

MINUTES FROM COUNCIL MEETING  
CITY OF NORTH CANTON  
MONDAY, SEPTEMBER 25, 2017

1. Call to Order

**COUNCIL PRESIDENT PETERS:** Alright, I'd like to call to order the Council Meeting Monday, September 25, 2017, 7:00 p.m. Opening prayer, Reverend Mel Lindberg, United Methodist. Reverend Lindberg here? No, Mark would you like to lead us?

2. Opening Prayer – Councilman Cerreta gave 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.

Also present: Mayor Held, Director Grimes, Administration Services Director DeOrio, Law Director Fox, Engineer Graham, Fire Chief Bacon and Finance Director Brown.

5. Consideration

**COUNCIL PRESIDENT PETERS:** Thank you. For your consideration may I have a motion and a second to approve as presented:

Financial Statements: August Month End Reports  
Mayor Court Receipts: August 2017

**COUNCILMAN FOLTZ:** Motion to approve as presented.

**COUNCILMAN CERRETA:** Second.

Roll call vote of 7 yes to approve the above reports and receipts.

**COUNCIL PRESIDENT PETERS:** Thank you very much. Next up, we have a presentation by our Finance Director Laura Brown. She's joined here by her staff tonight. It's yours.

6. Presentation by Finance Director Brown

**FINANCE DIRECTOR BROWN:** Thank you, sir. I'm going to turn it over to our representative from the Auditor of State, first. If Lindsay wants to come on up.

**LINDSAY COON:** Well, good evening. Thank you for having me. My name is Lindsay Koon, and I am here on behalf of Auditor, Dave Yost, the great Auditor of Ohio. I'm actually, I'm quite honored to be here this evening. I am actually here to bring Ms. Brown and her Finance team the highest achievement that can be awarded from our office. We audit about 5,900 government entities across the state of Ohio. But very few actually receive an award, let alone qualify for what we refer to as the Auditor of State Award with Distinction. I'm just going to read the juicy parts of the letter from the Auditor. And I always like to clarify this isn't a shake down. Because I feel like people here, I'm from the Auditor's office, and they turn off their ears, because they think I'm here for bad news. But, what this actually means, is that you did have a clean audit, but it didn't contain any findings for recovery, material citation, material weaknesses, significant deficiencies, or questionable costs. So, you know, a lot of folks don't really realize what all is involved in an audit process. It is, of course, the crunching of the numbers, and making sure everything reconciles. But there are a lot about compliance. And you are all very fortunate to have your fearless leader here, who is an expert at her craft. And how also leads an incredible team, year after year. So with that, I would like to present this award to you, Ms. Brown and your staff.

At this time, the award was presented to Finance Director Brown along with the staff from the Finance Department.

7. Recognition of Visitors:

**COUNCIL PRESIDENT PETERS:** Alright, very good. Congratulations to everyone, feel free, you don't have to stay for the whole meeting. I know you have busy things to do tonight. Alright at this time, if you wish to address Council please step forward, state your name and address.

**CHUCK OSBORNE:** (read from a prepared statement) 307 Fairview Street SE, North Canton, Ohio. Five years ago, Mayor Held's Director of Permits and Development Eric Bowles authorized the abatement of property taxes for a 40 unit apartment complex

on North Main Street called North Ridge Place. The authorization by Mr. Bowles was done behind closed doors, remained secret for nearly three and one half years. The abatement of property taxes for the investors in North Ridge Place amount to nearly \$1 million dollars. I think everyone will agree, that Mr. Bowles usurped the authority that City Council gave him by ordinance when he secretly approved the property tax abatement for North Ridge Place. Denials by City officials that they had no knowledge of the abatement is laughable. Especially from North Canton's Law Director Tim Fox. Since Mr. Fox became Law Director in September of 2012, two months before Mr. Bowles submitted the North Ridge abatement to the Stark County Auditor's Office. Mr. Fox has gained knowledge and control of every aspect of city business, and usurp control over everything that transpires in North Canton City government. I have no doubt that Mr. Fox provided guidance and support to Mr. Bowles in November of 2012 with regards to the closed door approval of the North Ridge tax abatement. Thus you usurping the authority and intent of legislation passed by City Council. It is unfortunate, but a citizen cannot receive a public record from any office in the City without knowledge and approval of Law Director Tim Fox. Law Director Tim Fox has his fingers into every nook and cranny of North Canton City government. And nothing happens without his knowledge, or his approval. A more recent example of Law Director Fox's usurping the authority of City Council. Is the path that he has chosen to follow in the possible rezoning of the Fieldcrest property? Why did Law Director Fox not give City Council an opportunity to choose between having the City hire its own consultant to write the zoning code for Fieldcrest, instead of asking the property owner to write the zoning code for the City? An independent unbiased land use planner hired and paid for by the City and responsible to the City could have been an option City Council might have chosen. But seemly that choice was not available as Law Director Tim Fox took the right away from my elected representatives when he failed to allow City Council to make this decision themselves. Instead at last Monday's City Council meeting, Council was reviewing a proposed zoning code written by a consultant hired by the property owner. And at that same meeting North Canton's Law Director became a lobbyist on behalf of this property owner, and further began urging expedited approval of the rezoning. Law Director Fox has guided this whole process and for some reason City Council is oblivious to what is going on before their very eyes. Mr. Fox is taking from the citizens of North Canton any semblance of representation or government. Concerns have been raised by citizens that the rezoning of Fieldcrest would be spot zoning, and I concur. Law Director Fox rebutted that assertion last week with his pronouncement that Fieldcrest property was unique. Thus qualifying the property for a change in zoning from residential to a meaningless zoning classification called Fieldcrest, which is being pulled out of thin air, and does not represent the use truly intended for the property. I would like an independent assessment from a land planner regarding whether a rezoning from residential would indeed constitute spot zoning. Fieldcrest is but a portion of what was once property owned by the Hoover Company. It is surrounded by Auburn Knolls and Monticello, all residential properties, and all cut from the original Hoover Company property. These developments are the most expensive residential properties in the City of North Canton. And now you want to create a commercially zoned property, and call it something other than what it truly will become if this zoning request comes to fruition. North Canton City Council must function as representatives of all of its citizens. City Council members must act and think for themselves. Please reclaim for yourselves, your role as representatives of the people. Stop letting Director Tim Fox usurp your authority in the proposed rezoning of Fieldcrest. Thank you.

**COUNCIL PRESIDENT PETERS:** Thank you, sir. Alright, anyone else wishing to... yes, ma'am.

**SANDY LANGE:** I'm director of the North Canton Public Library, 185 North Main Street. Next door neighbors. I also currently serve as president of the North Canton Rotary. And I've read Council's rules and agree to abide by them. I'm always careful about that. I appreciate the opportunity to share my concern regarding the proposed Ordinance No. 81 – 2017, regarding the use of City owned facilities, including picnic shelters. I, first of all, want you to know how much I have appreciated the City's administration, City employees, and elected officials. And supportive you've always been for the events that we have planned for the library. As you likely know, the library has hosted a series of three family film Friday nights in City Park since 2013. These events attract an average of 400 to 500 attendees each time. This past summer we saw our largest crowds. This series has become a true community partnership with involvement from local businesses, and other nonprofits, as well as the City. Each year we call and reserve the pavilion in Witwer Park, which the Lions Club built, for each of the dates. We request a parade and an assembly permit, hire an off duty North Canton police officer, get extra port a potties. And everything to make sure that we do a nice event for the community. We also include the City of North Canton as a partner in advertising for this series, because we see this as a true partnership. In total, it costs the library nearly \$1,000 in one-time expenses for each event. Our partners also have many costs of their own, when we are doing these types of things. We're happy to put in the time and the resources for these events. Because they enhance the quality of life for the North Canton community. Everything is free at our events. We believe that every family needs to have the same experience regardless of financial restraints. In the past, we have had sponsorships to help defray the cost. But we're never certain that we're going to get those sponsorships. We feel strongly that increasing the cost for North Canton nonprofits to stage community events in parks will discourage local organizations from sponsoring these types of events. I understand the need for changing current ordinance to address nonprofit use, by organizations that are not based in North Canton. But an exemption from rental fees for those of us that have, as our mission, service to the residents of North Canton, only makes sense and allows local groups to continue to partner to provide quality activities for North Canton residents. I really appreciate your time, and thank you very much for your consideration.

**COUNCIL PRESIDENT PETERS:** Thank you, Sandy. Alright, anyone else wishing to address Council, please step forward state your name and address.

**JEREMY MIKA:** I live at 402 Adena St. I'll keep it short. Thank you guys for your help. My wife made you buckeyes for all your help. So I just appreciate you guys taking care of Controlled Powers and the noise. Thank you.

**COUNCIL PRESIDENT PETERS:** Thank you, sir. Alright, anyone else wishing to address Council, please step forward. Okay, seeing none, we will move onto old business. May I have a motion and a second to read by title only the third reading of Ordinance No.

78 – 2017?

**COUNCILMAN FOLTZ:** So moved.

**COUNCILMAN CERRETA:** Second.

Roll call vote of 7 yes to read by title only the third reading of Ordinance No. 78 - 2017.

8. Old Business

9. Ordinance No. 78 - 2017 Personnel and Safety Committee

An ordinance amending Section 20 COMPENSATION, of Chapter 155 Personnel Regulations of Part One - Administrative Code of the Codified Ordinances of the City of North Canton, in accordance with North Canton Ordinance No. 5 - 2017, to rename the classification of "Director of Permits and Development" to "Director of Community Development."

**COUNCIL PRESIDENT PETERS:** Yes, this is just to reflect a change in duties, and additional to duties, and that type of thing. So if there's no further questions, I'll entertain a motion and a second to adopt the third reading.

**COUNCILWOMAN KIESLING:** So moved.

**COUNCILWOMAN WERREN:** Second.

Roll call vote of 7 yes to adopt the third reading of Ordinance No. 78 – 2017.

ORDINANCE NO. 78 – 2017 WAS PASSED BY A ROLL CALL VOTE OF 7 YES.

**COUNCIL PRESIDENT PETERS:** Alright, thank you, onto new business. May I have a motion and a second to read by title the first reading of Ordinance No. 81 – 2017?

**COUNCILMAN FOLTZ:** So moved.

**COUNCILMAN CERRETA:** Second.

Roll call vote of 7 yes to read by title on the first reading of Ordinance No. 81 – 2017.

10. New Business

11. Ordinance No. 81 - 2017 Park and Recreation Committee

An ordinance establishing rental rates and policies for the rental of City owned facilities or portions thereof, located within the municipal corporation limits of the City of North Canton, Ohio, repealing Ordinance Nos. 21-08, 47-10, 19-11, 31-13, and 45-16, and any and all legislation inconsistent herewith.

**COUNCIL PRESIDENT PETERS:** Alright, thank you. Chairman Foltz.

**COUNCILMAN FOLTZ:** Yeah, thank you. Appreciate Sandy Lange's comments, hopefully she's still here. Okay, thank you. I couldn't see over the podium. Those are very valid points you're making. I would consider that a co-sponsor event with the City. Obviously, we don't want to harm any of our great organizations that reside within the city limits. And I'll have Mr. DeOrio weigh in on some other pertinent information we might need. Because I know there's some concerns with that. I think some of the Councilmembers have heard "where's our status with this whole process?"

**COUNCILWOMAN WERREN:** I think there was just some clarification.

**COUNCILMAN FOLTZ:** Yeah, just clarification. Maybe he has more numbers he can share with us. But the thing we don't want to do is hurt the organizations that really contribute to us. I think, you know, we're looking overall, I think, here again and Pat did a great job at looking at this. He spent a lot of time on it. And, you know, whenever you change anything, there's going to be some other comments, or things we need to think about. And obviously it's first reading tonight. But just before Pat gets started, I went down and I looked at our shelters, at last at Price Park. And those are top of the line shelters. You know, I've been in parks for years and, you know, there's four of them. I don't know which two we probably allowed nonprofits to use at no charge currently, before we looked more into this ordinance. Maybe its Price Park I & II, but even its Fitzpatrick shelter. There's 18 six foot tables and six outlets in that. That's more of an octagon gazebo shaped shelter. That's the one furthest west. The other two are newer shelters. But there's 8 eight foot tables, two grills, four outlets, perimeter concrete poured around it. So, you know, when you look at any shelter in any park, these are a 9.5 out of 10. Only because there's some age on them. These are very well put together shelters and plan shelters. And, of course, the Fitzpatrick, that was in 2006, and there's six outlets there, and two grills and 18 six foot tables. So they're equipped to handle a fairly large amount of people at those

shelters. Even the ones we're discussing now that are probably used at no cost to some of the nonprofits. So, I just wanted to give some background to Council on that. At least those four shelters at Price Park, and what a beautiful park we have. I mean everything was tennis, I mean everything was going on tonight when I stopped down a little before our meeting. And I'm very proud of all our parks. And the support that this Council, and administration have spent, I mean supported, and the financial money we've set aside for our parks to upgrade them. And I think the future is really bright, and maybe possible future improvements as we know. So with that, Pat, do you want to weigh in? And the Member Cerreta.

**ADMINISTRATIVE SERVICES DIRECTOR DEORIO:** Well, certainly respect the decision that Council would make, as I mentioned last time in the presentation. First thing I wanted to make sure that we understand, is that this didn't apply to anything that was cosponsored. So the movies in the park, does apply. If it was a facility that was association with the Main Street Festival, or the Memorial Day Parade, or all these other different things where we are actively engaged in support of that. Because it reaches a greater purpose. That was not the intent of what we talked about. It was more directed towards nonprofits that are coming in from out of the area, out of the county, to come into here and get a free facility. Because they're great facilities. And so that was the first part. And the second part, I'm not sure, you know, it was made clear outside of the hall, is that this only applied to the picnic shelters. This legislation. So it didn't apply, we already had the existing legislation limited the nonprofit, extending the free rental to just the picnic shelters. And it was, we have over the years, then developed that it was towards pavilion 1 and pavilion 2, or picnic shelter 1 and 2 at Price Park. Is where they have been directed. Because they're not the premiere shelters there. So again, most of the shelters rentals are, I said last week, two-thirds are coming from outside the City. And about 40% of those that are outside are nonprofits. So it gets a lot of play. And it's just something to consider, as you recall, we did have different verbiage in there that Council could consider or however they wanted to do. I did not think that it was that significant of a cost to those other individual nonprofits. I certainly addressed Ms. Lange's concerns as it relates to community events. Definitely working with them. It doesn't make any sense to do that in essence, you know, paying it ourselves. But I don't know if that gives it a little more color to where you would want it. But I just wanted to make sure that I let everybody know that was not the intent. And not everything can be printed in the newspaper, or something like that. They did a very good job of covering it. But there's just so many nuances to it. But...

**COUNCILMAN FOLTZ:** Any other comments? Mark?

**COUNCILMAN CERRETA:** Yeah, and this is how it should work. I had mentioned that. You know, Pat did a fabulous job with this, presenting it. And as we go through stuff like that, that's where the growing pains start, and we get to hear from people, like Sandy. Which we're honored to have you here. And I got a call from the YMCA too. Because they like to use these things. And I do think we need to look at that. Because, you know, anything, any time that we get an opportunity to reduce a little bit of cost to the people who pay our taxes. And in this case, it's nonprofit. These are people, some of these people are giving thousands of dollars to us. Whether its trees, or something like that. I can't see turning around and charging them \$45.00 for a shelter, even if they want to use it. Not that they use it a lot. So I'm just proposing that we maybe kind of work into that a little bit, and maybe add maybe nonprofit whether it's in the City or whether it's back to that 50%. And maybe put a limit on, you know, if we're worried that they're going to use it overly, you know, all year long. Maybe put a limit on how many times. You know, I don't know how many times, four times a year, they do their wonderful things down there. So maybe we do consider, you know, allowing the folks in North Canton, and I don't know how you would say that, Pat. You know, or how, if it would be 50% or just nonprofits that are located in the City. I mean, we'd have to look at that. But that's kind of a good idea for us to look at. And, you know, maybe put a limit on how many times, so that there's not someone that doesn't come in, or gets it for someone else. Who knows how, what people do? And they can only get it a maximum certain amount of time. So that's just a thought. A little discussion maybe.

**COUNCILMAN FONTE:** I think the people that work in the city or help the city, like the movies, that services 400 – 500 kids. I mean that's a no brainer. So anything like that it should be the exemption.

**COUNCILWOMAN WERREN:** Do you think it gets hard, though.

**COUNCILWOMAN KIESLING:** But it is, it's a cosponsored function. That is exempt.

**COUNCILMAN FONTE:** I mean, I'm just saying, maybe we just didn't know.

**COUNCILWOMAN WERREN:** So Stark County has 1,800 nonprofits. So, do we run the risk of, I mean, there's just a lot of nonprofits. And whether it's this Little League, or this Boy Scout troop, or this Girl Scout.

**COUNCILMAN CERRETA:** That's why I'm saying for it to be North Canton associates.

**COUNCILWOMAN WERREN:** Right, but I'm still saying that could be very significant.

**COUNCILWOMAN KIESLING:** What about every booster club in Hoover High School? Do you know how many booster clubs there are?

**COUNCILMAN CERRETA:** That's why you put a limit on it.

**COUNCILWOMAN WERREN:** Yeah, but four times.

**COUNCILMAN CERRETA:** I didn't say four, but anytime you want to talk about it... .

**COUNCILWOMAN KIESLING:** Well, let's say there's 15. That's 15 events that they all decide to use, I'm not saying they will, but... .

**COUNCILMAN CERRETA:** Well, how many times do they use it now? I mean, we're talking about, I mean, we could pull weeds all day long on this. But we're not talking about a lot. But, with the wording of it, the courtesy of that to people who give us, you know, who work in the city and put a lot of time and effort into giving back to the city. At really no cost at all, you know, to us. We give back to them.

**COUNCILWOMAN KIESLING:** How do you define that?

**COUNCILMAN GRIFFITH:** That's it, that's exactly what we need to do. So the existing language, Pat, is that we give an exemption, the 501C3 associated with the city, because it's interesting language. Are provided those currently at no cost. Is that right?

**ADMINISTRATIVE SERVICES DIRECTOR DEORIO:** That is correct.

**COUNCILMAN GRIFFITH:** So in order to, this would take that away. So my question is, how many, and you mentioned this before, so currently how many, you mentioned this before, so currently how many nonprofits utilize the rentals?

**ADMINISTRATIVE SERVICES DIRECTOR DEORIO:** Well, currently the definition of a nonprofit is anyone that exists in the world any place.

**COUNCILWOMAN WERREN:** Yeah.

**ADMINISTRATIVE SERVICES DIRECTOR DEORIO:** That's what you have now, and that's why you're getting so many rentals from outside the area.

**COUNCILMAN GRIFFITH:** And what's the number? I mean, and I understand if you don't have the number off the top of your head. But what's the number of free rentals that we're giving as a portion of the total?

**ADMINISTRATIVE SERVICES DIRECTOR DEORIO:** Well, what I, it's an unfair question, but it's a... .

**COUNCILMAN CERRETA:** Yeah, you don't need to answer that. But the issue was, people from outside were coming in and bogging up the whole shelter. So other people could not pay for it. Right? That was the whole issue? Yeah, so let's don't get caught up in this. So what we're trying to do is make it easier for the people that live in the city, that are nonprofit to do with it without that traffic jam of other folks outside the city.

**COUNCILWOMAN WERREN:** I just think we're still going to get bogged down. Think there's 50 different clubs that could say that. In the nonprofit world, which I work all the time. And we have collaborations and partnerships with so many. We work with the symphony all the time, and let them come speak. They spread the word, I still, as a nonprofit, I paid for that facility to rent it. And I expect to do that with a nonprofit. And I think there's a lot of fees that are associated with a lot of things that people put in. And they expect that, a small nominal fee of \$45.00, when Doug just said how great these facilities are. Isn't that much for a lot that might not have that direct one on one association. The library, the Y, those are no brainers. We work with them on a day-to-day basis. But there may be different entities that don't have that relationship.

**COUNCILMAN FONTE:** Maybe Law Director Fox might have some input on that.

**LAW DIRECTOR FOX:** Well, according to Mr. Osborne, I'm in charge of everything. So listen up. To be honest, Patrick DeOrio has done a yeoman's job on this, and has put a great deal of attention toward that. I think he would be the best person to opine on that. But in regard to the use of nonprofits, it does offer it open to really anyone. And as I had mentioned before, simply because it's a nonprofit doesn't necessarily mean it's for the greater good. Doesn't mean it's charitable. It simply means they're not out for profit, sell stock, dividends, so forth. They're a nonprofit organization. They might pay their staff tremendous salaries, and they're still nonprofit. But again, I think Patrick's probably in the best position to opine on the number of times that it's utilized. And the efficacy of being able to continue that. Especially when he had mentioned that we have nearly, in some of these areas, and in some 100% occupancy rate. So once someone reserves one of those facilities, it's unavailable for someone else then. That may wish to pay for that service.

**COUNCILMAN CERRETA:** Well, we always have the ability to change it. If someone starts taking advantage of it. But the idea is, I mean, the ideas are the things that we need to follow that are good. If people start taking advantage of that, then when we switch it. But to just come out and just say you know, we're going to cut everybody. Even the people that live in North Canton that are nonprofit. Or not live here, but actually run their nonprofit. You're talking Lions, Rotary, you know, YMCA, Little League. Things like that, that people that do want to use it. So once again, we're at that point, where we're doing something different to hurt the people that are doing it right. So we, you know, make sure that those people that aren't doing it right, are out.

**COUNCIL PRESIDENT PETERS:** I have a question. To Sandy's point, or question earlier, we've addressed that, they're exempt on all cosponsored events. So her concerns, the changes that we have in here now proposed, won't affect her at all.

**COUNCILMAN CERRETA:** If its city related. Right.

**COUNCILMAN GRIFFITH:** Or the Y.

**COUNCIL PRESIDENT PETERS:** Well I propose this, this is not under emergency, we're having three readings. If we want to discuss this further in next week's committee.

**COUNCILMAN FOLTZ:** Right, that was going to be my suggestion.

**COUNCILMAN CERRETA:** That's a good idea.

**COUNCILMAN GRIFFITH:** And Pat, would you be kind enough to, I think it would be worth looking to see if this is a problem. You know, do we have a lot that are being locked out. Is it an issue that needs to be resolved? And could it be one resolved simply by putting a limitation in place about number of times that an entity could use it. I mean, let's not kill a bee with a bazooka here.

**COUNCILMAN FOLTZ:** Mayor, do you have something to say?

**MAYOR HELD:** Yes, actually it reminds me when I was city administrator years ago. And we were issuing, you know, people could park on the street. Right? Because there was a construction project. And so one resident parked on the wrong street, and they were given a parking ticket. And so it was the first parking ticket that I ever forgave. Because, you know, rightfully so. We did tell the lady that she could park on that street. It was over by Willaman Avenue. So I went and I told Mike Grimes, the police chief, I said "I'm going to forgive this parking ticket, and its only \$5.00. Not that big of a deal." And Mike Grimes, at the time said "you should have paid for the \$5.00 ticket yourself." And that was the last time that I ever forgave a ticket. And so the thing is, what we've learned from this, and we also saw it with water. When we first started, for those Councilmembers that have been around. We didn't have a water meter on city hall for years. We didn't have a water meter on the school's football field. We didn't have a water meter on government buildings throughout the whole area. But we were having like a 30% water loss. We couldn't even tell whether it was through a leak, or whether it was through just water that's being used. That wasn't metered. So now that we have our award winning finance department. I'm sure that, I know, that you like to account for, that's why we have a clean audit. So the one thing that I would say is that, and this is just from what we've learned this the hard way. Is there has to be a process. To account for everything that we do. And if we can do, like Sandy at the, when you had the collection, the recycling collection. And we worked with, with, and it turned out very well. And we were able to get you grant money for that. And so, and I think if we look at the nonprofits that cosponsor events with the city, I think most of the nonprofits, you know, we'll be able to work through that. One of the areas that, and I know Mark, you had mentioned about the nonprofits. It starts to get, because you went through this too, with the rentals over the Dogwood shelters, over the nonprofit, or just the booster clubs that aren't nonprofits. And that then became a problem. So, I would say there's two things that we have to do. One, we definitely have to account for everything that we do. We just have to. There has to be a price whether we, it's paid for through grant money, or, but we've got to somehow account for. Because I know, and it sounds like a little bit like I'm being cruel, but it's just to keep order. So that we can measure our performance. And... .

**COUNCILWOMAN WERREN:** No, I think it's the normal procedure. And we're talking about our portico out here, and infrastructure. That is infrastructure. If that is one of our selling points, that we have to have money to keep paying for it. You know, and the other thing with nonprofit, it's not just the local ones. I mean, all of a sudden, we had Meals on Wheels. You all read about it. It was a fabulous event over there. Meals on Wheels. They're not housed here, but they service many North Canton residents. Just like many nonprofits. I mean many nonprofits, have gone to the regional approach. So then, all of sudden, well would they qualify for free? So, I mean, there really has just has to be a standard, and we follow the process. And those are partners, you know, maybe they are exempt, or it's a lower cost. But, there is a cost to upkeep these facilities. I mean, we put it in our budget. We voted on these things. And it's so minimal, \$25.00 for \$45.00, is just a minimal cost. You know, just like our pool. And so we do have many services to our residents. This isn't to hurt them, and I don't think that was the right wording. These are just fair costs.

**COUNCILMAN FOLTZ:** No, I agree. We'll bring it back. But like I said, I said after this both, after the committee there was going to be some feedback here. Because I knew... and we discussed it. And Pat did a great job at the park board meeting. But absolutely so, we sat here and looked at every group that would come in and use Dogwood. I've eluded to this before. And they're all great causes, but if you let one do it, how do you turn down anybody else? Because they all are doing good things in the community. They have City residents that are part of that group. So let's look... .

**COUNCILMAN CERRETA:** Let's look at this for picnic shelters. This did not include Dogwood.

**COUNCILMAN FOLTZ:** Well, that's where the picnic shelters came into. Because we gave them an opportunity to use those as a nonprofit for no charge.

**COUNCILMAN CERRETA:** But, this wasn't including Dogwood.

**COUNCILMAN FOLTZ:** No, but that's where this started. That's where it started years ago.



**COUNCILMAN CERRETA:** Second.

Roll call vote of 7 yes to read by title only the first reading of Ordinance No. 83 - 2017

13. Ordinance No. 83 - 2017

Personnel and Safety Committee

An ordinance amending CHAPTER 135, DEPARTMENT OF FIRE AND EMERGENCY MEDICAL SERVICE, specifically Section 135 Personnel, Subsections 135.03(a) and (b), of the Codified Ordinances of the City of North Canton, to increase the maximum limit of full-time Emergency Medical Technician-Paramedics from no more than six, to no more than eight, repealing any and all legislation inconsistent herewith, and declaring the same to be an emergency.

**COUNCIL PRESIDENT PETERS:** Alright, finance director addressed this as well. By actually adding two more fulltime positions, we could be, we will be saving money. Okay, and we have the fire chief here, if anyone has any questions for him or finance director.

**LAW DIRECTOR FOX:** Last week, while we had the discussion, there was a bit of discussion regarding the number of part-time employees. That we have in fire and EMS. And that our fire chief, Chief Bacon, every two weeks juggles with a schedule. I had in my mind the number that we were working with a couple years ago in collective bargaining negotiations. And I was going to give it, but I thought well that number is so high, I think I might get that wrong and it may have changed. The number in my head was approximately 60 part-timers. And I spoke with the chief last week, and he said that was about the number. And right now it's down to about 50. But, 50 is quite a remarkable number of people that the chief every two weeks builds a schedule to cover fire and EMS that indeed are providing lifesaving services. And all the while, trying to manage, and track hours for the Affordable Care Act, regarding our health care insurance. So that's quite a job that he is doing, in addition to running, you know, emergency services for us. I think this is going to be at least in some way a benefit to try to reduce some of those part time hours.

**COUNCIL PRESIDENT PETERS:** Yep, I would agree. May I have a motion and a second to adopt the first reading of Ordinance No. 83 – 2017?

**COUNCILWOMAN WERREN:** So moved.

**COUNCILMAN FOLTZ:** Second.

Roll call vote of 7 yes to adopt the first reading of Ordinance No. 83 – 2017.

**COUNCIL PRESIDENT PETERS:** May I have a motion and a second to suspend the rules of Council for three readings for Ordinance No. 83 – 2017?

**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. 83 – 2017.

**COUNCIL PRESIDENT PETERS:** Thank you. May I have a motion and a second to adopt under suspension of the rules for Ordinance No. 83 – 2017?

**COUNCILMAN GRIFFITH:** So moved.

**COUNCILWOMAN KIESLING:** Second.

Roll call vote of 7 yes to adopt under suspension of the rules for Ordinance No. 83 – 2017.

ORDINANCE NO. 83 – 2017 WAS PASSED BY A ROLL CALL VOTE OF 7 YES.

**COUNCIL PRESIDENT PETERS:** Alright, thank you. May I have a motion and a second to read by title only the first reading of Ordinance No. 84 – 2017?

**COUNCILMAN GRIFFITH:** So moved.

**COUNCILMAN CERRETA:** Second.

Roll call vote of 7 yes to read by title only the first reading of Ordinance No. 84 – 2017

14. Ordinance No. 84 - 2017

Street and Alley Committee





**COUNCILMAN GRIFFITH:** So moved.

**COUNCILMAN CERRETA:** Second.

Roll call vote of 7 yes to read by title only the first reading of Ordinance No. 86 – 2017

16. Ordinance No. 86 - 2017

Finance and Property Committee

An ordinance authorizing the reclassification of funds of the City of North Canton within various budget line items and authorizing the supplemental appropriation of funds of the City of North Canton, to be appropriated from the unappropriated resources of the General Fund for the current expenses during the fiscal year ending December 31, 2017.

**COUNCIL PRESIDENT PETERS:** Thank you, Chairman Griffith.

**COUNCILMAN GRIFFITH:** I would characterize this as a clean-up resolution. We need, we had some funds that were a little overspent, and we took money from some of the other areas. We're just making sure that's its clean, so that we can win some awards next year, as well. Laura, is that a fair characterization?

**FINANCE DIRECTOR BROWN:** That's correct.

**COUNCILMAN GRIFFITH:** And this is obviously a sister ordinance to 87 – 2017, which essentially does that reclassification as well. Yes, alright. So I would move its approval.

**COUNCILWOMAN KIESLING:** Second.

Roll call vote of 7 yes to adopt the first reading of Ordinance No. 86 – 2017

**COUNCIL PRESIDENT PETERS:** Motion and a second to adopt under suspension of the rules Ordinance No. 86 – 2017.

**COUNCILWOMAN KIESLING:** So moved.

**COUNCILMAN GRIFFITH:** Second.

Roll call vote of 7 yes to adopt under suspension of the rules Ordinance No. 86 – 2017.

ORDINANCE NO. 86 – 2017 WAS PASSED BY A ROLL CALL VOTE OF 7 YES.

**COUNCIL PRESIDENT PETERS:** Alright, thank you. May I have a motion and a second to read by title only the first reading of Ordinance No. 87 – 2017?

**COUNCILWOMAN KIESLING:** So moved.

**COUNCILMAN FOLTZ:** Second.

Roll call vote of 7 yes to read by title only the first reading of Ordinance No. 87 – 2017

17. Ordinance No. 87 - 2017

Finance and Property Committee

An ordinance authorizing the reclassification of City of North Canton funds within various city budget line items for current expenses during the fiscal year ending December 31, 2017.

**COUNCIL PRESIDENT PETERS:** Thank you, Chairman Griffith.

**COUNCILMAN GRIFFITH:** Again, this is to make sure the books are clean through the end of the year. I would move its approval.

**COUNCILMAN CERRETA:** Second.

Roll call vote of 7 yes to adopt the first reading of Ordinance No. 87 – 2017

**COUNCIL PRESIDENT PETERS:** Motion and a second to adopt under suspension of the rules Ordinance No. 87 – 2017.

**COUNCILMAN FOLTZ:** So moved.

**COUNCILMAN GRIFFITH:** Second.

Roll call vote of 7 yes to adopt under suspension of the rules Ordinance No. 87 – 2017.

ORDINANCE NO. 87 – 2017 WAS PASSED BY A ROLL CALL VOTE OF 7 YES.

**COUNCIL PRESIDENT PETERS:** Okay, thank you. At this time, I was going to add this.

**COUNCILWOMAN KIESLING:** Why, this is a Council meeting? Let's wait till Committee.

**COUNCIL PRESIDENT PETERS:** You wait till the Committee?

**COUNCILMAN FOLTZ:** That was my suggestion.

**COUNCILWOMAN KIESLING:** It's my committee, and that's where I'd like it.

**COUNCILMAN FOLTZ:** That's even better.

**COUNCILWOMAN KIESLING:** Thank you.

**COUNCIL PRESIDENT PETERS:** It's your committee?

**COUNCILWOMAN KIESLING:** Anything zoning is my committee.

**COUNCIL PRESIDENT PETERS:** Okay.

**COUNCILWOMAN KIESLING:** Right, I'm doing Fieldcrest. So, my committee, it goes on Committee.

**COUNCIL PRESIDENT PETERS:** You got it. Never mind. Alright, thank you. Reports, Member Fonte.

18. Reports - Council

**COUNCILMAN FONTE:** I'd like to mention that there's a gentleman in the back of the room, Justin. He's Red-Tail Aerial Imaging Photography. And he's going to be out and about. You'll notice him in the parks doing some aerial photography. In the spirit of better communication and creating a better marketing for North Canton, he's going to be giving us some good stuff to look at. For the fall foliage and whatnot. So if you see anybody, or anybody calls you, it's not a crazy man. It's a nice young man, Justin Dearing. Right, Justin?

**LAW DIRECTOR FOX:** Does he have a drone?

**COUNCIL PRESIDENT PETERS:** Yeah.

**LAW DIRECTOR FOX:** Were you doing the parking lot next door last week, I believe about 8:00 a.m.?

**COUNCILMAN FONTE:** So he's, so basically, you know, the whole goal is to get this stuff refined and on the website. So we have good information as we move forward with better communication. And better technology. Thanks to everybody's support.

**COUNCIL PRESIDENT PETERS:** And you're work is outstanding, by the way. I'm a huge fan. Alright, well it's nice to meet you.

**COUNCILMAN FONTE:** I'm good. Thank you.

**COUNCIL PRESIDENT PETERS:** Alright, Member Werren?

**COUNCILWOMAN WERREN:** I just mentioned the Meals on Wheels event. And it was really neat to have something different over at Hoover Park. And people loved it over there, and said what a cool venue it was. I actually met the marketing director, and they were looking at stopping the regular auction, and they did that instead. So that was very cool. The island is gone. So we, we don't have to talk about it anymore, I guess. So, thank you, for everybody that commented, good and bad. It's no longer. So, thank you, to the Administration and Rob, for listening. Thank you.

**COUNCIL PRESIDENT PETERS:** Member Kiesling.

**COUNCILWOMAN KIESLING:** Yes, we had the CIC meeting last week. It was very productive. It was our first one of the year. First one in a while. Hopefully we came up with a few ideas, and try to get a few things done with the money that we currently have in the CIC. Which is about \$918,000.00. So we have some money to work with, which is awesome. For projects coming in the near future. Also sat down with Pat, and Mike, and Jim Davis, and Doug Lane over our economic development agreement with the chamber. Or actually with Doug and the Chamber. And I'm actually very excited about it. I think it's going to work out for very well. He definitely has his finger on the pulse of the City, and knows everybody, and good Lord the names he was throwing out, I'm like "who, tell who, where, why." So, yeah, he's got it. So I think, you know, as long as we can continue to collaborate and keep the lines of communication open, that's going to very vital. So, I'm excited about it.

**COUNCIL PRESIDENT PETERS:** Member Griffith.

**COUNCILMAN GRIFFITH:** Not to belabor the point, but I do again, want to make a comment about the award that the finance group, and all the Administration to some extent received tonight. I think one of the things that I'm most proud about here in North Canton, is that when you're in government, it's really hard to be proactive. As we all know, and we've all seen. There's a definite, and I think a lot of what Laura and her team, and even before that, have been working towards is a much more proactive approach. We see that. Like we mentioned before, we do a good job, and again we take things like that for granted. But there are very, very few political subdivisions, who come in with a kind of achievement that we did. And I appreciate the fact that they were there. And again, appreciate her sharing that with the entire team. That is a really solid group of people who have done a really, really nice job for the city. So I celebrate them. And again, the same comment about the EMS stuff that we passed tonight. Again, an opportunity to say, bringing on more fulltime people sounds like counterintuitive, from a fiscal responsibility standpoint. But again, take time, do your homework, run the numbers, crunch those. And what you realize is, better service, less money, and again, not every city has the opportunity to be that proactive. So, chief, kudos to you, and everybody else for doing that too. I think those are all the kind of things that we should continue to be doing. So that's what I have.

**COUNCIL PRESIDENT PETERS:** Member Cerreta.

**COUNCILMAN CERRETA:** Well, I think it's important that we discuss anything that really affects our city. And especially including income tax. So I think one of the things I think we need to discuss, or maybe have someone come up also as the upcoming school levy. That's a very important thing. And we need to address exactly how it's going to affect us, as we go forward with this. And maybe we can have the superintendent to explain it, and see two sides of it. But I think it's very important if we don't talk about it, and all of sudden we get hit with, you know, whatever the income tax thing does to us. Then shame on us. So we need to maybe weigh in on that somehow. And take, at least listen, and maybe have some sort of opinion in some way.

**COUNCIL PRESIDENT PETERS:** Great idea.

**COUNCILWOMAN KIESLING:** I don't think he wants our opinion.

**COUNCILWOMAN WERREN:** Hey, Laura, if that's income tax, does that mean that we collect for them? Or how does that...

**FINANCE DIRECTOR BROWN:** No, school tax is collected by the State Department of Taxation. It's a separate kind of income tax.

**COUNCILWOMAN WERREN:** So if they live Lake Township or something, they'd have to pay that totally separate? There's no collection there?

**FINANCE DIRECTOR BROWN:** It's on the residents of the school district. And that's filed with the state, paid to the state, and then they send that money to the schools.

**COUNCILWOMAN WERREN:** That's what I wondered. It could be very tricky. Okay.

**LAW DIRECTOR FOX:** Member Cerreta, I've had a number of residents call me, believing the city was involved because of the issue of, it appeared to be an increase in income tax. And that we were involved, and raised holy heck that the message isn't been placed out there, that this Council and Administration are not involved in this determination, or not involved in this collection. We really can't answer questions to the heart of that issue, and are crying out for Council to address it.

**COUNCILMAN CERRETA:** I would like to propose maybe we invite superintendent, anybody from the school can come, and we can hear both sides of it. So we can move forward with it, you know, whether we are for, or against, either way. But if it affects the income of our citizens, which it affects the economy that we live in, then we need to weigh in.

**COUNCILMAN FONTE:** Well, remember one thing, the school districts are very important to the health of our community, our real estate values, and on and on. So, I would say the best thing, in my opinion is, and let's get Wendorf in maybe next week. Let's contact him... .

**COUNCILMAN CERRETA:** Let's try to schedule for committee next week, if we can.

**COUNCILMAN FONTE:** Yeah, just have him come in, and just explain it like so that we understand it.

**LAW DIRECTOR FOX:** Hopefully, they welcome the opportunity for this forum, to address it.

**COUNCIL PRESIDENT PETERS:** I think he would, I think he would. He should.

**COUNCILMAN FONTE:** I mean, just so he can explain it in his words, so that it's totally transparent. And who wants to call him to invite him?

**COUNCILMAN CERRETA:** That's all I have.

**COUNCIL PRESIDENT PETERS:** Great idea, Mark. Member Foltz?

**COUNCILMAN FOLTZ:** No report.

**COUNCIL PRESIDENT PETERS:** No report, but I want to thank Jeremy, for bringing the sweet treats. I appreciate that, and I'm glad we got it resolved for the time being. Please keep on it. You know, let me or the Mayor, Administrator know, and we'll keep on those guys over there. To be a good neighbor.

**COUNCIL PRESIDENT PETERS:** Alright, Director of Law?

19. Reports:

**LAW DIRECTOR FOX:** Yes, sir. I was going to speak briefly on an entirely different issue. But Mr. Osborne made the allegation that somehow I spoke, in my first two months here with the City, with the Director of Permits regarding legality of the community reinvestment area tax abatement for North Ridge. That allegation, the legal term for that, slander. Slander, is the term. And I'll leave it at that. I will agree with one thing, however, he stated that I'm involved in nearly everything. And his frustration is that, with that, is that he doesn't understand the role of the Law Director. Perhaps you miss, it was somewhat seamless that there was a number of questions that came up this evening, that were directed straight to the law director. That is my role, to attempt to assist in providing proper legal counsel. So the statement that the Law Director is involved in a quite a number of things, that's absolutely correct. That is the role of the Law Director. And you don't understand the number of times of the opinions that I have rendered that have benefited you. The times that you have made record requests, and City employees have provided to me that they believe that they had no obligation to provide the request. Only to have me overturn that, when I point them to the public records act, and demonstrate that indeed you're entitled to it, and you promptly receive the requested record. So you benefited from that, and you didn't quite see it. A little bit behind the scene issue for you. So, I respect your right to disagree with my legal opinions. But not my obligations to provide them. That's it. Thank you, sir.

**COUNCIL PRESIDENT PETERS:** Thank you. Director of Finance.

**FINANCE DIRECTOR BROWN:** Thank you. I'd like to echo Mr. Fonte's comments, Justin, it's nice to meet you finally. We've been corresponding back and forth on Facebook. About some photos that he's going to provide. And it's nice to see someone in the community that's willing to donate their time and their resources to their city. We really appreciate that. And then the only other thing I have, is we are diligently working on the 2018 budget. The department heads have all their paperwork to fill out, that's to be turned in to me by the end of the week. So, we'll see who meets the deadline. I think most will. And then we should have that to Council by the end of October.

**COUNCIL PRESIDENT PETERS:** Alright, thank you. Director of Administration?

**DIRECTOR GRIMES:** No report, busy doing my homework.

**COUNCIL PRESIDENT PETERS:** Mr. Mayor? I'm sure he'll make up for you, Mike.

**MAYOR HELD:** Yes, okay. We have October 9<sup>th</sup>, October 11<sup>th</sup>, we're going to have Fire Department open house. From 6:00 to 8:00pm. So that's Monday, October 9<sup>th</sup>, 6-8, and the October 11<sup>th</sup> which is the following Wednesday, 6-8, also. So bring the children, the kids, and they can squirt the fire hose. And have some fun. And then also a really, really important announcement to make today. When you look how we were organizing, Mike Grimes and Patrick De Orio is reorganizing our administrative staff. One of the goals that we had, is that we wanted to get a fulltime Permits Superintendent. And somebody that would have the skills and qualifications, really to not only conduct inspections if need be, but also to do commercial plans examination. Also to do residential plans examination. And so we have somebody that really fits all of those items. But, we will still need some to do the commercial structural plans examinations. But, all the other requirements are met with the new person that we're going to place in position. And he is in the back of the room there, John Stigalt. If you don't mind standing up. So what's really impressive about John, is that he comes with a lot of experience. So he served as the chief building official in Eastlake, the City of Eastlake. And then he spent the past 9 years in Broadview Heights, as a building inspector. And he also recently had a set of twins, too. And so John's a really busy man. But what really stood out the most, is that when you look at John's experience. Because we have a lot of technical questions, in all my years of public service, I've never had anybody answer as thoroughly about building code, nuisances, managing a department, as John did. I mean I was really, really impressed. And we have great people working in the city. I believe I speak for Patrick and Mike also, and Laura who also interviewed him. And Mark were in on the interviews also. And so what we wanted to do (inaudible) just a cross section of people that were involved. And so the first project they've been working on is the Hoover District, and also the zoning code. And we have a whole number of things. So we're really excited to have you, and today was your first day. These are all our Councilmembers, and you'll have a chance to meet them after the meeting. And that's all I have. Thank you.

**COUNCIL PRESIDENT PETERS:** Thank you. Mr. Engineer.

**ENGINEER GRAHAM:** Thank you, Mr. President. Just a couple quick announcements. Our Eastwood tennis courts rehab project, along with the Price Park Path Phase I, those are combined into one community park project, and that we're bidding. We'll open those bids this Friday at 11am, right here in this room. And we hope to get those underway either yet this fall, or if they can't finish them, start first thing in the spring. As we talked before, we can't tear something out in mid-November, asphalt plant closes, and the path's not useable. So we'll work through that. Second announcement, our Park Avenue sanitary sewer project, \$188,000.00 project. It's going to replace the sanitary sewer on Park, between 10<sup>th</sup> and Holl. We'll bid that out, through

legislation. And that's scheduled to start sometime early next week. Cement Tech is our contractor there.

**COUNCILMAN FONTE:** Rob, you know, the Apple Streets, Orchard, Acres, back in there. What's the quick status on those are all septic sewer?

**ENGINEER GRAHAM:** Yeah, quick status. At the very south end of town, just south of Everhard Road, Orchard Acres area, I inherited a sanitary sewer design from a consulting firm. Got a set of plans the other day that our department is currently reviewing. And I think that's a prime candidate for at least one grant source that we have available to us. It's actually in a CDBG area. I'd like to maybe work with Mr. Hill on some waterline replacements in that same area. The waterline is old cast iron, and get those plans finalized and the CDBG program grants are actually due November 4<sup>th</sup>.

**COUNCILMAN FONTE:** Do you think we could get started on that in spring?

**ENGINEER GRAHAM:** If we were successful. The CDBG monies would be available after July 1<sup>st</sup>, of next summer. But we could get everything in order, and be ready to bid right away. So that is one bit of a drawback, we might be able to start on it, as quickly as we'd hope. But if we can, you know, \$150,000.00, \$200,000.00 to help fund that.

**COUNCILMAN FONTE:** Yeah, I hope so. Thank you.

**ENGINEER GRAHAM:** So that's kind of my plan for that one.

**COUNCIL PRESIDENT PETERS:** Alright, thank you. Director of Administrative Services?

**ADMINISTRATIVE DIRECTOR DEORIO:** Thank you, I just want to thank all of you for returning my phone calls. I appreciate the opportunity to dialogue, it means a great deal to me. To be able to try to deliver a product to you that we've worked 95% of it through. So I welcome the chance to continue the dialogue and tweak some of these things in the weeks ahead. And at the risk of being intrusive, I'm trying not to, but in all the excitement of the presentation, I don't remember that we did item 5 on the agenda, approving the Mayor's courts receipts and the financial statements.

**COUNCIL PRESIDENT PETERS:** Yes, we did.

**ADMINISTRATIVE DIRECTOR DEORIO:** Okay, must have been all the excitement, then. Thank you for your indulgences.

**COUNCIL PRESIDENT PETERS:** Thank you. Madam Clerk?

**COUNCIL CLERK BAILEY:** Yes, last Tuesday I had two Civil Service exams. I had one for Sergeant, that was a promotional, and one for Radio Dispatch. I'm optimistic that next week we will have a meeting to accept those scores, and also we will establish the eligibility list for the Lieutenant exam. And then I have one more exam coming up, October 13, for the Captain in the Fire Department. And I'm hoping that will be all of them for the rest of the year.

20. Final Call for New Business:

**COUNCIL PRESIDENT PETERS:** Alright, very good. And I don't think we decided who was going to extend the invitation to Superintendent Wendorff. Mark? Okay.

21. October's Meeting Schedule

Monday, October 2, 2017 - Committee of the Whole meeting

Monday, October 9, 2017 - Council meeting

Monday, October 23, 2017 - Committee of the Whole meeting

**COUNCIL PRESIDENT PETERS:** Alright, looking ahead, we are going to have Committee of the Whole, October 2<sup>nd</sup>, Monday. We will have our regular Council meetings for the month of October on the 9<sup>th</sup> and the 23<sup>rd</sup>. And I think that's what we can commit to at this point.

22. Adjourn:

**COUNCIL PRESIDENT PETERS:** Alright, I'll entertain a motion to adjourn.

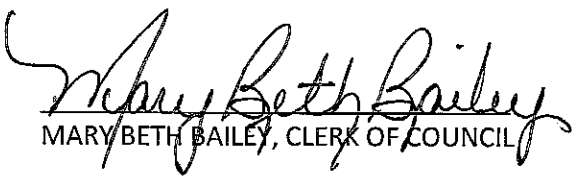
**COUNCILWOMAN KIESLING:** So moved.

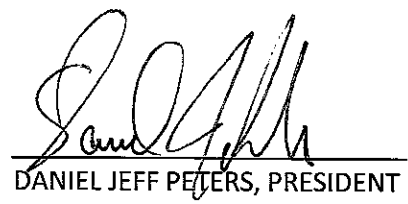
**COUNCILMAN CERRETA:** Second.

Roll call vote of 7 yes to adjourn.

**COUNCIL PRESIDENT PETERS:** Okay, 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