

# CITY OF NORTH CANTON

145 North Main St. North Canton, OH 44720



---

## RECORDS RETENTION OFFICERS MEETING Tuesday, January 22, 2019 at 1:00 PM

The members of the North Canton Records and Archives Commission in attendance were as follows:

Patrick De Orio, Director of Administration  
Tim Fox, Director of Law  
Laura Brown, Finance Director  
Catherine Farina, Deputy Director of Administration  
John Minock, Police Chief

Absent Members: David Held, Mayor  
Daniel Jeff Peters, President of Council  
Amanda Sedlak-Hevener, Representative of North Canton Heritage Society

Also in Attendance: Doug Cardwell  
Kelly Hart

---

Patrick De Orio: I'd like to call the North Canton Records and Archives Commission meeting together. It is January 22, 2019 at 1:00 p.m. I'd ask the secretary to call the roll please.

Catherine Farina: Patrick De Orio.

Patrick De Orio: Here.

Catherine Farina: Tim Fox.

Tim Fox: Here.

Catherine Farina: Laura Brown.

Laura Brown: Here.

I'm here...Catherine Farina. David Held. Not present. Jeff Peters. Not present. Representative of North Canton Heritage Society, Amanda Sedlak-Hevener. Not present.

Patrick De Orio: Okay. It looks like we have a quorum so we can continue with the meeting. There's no one here to introduce *{inaudible}* update records. I understand the Heritage Society has changed their representative. Is that correct?

# CITY OF NORTH CANTON

145 North Main St., North Canton, OH 44720



Catherine Farina: Yes. Carmela Cadusale was our former community member representative of the North Canton Heritage Society. She has left that position. Taking her position is Amanda Sedlak-Hevener. Mayor Held appointed her to the role and she accepted; and she will be our new community member.

Patrick De Orio: Okay, great. We want to approve the minutes from the last meeting. They've been circulated. Does anyone have any comments or questions?

*{silence}*

Patrick De Orio: I'd like to entertain a motion to approve as submitted.

Tim Fox: Motion to approve as submitted.

Catherine Farina: Second.

Patrick De Orio: It's been motioned and seconded. All those in favor signify by saying "Aye".

Collectively: Aye.

Patrick De Orio: Those opposed?

*{silence}*

Patrick De Orio: Ayes have it. We will now spend some time talking about the records retention manual edits, additions and deletions. The Chief of Police is here, John Minock. The Chief has a couple lists concerning *{inaudible}*.

John Minock: Lieutenant Cardwell has a couple of lists from Sergeant Kemp to be added to the current destruction. I think as far as the scheduled items, they're okay, other than the retention period.

Catherine Farina: Okay. You had two lists that you were going to submit to have added to the manual. So, I will check with...

Doug Cardwell: These would be for destruction.

Catherine Farina: These are the destruction ones?

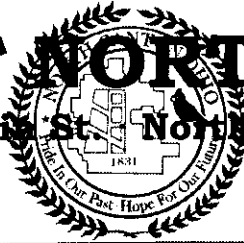
Doug Cardwell: Yes.

Catherine: Okay. So, nothing needs to be added to the retention manual?

John Minock: No. Lieutenant Cardwell talked to you about those.

# CITY OF NORTH CANTON

145 North Main St. North Canton, OH 44720



Catherine Farina: He did. We had some examples from the Stark County Sherriff's Office of some of the new technology, like the vest cam and dash cams. There is a suggested retention date that goes into two forms, one has said the evidence with it, the evidentiary versus the non-evidentiary, so we looked at those examples. I thought he was going to follow-up with something like that. What did you come up with?

John Minock: I didn't hear anything, but I want to get that on there.

Catherine: Okay. You submit it, and then I will submit it further for approval.

Tim Fox: I have an item that I'd like to amend on Council's schedule. That item is for bankruptcy. It's entitled as all records related to bankruptcy proceedings that the City is a party to include court filings, party responses, decisions, appeals, research drafts, etc. Currently this is permanent. I recommend that it be altered to one year after the case is concluded or the appeal has concluded. We find that with bankruptcy, our process in federal courts, Federal Court has its own retention schedule. The documents that are involved in bankruptcy proceedings, these are 100%, where the City is a creditor and as such, it receives every filing in the bankruptcy court regarding that case. These become quite voluminous. Right now, we are working on a case for Sears and, as you can imagine, the documents involved for Sears bankruptcy and one of its subsidiaries, Kmart, right now that can fill a banker's box. And what we have is a history with the City through bankruptcy documents and it appears that it is unmanageable. We have file drawers completely full and the way the cases work, is once the case is concluded, any party has 14 days to appeal, and if there are no appeals during that period, the case is closed. Bankruptcy Court maintains the records, I believe, under Federal law for eight years. It seems excessive for the City to maintain these records in perpetuity, so I recommend that we hold these for no longer than one year after the case and appeal has concluded. In my history of six years I have yet to need to go back to obtain records beyond a case conclusion. So, I would seek to amend that and it would save us a couple drawers full of file folders of bankruptcy documents.

Catherine Farina: Okay. So, you completed the RC2 form making the recommendation of those items?

Time Fox: Yes.

Catherine Farina: On the records manual under Council item number 4 bankruptcy the retention period permanent and you are making the motion to change that from permanent to one year after the judgment order.

Tim Fox: Yes.

Catherine Farina: Okay.

Time Fox: Also, if it's appropriate now, I have...if we do for the bankruptcy, we'll have that gone for Council, moral claims simply for anything beyond the retention period, the

# CITY OF NORTH CANTON

145 North Main St. North Canton, OH 44720



labor union agreements, again, anything beyond the eight year retention period. We have resumes, applications, and these are for 2 years if not hired; if hired, then the resume application goes into a personnel file and the last one for Council is two years for attendance. I also have three for the Law Department, the first being correspondence. Its retention period is until it is no longer of administrative value and is between one to five years. Second is inter-office correspondence; its retention period is until no longer of administrative value and the third is case files and its retention period is significantly longer, but certainly sufficient as 12 years, provided no action pending, so we are asking to destroy the documents outside of the retention period for those items as shown on the RC2 form.

Catherine: So that would be destruction.

Tim Fox: So, if we can do the motion first if we can approve the bankruptcy...if we can approve that, I would like to include a second motion for the destruction.

Patrick De Orio: I'd like to entertain a motion for modification of the records retention schedule for bankruptcy as highlighted in the outline by Mr. Fox.

Catherine: I second that.

Patrick De Orio: All those in favor signify by saying "Aye".

Collectively: Aye.

Patrick De Orio: All opposed?

*{Silence}*

Patrick De Orio: Motion was approved. Now, I'll entertain a motion to approve the schedule for the Council office records and the Law Department records as discussed by Mr. Fox. Who would like to make that motion? Member Brown?

Laura Brown: Sure, I would make that motion.

Patrick De Orio: And who will second?

Catherine Farina: I'll second.

Patrick De Orio: It's been moved and seconded. All those in favor signify by saying "Aye".


Collectively: Aye

Patrick De Orio: Motion carries. Anyone else?

*{Silence}*

# CITY OF NORTH CANTON

145 North Main St. North Canton, OH 44720



Catherine Farina: The Records and Archives Commission Meetings are currently held in January and June of each year. January is an extremely busy month for the Finance Department with the start of the new year and June is a difficult time for many of the other departments. With that being said, I'd like to make a motion to move the meetings to March and September each year to ease the burden on all of the City's departments.

Laura Brown: I'll second.

Patrick De Orio: All those in favor say "Aye".

Collectively: Aye

Patrick De Orio: All opposed?  
{Silence}

Patrick De Orio: Motion carries. The Records and Archives Commission Meeting will be held semi-annually the third Monday of March and September each year. We do need to appoint a new Secretary as our current secretary Catherine Farina subsequently now holds the title of Deputy Director of Administration.

Catherine Farina: I'd like to nominate Kelly Hart for the position.

Laura Brown: I'll second.

Patrick De Orio: Kelly Hart is present. Do you accept the nomination?

Kelly Hart: Yes.

Patrick De Orio: All those in favor signify by saying "Aye".

Collectively: Aye.

Patrick De Orio: Those opposed?  
{Silence} Ayes have it. Are there any other items to be discussed?  
{Silence} Hearing nothing, I'll entertain a motion to adjourn.

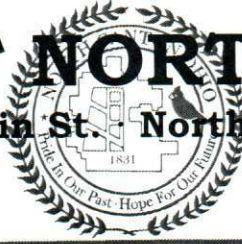
Tim Fox: Motion to adjourn.

Laura Brown: Second.

Patrick De Orio: All those in favor?

# CITY OF NORTH CANTON

145 North Main St. North Canton, OH 44720



Collectively: Aye

Patrick De Orio: All those opposed?  
{Silence}

Patrick De Orio: Meeting adjourned.

*Blaha*