00
8" Tap on 12" line	2,743.00
8" Tap on 16" line	3,320.00
12" Tap on 12" line	4,100.00

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

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

(4) The contractor shall be responsible for the cost of all material and labor and other costs associated with water service from the water main to the meter. The City shall tap the water main.

Section 2. That if a provision of this ordinance is or becomes illegal, invalid or unenforceable, that shall not affect the validity or enforceability of any other provision of this ordinance.

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

North Canton, OH

Passed:

\_\_\_\_\_  
MAYOR

SIGNED: \_\_\_\_\_, 2014

ATTEST:

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

# RECORD OF ORDINANCES

Davtron Legal Blank, Inc.

Form No. 30043

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

5/6/14-gmk  
(Personnel & Safety)

Ordinance No. 41-14

An ordinance authorizing the Mayor of the City of North Canton to enter into an Emergency Reserve Dispatching Agreement, by and between the City of North Canton and Nimishillen Township, to provide dispatching capabilities to the City's dispatching center in the event it became unusable or inoperable, and declaring the same to be an emergency.

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

Section 1. That the Mayor of the City of North Canton, be, and is hereby authorized to enter into an Emergency Reserve Dispatching Agreement, by and between the City of North Canton and Nimishillen Township, to provide dispatching capabilities to the City's dispatching center in the event it became unusable or inoperable.

Section 2. That under this Agreement, Nimishillen Township agrees to provide 24-hour per day emergency reserve dispatching services to the City's Fire/EMS and Law Enforcement Departments under the terms and conditions more fully described in the Agreement attached hereto and incorporated here by this reference.

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

Section 4. That this ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the health, safety, and peace of the City of North Canton, Ohio, and further necessary to provide emergency reserve dispatching for the City's dispatching center in the event it becomes unusable or inoperable; wherefore, provided it receives the affirmative vote of six (6) or more members of Council elected thereto, this ordinance shall take effect and be in full force immediately upon its adoption by Council and approval by the Mayor. Otherwise, it shall take effect and be in force from and after the earliest period allowed by law.

North Canton, OH  
Passed:

\_\_\_\_\_  
MAYOR

SIGNED: \_\_\_\_\_, 2014

ATTEST:

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

# RECORD OF ORDINANCES

Dayton Legal Blank, Inc.

Form No. 30043

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

5/6/14-tlf  
(Personnel & Safety)

Ordinance No. 42-14

An ordinance amending Chapter 155 Personnel Regulations of Part One-Administrative Code of the Codified Ordinances of the City of North Canton, as amended, specifically Section 1. GENERAL PERSONNEL REGULATIONS.

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

Section 1. That Chapter 155 Personnel Regulations of Part One, Administrative Code, specifically, Section 1. GENERAL PERSONNEL REGULATIONS of the Codified Ordinances of the City of North Canton, be, and the same is hereby amended to read as follows:

## GENERAL PERSONNEL REGULATIONS

A. These Personnel Regulations shall apply to all exempt City employees and those non-exempt unclassified personnel not subject to a collective bargaining agreement.

B. Full-time exempt personnel are salary-based employees not subject to minimum wage and overtime provisions pursuant to the Fair Labor Standards Act and R.C. 4111.03, as may be amended from time to time, and shall work the necessary hours to properly discharge all duties involved in their respective positions, subject to the direction and discretion of the appointing authority, supervisor, or department head.

i. Although full-time exempt employees earn a predetermined salary, the City must account for their sick, vacation, and personal time. As a result, full-time exempt employees shall prepare and submit biweekly time sheets to the City's payroll manager, even when the employee has not utilized such time during the designated reporting period. When this circumstance occurs, the employee shall see that its time sheet reflects that "0.0" time was utilized for sick, vacation, or personal time.

ii. To ensure timely payment of their salaries, full-time, part-time, and seasonal employees shall see that their time sheets, which have been approved and signed by their supervisors, are delivered to the City's payroll manager no later than 12:00 noon on the first City workday following the last day for the applicable time sheet's reporting period.

C. Nonexempt personnel shall work the necessary hours to properly discharge all duties involved in their respective positions, subject to the direction and discretion of the appointing authority, supervisor, or department head. Part-time personnel shall work hours as scheduled.

D. All exempt and nonexempt unclassified personnel who are not subject to a collective bargaining agreement are employed "at will". "Unclassified personnel" means those persons identified as being in the unclassified service by R.C. 124.11(A) and the Rules and Regulations of the Civil Service Commission of the City of North Canton, Ohio.

E. "Full-time" personnel means personnel other than non-exempt Fire, E.M.S. or Seasonal personnel who are regularly scheduled to work at least thirty-seven and one half (37.5) hours per week.

F. "Part-time" personnel means personnel other than nonexempt Fire and E.M.S. personnel who are regularly scheduled to work less than twenty-nine (29) hours per week and nonexempt Fire and cross-trained E.M.S. personnel who are regularly scheduled to work less than fifty-three (53) hours in a seven (7) day tour of duty in an individual job classification.

# RECORD OF ORDINANCES

Division Legal Blank, Inc.

Form No. 30043

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

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

G. "Seasonal" personnel means person hired by the City with the expectation that such persons' employment would last no longer than nine (9) months of any calendar year and who are scheduled to work less than twenty- nine (29) hours per week.

## Section 2. ANNUAL UNIFORM ALLOWANCE

An annual uniform allowance of one thousand (\$1,000.00) dollars shall be paid for the positions of Chief of Police and Chief of Fire and Emergency Medical Services. An annual uniform allowance shall also be paid for the following positions, in the following amounts:

### Radio Dispatcher C

First year: \$200.00 paid at time of employment. Each year thereafter, \$200.00 to be paid January 20<sup>th</sup>.

### Special Patrolman

First year: \$300.00 paid at time of employment. Each year thereafter, \$300.00 to be paid January 20<sup>th</sup>.

### Auxiliary Patrolman

First year: \$150.00 paid at time of employment. Each year thereafter, \$150.00 to be paid January 20<sup>th</sup>.

## Section 3. EDUCATION BENEFITS

A. The City will provide reimbursement to full-time City employees for tuition, registration, and laboratory fees upon successful completion of college, university or other educational courses which are considered applicable and beneficial to the City in the performance of the employee's assigned duties and employment with the City as determined by the responsible departmental authority.

B. This ordinance shall not affect any instruction or training required by state law.

C. Reimbursement for expenses permitted is contingent upon appropriation of funds.

D. Prior authorization must be given in writing by the responsible departmental authority to qualify for reimbursement. Upon successful completion of education courses so authorized, the departmental authority will authorize the reimbursement to the employee and it shall be paid by appropriated funds. Prior authorization by the departmental authority shall be conclusive that authorized educational courses are applicable and beneficial to the City in the performance of the employee's assigned duties and employment with the City.

E. Under no circumstances will the employee be permitted to take education courses during the normal working hours.

## Section 4. LONGEVITY PAY PLAN

A. That there shall be a longevity pay plan for full-time employees of the City of North Canton. Annual longevity payments of \$70.00 per year of service shall be made during the first half of the month of December to all permanent, full-time employees who shall have completed at least five (5) years of continuous service and who shall be in the employ of the City as of November 30<sup>th</sup> of the year in which the longevity payment is made. Determination of longevity pay shall be from December 1<sup>st</sup> to November 30<sup>th</sup>.

# RECORD OF ORDINANCES

Dayton Legal Blank, Inc.

Form No. 30043

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

B. Full-time employees of the City of North Canton, hired after August 1, 2006, shall not receive longevity pay.

## Section 5. HOLIDAY ALLOWANCES

A. The following paid holidays will be observed by all full-time employees of the City of North Canton and City Offices will be closed on:

New Year's Day	Labor Day
Martin Luther King Day	Thanksgiving Day
President's Day	Friday after Thanksgiving Day
Good Friday	Day before or day after Christmas
Memorial Day	Christmas Day
July 4 <sup>th</sup>	

B. Holidays listed in Subsection "A" of the within Section which may fall on Saturday, which is normally not a working day, shall be observed on the preceding Friday.

C. Holidays listed in Subsection "A" of the within Section which may fall on Sunday, which is normally not a working day, shall be observed on the following Monday.

D. Holidays listed in Subsection "A" of the within Section shall be considered as a day worked for accrual of fringe benefits.

E. On or before the first day of November of each year in respect to the holiday of the day prior or the day after Christmas, the Mayor shall, by administrative order, establish which of the days shall be the paid holiday. If the Mayor fails to make such designation by November 1<sup>st</sup>, the holiday shall be deemed the day prior to Christmas.

## Section 6. PERSONAL DAY ALLOWANCES

A. Full-time employees shall receive sixteen (16) hours personal time per year off work with compensation; such personal time to be designated by the employee with the approval of the proper departmental authority. (Can be taken in one (1) hour increments.)

B. An employee hired prior to July 1<sup>st</sup> will receive two personal days that year. An employee hired after July 1<sup>st</sup> and prior to September 1<sup>st</sup> will receive one personal day that year and an employee hired after September 1<sup>st</sup> will receive none for that year.

C. Full-time employees shall receive, in addition, a maximum of three personal days provided they have accrued a minimum of four hundred (400) hours sick leave with the City. Said three personal days to be charged to sick leave. Personal days may be taken in no less than four (4) hour increments.

## Section 7. SICK LEAVE REGULATIONS

A. Sick leave shall be defined as an absence with pay necessitated by: 1) illness or injury to the employee; 2) exposure by the employee to a contagious disease communicable to other employees; and/or 3) illness, injury or death in the employee's immediate family.

B. Allowance for sick leave for full-time employees of the City of North Canton shall accrue at the rate of 4.615 hours for every 80 hours paid not to exceed 120 hours per year and may accumulate such sick leave to an unlimited amount.

# RECORD OF ORDINANCES

Duxton Legal Blank, Inc.

Form No. 30043

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

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

C. Sick leave allowance cannot be converted to vacation leave or used to provide wage extension pay or severance pay upon termination of employment for any reason other than retirement.

D. Upon retirement, a full-time employee of the City of North Canton hired on or before August 1, 2006, shall: (a) be paid for fifty (50%) percent of all sick time accumulated on or before the pay date that ends August 6, 2011, as certified by the Director of Finance, that is not subsequently used; and, (b) shall receive an additional amount equal to twenty-five percent (25%) of all unused sick time accumulated after the pay period ending August 6, 2011, as certified by the Director of Finance, up to a maximum of two hundred forty (240) hours.

E. Upon retirement, an employee hired after August 1, 2006 shall be paid for twenty-five percent (25%) of accumulated unused sick time up to a maximum of two hundred forty (240) hours.

F. Sick leave shall not be used where injury is service connected, but shall be covered by disability pay: DISABILITY PAY Section of this ordinance.

G. Any sick leave day(s) shall be considered as a day(s) worked for accrual of fringe benefits.

H. Sick leave may be taken in one-quarter hour increments.

I. Sick leave shall be effective on the first day of the month following the employee's date of hire.

## Section 8. PUBLIC ACCOUNTABILITY SALARY DEDUCTION

To the extent permitted by law, exempt employees who are entitled to accrue personal leave and sick leave will have their salary reduced for absences of less than full work days when accrued leave is not used by an employee because: (a) permission for its use has not been sought or has been sought and denied; (b) accrued leave has been exhausted; or (c) the employee chooses to use leave without pay.

## Section 9. RETIREMENT PROVISIONS

A. For the purpose of administering Section 7. of the within ordinance, retirement is defined as eligible retirement as determined by the Public Employees' Retirement System of Ohio and the Police and Firemen's Disability and Pension Fund.

B. Disability Retirement is defined as recognition of eligible disability retirement from the Public Employees' Retirement System and the Police and Firemen's Disability and Pension Fund.

## Section 10. VACATION REGULATIONS

A. For the sole purpose of the application of this Section 10., full-time employees who were employed by the City of North Canton in a calendar year prior to January 1, 2003 shall be deemed to have a service date of January 1 of that year in that year in which their employment commenced.

B. Full-time exempt personnel may be granted a paid vacation allowance during the first year of employment up to a maximum of two calendar weeks at the discretion of the appointing authority.

i. Full-time employees having been employed less than one year, but not yet employed on January 1<sup>st</sup>, may be granted one (1) day of vacation for each full month remaining in that calendar year, to a maximum of ten (10) vacation days, effective on the first day of the first full month of employment during the calendar year, without the requirement of accrual.

# RECORD OF ORDINANCES

Dayton Legal Blank, Inc.

Form No. 30043

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

ii. Full-time exempt employees having been employed less than one year, but employed on January 1<sup>st</sup>, may be granted a paid vacation allowance of up to two (2) calendar weeks in that calendar year of employment, effective January 1<sup>st</sup>, without the requirement of accrual.

C. Full-time employees having been employed one through four years by January 1<sup>st</sup> shall be granted a paid vacation allowance of two calendar weeks in that calendar year of employment.

D. Full-time employees having been employed five through nine years by January 1<sup>st</sup> shall be granted a paid vacation allowance of three calendar weeks in that calendar year.

E. Paid vacation allowances for those who have been employed ten through fourteen years by January 1<sup>st</sup> shall be granted four calendar weeks and fifteen through nineteen years by January 1<sup>st</sup> shall be granted five calendar weeks; twenty years or more shall be granted six calendar weeks.

F. All vacation allowances shall be granted at a time approved by the department head and with concurrence of the Director of Administration or the Director of Finance for the Finance Department or the President of Council or Clerk of Council for the Council Office.

G. A vacation schedule based on the seniority standing of employees will be made up by the department head each year with vacation periods so staggered that the employee's absence will not seriously jeopardize the departmental work schedule for the year.

H. An extra day of paid vacation allowance will be permitted for all paid holidays falling within a selected vacation period.

I. When the normal work week is forty hours, the paid vacation allowance will be based thereon.

J. Three weeks of paid vacation allowance may be carried over to the next calendar year. The three weeks shall be the maximum amount which may be carried over regardless of the year to which the allowance is attributable.

K. Any employee who shall resign, retire or be laid off shall be entitled to be paid for vacation allowance earned in the previous year and eligible to be taken in the current year plus vacation earned in the current year at the pro-rata amount of one-twelfth (1/12) for each full month worked subsequent to January 1<sup>st</sup>.

L. Vacation shall be used in increments of one week or more except that vacations may be used in lesser increments when authorized by the proper departmental authority; however, vacation may not be taken in lesser increments than four hours.

## Section 11. **MILITARY LEAVE**

Military leave shall be granted in accordance with all federal and state laws and specifically R.C. 5923.05.

## Section 12. **DISABILITY PAY**

Any full time employee of the City of North Canton injured in the line of duty, whose claim is allowed by the Bureau of Workmen's Compensation, shall receive from the City the difference between the amount allowed by the Bureau of Workmen's Compensation and the employee's regular pay. There shall be a twelve-month limit on the amount the City shall pay.

# RECORD OF ORDINANCES

Dayton Legal Blank, Inc.

Form No. 30047

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

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

## Section 13. FUNERAL LEAVE

A. Three days excused absence with pay upon the death of the employee's mother, father, sister, brother, wife, husband, son, daughter, grandparent, mother-in-law, father-in-law, sister-in-law, brother-in-law, daughter-in-law, son-in-law, stepmother, stepfather, stepchildren, grandchild and grandparent-in-law.

B. With permission of the department head and the concurrence of the Director of Administration or the Director of Finance for the Finance Department or the President of Council or Clerk of Council for the Council Office, the employee may be allowed one day for a funeral other than that of a relative. This time off shall not be charged against sick leave or vacation allowance but shall be leave with pay.

## Section 14. HOSPITALIZATION, MEDICAL INSURANCE, DENTAL, OPTICAL & PRESCRIPTION DRUG PROGRAMS

Full time personnel, and those part-time personnel designated by Council, shall be eligible for medical benefits in accordance with the City's group health benefits plan, according to the terms of such plan, as amended from time to time.

## Section 15. LIFE INSURANCE

Full time personnel, and those part-time personnel designated by Council, shall be eligible for life insurance in accordance with the City's life insurance plan, according to the terms of such plan, as amended from time to time.

## Section 16. JURY DUTY LEAVE

Any employee who is called for jury duty, either Federal, County or Municipal, shall be paid the employee's regular salary, less any compensation received for jury duty, as provided for in the Revised Code when said jury duty conflicts with the employee's work schedule.

Paid Jury Duty Leave will not exceed eighty hours per year without approval of City Council. It will be the employee's responsibility to present to the City the necessary documents, including pay vouchers/check from the Clerk of Courts.

## Section 17. MATERNITY LEAVE

This policy shall apply only to those employees not eligible for maternity leave pursuant to Family Medical Leave Act of 1993 ("FMLA"). Employees eligible for FMLA maternity leave shall receive leave pursuant to that Act in the manner described in the City of North Canton Personnel Handbook. Maternity Leave shall include pregnancy, childbirth and related medical conditions.

Upon written request to the Director of Administration, Director of Finance, President of Council or Clerk of Council, whoever is applicable, a pregnant employee may be granted a leave of absence without pay, subject to the following rules.

A. Length of Leave: Leaves of absence for maternity leave shall be limited to the period of time that the pregnant employee is unable to perform the substantial, material duties of the employee's position. This period may include reasonable pre-delivery, delivery and recovery time, as certified in writing by a physician, not to exceed one hundred and eighty days. Such leave shall not include time being requested for the purposes of child care following the recovery of the employee.

# RECORD OF ORDINANCES

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

B. Physician Certificate: A pregnant employee requesting a leave of absence without pay must present, at the time the request is made, a physician's certificate stating the probable period for which the employee will not be able to perform substantial, material duties of the employee's position due to pregnancy, childbirth or related medical conditions.

C. Sick Leave Usage: Upon request to the Director of Administration, Director of Finance, President of Council or Clerk of Council, whoever is applicable, and in accordance with the rules of the City of North Canton with regard to sick leave, a pregnant employee shall be permitted to use any or all of the employee's accumulated sick leave credit only for the period of time as certified by the physician's certificate that the employee isn't able to work as a result of pregnancy, childbirth or related medical conditions. An employee using sick leave credit shall not be prevented from receiving a leave of absence for maternity leave purposes without pay for the remainder of the period.

D. Service Credit: Authorized leaves of absence under this rule for maternity leave without pay will count as service credit for all purposes related to seniority, provided the employee has properly returned to service and is not serving a probationary period. Employees that do not return to service from a personal leave of absence for maternity leave shall not receive service credit for the time spent on such leave.

E. Employee Benefits: Hospitalization and life insurance benefits will remain in effect as long as the employee is on maternity leave as provided for herein.

F. Return to Service: Upon completion of a leave of absence for maternity leave purposes, without pay, the employee shall be returned to the same or similar position within the employee's former classification.

G. Failure to Return: An employee who fails to return to duty upon completion or valid cancellation of leave of absence without pay and without explanation to the Director of Administration, Director of Finance, President of Council or Clerk of Council, whoever is applicable or their representatives, may be removed from the service of the City. An employee who fails to return to service from a leave of absence without pay and is subsequently removed from the service is deemed to have a termination date corresponding to the starting date of the leave of absence without pay.

H. Abuse of Leave: If it is found that a leave is not actually being used for the purpose for which it was originally granted, the Director of Administration, Director of Finance, President of Council or Clerk of Council, whoever is applicable, may cancel the leave and direct the employee to report for work by giving written notice to the employee.

Section 18. **PENSION PICKUP**

A. Any employee of the City of North Canton who is a member of the Public Employees Retirement System of Ohio or the Ohio Police and Fire Pension Fund shall have the employee's compensation reduced by an amount equivalent to that employee's contribution to the Public Employees Retirement System of Ohio or the Ohio Police and Fire Pension Fund; as the case may be, and that the amount of the employee's contribution to the Public Employees Retirement System of Ohio or the Ohio Police and Fire Pension Fund; as the case may be, be paid by the City of North Canton on behalf of the employee; and that the amount of the contribution so paid on behalf of the employee by the employer be added to the salary or wage of the employee in the calculation of pensions and other benefits and is subject to the City of North Canton income tax. The employee is not given the option of choosing to receive said amount directly instead of having them paid directly to the Public Employees Retirement System of Ohio or the Ohio Police and Fire Pension Fund.

# RECORD OF ORDINANCES

Dayton Legal Blank, Inc.

Form No. 30043

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

B. In respect to the employee's contribution to the Public Employees Retirement System of Ohio, that contribution shall be the employee's contribution to the employee's savings fund defined at R.C. 145.47.

**Section 19. LEAVE OF ABSENCE**

Leave of Absence without pay may be granted upon written request and approval of the department head. Attendance at job related conferences, meetings, seminars, etc., which result in absence from work, require prior written request and approval from the responsible departmental authority.

**Section 20. COMPENSATION**

Full-Time Schedule of Compensation: Full-time employees shall be paid an amount equal to or less than the amount set forth in the following schedule:

Position	Bi-Weekly Compensation
Director of Administration	\$3,510.86
Director of Law	\$3,463.99
Director of Finance	\$3,463.99
City Engineer	\$3,463.99
Chief of Police	\$3,210.72
Chief of Fire & EMS	\$3,210.72
Supt., Permits & Inspection	\$2,599.32
Director of Permits & Development	\$2,599.32
Supt., Utilities & Services	\$2,599.32
Supt., Streets & Parks	\$2,599.32
Superintendent – Drinking Water Plant	\$2,769.24
Supt., Recreation, Buildings & Grounds	\$2,599.32
Operations Managers:	
Recreation, Buildings & Grounds	
Streets & Parks	
Water & Sanitary Sewer	
Drinking Water Plant	\$ 2,465.68
Chief Building Officer	\$2,465.68
Clerk of Council/Law Dept.	\$ 2,146.82
Deputy Director of Finance	\$1,962.01
Administrative Assistant/Payroll Clerk	\$1,730.00
Administrative Assistant	\$1,730.00

At all times the position of Director of Permits & Development is filled, the person serving in the capacity shall also hold the title of Superintendent, Permits & Inspection at no additional compensation.

Public Safety – FIRE / EMS

Assistant Fire Chief	\$ 14.96
Fire Captain	\$ 14.60
Fire Captain / EMT – Paramedic	\$ 14.60
Fire Captain / EMT – Basic	\$ 14.60
EMT – Paramedic	\$ 14.60
Firefighter / EMT – Paramedic	\$ 14.60

# RECORD OF ORDINANCES

Dayton Legal Blank, Inc.

Form No. 30043

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

Public Safety – FIRE / EMS (Cont.)

Firefighter / EMT -- Basic	\$ 14.13
Firefighter	\$ 14.13
EMT – Basic	\$ 14.13
EMT Personnel on Standby	\$ 2.21
Manned at Station:	
Firefighter / EMT - Paramedic/Basic	\$ 12.00

EMT and/or Paramedics manned at station shall not receive Standby Wages; hours will be a minimum of 5 hours/day, maximum of 10 hours/day, 30 hours/week.

Public Safety – Police

Dispatcher C	\$ 12.21
School Crossing Guard	\$ 11.77
Auxiliary Police	\$ 11.04
Special Patrolman	\$ 14.96

Financial & Clerical

Fiscal/Clerical Specialist	\$ 11.88
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Department of Engineering

Engineering Clerk	\$ 11.88
Special Project Inspector	\$ 16.82

Engineering Clerk, Special Project Inspector, and Nuisance Officer shall be paid an amount equal to or less than the amount set forth in the schedule listed above

Building & Permits

Building Inspector	\$ 24.08
Nuisance Officer	\$ 17.00

Municipal Swimming Pool

Pool Director*	\$6,288.71
Assistant Pool Director*	\$4,666.12
Concession Stand Mgr.*	\$4,891.26
Pool Personnel	Minimum Wage
Lifeguard I	Minimum Wage + 3.5%
Lifeguard II	Lifeguard 1 + 3.5%
Lifeguard/Instructor I	Minimum Wage + 15.3%
Lifeguard/Instructor II	Lifeguard/Instructor 1 + 3.5%
Head Lifeguard I	Minimum Wage + 23.1%
Head Lifeguard II	Head Lifeguard 1 + 3.5%
Pool Maintenance	Minimum Wage

\*Paid for Season

# RECORD OF ORDINANCES

Duym Legal Blank, Inc.

Form No. 30042

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

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

## General Government

Summer I	Minimum Wage
Summer II	Minimum Wage + 7.3%
Intern	Minimum Wage + 25.3%
Skilled Worker	\$ 14.50
Laborer	\$ 13.00

Laborer shall be paid an amount equal to or less than the amount set forth in the schedule listed above

## Recreation

Class "A" Instructor	\$ 11.00
Senior Program Director**	\$ 203.50

\*\*Paid bi-weekly

A. In the event the Senior Program Director works less than 20 hours in a bi-weekly pay period, the actual hours worked will be paid at the Senior Program Director's applicable hourly rate.

B. That there be and is hereby established an overtime rate of time and one-half after a scheduled eight (8) hours or working a holiday for part-time police officers and part-time radio dispatchers.

C. Effective January 1 of each year, any employee receiving minimum wage shall have their hourly compensation automatically adjusted to reflect the applicable Federal or State minimum wage, whichever is higher.

## 21. **DRUG TESTING POLICY**

A. Drug screening or testing shall be conducted upon reasonable suspicion. This testing shall be solely for administration purposes and the results obtained shall not be used in any criminal proceeding. Under no circumstances may the results of the drug screening or testing be released to a third party for the use in a criminal prosecution against the affected employee. The following procedures shall not preclude the employer from other administrative action.

B. Drug testing shall also be authorized when an employee is involved in an on-duty motor vehicle accident which results in bodily injuries to any vehicle occupants or the employee, or when the employee has discharged a weapon while on duty.

C. All drug screening tests shall be conducted by medical laboratories licensed by the State of Ohio and accredited by the College of American Pathologists or other mutually agreed upon entity. The procedures utilized by the testing lab shall correspond to accepted medical practice. Any positive result shall be confirmed by a mass spectrophotometry procedure (GS-MS), or any approved subsequent state-of-the-art confirmatory test.

D. Drug screening tests shall be given to employees to detect the illegal use of controlled substances as defined in Section 3719 of the Ohio Revised Code. If the initial screening is positive, the employee's sample shall be subjected to a confirmatory test that shall be administered by a medical laboratory licensed by the State of Ohio and accredited by the College of American Pathologists or other mutually agreed upon entity. The employee may have a second confirmatory test of the split sample done at a lab of the employee's choosing, at the employee's expense. This test shall be given the same evidentiary weight as the previous test, provided a neutral chain of custody remains unbroken.

# RECORD OF ORDINANCES

Dwyton Legal Blank, Inc.

Form No. 30043

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

E. If all the screening and confirmatory tests are positive, then the employee involved may be required to enter into rehabilitation referral. The City shall maintain the right to discipline the employee in addition to mandating rehabilitation.

F. Prior to any notification by the Employer for drug screening or testing, an employee may elect to participate in a rehabilitation or detoxification program, as determined by appropriate medical personnel. The cost of the program will be covered according to the provisions of the employee's health insurance plan.

G. An employee who participates in a rehabilitation or detoxification program shall be allowed to use sick leave, vacation leave, or personal days for the period of the rehabilitation. If no such leave credit is available, such employees shall be placed on leave of absence without pay for the period of the rehabilitation leave.

H. Upon completion of the program, and provided that a retest demonstrates that the employee is no longer illegally using a controlled substance, and/or subject to any disciplinary action that may be taken pursuant to this Article, the employee shall be returned to the employee's former position.

I. Such employee may be subject to random retesting upon return to the employee's position for a period of one (1) year from the date of return.

J. Any employee in the above-mentioned rehabilitation program will not lose any seniority or benefits should it be necessary that he be required to take a medical leave of absence without pay for a period not to exceed ninety (90) days.

K. If an employee refused to undergo rehabilitation or detoxification pursuant to a lawful order, or fails to complete a program of rehabilitation, or should test positive at any time within one (1) year after return to work upon completion of the rehabilitation program, the employee shall be subject to disciplinary action.

L. Except as otherwise provided herein, the cost of all drug screening shall be borne by the City.

M. For the purpose of this Article "periodic" shall mean not more than three times per year, except that a drug test may be performed at any time upon "reasonable suspicion" of drug use. An employee may be tested more frequently during the one (1) year period after return from a rehabilitation program.

N. For the purpose of implementing the provisions of this Article, each employee shall execute medical releases in order for the City to obtain the results of the drug screening provided for in this Article. The release referred to in this Section shall authorize only the release of examination results pertaining to the drug screening test. Such medical releases shall be provided by the employer."

Section 22. That any and all legislation inconsistent herewith, be, and is hereby repealed.

# RECORD OF ORDINANCES

Dayton Legal Blank, Inc.

Form No. 30043

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

Section 23. That if a provision of this ordinance is or becomes illegal, invalid or unenforceable, that shall not affect the validity or enforceability of any other provision of this ordinance.

Section 24. That this ordinance shall take effect and be in full force from and after the earliest period allowed by law.

North Canton, OH  
Passed:

\_\_\_\_\_  
MAYOR

SIGNED: \_\_\_\_\_, 2014

ATTEST:

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

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G: 2014 Draft Legislation/Exempt Ordinance 4-29-2014

# RECORD OF ORDINANCES

Dayton Legal Blank, Inc.

Form No. 30043

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

5/6/14-gmk  
(Street & Alley)

Ordinance No. 43-14

An ordinance authorizing the Director of Administration of the City of North Canton to advertise and receive bids, and for the Mayor, through the Board of Control, to enter into a contract for the Price Park East parking Lot Rehab Project at a total cost not to exceed \$95,000.

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

Section 1. That the Director of Administration of the City of North Canton, be, and is hereby authorized to advertise and receive bids, according to specifications now on file in the office of the Director of Administration for the Price Park East parking Lot Rehab Project.

Section 2. That the Mayor of the City of North Canton, through the Board of Control, be, and is hereby authorized to enter into a contract for the Price Park East parking Lot Rehab Project, at a total cost not to exceed \$95,000.

Section 3. That the Director of Finance of the City of North Canton, be, and is hereby authorized to draw funds necessary for the payment of the above specified contract from the following appropriation:

330 CAPITAL IMPROVEMENT FUND		
330.309.5501	Facilities	\$95,000

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

Section 4. That if a provision of this ordinance is or becomes illegal, invalid or unenforceable, that shall not affect the validity or enforceability of any other provision of this ordinance.

Section 5. That this ordinance shall take effect and be in full force from and after the earliest period allowed by law.

North Canton, OH  
Passed:

\_\_\_\_\_  
MAYOR

SIGNED: \_\_\_\_\_, 2014

ATTEST:

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

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# RECORD OF ORDINANCES

Dayton Legal Blank, Inc.

Form No. 30043

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

5/6/14-gmk  
(Street & Alley)

Ordinance No. 44-14

An ordinance authorizing the Mayor of the City of North Canton to apply for, accept, and utilize a Surface Water Improvement Fund Grant ("SWIF"), through the Ohio Environmental Protection Agency ("OEPA"), for improvements to the Price Park east parking lot, and authorizing the Mayor, through the Board of Control, to enter into an agreement for said grant, and declaring the same to be an emergency.

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

- Section 1. That the Mayor of the City of North Canton, be, and is hereby authorized to apply for, accept and utilize a SWIF Grant, through the OEPA, for improvements to the Price Park east parking lot.
- Section 2. That the Mayor of the City of North Canton, through the Board of Control, be, and is hereby authorized to enter into an agreement for said grant.
- Section 3. That if a provision of this ordinance is or becomes illegal, invalid or unenforceable, that shall not affect the validity or enforceability of any other provision of this ordinance.
- Section 4. That this ordinance is hereby declared to be an emergency measure necessary for the preservation of the health, safety and peace of the City of North Canton and further necessary for the timely application, acceptance and utilization of the grant monies, and improvements to the Price Park east parking lot; wherefore, provided it receives the affirmative vote of six (6) or more members of Council elected thereto, this ordinance shall take effect and be in full force immediately upon its adoption by Council and approval by the Mayor. Otherwise, it shall take effect and be in force from and after the earliest period allowed by law.

North Canton, OH  
Passed:

\_\_\_\_\_  
MAYOR

SIGNED: \_\_\_\_\_, 2014

ATTEST:

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

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# RECORD OF ORDINANCES

Dayton Legal Blank, Inc.

Form No. 30043

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

5/6/14-gmk  
(Street & Alley)

### Ordinance No. 45-14

An ordinance authorizing the Director of Administration of the City of North Canton to advertise and receive bids and authorizing the Mayor of the City of North Canton, through the Board of Control, to enter into a contract for the resurfacing, repaving, replacement, repair and preventative maintenance of certain streets, alleys and city parking lots within the corporate limits of the City of North Canton, at a cost not to exceed \$460,000, and declaring the same to be an emergency.

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

Section 1. That the Director of Administration of the City of North Canton, be, and is hereby authorized to advertise and receive bids according to specifications now on file in the office of the Director of Administration for the resurfacing, repaving, replacement, repair, and preventative maintenance of certain streets, alleys, and city parking lots within the corporate limits of the City of North Canton.

Section 2. That the Mayor of the City of North Canton, through the Board of Control, be, and is hereby authorized to enter into a contract for the resurfacing, repaving, replacement, repair, and preventative maintenance of certain streets, alleys, and city parking lots, within the corporate limits of the City of North Canton, at a cost not to exceed \$460,000.

Section 3. That the Director of Finance of the City of North Canton, be, and is hereby authorized to draw funds necessary for the payment of the above specified contract from the following appropriations:

208	STREET CONSTRUCTION, MAINTENANCE & REPAIR FUND	
208.543.5227	Contract Payments – Concrete	\$ 10,000
208	STREET CONSTRUCTION, MAINTENANCE & REPAIR FUND	
208.543.5229	Contract Payments – Asphalt	\$ 20,000
209	STORM SEWER LEVY FUND	
209.745.5229	Contract Payments	\$ 25,000
210	STREET IMPROVEMENT LEVY FUND	
210.543.5229	Contract Payments	\$ 300,000
330	CAPITAL IMPROVEMENT FUND	
330.546.5229	Contract Payments	\$ 40,000
651	WATER, EXP, REP & IMPROVEMENT FUND	
651.767.5229	Contract Payments	\$ 15,000
652	SANITARY SEWER OPERATING FUND	
652.779.5501	Facilities – Sewer Lines	<u>\$ 50,000</u>
	Total	\$ 460,000

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

Section 4. That if a provision of this ordinance is or becomes illegal, invalid or unenforceable, that shall not affect the validity or enforceability of any other provision of this ordinance.

# RECORD OF ORDINANCES

Davton Legal Blank, Inc.

Form No. 30043

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

Section 5. That this ordinance is hereby declared to be an emergency measure necessary for the preservation of the health, safety, and peace of the City of North Canton and further necessary in order to maintain the City streets in the proper condition for safe travel; wherefore, provided it receives the affirmative vote of six (6) or more members of Council elected thereto, this ordinance shall take effect and be in full force immediately upon its adoption by Council and approval by the Mayor. Otherwise, it shall take effect and be in force from and after the earliest period allowed by law.

North Canton, OH  
Passed:

\_\_\_\_\_  
MAYOR

SIGNED: \_\_\_\_\_, 2014

ATTEST:

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

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# RECORD OF ORDINANCES

Dnyton Legal Blank, Inc.

Form No. 30043

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

5/6/14-gmk  
(Water, Sewer & Rubbish)

Ordinance No. 46-14

An ordinance authorizing the Director of Administration of the City of North Canton to advertise and receive bids, and for the Mayor, through the Board of Control, to enter into a contract for the 2014 Sanitary Sewers Rehab Project, at a total cost not to exceed \$100,000.

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

Section 1. That the Director of Administration of the City of North Canton, be, and is hereby authorized to advertise and receive bids, according to specifications now on file in the office of the Director of Administration for the 2014 Sanitary Sewers Rehab Project.

Section 2. That the Mayor of the City of North Canton, through the Board of Control, be, and is hereby authorized to enter into a contract for the 2014 Sanitary Sewers Rehab Project.

Section 3. That the Director of Finance of the City of North Canton, be, and is hereby authorized to draw funds necessary for the payment of the above specified contract from the following appropriation:

651	SEWER REVENUE FUND	
652.779.5501	Facilities – Sewer lines	\$100,000

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

Section 4. That if a provision of this ordinance is or becomes illegal, invalid or unenforceable, that shall not affect the validity or enforceability of any other provision of this ordinance.

Section 5. That this ordinance shall take effect and be in full force from and after the earliest period allowed by law.

North Canton, OH  
Passed:

\_\_\_\_\_  
MAYOR

SIGNED: \_\_\_\_\_, 2014

ATTEST:

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

# RECORD OF ORDINANCES

Dayton Legal Blank, Inc.

Form No. 30043

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

5/6/14-gmk  
(Water, Sewer & Rubbish)

Ordinance No. 47-14

An ordinance authorizing the Director of Administration of the City of North Canton to advertise and receive bids, and for the Mayor, through the Board of Control, to enter into a contract for the Foster Avenue SE (Hartman Street SE to East Maple) and Hartman Street SE (Foster Avenue SE to Pershing Avenue SE) Waterline Replacement Project, at a total cost not to exceed \$95,000.

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

Section 1. That the Director of Administration of the City of North Canton, be, and is hereby authorized to advertise and receive bids, according to specifications now on file in the office of the Director of Administration for the Foster Avenue SE (Hartman Street SE to East Maple) and Hartman Street SE (Foster Avenue SE to Pershing Avenue SE) Waterline Replacement Project.

Section 2. That the Mayor of the City of North Canton, through the Board of Control, be, and is hereby authorized to enter into a contract for the Foster Avenue SE (Hartman Street SE to East Maple) and Hartman Street SE (Foster Avenue SE to Pershing Avenue SE) Waterline Replacement Project, at a total cost not to exceed \$95,000.

Section 3. That the Director of Finance of the City of North Canton, be, and is hereby authorized to draw funds necessary for the payment of the above specified contract from the following appropriation:

651	WATER EXP, REPL & IMPROVEMENT FUND	
651.767.5502	Facilities -Waterlines	\$95,000

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

Section 4. That if a provision of this ordinance is or becomes illegal, invalid or unenforceable, that shall not affect the validity or enforceability of any other provision of this ordinance.

Section 5. That this ordinance shall take effect and be in full force from and after the earliest period allowed by law.

North Canton, OH  
Passed:

\_\_\_\_\_  
MAYOR

SIGNED: \_\_\_\_\_, 2014

ATTEST:

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

# RECORD OF ORDINANCES

Dayton Legal Blank, Inc.

Form No. 30043

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

5/6/14-gmk  
(Water, Sewer & Rubbish)

Ordinance No. 48-14

An ordinance authorizing the Director of Administration of the City of North Canton to advertise and receive bids, and for the Mayor, through the Board of Control, to enter into a contract for the South Main Street Waterline Replacement Project (50<sup>th</sup> Street SE to Knoll Street SE), at a total cost not to exceed \$225,000.

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

Section 1. That the Director of Administration of the City of North Canton, be, and is hereby authorized to advertise and receive bids, according to specifications now on file in the office of the Director of Administration for the South Main Street Waterline Replacement Project (50<sup>th</sup> Street SE to Knoll Street SE).

Section 2. That the Mayor of the City of North Canton, through the Board of Control, be, and is hereby authorized to enter into a contract for the South Main Street Waterline Replacement Project (50<sup>th</sup> Street SE to Knoll Street SE), at a total cost not to exceed \$225,000.

Section 3. That the Director of Finance of the City of North Canton, be, and is hereby authorized to draw funds necessary for the payment of the above specified contract from the following appropriation:

651	WATER EXP, REPL & IMPROVEMENT FUND	
651.767.5502	Facilities - Waterlines	\$225,000

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

Section 4. That if a provision of this ordinance is or becomes illegal, invalid or unenforceable, that shall not affect the validity or enforceability of any other provision of this ordinance.

Section 5. That this ordinance shall take effect and be in full force from and after the earliest period allowed by law.

North Canton, OH

Passed:

\_\_\_\_\_  
MAYOR

SIGNED: \_\_\_\_\_, 2014

ATTEST:

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

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# RECORD OF ORDINANCES

Division Legal Blank, Inc.

Form No. 30043

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

5/6/14-gmk  
(Water, Sewer & Rubbish)

Ordinance No. 49-14

An ordinance authorizing the Director of Administration of the City of North Canton to advertise and receive bids, and for the Mayor, through the Board of Control, to enter into a contract for the Whipple Avenue Waterline Extension Project (Wise Avenue NW to Portage Street NW), at a total cost not to exceed \$185,000, and declaring the same to be an emergency.

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

Section 1. That the Director of Administration of the City of North Canton, be, and is hereby authorized to advertise and receive bids, according to specifications now on file in the office of the Director of Administration for the Whipple Avenue Waterline Extension Project (Wise Avenue NW to Portage Street NW).

Section 2. That the Mayor of the City of North Canton, through the Board of Control, be, and is hereby authorized to enter into a contract for the Whipple Avenue Waterline Replacement Project (Wise Avenue NW to Portage Street NW), at a total cost not to exceed \$185,000.

Section 3. That the Director of Finance of the City of North Canton, be, and is hereby authorized to draw funds necessary for the payment of the above specified contract from the following appropriation:

651	WATER EXP, REPL & IMPROVEMENT FUND	
651.767.5502	Facilities -Waterlines	\$185,000

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

Section 4. That if a provision of this ordinance is or becomes illegal, invalid or unenforceable, that shall not affect the validity or enforceability of any other provision of this ordinance.

Section 5. That this ordinance shall take effect and be in full force from and after the earliest period allowed by law.

North Canton, OH

Passed:

\_\_\_\_\_  
MAYOR

SIGNED: \_\_\_\_\_, 2014

ATTEST:

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

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# RECORD OF ORDINANCES

Dayton Legal Blank, Inc.

Form No. 30043

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

5/6/14-gmk  
(Finance & Property)

## Resolution No. 50-14

A resolution authorizing the Director of Finance of the City of North Canton, to compensate City employee, Daniel Richards, his regular salary for all of his summoned dates of Grand Jury Duty Leave, upon the Director of Finance's receipt of the documents, including pay vouchers/check from the Clerk of Courts, needed to corroborate his service time.

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

- Section 1. That the Director of Finance of the City of North Canton, be, and is hereby authorized to compensate City employee, Daniel Richards, his regular salary for all of his summoned dates of Grand Jury Duty Leave, beginning April 10, 2014 through July 3, 2014.
- Section 2. That all documents necessary to corroborate his service, including pay vouchers/check from the Clerk of Courts, must be submitted to the Director of Finance for review prior to making said compensation.
- Section 3. That the Section 21.03 of the North Canton Service and Clerical Collection Bargaining Agreement, as authorized by Ordinance No. 97-11, limits the compensation to eighty (80) hours, without approval by North Canton City Council.
- Section 4. That if a provision of this ordinance is or becomes illegal, invalid or unenforceable, that shall not affect the validity or enforceability of any other provision of this ordinance.
- Section 5. That this resolution shall take effect and be in full force from and after the earliest period allowed by law.

North Canton, OH  
Passed:

\_\_\_\_\_  
MAYOR

SIGNED: \_\_\_\_\_, 2014

ATTEST:

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