

-MINUTES FROM SPECIAL COUNCIL MEETING  
CITY OF NORTH CANTON  
MONDAY, June 1, 2015

1. Call to Order

**COUNCIL PRESIDENT PETERS:** I'd like to call to order the Special Council Meeting Monday, June 1, 2015 at 7:15pm.

2. Roll Call

**COUNCIL PRESIDENT PETERS:** Clerk, please call the roll?

Roll call found the following council members in attendance: Cerreta, Foltz, Fonte, Griffith, Kiesling, Peters and Werren. Thus having 7 in attendance.

**COUNCIL PRESIDENT PETERS:** Thank you very much. Onto to old business may I have a motion and second to read by title only the second reading of Ordinance No. 33 – 2015.

**COUNCILMAN FOLTZ:** So moved.

**COUNCILMAN CERRETA:** Second.

Roll call vote of 7 yes to read by title only the first reading of Ordinance No. 33 - 2015.

3. Old Business

4. Ordinance No. 33 – 2015 Ordinance, Rules and Claims Committee

An ordinance authorizing the Director of Finance of the City of North Canton to implement the Generally Accepted Accounting Principles (GAAP) conversion plan recommended by the Ohio Auditor of State.

**COUNCIL PRESIDENT PETERS:** Thank you, Chairwoman Werren?

**COUNCILWOMAN WERREN:** We've talked about this a number of times; I don't know Karen do you want to say anything else about it. I don't think you were here last time but we discussed it. So I move to adopt.

**COUNCILWOMAN KIESLING:** Second.

Roll call vote of 7 yes to adopt the second reading of Ordinance No. 33- 2015.

ORDINANCE NO. 33 – 2015 WAS GIVEN SECOND READING.

**COUNCIL PRESIDENT PETERS:** Thank you very much. Onto to new business may I have a motion and second to read by title only the first reading of Ordinance No. 35 – 2015.

**COUNCILWOMAN KIESLING:** So moved.

**COUNCILMAN CERRETA:** Second.

Roll call vote of 7 yes to read by title only the first reading of Ordinance No. 35 - 2015.

5. New Business

6. Ordinance No. 35 – 2015 Community and Economic Development Committee

An ordinance authorizing the Director of Permits and Development of the City of North Canton to waive bonding and fee requirements associated with the razing and demolition of properties purchased and demolished as part of the Home Mitigation Grant Program ("HMGP") as permitted in Chapter 1303, Razing of Buildings, of the codified ordinances of the City of North Canton, and declaring the same to be an emergency.

**COUNCIL PRESIDENT PETERS:** Thank you, Chairwoman Kiesling?

**COUNCILWOMAN KIESLING:** Yes, this is an exciting project that's going on happening on the Zimber ditch we are going to waive the bonding and fee requirements to raise those five homes that were purchased by Stark Parks to help the flood plains down there. And we also got notice that they're doing some fire training in those five homes today and Wednesday which is pretty exciting. So I motion we adopt so we can get this going.

**COUNCILMAN FOLTZ:** Second.

Roll call vote of 7 yes to adopt the first reading of Ordinance No. 35 - 2015

**COUNCIL PRESIDENT PETERS:** Thank you. May I have a motion and a second to suspend the rules of council for three readings for Ordinance No. 35 – 2015?

**COUNCILMAN GRIFFITH:** So moved.

**COUNCILMAN CERRETA:** Second.

Roll call vote of 7 yes to suspend the rules of council for three readings for Ordinance No. 35 - 2015.

**COUNCIL PRESIDENT PETERS:** Thank you. May I have a motion and a second to adopt under suspension of the rules for Ordinance No. 35 - 2015?

**COUNCILWOMAN KIESLING:** So moved.

**COUNCILMAN GRIFFITH:** Second.

Roll call vote of 7 yes to adopt under suspension of the rules for Ordinance No. 35 - 2015.

ORDINANCE NO. 35 – 2015 WAS PASSED BY A ROLL CALL VOTE OF 7 YES.

**COUNCIL PRESIDENT PETERS:** May I have a motion and a second to read by title only the first reading of Ordinance No. 36 – 2015?

**COUNCILWOMAN KIESLING:** So moved.

**COUNCILMAN CERRETA:** Second.

Roll call vote of 7 yes to read by title only the first reading of Ordinance No. 36 - 2015.

7. Ordinance No. 36 – 2015

Ordinance, Rules and Claims Committee

An ordinance implementing the Personal Information Policy of the City of North Canton Personnel Handbook, and declaring the same to be an emergency.

**COUNCIL PRESIDENT PETERS:** Thank you very much. Chairwoman Werren?

**COUNCILWOMAN WERREN:** So I was Miriam brought this to my attention today. So in regards to this there already is an Ordinance No. 22 – 11 and Tim maybe you can address this as well. It's the City of North Canton Personal Handbook and it was amended before there was Ordinance No. 100 – 11 an ordinance amending the travel policy to include blah, blah, blah. So I guess I'm just asking why wouldn't this be an amendment to that that's already there. Because this does say that there's a personal the City of North Canton Personal Handbook...

**LAW DIRECTOR FOX:** Right, this, this is simply an ordinance to implement the policy within the city. The employee handbook is one of the things that we can add this to. And in fact we'll hand this out to each employee and we can add it to the handbook but it was important to get this policy implemented throughout the city regardless of whether its, it's in there. So you do need to implement a personal information policy it's a statutory requirement and this covers how the city maintains, collects, keeps the minimum amount necessary of personal information that it collects both from employees and from residents. So this puts all the guidelines together for all of the departments and how they should maintain those. Perhaps the biggest one is the finance department because it covers pay and employee benefits, health benefits, but you also have the personnel files that are maintained in the administration office and within those files there's personal information. As well as in the EMS department when they go on EMS run they actually document the medical treatment that they're providing. And so this makes sure that all of those departments are aware that certainly they're collecting personal information and they're obligation to maintain and protect it from disclosure.

**COUNCILMAN GRIFFITH:** I don't think anyone has an objection to the content.

**COUNCILWOMAN WERREN:** No, it was I guess where it goes right?

**COUNCILMAN GRIFFITH:** So if we're following the suggestion here we pass this tonight on emergency the policy is in place whether or not its part of the handbook could be an issue that we could...

**COUNCIL PRESIDENT PETERS:** We will address.

**COUNCILMAN GRIFFITH:** Right.

**COUNCILWOMAN WERREN:** Cause it seems I mean that seems why this ordinance was passed so that everything was consolidated in one spot. So it would still go in there or would that be a whole other....

**LAW DIRECTOR FOX:** Yeah, you can still place it in there you don't need necessarily an ordinance. But the handbook of course

you know it requires I believe an update for a variety of things but I just didn't wish to piecemeal and make it appear that we're trying to do two things at once. We want to certainly implement this, this policy and demonstrate that the city does recognize and protect when it takes in personal information. Prime example Mr. Osborne last week made a public record request for all of the pool pass information for 2014. And in fact he asked for the names and addresses of everyone that purchased a pool pass in 2014. Well the Ohio Supreme Court just last year looked at a case in Columbus on a similar issue where the Columbus parks department had what they believed was an increase amount of violence and perhaps fraud and so forth in its park department. So it wished to implement an identification program. So those that received passes had a photo ID so they could show that this pass belonged to this person but they also collected the names and addresses of the parents, the guardians, the emergency contact information as well as the names and addresses of the children. And someone made a public record request for that data base. The Supreme Court however looked at the children and the information that could be disclosed in that type of a public record request. And they looked at the purpose of the Public Record Act and stated that its purpose is to prevent government from hiding inefficiencies to document how it does business. And it looked at whether or not providing the names and addresses of local children who had pool passes to anyone that made that request would further that and decided that indeed it would not. And so it declared that information was not public and actually citing 1347 which is that personal information policy had stated that the City of Columbus not only did not have to provide that information but actually had an obligation and duty to protect it from release. So you know that's a, a kind of a neat timing here of having that type of policy in place. And then you know once you step back and realize well you know even here in our utility department you know they have personal information that they maintain, the application for last year actually had the names and addresses of those that asked for the pool passes together with the names and the ages of the children. And as I said according to Ohio Supreme Court this is not a public record so therefore it's not subject to disclosure but you know it ties in with you know something that all departments have to take a look at when they take in that type of information that some of it you know very well may be a public record some of it very well may not. So that's I guess the long and short of the necessity of a personal information program policy.

**COUNCILWOMAN WERREN:** Okay, any other thoughts? Okay, so I would move that we adopt tonight and then we can put in the personal handbook another time.

**COUNCILWOMAN KIESLING:** I'll second.

Roll call vote of 7 yes to adopt the first reading of Ordinance No. 36 – 2015.

**COUNCIL PRESIDENT PETERS:** Thank you. May I have a motion and a second to suspend the rules of council for three readings for Ordinance No. 36 – 2015?

**COUNCILWOMAN KIESLING:** So moved.

**COUNCILWOMAN WERREN:** Second.

Roll call vote of 7 yes to suspend the rules of council for three readings for Ordinance No. 36 - 2015.

**COUNCIL PRESIDENT PETERS:** Thank you. May I have a motion and a second to adopt under suspension of the rules for Ordinance No. 36 - 2015?

**COUNCILWOMAN KIESLING:** So moved.

**COUNCILMAN GRIFFITH:** Second.

Roll call vote of 7 yes to adopt under suspension of the rules for Ordinance No. 36 - 2015.

ORDINANCE NO. 36 – 2015 WAS PASSED BY A ROLL CALL VOTE OF 7 YES.

**COUNCIL PRESIDENT PETERS:** Thank you. Now may I have a motion and a second to read by title only the first reading of Ordinance No. 37 – 2015?

**COUNCILWOMAN KIESLING:** So moved.

**COUNCILMAN FOLTZ:** Second.

Roll call vote of 7 yes to read by title only the first reading of Ordinance No. 37 - 2015.

8. Ordinance No. 37 – 2015

Street and Alley Committee

An ordinance approving, confirming and accepting a perpetual public utility easement, known as Parcel No. 9280795, and being part of Lot No. 523, by and between the City of North Canton, an Ohio charter municipal corporation ("City"), and the North Canton Community Improvement Corporation, and declaring the same to be an emergency.

**COUNCIL PRESIDENT PETERS:** Thank you. Chairman Fonte?

**COUNCILMAN FONTE:** Okay, we talked about this already. This would be the building the engineering building the old building was sold and we need to have access to the utilities so we want to confirm and approve the ordinance for the

perpetual access to that property. So there's two parcels this is one of them so we want to pass this on emergency declaring it to be an emergency and I move that we move forward with it unless you have a question.

**COUNCILMAN CERRETA:** Second.

Roll call vote of 7 yes to adopt the first reading of Ordinance No. 37 – 2015.

**COUNCIL PRESIDENT PETERS:** Thank you. May I have a motion and a second to suspend the rules of council for three readings for Ordinance No. 37 – 2015?

**COUNCILWOMAN KIESLING:** So moved.

**COUNCILWOMAN WERREN:** Second.

Roll call vote of 7 yes to suspend the rules of council for three readings for Ordinance No. 37 - 2015.

**COUNCIL PRESIDENT PETERS:** Thank you. May I have a motion and a second to adopt under suspension of the rules for Ordinance No. 37 - 2015?

**COUNCILMAN GRIFFITH:** So moved.

**COUNCILWOMAN WERREN:** Second.

Roll call vote of 7 yes to adopt under suspension of the rules for Ordinance No. 37 - 2015.

ORDINANCE NO. 37 – 2015 WAS PASSED BY A ROLL CALL VOTE OF 7 YES.

**COUNCIL PRESIDENT PETERS:** Thank you. May I have a motion and a second to read by title only the first reading of Ordinance No. 38 – 2015?

**COUNCILWOMAN WERREN:** So moved.

**COUNCILWOMAN KIESLING:** Second.

Roll call vote of 7 yes to read by title only the first reading of Ordinance No. 38 - 2015.

9. Ordinance No. 38 – 2015

Street and Alley Committee

An ordinance approving, confirming and accepting a perpetual public utility easement, known as Parcel No. 100006297, and being part of Lot No. 7080, by and between the City of North Canton, an Ohio charter municipal corporation ("City"), and the North Canton Community Improvement Corporation, and declaring the same to be an emergency.

**COUNCIL PRESIDENT PETERS:** Thank you. Chairman Fonte?

**COUNCILMAN FONTE:** Okay, so this is the second parcel to the engineering building that we're needing that access to. So I move that pass on it on an emergency.

**COUNCILWOMAN KIESLING:** Second.

Roll call vote of 7 yes to adopt the first reading of Ordinance No. 38 – 2015.

**COUNCIL PRESIDENT PETERS:** Thank you. Do we have a motion and a second to suspend the rules of council for three readings for Ordinance No. 38 – 2015?

**COUNCILWOMAN KIESLING:** So moved.

**COUNCILMAN CERRETA:** Second.

Roll call vote of 7 yes to suspend the rules of council for three readings for Ordinance No. 38 - 2015.

**COUNCIL PRESIDENT PETERS:** Thank you. May I have a motion and a second to adopt under suspension of the rules for Ordinance No. 38 - 2015?

**COUNCILMAN GRIFFITH:** So moved.

**COUNCILMAN CERRETA:** Second.

Roll call vote of 7 yes to adopt under suspension of the rules for Ordinance No. 38 - 2015.

ORDINANCE NO. 38 – 2015 WAS PASSED BY A ROLL CALL VOTE OF 7 YES.

**COUNCIL PRESIDENT PETERS:** Thank you. May I have a motion and a second to read by title only the first reading of Ordinance

No. 39 – 2015?

**COUNCILMAN GRIFFITH:** So moved.

**COUNCILMAN CERRETA:** Second.

Roll call vote of 7 yes to read by title only the first reading of Ordinance No. 39 - 2015.

10. Ordinance No. 39 – 2015

Water, Sewer and Rubbish Committee

An ordinance authorizing the Director of Administration of the City of North Canton to advertise and receive bids according to specifications now on file in the Director's office, and authorizing the Mayor of the City of North Canton, through the Board of Control, to enter into a contract for the Canton-Akron Airport Water System Improvement Project, at a total cost not to exceed \$75,000, and declaring the same to be an emergency.

**COUNCIL PRESIDENT PETERS:** Thank you. Chairman Cerreta?

**COUNCILMAN CERRETA:** Yes, this is an improvement project at the Akron-Canton Airport and it's really to protect our system from surges that may cause harm from their system. And I know acting engineer explained that to us last week or two weeks ago. Jim any other thing you need to add to that to let everybody know a little bit more?

**ENGINEER BENEKOS:** No, basically you explained it it's a basically a waterline going from our high pressure system to our low pressure system at the airport in the area of their emergency building. And when they turn on the water valves and turn them off they're of course in a hurry and that sends a surge and could water hammer back through our high pressure system and could damage our lines and our other equipment. So this is basically like a bleeder line that will and a shock absorber that will take that surge and bleed it out into our low pressure system. So again it's just a waterline with a valve or two valves that function in that manner that we will put in up near the airport.

**COUNCILMAN CERRETA:** Good, any questions? I move that we move forward with this under emergency.

**COUNCILWOMAN KIESLING:** Second.

Roll call vote of 7 yes to adopt the first reading of Ordinance No. 39 – 2015.

**COUNCIL PRESIDENT PETERS:** Thank you. May I have a motion and a second to suspend the rules of council for three readings for Ordinance No. 39 – 2015?

**COUNCILMAN GRIFFITH:** So moved.

**COUNCILMAN CERRETA:** Second.

Roll call vote of 7 yes to suspend the rules of council for three readings for Ordinance No. 39 - 2015.

**COUNCIL PRESIDENT PETERS:** Thank you. May I have a motion and a second to adopt under suspension of the rules for Ordinance No. 39 - 2015?

**COUNCILMAN GRIFFITH:** So moved.

**COUNCILMAN CERRETA:** Second.

Roll call vote of 7 yes to adopt under suspension of the rules for Ordinance No. 39 - 2015.

ORDINANCE NO. 39 – 2015 WAS PASSED BY A ROLL CALL VOTE OF 7 YES.

**COUNCIL PRESIDENT PETERS:** Thank you as this concludes our agenda for the special council meeting I'll entertain a motion to adjourn?

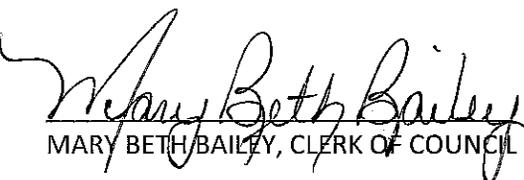
**COUNCILMAN CERRETA:** So moved.

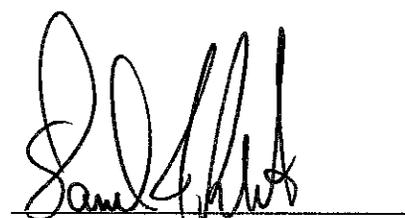
**COUNCILWOMAN WERREN:** Second

11. Adjourn:

Roll call vote of 7 yes to adjourn.

**COUNCIL PRESIDENT PETERS:** We are adjourned.

  
MARY BETH BAILEY, CLERK OF COUNCIL

  
DANIEL JEFF PETERS, PRESIDENT