

MINUTES FROM COUNCIL MEETING
CITY OF NORTH CANTON
MONDAY, NOVEMBER 9, 2015

1. Call to Order

COUNCIL PRESIDENT PETERS: I'd like to call to order the Council Meeting Monday, November 9, 2015 7:00pm. Mark, would you like to lead us?

2. Opening Prayer – Councilman Cerreta led the opening prayer.

3. Pledge of Allegiance

4. 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.

5. Consideration

COUNCIL PRESIDENT PETERS: Alright, may I have a motion and a second to approve as presented:

Council Meeting Minutes: October 26, 2015
Committee of the Whole Minutes: November 2, 2015

COUNCILMAN FOLTZ: Motion to approve as presented.

COUNCILMAN CERRETA: Second.

Roll call vote of 7 yes, to approve the above minutes.

COUNCIL PRESIDENT PETERS: Thank you very much and we would like to welcome Mr. John Coorey from the auditor's representative for Auditor of State. He has a plaque to present to Karen.

6. Auditor of State representative John G. Coorey will present the Auditor of State Award with Distinction to the City of North Canton.

JOHN COOREY: I do. Thank you to council for having me here tonight I really appreciate the time and being with the auditor's office we don't always get the necessarily spread good news and cheer. But today I'm here to recognize Karen and her team with our Ohio Auditor of State Award with Distinction. This isn't given out to everyone only about 10% of Ohio entities win this award. So you guys really should you know you're in good company and not only that you're getting this award but also just filing the CAFR in of itself. So I'd like to read just a letter from Auditor Yost if that's okay.

(Mr. Coorey read the following prepared letter into the record)

"Dear Karen,

Congratulations based upon your recently completed financial auditor it gives me great pleasure to inform you the City of North Canton has received the Auditor of State Award of Distinction. Clean and accurate record keeping are the foundation for good government and the taxpayers can take pride in your commitment to accountability. The Auditor of State Award with Distinction is given to those entities that file an annual CAFR and timely financial reports in accordance with GAP as well as receive a clean audit report. That clean audit report means your financial audit did not contain finance recovery, material citations, material weaknesses, significant deficiencies, single audit fines or any question costs. Congratulations again on receiving this award. My office looks forward to continuing to work with you to ensure clean, accountable and efficient government for all Ohioans.

Sincerely Dave Yost, Ohio Auditor of State.

JOHN COOREY: So I'd like to present you this award. If I can add this into the official record. Thank you very much.

COUNCIL PRESIDENT PETERS: Thank you, I appreciate it.

COUNCILMAN FOLTZ: I had a question. Ever since I've been on council I think we've always gotten a CAFR which is a testament to our wonderful finance directors through the years. Do we know how many years in a row we've received this? Is there any room in your office on the walls for this?

FINANCE DIRECTOR ALGER: This is the 27th one it's going back 1988.

COUNCILMAN FOLTZ: In so 27 in row that's something to be proud of as a community. So thank you for your efforts Karen, thank you.

COUNCILMAN GRIFFITH: The award has significant additional significance this year because we have you know we've receive letters in the past with helpful suggestions and this time our audit was so clean that we didn't even receive one of the memorandums. So again that's great progress over the last years that we've been able to make. So congrats.

COUNCILMAN CERRETA: Thanks for your efforts too.

COUNCILMAN GRIFFITH: No, I do nothing but listen to the good work at the audit committee. So...

COUNCIL PRESIDENT PETERS: Okay, at this time if anyone wishes to speak please step forward state your name and address.

7. Recognition of Visitors

CHUCK OSBORNE: 307 Fairview Street SE, North Canton, Ohio. Every year about this time I scratch my head and wonder we have a fantastic veteran's memorial over here in Bitzer Park that literally takes up half the park. That is repeatedly trampled on throughout the year for whatever venue the city wants to put on there. And I have to wonder why don't we have a veteran's ceremony on Veterans Day?

MAYOR HELD: It's because we have them we different events throughout the schools. And it's also...

CHUCK OSBORNE: Mr. Held, that's what you said last year.

MAYOR HELD: Yes, and this is my same answer. We have them within the schools and they're usually in doors and typically if we were to have one at the at our veterans memorial there's two issues. No. 1, the temperature which you know we could still have that. But considering that the often times that the people we are honoring could be in climate weather. Whereas, at the schools they have it in doors at a much more comfortable setting and at the same time they're holding those events and so we certainly don't want to compete with existing events.

CHUCK OSBORNE: Well that doesn't stop you from putting on a Christmas event that people turn out for. And it certainly, it certainly colder at Christmas. Secondly, I've been urging various people behind the scenes to finish that memorial. There needs to be a some kind of a demarcation zone as to where the consecrated ground lies and where it doesn't. I have some pictures and I haven't taken the time but I've got some pictures here my wife took a couple of weeks ago six 50 gallon drums lined up inside that memorial. Big ole 50 gallon drums in front of that all those plaques. And a little later there was I guess some musical event there I've got pictures of kids climbing all over the memorial. Now the group that put that together turned over thousands of dollars I think Karen can you verify it was like \$12,000 or \$14,000?

FINANCE DIRECTOR ALGER: I don't know off the top of my head.

CHUCK OSBORNE: Well there's money to finish it. It's a large memorial I'm not talking about just a little rope railing close end. It would help identify the public that comes and down Main Street all the time maybe it would give them an indication of what it is. Because when you come from the south all you can see is a wall. When are we going to get that treated and finished and show the proper respect? When I get some time I'll blow up those pictures of those 50 gallon drums stuffed inside that alcove and the pictures of the kids climbing all over it and usually at Christmas I'll go over there and take pictures because there's people are trampling all over the memorial. I don't usually come to the events I don't want any pat on the back or applause but yeah I'm a veteran myself. 11years, rank of captain I flew hueys, Medivac. But I don't want any admiration or congratulations but I would like to see this memorial recognized properly, treated properly and not used as a multi stage platform all year long because there was no forethought as to where else can we hold events besides Bitzer. I urged you not even put the memorial in there. Its' not even much of a park anymore. So I hope I don't see anything like that again and I'd like see something outlining so when people are driving down the street it's clear that oh this is a consecrated, dedicated piece of property in memory of our veterans. Many who have led a lifetime of I'm sure misery with the injuries and the ailments not to mention the ones that lost their lives. How about a little respect and how about a half hour ceremony at a memorial there by trumpeted was a magnificent memory to our veterans. Thank you.

COUNCIL PRESIDENT PETERS: If there's anyone else wishing to address council please step forward state your name.

MAYOR HELD: Could I just answer that?

COUNCIL PRESIDENT PETERS: Sure mayor.

MAYOR HELD: What we would like to just so that everybody's real clear Chuck with your comments about the ground being consecrated which you know obviously clearly the memorial is there to honor our veterans. And especially the ones who have given their lives in protection and service of our country. And but all at the same time we placed that specifically in the park because we wanted the greatest visibility. We didn't want the memorial to be established or built in an area that of low

visibility. We wanted the highest visibility possible and the memorial is intended to be walked on. It is intended for people to go and visit. It is intended for people to walk up and to read the plaque. And so and Chuck with the garbage cans that were set on there I mean that clearly should not have happened. So there was obviously an event volunteer or a part-time employee that had moved those cans up against the memorial which Chuck did get a picture; he did send it to me. Rita, your wife had called me and also yourself had called me and we had those moved as soon as it was brought to our attention. So you know that was not in any way shape or form intended to occur. And so we corrected it. From time to time people make bad choices and I'm sure it wasn't intentional but should never have happened. So for that we do apologize for that happening. But at the same time it's a high visibility area which is why we placed it there and we want people to walk up and we want people to look at the plaque and to read the memorial. So that's what our intention is by and in no way shape or form is it intended as disrespect or to dishonor in any way dishonor at all anyone. That's all I have.

COUNCIL PRESIDENT PETERS: Alright, thank you.

MIRIAM BAUGHMAN: 320 Weber Avenue. First, congratulations to everyone on your re-election. I'm sure you're looking forward to working with concerned citizens the next two years. This past Saturday in the Canton Repository there was this article which I gave everybody a copy of that said Dominion East Ohio customers which I am one I stayed with Dominion East Ohio and they every month pick my rate from whoever's the cheapest. And starting tomorrow the rate will be \$2.05 per cubic foot. If you go to the next page the City of North Canton's aggregation program it's a contract with Independent Energy Consultants and they have picked for the supplier Constellation Energy and this contract was December 2014 through a year from this month which is November 2016 the fixed rate is \$4.19 per cubic foot. I did call Constellation Energy this morning and asked if they were going to drop their rate since you know gas is so cheap and there's so much of it and they said "no, they would not be dropping their rate". I wanted to share my gas bills the past year and the suppliers and keeping in mind that this went into effect of December of 2014 so the very next month Dominion picked for me Direct Energy Services at \$3.61 and as you see it kept going down. But the most interesting thing is in April Dominion picked for me Constellation Energy to my supplier the same as what North Canton's aggregation is. And starting in April my price was in the \$2.00 range. And it stayed that way through October I didn't my bill yet for November. And it looks like my bill's going to go down even further. I also asked Constellation how somebody could opt-out of the aggregation and they told me that it would take 2 billing cycles. So if somebody opts-out this month that means that they will not be out of the contract until February which winter is half over by then. I have two concerns; I looked on the website for information about the natural gas aggregation and it was very difficult, extremely difficult to find on the website the information. So I would ask that be fixed so that when somebody goes to the website that it has its own little tab maybe. I can't tell you how hard it was to find the information. My second concern is that Ordinance No. 28 – 2015 for the electrical aggregation which the voters just passed Energy Consultants has been picked as the consultant, Independent Energy Consultants the same folks who have the gas. I do not think they did a very good job for our citizens on the gas aggregation and my concern is now you've picked me to do the electrical aggregation. So I'm hoping that you'll branch out talk to other people there is one in Medina. Let me see if I brought the name. I also brought my bills in case you didn't believe my... no I didn't bring it with me. There's a company in Medina that's a consultant also. And I'm sure that there's many other ones. I myself am not a fan of aggregations I will never, ever join one. I just stick with my supplier and let them pick it. Okay, thank you.

COUNCIL PRESIDENT PETERS: Thank you, Miriam. Mike, can we look at the website?

COUNCILWOMAN KIESLING: I'm on it right now and yeah when you search gas aggregation nothing comes up. Gas, nothing comes up.

COUNCIL PRESIDENT PETERS: In anticipation of the electric aggregation can we make the opt-out tab more prominent for both of those?

COUNCILWOMAN WERREN: Miriam, how did you get to it?

MIRIAM BAUGHMAN: I'm not telling you. You're going to go through the same trouble I did.

COUNCILWOMAN WERREN: Good luck, Marcia.

COUNCILMAN FONTE: Hey, is there any way like when you're locked into the aggregation can you renegotiate with them at all or you're kind of locked in for the balance of the...

DIRECTOR GRIMES: You're pretty much locked into it right now. I reached out to them earlier I did not get a response back from then on that. But...

COUNCILMAN FONTE: Because as the power of a city you would think that they would maybe have some kind of a plan that they could work with us maybe not at the exact amount you know just with us some. Especially since they might get our electric business. Just a thought. We should just we should talk about that some more.

COUNCILWOMAN WERREN: Mike, what did we do... I had that customer do you remember that would always write about and he would look at the rates too and then he was able to do something? Do you remember that?

DIRECTOR GRIMES: I remember he'd basically complain about aggregation and you know you can opt-out...

COUNCILWOMAN WERREN: I couldn't remember if there was something he did or not.

COUNCILWOMAN KIESLING: I opted-out for the first probably 5 years.

COUNCILWOMAN WERREN: Yeah.

DIRECTOR GRIMES: But the website yes we're trying to make that mobile responsive right now. We've got somebody working on it so we can make a tab for that.

COUNCIL PRESIDENT PETERS: Okay.

COUNCILMAN GRIFFITH: I think there's a valid concern here though relative to the electrical aggregation. We just need to make sure that I mean obviously it's going to be difficult to change horses in midstream. Particularly because of you know it was part of what the voters approved. But do you have a concern about that at all Mike or if you...

DIRECTOR GRIMES: I don't you know we're a player that's where we get that rate and then other people will you know adjust their rates too. If we didn't have aggregation would you get some of these rates is the question. So ours' is pretty easy to opt-out and go where you want to go. Miriam pretty much showed that's what she does and she stays on it. So...

COUNCILMAN FONTE: The electric seems to me that's I hate that bill more than gas cause gas has been coming down for like the last 10 years. And it's going to be that way for quite a while so it's going to down more and so we locked into a higher rate but the electric seems to me like its seems like it's harder to get that rate down lower unless there's somebody has a better plan. But I thought the aggregation would be good for the electric but the gas it seems you have \$2.00 savings is a lot. I would be like "how do we opt-out of this?"

COUNCILMAN FOLTZ: Mike, we're not alone on this rate aren't we combined with other government entities?

COUNCILWOMAN KIESLING: Not in gas I don't think.

DIRECTOR GRIMES: We went a two year rate because we got it you know low that first time when it came out we were the lowest in the state. So...

COUNCILMAN FOLTZ: Right when it came out at the time we were the lowest around.

DIRECTOR GRIMES: And the way the aggregation works is whenever your contract is up you have that window that you've got to lock it in. So if something happens 60 days from there you're out of it. So...

COUNCILMAN FOLTZ: Okay, I understand that Canton or Stark County collectively there was more people involved with it at one time that it was more of a customer base for the aggregational prices we were getting.

COUNCILMAN FONTE: Is there any legal loopholes to get out of it. Just 2 month delay that's it if you want to opt-out? It's a 2 month cycle.

DIRECTOR GRIMES: Yeah, you can basically opt-out as an individual.

COUNCILMAN GRIFFITH: When the 2 year period is up then we could chose a different consultant though is that right?

DIRECTOR GRIMES: Yes, I'd have to look at the ordinance to see when we blocked them in but yes you can choose a different consultant.

COUNCILWOMAN WERREN: Is this the second year for gas?

COUNCILMAN GRIFFITH: Well, there's a difference between the contract and the consultant and the actual aggregation consultant.

COUNCILWOMAN KIESLING: And we've been in gas for 10 years probably.

COUNCILMAN GRIFFITH: Yeah, we could choose if we needed to we chose someone else to negotiate if we thought they would a better job.

COUNCILWOMAN WERREN: Didn't we, we had a gas aggregation person come in and he came in and showed us.

COUNCILWOMAN KIESLING: Yeah, he told us how great our rates were, we're the best in the state cause he knew they were going down into his pocket and he was so excited to lock us in high.

COUNCILMAN FONTE: Yeah, we should have him come back in and talk again to us.

COUNCILWOMAN KIESLING: Yeah, I dare him.

DIRECTOR GRIMES: It's market driven you have to look at the market and that's what we pay him to do and you know we've done really well and some years you're just not going to do as well. But then you can opt-out.

COUNCILWOMAN KIESLING: So true. I agree.

COUNCIL PRESIDENT PETERS: Alright, good, if there's anyone else wishing to address council please step forward state your name and address. Alright seeing none we will move onto old business. May I have a motion and a second to read by titled only the third reading of Ordinance No. 60 – 2015?

COUNCILMAN GRIFFITH: So moved.

COUNCILMAN CERRETA: Second.

Roll call vote of 7 yes to read by title only the third reading of Ordinance No. 60 – 2015.

8. Old Business

9. Ordinance No. 60 – 2015

Community and Economic Development Committee

An ordinance providing that, upon a close review of the entire record, North Canton City Council finds the Planning Commission's decision to approve a conditional use permit for the Hoover District South Parking Lot was not unconstitutional, illegal, arbitrary, capricious, or unreasonable, and was supported by a preponderance of substantial, reliable and probative evidence on the entire record. Therefore, Council affirms the Planning Commission's decision to approve the permit.

COUNCIL PRESIDENT PETERS: Thank you, Chairwoman Kiesling?

COUNCILWOMAN KIESLING: Yes, this is the third and final reading of the south parking lot appeals hearing we had. Any questions, concerns? Alright, I motion we adopt.

COUNCILMAN CERRETA: Second.

Roll call vote of 6 yes, 1 abstain to adopt the third reading of Ordinance No. 60 – 2015. Fonte voted to abstain.

ORDINANCE NO. 60 – 2015 WAS PASSED BY A ROLL CALL VOTE OF 6 YES, 1 ABSTAIN. FONTE VOTED TO ABSTAIN.

COUNCIL PRESIDENT PETERS: Thank you, may I have a motion and a second to read by title only the third reading of Ordinance No. 61 – 2015?

COUNCILMAN GRIFFITH: So moved.

COUNCILMAN CERRETA: Second.

Roll call vote of 7 yes to read by title only the third reading of Ordinance No. 61 – 2015.

10. Ordinance No. 61 – 2015

Finance and Property Committee

An ordinance authorizing the Mayor of the City of North Canton to enter into an agreement with the Regional Income Tax Agency ("RITA") for the administration of City income tax laws and the collection of City income tax.

COUNCIL PRESIDENT PETERS: Thank you, Chairman Griffith?

COUNCILMAN GRIFFITH: This is the third and final reading of our agreement that we're going to enter into with RITA to begin that process. If we get things passed tonight then we'll probably do the transition midsummer of 2016. Meaning the first time that people will actually see it from a taxpayers' standpoint would be 2017 if you're not an estimated filer. But again a big thank you to everybody involved with doing the due diligence here everything we found in it is good. So if there aren't another questions I would move its adoption.

COUNCILMAN CERRETA: Second.

Roll call vote of 7 yes to adopt the third reading of Ordinance No. 61 – 2015.

ORDINANCE NO. 61 – 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 third reading of Ordinance No. 62 – 2015?

COUNCILMAN GRIFFITH: So moved.

COUNCILWOMAN WERREN: Second.

Roll call vote of 7 yes to read by title only the third reading of Ordinance No. 62 – 2015.

11. Ordinance No. 62 – 2015 Finance and Property Committee

An ordinance to amend Chapter 191, Income Tax, of the Codified Ordinances of the City of North Canton regarding municipal income tax.

COUNCIL PRESIDENT PETERS: Thank you, Chairman Griffith?

COUNCILMAN GRIFFITH: And again this is our adjustments to comply with the new state statute. Karen sent me a revised version today that will be the more codified version. But again thanks to everybody who was involved including the consultant who helped us through the process. Any questions relative to this? Alright, I would move its approval.

COUNCILWOMAN KIESLING: Second.

Roll call vote of 7 yes to adopt the third reading for Ordinance No. 62 – 2015.

ORDINANCE NO. 62 – 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 second reading of Ordinance no. 64 – 2015?

COUNCILWOMAN KIESLING: So moved.

COUNCILMAN CERRETA: Second.

Roll call vote of 7 yes to read by title only the second reading of Ordinance No. 64 – 2015.

12. Ordinance No. 64 – 2015 Street and Alley Committee

An ordinance approving, confirming and accepting a perpetual public utility easement, known as Easement #1, for the real property known as Parcel No. 10000417, and being part of Lot No. 7036, by and between the City of North Canton, an Ohio charter municipal corporation ("City"), Grantee, and Maple Street Commerce, an Ohio limited liability company, Grantor.

COUNCIL PRESIDENT PETERS: Thank you. Chairman Fonte?

COUNCILWOMAN KIESLING: I want to interrupt I just found it that's how long it took it me.

COUNCILMAN FONTE: Wow.

COUNCILWOMAN KIESLING: Got it, but yeah, that was pretty bad.

COUNCILMAN FONTE: Let your kids do it...

COUNCILWOMAN KIESLING: It was under resident and you had to scroll back all the way through to September 15, 2014 when we made the announcement. It was completely hidden you had to scroll all the way back.

COUNCILMAN FONTE: We need like a young college kid. Okay, so we have 6 pieces of legislation they're all very similar. And the first one here is the ordinance you mentioned and it's a perpetual utility easement on the East Maple side where the renovations were done; where they expanded the road. There's a street light easement pad right over there by Hoover. And so we'd like to move the adoption of that.

COUNCILMAN CERRETA: Second.

Roll call vote of 7 yes to adopt the second reading of Ordinance No. 64 – 2015.

ORDINANCE NO. 64 – 2015 WAS GIVEN SECOND READING.

COUNCIL PRESIDENT PETERS: Thank you. May I have a motion and a second to read by title only the second reading for Ordinance No. 65 – 2015?

COUNCILMAN CERRETA: So moved.

COUNCILMAN GRIFFITH: Second.

Roll call vote of 7 yes to read by title the second reading of Ordinance No. 65 – 2015.

13. Ordinance No. 65 – 2015 Street and Alley Committee

An ordinance approving, confirming and accepting a perpetual public utility easement, known as Easement #2, for the real property known as Parcel No. 10000417, and being part of Lot No. 7036, by and between the City of North Canton, an Ohio charter municipal corporation (“City”), Grantee, and Maple Street Commerce, an Ohio limited liability company, Grantor.

COUNCIL PRESIDENT PETERS: Chairman Fonte?

COUNCILMAN FONTE: Okay, so moving down the road just a hair further we have another pad with a street light on it. So we need to do the same thing adopt it for its perpetual ongoing easement, utility easement.

COUNCILMAN FOLTZ: Motion to adopt.

COUNCILMAN CERRETA: Second.

Roll call vote of 7 yes to adopt the second reading for Ordinance No. 65 – 2015.

ORDINANCE NO. 65 – 2015 WAS GIVEN SECOND READING.

COUNCIL PRESIDENT PETERS: Thank you. May I have a motion and a second to read by title only the second reading for Ordinance No. 66 – 2015?

COUNCILWOMAN KIESLING: So moved.

COUNCILMAN CERRETA: Second.

Roll call vote of 7 yes to read by title the second reading of Ordinance No. 66 – 2015.

14. Ordinance No. 66 – 2015 Street and Alley Committee

An ordinance approving, confirming and accepting a perpetual public utility easement, known as Easement #3, for the real property known as Parcel No. 10000418, and being part of Out Lot No. 379, by and between the City of North Canton, an Ohio charter municipal corporation (“City”), Grantee, and Maple Street Commerce, an Ohio limited liability company, Grantor.

COUNCIL PRESIDENT PETERS: Chairman Fonte?

COUNCILMAN FONTE: Same thing it’s another pad just a bit further down the road it’s just an ongoing easement. I move for its adoption.

COUNCILWOMAN KIESLING: Second.

Roll call vote of 7 yes to adopt the second reading for Ordinance No. 66 – 2015.

ORDINANCE NO. 66 – 2015 WAS GIVEN SECOND READING.

COUNCIL PRESIDENT PETERS: Thank you. May I have a motion and a second to read by title only the second reading for Ordinance No. 67 – 2015?

COUNCILMAN GRIFFITH: So moved.

COUNCILMAN CERRETA: Second.

Roll call vote of 7 yes to read by title the second reading of Ordinance No. 67 – 2015.

15. Ordinance No. 67 – 2015 Street and Alley Committee

An ordinance approving, confirming and accepting a perpetual public utility easement, known as Easement #4, for the real property known as Parcel No. 10000418, and being part of Out Lot No. 379, by and between the City of North Canton, an Ohio charter municipal corporation (“City”), Grantee, and Maple Street Commerce, an Ohio limited liability company, Grantor.

COUNCIL PRESIDENT PETERS: Thank you, Chairman Fonte?

COUNCILMAN FONTE: Okay, same thing it’s on the north side of the street heading to the east direction. It’s another pad and it’s an ongoing easement for the street light. You know the street lights there and it’s an ongoing easement. So I move that

we adopt it.

COUNCILMAN CERRETA: Second.

Roll call vote of 7 yes to adopt the second reading for Ordinance No. 67 – 2015.

ORDINANCE NO. 67 – 2015 WAS GIVEN SECOND READING.

COUNCIL PRESIDENT PETERS: Thank you. May I have a motion and a second to read by title only the second reading for Ordinance No. 68 – 2015?

COUNCILWOMAN KIESLING: So moved.

COUNCILMAN CERRETA: Second.

Roll call vote of 7 yes to read by title the second reading of Ordinance No. 68 – 2015.

16. Ordinance No. 68 – 2015 Street and Alley Committee

An ordinance approving, confirming and accepting a perpetual public utility easement, for the real property known as Parcel No. 9202067, and being part of Lot No. 309, by and between the City of North Canton, an Ohio charter municipal corporation (“City”), Grantee, and Stauffs Holding, an Ohio limited liability company, Grantor.

COUNCIL PRESIDENT PETERS: Thank you, Chairman Fonte?

COUNCILMAN FONTE: This is now the same situation with the traffic signal and its right there on the corner where the little house is on the road. It’s an ongoing easement and I move for its adoption.

COUNCILMAN CERRETA: Second.

Roll call vote of 7 yes to adopt the second reading for Ordinance No. 68 – 2015.

ORDINANCE NO. 68 – 2015 WAS GIVEN SECOND READING.

COUNCIL PRESIDENT PETERS: Thank you. May I have a motion and a second to read by title only the second reading for Ordinance No. 69 – 2015?

COUNCILMAN GRIFFITH: So moved.

COUNCILMAN CERRETA: Second.

Roll call vote of 7 yes to read by title the second reading of Ordinance No. 69 – 2015.

17 Ordinance No. 69 – 2015 Street and Alley Committee

An ordinance approving, confirming and accepting, for public-use purposes, Maple Street Commerce, LLC’s offer to the City of North Canton, to dedicate an additional right-of-way along East Maple Street (Main Street and Taft Ave), for the real property known as being part of Lot Nos. 7021 and 7071, and Out Lot Nos. 376 and 377, and consisting of 0.4545 acres in the City of North Canton, Stark County, Ohio.

COUNCIL PRESIDENT PETERS: Thank you, Chairman Fonte?

COUNCILMAN FONTE: Okay, so on the this is a right-of-way along the side of East Maple there on the south side. When they did the expansion it’s just a utility easement basically an ongoing utility easement. So I move for its adoption.

COUNCILMAN CERRETA: Second.

Roll call vote of 7 yes to adopt the second reading for Ordinance No. 69 – 2015.

ORDINANCE NO. 69 – 2015 WAS GIVEN SECOND READING.

COUNCIL PRESIDENT PETERS: Thank you. And onto new business may I have a motion and a second to read by title only the first reading for Resolution No. 5 – 2015?

COUNCILMAN CERRETA: So moved.

COUNCILMAN FOLTZ: Second.

Roll call vote of 7 yes to read by title the first reading of Resolution No. 5 – 2015.

18. New Business

19 Resolution No. 5 – 2015

Personnel and Safety Committee

A resolution authorizing the Mayor of the City of North Canton to enter into a Memorandum of Understanding (MOU), by and between the City of North Canton Police Department and the Stark County Sheriff's Office, to support the Stark County OVI Task Force, and declaring the same to be an emergency.

COUNCIL PRESIDENT PETERS: Thank you, this is very similar to what we've done for the last three or four years the only difference is we are partnering with the Stark County Sheriff's Office this year as opposed to the University of Akron. So if there's no questions I will entertain a motion and a second to adopt the first reading of Resolution No. 5 – 2015.

COUNCILMAN FOLTZ: Motion to approve.

COUNCILMAN CERRETA: Second.

Roll call vote of 7 yes to adopt the first reading for Resolution No. 5 – 2015.

COUNCIL PRESIDENT PETERS: Thank you. May I have a motion and a second to suspend the rules of Council for three readings for Resolution No. 5 – 2015?

COUNCILMAN FOLTZ: So moved.

COUNCILMAN CERRETA: Second.

Roll call vote of 7 yes to suspend the rules of Council for three readings for Resolution No. 5 – 2015.

COUNCIL PRESIDENT PETERS: Thank you. May I have a motion and a second to adopt under suspension of the rules for Resolution No. 5 – 2015?

COUNCILMAN FOLTZ: So moved.

COUNCILMAN CERRETA: Second.

Roll call vote of 7 yes to adopt under suspension of the rules for Resolution No. 5 – 2015.

RESOLUTION NO. 5 – 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 for Resolution No. 6 – 2015?

COUNCILMAN FOLTZ: So moved.

COUNCILMAN CERRETA: Second.

Roll call vote of 7 yes to read by title the first reading of Resolution No. 6 – 2015.

20 Resolution No. 6 – 2015

Personnel and Safety Committee

A resolution authorizing the Mayor of the City of North Canton to enter into a Memorandum of Understanding (MOU), by and between the City of North Canton Police Department and Stark County Job and Family Services, to set forth the normal operating procedures by all officials in execution of their responsibilities when conducting an elder abuse, neglect, or exploitation assessment/investigation, pursuant to Ohio Revised Code Sections 5101.60 through 5101.71, and declaring the same to be an emergency.

COUNCIL PRESIDENT PETERS: Thank you. And the title explains it all it just sets forth the other procedures that we use when conducting assessments of this. So if there's no questions I will entertain a motion and a second to adopt Resolution No. 6 – 2015.

COUNCILMAN FOLTZ: Motion to approve.

COUNCILWOMAN KIESLING: Second.

Roll call vote of 7 yes to adopt the first reading for Resolution No. 6 – 2015.

COUNCIL PRESIDENT PETERS: Thank you. May I have a motion and a second to suspend the rules of Council for three readings for Resolution No. 6 – 2015?

COUNCILMAN FOLTZ: So moved.

COUNCILMAN CERRETA: Second.

Roll call vote of 7 yes to suspend the rules of Council for three readings for Resolution No. 6 – 2015.

COUNCIL PRESIDENT PETERS: Thank you. May I have a motion and a second to adopt under suspension of the rules for Resolution No. 6 – 2015?

COUNCILMAN FOLTZ: So moved.

COUNCILWOMAN KIESLING: Second.

Roll call vote of 7 yes to adopt under suspension of the rules for Resolution No. 6 – 2015.

RESOLUTION NO. 6 – 2015 WAS PASSED BY A ROLL CALL VOTE OF 7 YES.

21. Reports – Council:

COUNCIL PRESIDENT PETERS: Alright very good. Reports, Member Fonte?

COUNCILMAN FONTE: I would just like to remind everybody Wednesday, November 11th is Veterans Day. So remember to thank a vet and I'd like to start by saying thanks Chuck for your service for 11 years as a medivac. Thank you. And Attorney Fox thank you for your Air Force service with honor. And anybody else in here who's a military person. Michael, Michael, thank you for your service. And you know the thing that was in the water bill this week you know it was the Rotary flag program. And for \$30.00 you can actually buy it for someone, buy it for yourself. You'll see them in the yards they just put them out for Veterans Day. They'll do 6 you know 6 different times a year; you know put it in, take it out, put it in, take it out and it's nice. And it's like my second or third year doing it and I thought it would be a nice thing to do as a gift for somebody you know that's patriotic or a veteran. So it's something to consider and so just make sure you thank a vet because without them you know the land of free becomes home of the braves. So thank you for your service. That's all.

COUNCILMAN FOLTZ: Well said.

COUNCIL PRESIDENT PETERS: Thanks Dom. Member Werren.

COUNCILWOMAN WERREN: Yeah, thank you very much to our veterans and honoring those I know there's been a lot of different programs going on throughout the community and the school. I know Canal Fulton had a big one yesterday. And thank you this past week to the voters I met a lot of people in our ward and a lot of people think the city's doing the right things and moving forward. And they gave me some good ideas to do about different things though that we can start to think about maybe through council and some town meetings and just kind of some more information to really communicating to the people. I do think they want to know what's going on and some of it they don't get the Repository or they're not on our website and it's hard to find information and we want to make that as easy as possible. I know there's a lot of older people in my ward and throughout the city and it's hard to get information and I think we can do a better job doing that. So I know we've talked about that but just after all my communication with so many different people. They want to know and they're really proud of the things we're doing. So thank you very much and thank you for all your support this past week. It's a good week.

COUNCIL PRESIDENT PETERS: Member Kiesling?

COUNCILWOMAN KIESLING: Yes, thank you to our veterans as well. And I did go on that website and it gives us a phone number to call but it also gives us a website that says you can plug in your town, your state and your city and then you can get some more information. Well our city's not even on there. So I went ahead and emailed where it says you can email somebody and I haven't heard back I assume I won't tonight. But I emailed them and said "why the hell isn't our name on your website Marcia Kiesling, council-at-large." So it looks like we're not even included in their gas aggregation and there's three states to choose from Illinois, Massachusetts and Ohio. So... that's all I have.

COUNCIL PRESIDENT PETERS: Member Griffith?

COUNCILMAN GRIFFITH: Thanks to the veterans and congrats to everybody here. We'll be working on the budget this week and probably next week and the week after that. But that's what I've got tonight.

COUNCIL PRESIDENT PETERS: Member Cerreta?

COUNCILMAN CERRETA: Had a meeting with Jim Davis down at the service center today and we talked about you know the lighting of the downtown during the holiday season that kind of thing. So I'll just kind of inform you of a couple little things; you know the poles will be will be lit like every other one until we get to the main section of North Canton and then they'll do

every one. So as you come in it will be lit up pretty well. Apparently Sandy's Landscaping is going to donate the lighting up of Bitzer Park. So they'll be taking care of that and that's awesome.

COUNCILWOMAN WERREN: Have they always done that?

COUNCILMAN CERRETA: No, no, it's the first time. And so...

COUNCILWOMAN WERREN: You mean like he'll do around all the trees?

COUNCILMAN CERRETA: Yeah, in Bitzer Park which is awesome. And we also are going to light up a couple of trees in the park which I don't know what it's called the guard shack park or whatever the park over here. So we'll light that up a little bit. The lighting of the tree will occur December 8th so we will put up the tree I think he's going the city's looking to do it the 30th and then we'll decorate it sometime that week with volunteers and the city people. The other thing we want encourage and I'd like to get this out to as many people as for businesses to light up you know be a little bit more you know get the holiday spirit going by having businesses put stuff out lights trying to make the city pop you know during the nice holiday season in this area right here. So we can encourage that put that in the paper; I'll talk to Doug Lane about that to send somethings out to the you know to his group for the chamber and so on. So just a couple of things that we covered along with the trees and so on through the spring he kind of informed me stuff that you already know about I'm sure with the parks and everything. So good meeting with him and that's all I've got.

COUNCIL PRESIDENT PETERS: Member Foltz?

COUNCILMAN FOLTZ: Good, Mark, is it the same setup as last year the trees?

COUNCILMAN CERRETA: Right, and we got a new top.

COUNCILMAN FOLTZ: We got a new top to replace the one before.

COUNCILWOMAN WERREN: Did we add any height to this year?

COUNCILMAN CERRETA: No, we didn't add any length, it's slowly but surely. If you remember the top went down last year and they replaced the top and they gave us a different star. Because what was happening is that star they had was heavy and the wind hit it it bent the whole thing. So the new star has a thing where the air goes through it so it won't push the star and the tree would move. And they were real good about handling some things you know getting they sent us something they sent us a bill they still have to credit us for the old one. So we're working that out. But they've done a nice job with taking care of us with that. So that's... anything else about the tree? Okay.

COUNCILMAN FOLTZ: No, thanks for that. Congratulations to everyone got re-elected. Congratulations to the candidates that ran that's what democracy is all about. So congratulations to our mayor was on Ponder I listened intently to all the results and you carried the show with Mr. Ponder pretty well while you didn't final results I don't think until you actually let the radio station technically. But its I thought you showed North Canton in a great light again Dave, so thank you for getting involved with that. We're proud to have the mayor of North Canton on WHBC election night. Hey list it was well done. And one final thing I know Mr. Osborne brought up about the veterans memorial Westbrook Park in Canton is the Stark County Veterans Memorial that was dedication while I still at the system and every year they have a county event. I know other villages and cities do so something too, schools, but there is a very nice event down there its well-attended. I think they give out the Veterans of the Year awards there too make sure those veterans are recognized. So if we can't have something here Canton as the Stark County seat would be a nice place to go and attend to recognize our veteran's services. Okay, that's also the same day it will be Wednesday. That's all I have. Thank you.

COUNCIL PRESIDENT PETERS: Thank you. And I think Clearmont Elementary has their veterans services Wednesday morning as well and there will be plenty of veterans there. So Chuck if you have time stop by Clearmont Elementary it's a good time. Mr. Law Director?

22. Reports:

LAW DIRECTOR FOX: Yes sir I do recall the there was an event where I believe it was partnering with the YMCA that they closed the street down near the YMCA near Bitzer Park and they wanted to bring in the city to bring in trash cans so with the people milling about during that day that they just wouldn't you know place their trash any which way and apparently a city worker made a mistake and placed the trash cans there along the memorial. But I would hope that anyone here at this meeting and any resident that would notice that that wouldn't use that as an opportunity to simply take photographs and then use that for their own self-serving purposes. That I think that would be okay if you took the notion and moved those cans to an appropriate location or if you were upset because you saw children climbing on a veteran's memorial that you would speak to the parents. And if you believe that was consecrated ground that you would mention the significant of it and not again simply take photographs and then use that for your own self-serving purposes. In a better light I wanted to pass on you know sometimes when we have properties that do go into foreclosures nearly every occasion the city is not notified by the lender or the person that went into foreclosure we find out from a resident. And sure enough I received notice from a resident in the 4th ward and it was early Friday morning and I spoke with a gentleman there and he said "I think this there's something wrong

here it looks like the property has been abandoned; there's a screen door that's just hanging by a screw and the property looks as though it hasn't been maintained." And I said "you know that really sounds like a foreclosure" that even if someone abandons property we know how to track them down and find out who's actually responsible currently for that property. So I got off the phone with the gentleman I went to the recorders site looked it up found out that indeed it was in foreclosure and actually it just said sold barely two weeks prior to that. And from you know going through that information they are required the purchaser has to give a point of contact for that property that's in foreclosure. Unfortunately it was from a company in Texas there's a phone number there wasn't a name as a point of contact but that is a requirement a statutory requirement that you provide that. So I went ahead and passed that on to the superintendent of permits Eric Bowles asked that he you know contact that agency that's supposed to be responsible for it. And somewhat fearing the worst I was thinking that you know we would have to move quickly because it would probably continue to deteriorate with all the leaves coming down and so forth. But early this morning I received a call from the person that called me you know that had the concern and asked me to pass on their thanks because already early this morning there was a team of individuals repairing the screen door and cleaning up the property. So it you know doesn't work every occasion but here it is certainly one that it did work. And I've seen this company before as one that purchases distressed properties. So you know hopefully it's a move in the right direction that they're responding quickly and not you know compelling us to take them to court to take care of this property. Because now it clearly has turned over into their possession it went from the sheriff's sale, the deed passed and indeed that company owns that home they are now responsible for it. And thankfully they're willing to take care of it before they either rent it or you know sell it as a single family home. So thanks to Eric and his team and you know just proof positive that some of the ordinances that you do put in to make those things work in this case did timely work. That's it.

COUNCIL PRESIDENT PETERS: Thank you, Director of Finance.

FINANCE DIRECTOR ALGER: I want to thank the vets as well and congratulate every one of you guys for coming in. Look forward to working with Dan as finance chair. As I know he is with me. So and then after four years working with Mike Grimes the director we finally have new phones in our offices. So we are extremely happy. That's about it I think.

DIRECTOR GRIMES: Yeah, if you get hung up on its not on purpose it's everybody's learning the new phone systems. The elevator we hope will be up and working by the time you come back next Monday. We had a major repair there and it's not cheap but they've got to go in and fix it. So today they said they think they're going to have it back up and running by the end of the week. So but I'll wait to actually see it up and running. If you do any gas comparisons just make sure you go to the apples to apples make sure you're comparing the right things so that you know you got the terms and length and all that good stuff. So and if you can beat our price that's great I meant that's the voters wanted to have aggregation that's why we have it. And if you know if it keeps the price down or can find it somewhere else that's great you know. So we're lucky right now about the gas and that. So and from what we understand is the gas is here they haven't figured out a way to get all the gas out of this area. So we have a pretty good flood of gas so hopefully they won't figure that out for a while how to get it out of here and sell it somewhere else efficiently. I think its December 6th is the Christmas thing that's on a Sunday.

COUNCILMAN CERRETA: Sunday the 6th? What did I say the 8th? I don't know why I was looking at that... but it's a Sunday.

COUNCILMAN FONTE: How are we are we posting stuff around real good so everybody will know in the town?

DIRECTOR GRIMES: We're just getting the date we just got the date last week for sure us and then we have a meeting this next week with Doug Lane and the chamber to make sure we've got everything covered and that. I don't know did they chose the lights today at your meeting? They've had a couple test lights on Main Street which way they wanted to go...

COUNCILMAN CERRETA: Yeah, he told me that there were two on Main Street if you ever saw them. One's a neon kind of and they went for the softer one. That's all I heard. I don't...

DIRECTOR GRIMES: Yeah, I think you can see some of them over in Belden Village now at the entrance and they look pretty nice over there.

COUNCILWOMAN KIESLING: Chamber does it all, not us.

COUNCILMAN FONTE: Chamber does all that? Ice carving and something cool this year?

COUNCILWOMAN WERREN: Not us.

COUNCILMAN FONTE: Maybe Dave could be out there.

DIRECTOR GRIMES: Thank you sir.

COUNCIL PRESIDENT PETERS: Mr. Mayor?

MAYOR HELD: Yes, recently we had a the first tree planting for the Lions Club, the first one of 60 trees that will be planted. And that first tree is planted down by the softball field across the street from Price Park. And while you're down there looking at the tree and the little memorial rock that we have there for the Lions Club you can see the new baseball backstop it looks beautiful. Really, really nice. You know the other thing is too when you're driving by at 35 well 25 MPH not 35 not 35 it's amazing how big that area is. You don't realize it until you actually standing there you know go to Price Park frequently but on

the other side of the street in the baseball diamond not as frequently but a lot of land back there looks really nice. So we'll be planting some more trees next year. We're not going to plant anymore this year because it's getting a little bit too cold. Also we have I appreciate our councilmembers being here for the swearing in of Erin Cornell. That was actually a position that just opened up here recently; a full-time position. And she started out as an Akron University graduate recently in criminal justice, wanted to learn more about the criminal justice system so she started working part time as a dispatch. She did so well and they liked her so much we hired her full time in the police department. So we appreciate you folks being there. And then we also appointed Clint Zollinger the individual we had here Gary Fry is the Planning Commission appointee but also we have a vacancy on the Board of Zoning Appeals. And that it's Clint Zollinger who's a local attorney that lives in North Canton I believe over in Mark's neighborhood, right? Across the street from you or yeah right across the street. And Clint is going to be joining Bill Cline and I'll give you all a copy of the letter that Bill Cline had sent to Clint Zollinger explaining to him the role of the Board of Zoning Appeals, the deliberations and the guidelines for how a member of the Board of Zoning Appeals is to conduct themselves. Which I thought really was as something that is very helpful to people that are on the Planning Commission or the Board of Zoning Appeals. It really spells it out from a legal standpoint and then also just protocol. And then lastly we have our organizational meeting that has to take place December 1st, 2nd or 3rd which in this case is a Tuesday; 1st, 2nd and 3rd did not land on a Monday. So I was talking with our council president and we will hold the organizational meeting if nobody has any objections or problems with that on December 1st which is Tuesday at 6:30pm. And is that going to be followed by a council meeting or is that just we're going to hold the organizational meeting; that's certainly up to council.

COUNCIL PRESIDENT PETERS: To be determined right now.

MAYOR HELD: What's that?

COUNCIL PRESIDENT PETERS: To be determined.

MAYOR HELD: Okay, so there's no objections or problems with its either December 1st Tuesday, Wednesday or Thursday. So we thought that being close to December Monday which is Tuesday we'll do it at 6:30pm.

COUNCILMAN GRIFFITH: On the 30th is the fifth Monday so are we...

COUNCILWOMAN KIESLING: Yeah, we don't even need meet on Monday right?

COUNCIL PRESIDENT PETERS: Yeah, it doesn't look like we're going to have to have to right now. So...

MAYOR HELD: Alright, so really maybe what we can do is hold that a little bit we could hold it at 6 or 6:30. If you want we can hold it earlier.

COUNCILWOMAN KIESLING: Whatever you guys want to do.

COUNCILWOMAN WERREN: Yeah.

COUNCILWOMAN KIESLING: Even earlier.

MAYOR HELD: Yeah, I mean we can do it 5:30; let me know and then we can just set the time and...

COUNCILMAN FONTE: So do we want to pencil in December 1st then?

MAYOR HELD: Yeah, it's definitely December 1st I mean sometime after 5:30 we'll hold the meeting. And if you could talk with Jeff and then Jeff let me know you know we're flexible. Just want to make it easy for everybody. But really it will be a short meeting what we do is we you know we'll have the council president and the vice president appointed and the committees and more of a procedural meeting. No other items on the agenda right? (Right) Just that meeting. And then lastly the City of North Canton schools has applied for a grant with State Farm Insurance. And they're seeking \$100,000 and this is for their I believe it's for their communication department for equipment and so forth. I don't have all the details at this point. But there's two categories; one for small schools, one for large schools, North Canton is in the large schools. Category of 1 of 50 schools that have applied out of the country and we can get a link so that every day people are to vote. And the most votes that they get every day for the next couple of weeks is going to determine who the winner is. So that's really good news. We'll...

COUNCILWOMAN KIESLING: When will we get that link? Cause it's not come through schoology yet?

COUNCIL PRESIDENT PETERS: celebratemydrive.com.

MAYOR HELD: Thank you, Mr. President for that link there.

COUNCILWOMAN KIESLING: And you know we already got like a \$92,000 grant?

COUNCIL PRESIDENT PETERS: It's on my Facebook page and I'll send it to you guys as well. You can vote once day per email account so if you have a couple email accounts you can vote twice a day.

COUNCILWOMAN KIESLING: Yeah, or three email accounts; work, council, home.

MAYOR HELD: I mean it's obviously you know its promotional you know event for State Farm Insurance but it's also a great benefit for the City of or the schools of North Canton. You know \$100,000 is a lot of money.

COUNCIL PRESIDENT PETERS: Right.

COUNCILWOMAN KIESLING: Well and we did secure \$92,000 for their mobile tech van. So I bet this is going to contribute to that van.

COUNCILMAN FONTE: Which is cool.

COUNCILWOMAN KIESLING: Yeah, my youngest is in the video communications program.

MAYOR HELD: Yeah, that's right was it \$92,000?

COUNCILWOMAN KIESLING: Yeah, it's pretty awesome.

COUNCIL PRESIDENT PETERS: I think the van is paid for.

COUNCILWOMAN KIESLING: That's already done. So this is above and beyond.

MAYOR HELD: Oh, okay.

COUNCIL PRESIDENT PETERS: And it's pretty easy; once you get down you filter it by state so you pull up Ohio; once you come to Ohio it'll have all the schools and Hoover's the top one on the left. So it's pretty easy.

MAYOR HELD: You know it really is when you go to when you hear people talk about the studio at North Canton I mean it's a first rate studio. All that equipment is all professional equipment that was donated even the I think the stand or the set is News Center 8 or Channel 5. Yeah, I mean it's a beautiful set. Tom Wilson and his crew down there it's just impressive. And the kids are very professional. So...

COUNCIL PRESIDENT PETERS: But we in turn donated the old set to was it GlenOak High School? Yeah, so it has been repurposed and they're off and running. Yeah.

MAYOR HELD: I mean you can't some of the students I've been told when they go to their college their college communication program is not as good as North Canton's. It's just first rate. So it's you know just another thing that if you can get on there and vote every day for a while a few weeks I think it's a couple of weeks it would be good for the city. That's all I have.

COUNCIL PRESIDENT PETERS: Thank you. Madame Clerk?

COUNCIL CLERK BAILEY: I just have a couple items. First off I will be hosting a civil service exam for a captain's EMS/Fire Department on Friday, December 4th at 1:00pm. And also the company that we've worked with for years to administer the exams has decided to retire. So I'm not taking it personal I know it has nothing to do with them working with me. So we will be looking into other companies.

23. Final Call for New Business:

24. Adjourn:

COUNCIL PRESIDENT PETERS: Okay, outstanding. Yeah, and unfortunately the fun doesn't end with this meeting we have one after this. So with that I'll entertain a motion to adjourn the council meeting.

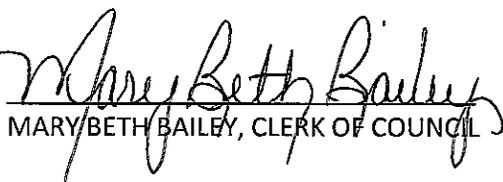
COUNCILMAN CERRETA: So moved.

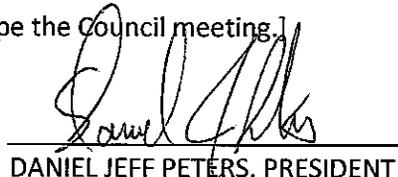
COUNCILMAN GRIFFITH: Second.

Roll call vote of 7 yes to adjourn.

COUNCIL PRESIDENT PETERS: We are adjourned.

[Let the record reflect Charles Osborne set up a tripod and appeared to videotape the Council meeting.]


MARY BETH BAILEY, CLERK OF COUNCIL


DANIEL JEFF PETERS, PRESIDENT