

RECORD OF PROCEEDINGS

0315

Minutes of COUNCIL OF THE CITY OF NORTH CANTON REGULAR Meeting

DAYTON LEGAL BLANK, INC. FORM NO. 10148

Held Monday, December 13 7:00 p.m. 20 10

CALL TO ORDER:

- 1. The council meeting was called to order Monday, December 13, 2010 at 7:00 p.m. by President of Council Daryl Revoldt.
- 2. The opening prayer was delivered by Vice President of Council Jon Snyder.
- 3. All present recited the Pledge of Allegiance.

ROLL CALL:

- 4. Mr. Revoldt: Clerk, would you please call the roll?

The following members of Council responded to roll call: Davies, DeOrio, Foltz, Kiesling, Peters, Revoldt and Snyder. Also present were: Mayor Held, Administrator/Engineer Benekos, Director of Law Nilges, Director of Economic Development Bowles, and Clerk of Council Kalpac. Director of Finance Loretto was not present for the meeting.

- 5. Consideration

Financial Statements – October and November, 2010  
Mayor's Court Receipts – September and October, 2010  
Special Council Meeting Minutes – November 8 and 15, 2010  
Council Meeting Minutes – November 22, 2010  
Organizational Meeting Minutes – December 1, 2010

Mr. Revoldt: Council has for its consideration its financial statements of October and November, 2010; mayor's court receipts for September and October, 2010; minutes from a special council meeting of November – minutes of special council meetings November 8<sup>th</sup> and 15<sup>th</sup>; council meeting minutes of November 22<sup>nd</sup>, and the organizational meeting minutes of December 1<sup>st</sup>. Are there any amendments or questions regarding those documents? Seeing none, I'll entertain a motion to accept those documents.

Mr. DeOrio moved and Mr. Davies seconded to approve the financial statements, mayor's court receipts, special council meeting minutes, council meeting minutes, and organizational meeting minutes as presented. All members present voting:  
Yes: DeOrio, Foltz, Kiesling, Peters, Revoldt, Snyder, Davies.  
No: 0

- 6. Committee Minutes

Mr. Revoldt: Council also has for its approval this evening minutes from committee meetings – Community & Economic Development; Park & Rec; Personnel & Safety; Finance & Property all held on December 6, 2010. Are there any questions or amendments to those minutes?

Mr. Snyder: Mr. President, relative to the Finance & Property Committee meeting minutes I would like to point out for my esteemed members that there is an addendum to that lease. So it will be attached to the Fairways. And my apologies, I did not so scribe on my meeting minutes the fact that what was in the addendum but it will be contained in the addendum attached hereto with. That's it.

Mr. Revoldt: Do we have a motion?

Mr. DeOrio moved and Mr. Peters seconded to approve the committee report minutes as presented. All members present voting:  
Yes: Foltz, Kiesling, Peters, Revoldt, Snyder, Davies, DeOrio.  
No: 0

**Community & Economic Development Committee:** Please refer to the minutes on file in the Council Office of the Community & Economic Development Committee meeting held December 6, 2010.

**Finance & Property Committee:** Please refer to the minutes on file in the Council Office of the Finance & Property Committee meeting held December 6, 2010.

**Park & Recreation Committee:** Please refer to the minutes on file in the Council Office of the Park & Recreation Committee meeting held December 6, 2010.

**Personnel & Safety Committee:** Please refer to the minutes on file in the Council Office of the Personnel & Safety Committee meeting held December 6, 2010.

DAYTON LEGAL BLANK, INC. FORM NO. 1014R

Held Monday, December 13 7:00 p.m. 20 10

## 7. Recognition of Visitors

Mr. Revoldt: Recognition of visitors. Is there anyone here who wishes to address the Council this evening? Yes sir, if you would step to the microphone and state your name and address.

Paul Uhlman: Good evening. My name is Paul Uhlman. I live at 1144 Rosewood Circle SE, North Canton. The purpose for me being here tonight is several years ago in conjunction with Doug Lane, the councilman at the time, I submitted a petition to the City, I live in Eastwood Subdivision, for the paving of the streets in said subdivision. At that time it was my understanding that I was told that Rosewood Circle had the worst condition of all the streets. However, the City elected to do Vincent Street first, which was the right decision. The traffic flow was such that – and they did a beautiful job, something we can be very proud of. However, the streets are still in bad condition, especially Rosewood, the street that I presently live on. Just to give you a brief background that my history, I am a civil engineer, I have a masters in environmental engineering. So I know a little bit about streets and sewer and storm drains. I am aware of the priorities the cities have that water problems come first, then sewers and then streets. So we are kind of down on the list. However, Rosewood's one section of sewer, the last section, does have problems. I believe that section has been televised. About once a year I have to have my service connection, which is from the house to the street, cleaned out because the problem is blockage at the street. So there is a section of sewer there that does need to be addressed. So for this reason I would like to see Council, when money becomes available, I know money's tight with the loss of the Hoover's revenues that we can't do a lot of things, but I don't want to put for Rosewood and the other streets to be put on the back burner. So when money becomes available I would like to see these streets handled and repaved plus a section of sewer been done. I want to compliment the Council on the North Main Street, it's a beautiful job being done up there. It's very nice. So any questions to me on what I'm doing? I'm only here to solicit your consideration for these problems. If no questions, I thank you for your time.

Mr. Davies: If I may, Mr. Uhlman had phoned me and apparently you do have a backup problem.

Mr. Uhlman: Yes.

Mr. Davies: Are we listening to this Mr. Benekos?

Mr. Benekos: Yes, we're aware of it.

Mr. Davies: Okay. So that is something that needs to be addressed. I might mention, while there may be priorities, sewer has its own fund. It's an enterprise fund because you pay sewer rates in your water bill; as is water. So while there are obviously you know water and sewer may come first, but they come from their own fund.

Mr. Uhlman: Oh, okay.

Mr. Davies: That's not the same money that comes streets. However, often times when you rip up for waterlines or sewer lines you're ripping into streets. So that like on Main Street obviously we had to replace lines since they were going to have to rip up the street anyway and you do get into that, but they are separate funds. Okay. We don't use general funds or funds for streets to do water repairs or sewer repairs. They have their own funds. So it's not quite you know the priorities aren't quite ...

Mr. Uhlman: Okay.

Mr. Davies: that way. But they are – yeah, so we you know we need – if he's got – if he's getting backup we've got to get that taken care of. And I – it was my understanding that part of the problem of not doing anything with Rosewood Circle had to do with sewers and the fact that there were some problems back there and it wasn't quite ready to – wasn't quite back enough to have to repair everything.

Mr. Uhlman: Right.

Mr. Davies: But we said you know sooner or later that would have to be done and then you'd redo the street or hopefully redo the street when ...inaudible... Is that not correct? Am I ...

Mr. Benekos: That's correct.

Mr. Davies: Yeah.

## RECORD OF PROCEEDINGS

Minutes of COUNCIL OF THE CITY OF NORTH CANTON REGULAR Meeting

DAYTON LEGAL BLANK, INC. FORM NO. 10148

Held Monday, December 13 7:00 p.m. 20 10

Mayor Held: Yeah, there is a – when we were talking about the priorities because we did – we had an opportunity to speak about this previous to the meeting. And the number one priority has always been the waterlines. And then the second priority, because the water really affects residents 24 hours a day 7 days a week when they have a bad waterline or they don't have sufficient flow – and then the second priority that we would consider from the administration standpoint is the sewer and the storm sewer. And that goes hand in hand because ultimately it causes a sanitation backup in the basement which I believe that's happened to you a couple of times.

Mr. Uhlman: Yes it has, about once a year. And when they do the cleaning the problem always seems to be right at the sewer.

Mayor Held: Right.

Mr. Uhlman: The blockage. So there could be a belly in the – you know maybe it has settled or has some broken pipe ...

Mayor Held: Right.

Mr. Uhlman: or collapsed pipe I don't know.

Mayor Held: Yeah, because those are really – those two areas are the most critical when you have waterlines that need to be replaced and then sanitation backup it's really a problem. So I mean for that reason it really would be – would move it up as far as a priority to the City.

Mr. Revoldt: Is the sanitary plastic or is it...

Mr. Uhlman: It's probably vitrified I would guess. I'm – I'm – I don't know...

Mr. Benekos: At that age it's probably vitrified.

Mr. Uhlman: Yeah, I would guess.

Mr. Revoldt: And lies beneath the street. Correct?

Mr. Uhlman: Yes.

Mr. Snyder: Mr. President, if I may speak on behalf of my two colleagues on the Finance Committee and myself. Sir, unfortunately the year 2011 and probably going into 2012 there's absolutely no money for street projects.

Mr. Uhlman: I realize this.

Mr. Snyder: And then again, the last street project that we did was down in your ward and we generally rotate them around.

Mr. Uhlman: Okay.

Mr. Snyder: So what we hope to do to be very honest with you there's two things must develop. Number one, we must take some capital money and develop a computer program that will list all our streets, the last time they were touched and prioritize them and remove the political wherewithal from those streets that they're done properly on a rotating order. And we can tell you at such a date this street's going to be taken care of. And – but I just don't want to lead you with false beliefs. We have about a million dollars of capital to go into the 2011 budget with request of 775,000 for equipment alone and as well as the rest of the city needing about 250,000. We'll be transferring approximately \$250,000 from our inheritance fund over to the capital, but again it may be – I know Mr. Foltz has a road in his ward that is – I have one in mine, Mr. Peters has about six in his ward and Mr. Davies has those. But we will get it addressed but it may be some time. But by all means always come and talk to us or some money comes available. We are anticipating and looking at right now to be quite honest with you and I know you're not going to like this, but we're looking at the alternative of assessing the property owner to fix the road and taking it out over the law allows 15 years which would cost you a couple, few hundred dollars per year and the road would be done. And we're looking at possibly sharing that because to do what we used to do is virtually impossible. The money just – with a 30 percent reduction in income tax is virtually impossible.

Mr. Uhlman: I realize that.

Mr. Snyder: And I appreciate your understanding of that but we want to be attentive to your needs because that's actually basic economic development and we want to make sure we get that.

Mr. Davies: Jon...

Mr. Snyder: But we will address it.

## RECORD OF PROCEEDINGS

Minutes of COUNCIL OF THE CITY OF NORTH CANTON

REGULAR

Meeting

DAYTON LEGAL BLANK, INC. FORM NO. 10148

Held Monday, December 13 7:00 p.m. 20 10

Mr. Davies: Jon, you might mention if we went to this idea of assessment it would be on a voluntary basis. In other words if the homeowners on a given street came together and said yes we were willing to do that, then they would have that option. We would not automatically say you have to do it. Okay. But the people on the street or a majority of the people on the street would have to say yes we're willing to you know help pay because we want to get our street done. And that's something we've talked about, it's not in legislation, but we thought at least if we had to go that way people would have an option. Okay. It would be at their option and we could then get things done sooner rather than saying well sometime before the sun burns out which is due in about three billion years we'll get it done for you. So it's something we've talked about. It's not something that's been decided or...

Mr. Snyder: No. To put it in perspective to your particular street...

Mr. Davies: But...

Mr. Snyder: The Engineer's best guess estimate with engineering and everything and preparation is about \$345,000.

Mr. Uhlman: That's my understanding.

Mr. Snyder: \$345,000 to what ten or eleven residents?

Mr. Uhlman: Ten.

Mr. Snyder: It's about between \$60 and \$70 a month on your taxes -- roughly \$700 to \$900 a year and that would be complete. Now whether the City participates in that or we could be worked -- we've not even addressed it yet. But again, and to clarify what Mr. Davies told you, the state law says if 50 percent of the residents vote for it then rest of the residents unfortunately have to go along with it. They don't have any choice. It's very much like sewer. So that will not be done without public hearing because it's illegal to do without public hearing. So those are some of things that we hope to look at moving forward. So that we can say to you well you want it, there's the day we can do it in May next year. So there's that possibility.

Mr. Uhlman: Okay, okay. Like I say I'm here just to solicit your consideration so when this does happen that you know you keep us in mind.

Mr. Revoldt: Doug.

Mr. DeOrio: Well is ...

Mr. Foltz: Mr. -- I'm sorry, go ahead.

Mr. DeOrio: Go ahead Doug, you had your hand up.

Mr. Foltz: Go ahead.

Mr. DeOrio: Is the 345,000 that's for doing the street and everything.

Unidentified: Right.

Mr. Revoldt: Yeah, total rebuild.

Mr. DeOrio: What...

Mr. Uhlman: Is that construction or project costs?

Mr. DeOrio: Okay. Chances of that -- him getting on the priority list to get the whole package for 2012 or before 2020 is probably not going to happen. So why -- can't we just focus on the sewer part of it alone? I mean I've got to think if you dug up the sewer line and put that temporary or if you did like you did East Maple and put that you know ...

Mr. Snyder: Unfortunately I think it's a concrete street so you can't just dig part of it out without doing the whole street. And the curbs are gone in that street too are they not?

Mr. Benekos: Curbs are in poor condition.

Mr. Snyder: Yeah.

Mr. Benekos: The whole street's pretty poor.

Mr. Snyder: Yeah, yeah. So it's really...

## RECORD OF PROCEEDINGS

Minutes of COUNCIL OF THE CITY OF NORTH CANTON REGULAR Meeting

DAYTON LEGAL BLANK, INC., FORM NO. 10148

Held Monday, December 13 7:00 p.m. 20 10

Mr. DeOrio: It's a shame because it's basically what we're – he's in a position where we're not going to have any relief of any kind.

Mr. Davies: Well we've got to do something about the sewer. He can't have it backing up in his house. That's unacceptable.

Mr. Uhlman: The two best commodities we have is water and sewer but we don't consider it until we don't have enough of one or we've got too much of the other.

Mr. Davies: Right.

Mr. Uhlman: But my concern is too much of the other. I just came back off vacation and every time I walk in the house I do this because...

Mr. Snyder: You want to make sure the sewage is not following you in the house.

Mr. Uhlman: I hope I don't have an indoor swimming pool with no water with ...inaudible...

Mr. Revoldt: Do you have a valve on that? A backflow valve?

Mr. Uhlman: No.

Mr. Revoldt: Have we looked at ...

Mayor Held: The problem is if there's too much pressure on them there's – when even if you have a backflow valve on it they're not going to hold.

Mr. Snyder: Is there a backflow there now?

Mr. Revoldt: No.

Mr. Snyder: Well we have an ordinance that provides backflow to – we have an ordinance that we provide the backflow to the resident at our cost. We do have an existing ordinance.

Mayor Held: Yeah, we had looked at that years ago, but there's two problems. Number one, the success of them actually holding the sewage back and then the next thing is that typically we'll just pass the problem on up to the, if it does work, to the next person that doesn't have one.

Mr. Uhlman: Yeah, yeah. Has that section been TV'd, Jim.

Mr. Benekos: I don't know if it's been TV'd lately or not.

Mr. Uhlman: Don't know. Okay.

Mr. Benekos: I'll double check.

Mr. Uhlman: I think Doug told me it was, but I don't know now.

Mr. Benekos: Okay.

Mr. Uhlman: You know cause it could be a simple problem or I don't know...

Mr. Benekos: Right. I think it's that the soils in that area were poor. It was a peat bog...

Mr. Uhlman: They're very poor. So you could get bellies in the pipe.

Mr. Benekos: I'm pretty sure there's a belly in that and that's what – otherwise we would be able to reline it because of the ...

Mr. Davies: Could we at least get the vac truck out there periodically and...

Mr. Benekos: Sure.

Mr. Davies: And you know if we did that once a year so at least for now it would...

Mr. Uhlman: If you could do that once a year...

Mr. Davies: maybe stop the backflow problems and at least get that taken care of for now...

Mr. Uhlman: That would help me.

Mr. Davies: till we can do something more substantial. At least alleviate Mr. Uhlman's problem.

RECORD OF PROCEEDINGS

0320

Minutes of COUNCIL OF THE CITY OF NORTH CANTON

REGULAR

Meeting

DAYTON LEGAL BLANK, INC. FORM NO. 10148

Held Monday, December 13 7:00 p.m. 20 10

Mr. Uhlman: And I've called the City to have them come out with the flush truck or the vac, whichever one you had the flush truck to flush it out and they were there in like 15 minutes and it helped a lot. If we could have this as a maintenance ...

Mayor Held: Yeah, we can do that.

Mr. Uhlman: that would help my immediate problem.

Mr. Davies: Okay.

Mayor Held: That's not a problem.

Mr. Uhlman: Thank you for consideration.

Mr. Snyder: Mr. Foltz has a comment.

Mr. Revoldt: Doug, you had a comment?

Mr. Foltz: You guys already discussed it. I said let's take care of the immediate problem first. If that means digging up the street or doing a better evaluation of the sanitary and making sure it's not a lateral situation in the main line. And do any of your neighbors have the problems similar to yours?

Mr. Uhlman: I've not discussed it with them. That I don't know.

Mr. Foltz: And if we have the enterprise fund through sanitary funds why don't we just see what we can do for the sanitary now and look down the road for the rest of the street. Even though we'd like to get it all done at one time, it's better than the sanitary backing up in somebody's house.

Mr. Davies: Well we've got to take care of that problem.

Mr. Foltz: Right.

Mr. Revoldt: If the street's shot..

Mr. Foltz: Yeah, we know that.

Mr. Revoldt: We're preserving, there's no aesthetic to preserve.

Mr. Foltz: Right, right.

Mr. Revoldt: Bust it up, fix the sewer and we'll figure it out. I would, like some of my colleagues - I would welcome your opinion. And Peg you're out there, you sent us a letter, and I would welcome your thought about this. I happen to be a skeptic when it comes to assessments because an assessment on your street, as Jon indicated, would be worth about \$700 a year for 20 years. You can take a mill and it would be substantially less. And maybe what we need to do is rethink or ask the community to rethink the street ordinance. We got what we had. We tried to put two on, it was rejected. But as Jon has indicated, the street levy barely covers just the paving costs alone, we're not doing any rebuilds. And I think with maybe the exception of Doug, I'm the only one around who was present when the decision was made to abandon assessments in the early 80's. And we did it because we had available revenue. And it was always contingent upon curb, gutter, sanitary, water rebuilds were always contingent upon the availability of funds. The funds aren't available ...

Mr. Uhlman: Correct.

Mr. Revoldt: In depth. So you know as you talk amongst your neighbors, I would be curious to know about their appetite for taking on another mill for street repair. I don't think we feel that we're covering our basic paving and we're clearly not covering projects. So would a mill be something that's tolerable. And that might generate enough - you know another 350 or 75,000 that we could do a project a year.

Mr. Snyder: Yeah, it would generate roughly one mill generates at present I think about 405,000.

Mr. Revoldt: Okay.

Mr. Snyder: An additional mill and with a sunset provision possibly of five years, it would generate approximately two million dollars which we could do quite a few - probably another four or five streets in the City - six streets in the City total rebuilds. Now some of the streets are not going to get rebuilt totally with new curbs and gutters, but the ones that need it such as yours. But the most palatable thing to do obviously is an additional one mill levy on your taxes going towards the municipal road fund levy. One mill will - as I say generate about \$405,000 which to your pocket is about \$36 a half on a normal - on those homes in that area. About \$72 a year per household.

Mr. Uhlman: Which is nothing.

RECORD OF PROCEEDINGS

0321

Minutes of COUNCIL OF THE CITY OF NORTH CANTON REGULAR Meeting

DAYTON LEGAL BLANK, INC., FORM NO. 10148

Held Monday, December 13 7:00 p.m. 20 10

Mr. Snyder: No.

Mr. Revoldt: It's a better deal than 700 a year for 20 years.

Mr. Snyder: Per house or for ten houses. Yeah. And the thing is it contributes to when you want to resell your home it's - I mean somebody pulls up in a new paved street they're immediately - it's like anything curb appeal. So possibly between now and the filing deadline which I think is right around sometime in early March we may hold a couple of meetings and see if we can get an overwhelming support of the neighbors to put it back on to put a mill levy on. And that - dedicate it solely to the streets. And that's the way the other one is. So.

Mr. Revoldt: Bottom line is this, we need the recession to end and we need about 1,000 jobs across the street.

Mr. Uhlman: Yes.

Mr. Revoldt: If we could get that, we'd be home. But until then we're stuck.

Mr. Uhlman: Yes.

Mr. Revoldt: So you know again, think about it. Talk it over with your neighbors.

Mr. Uhlman: I will.

Mr. Revoldt: See what their level of comfort is. And you know I think the Council would probably be inclined to earmark those funds for residential. It wouldn't go for any other location.

Mr. Uhlman: Okay.

Mr. Revoldt: And that would be the commitment the group would make.

Mr. Uhlman: Well I'll talk to my neighbors and get their feedback and I'll call Jeff and give him the results of what the decision is.

Mr. Revoldt: Well then thank you for...

Mr. Foltz: Thank you.

Mr. Revoldt: the time at the mic.

Mr. Uhlman: Thank you very much. I enjoyed it. Happy holidays to you.

Mr. Revoldt: Thank you sir.

Mr. Davies: Happy holidays to you.

Mr. Revoldt: Is there anyone else who wishes to address the Council regarding this matter? Yes sir. Please come forward to the microphone.

Fred King: I'm Fred King. I live at 1213 Eastwoods Circle. I'm the one who sent the photos the other day. I live on Eastwoods Circle ...inaudible... fortunately I live on the top of the circle so I don't have the sewer problems. But as you - if you look at the pictures the street is in horrible condition and we get actually football size chunks out in the spring time or throughout the winter and it's a mess. As the cracks wide and wider and wider there's only so much patch that you can put. So I won't belabor the point. I think you've hit it all pretty well. I guess I would just - I would certainly be supportive of the - of a levy. There is a not very scientific but a sort of gather around in the neighborhood last year and there was support among quite a few, I don't know if it was a majority or not, but I would certainly be willing to support something like that to do that. If you think - you know we have four or five streets in our neighborhood and the other wards have streets too, at one a year you're never going to keep up with it.

Mr. Revoldt: Yeah.

Mr. King: So I mean do the math.

Mr. Revoldt: We have.

Mr. King: So...

Mr. Revoldt: Yeah, we know.

Mr. King: Okay, thank you very much.

Mr. Revoldt: Thank you sir. Anyone else on this matter? Mrs. Garlock.

RECORD OF PROCEEDINGS

0320

Minutes of COUNCIL OF THE CITY OF NORTH CANTON REGULAR

Meeting

DAYTON LEGAL BLANK, INC. FORM NO. 10148

Held Monday, December 13 7:00 p.m. 20 10

Peg Garlock: I live at 1203 Westview Circle in Eastwoods. And I think one of the things I that heard from members in my neighborhood when the last street improvement levy was on that Council did not have a plan and the voters were not going to support the levy if Council did not have plan to make sure that our streets were part of what that money was being used for. Mr. Snyder, you said that you thought it would be a good idea if all council would put together a plan that would be a priority based on what needs most...
Mr. Snyder: Yes mam.

Ms. Garlock: And not a political thing.
Mr. Snyder: That's right.

Ms. Garlock: You said something about well you had - Vincent was replaced but there are other wards that also have streets and so forth. I think if you approach it politically you're not going to get that levy to pass.
Mr. Snyder: You're right.

Ms. Garlock: But if you approach it this is a priority, it doesn't matter what ward you live in this street is the worst, this needs to be done first, etcetera, I think you have a shot at passing it. And I also think you need to communicate what that plan is. You need to let your residents know that you guys do have a plan to spend the money and you're going to spend it wisely and then we're going to be willing to support you on that. Our streets go back thirty some years, nothing has been done, they're a mess. So I will - I will do my part to try to get the people in my neighborhood to support your plan. Thank you.

Mr. Snyder: I appreciate that. Thank you, mam.

Mr. Revoldt: Anyone else? Is there anyone else who wishes to address the Council about any other matter this evening? Seeing none then let's move on to old business. I would like to have a motion to read by title only for the purpose of rescission or I guess I need a motion to rescind Ordinance No. 98-10.

OLD BUSINESS:

8. Mr. DeOrio moved and Mrs. Kiesling seconded to rescind Ordinance No. 98-10. All members present voting:
Yes: Kiesling, Peters, Revoldt, Snyder, Davies, DeOrio, Foltz.
No: 0

Mr. Revoldt: Okay, Ordinance 98-10 has been rescinded. Moving on to Item 9, motion to read by title only, first or third reading of Resolution No. 94-10.

9. Mr. DeOrio moved and Mrs. Kiesling seconded to read by title only, third reading of Resolution No. 94-10. All members present voting:
Yes: Peters, Revoldt, Snyder, Davies, DeOrio, Foltz, Kiesling.
No: 0

Resolution No. 94-10 - 3rd Reading - Finance & Property

A resolution adopting an amended Section 125 Premium Only Cafeteria Plan ("the Plan") for the City of North Canton for the period January 1, 2011 through December 31, 2011 and declaring the same to be an emergency.

Mr. Revoldt: Mr. Snyder.

Mr. Snyder: Thanks Mr. President, Members of Council, as you know we have a cafeteria plan here in the city where the employee pays a portion of their health insurance. This is taken out pretax. Section 125 does permit of the Federal IRS (Internal Revenue Service) Code. And it works on a calendar year and it will expire at the end of this month and we want reinstitute it January of 2011.

Mr. DeOrio: Move to approve.
Mr. Peters: Second.

Mr. DeOrio moved and Mr. Peters seconded to adopt the third reading of Resolution No. 94-10. All members present voting:
Yes: Revoldt, Snyder, Davies, DeOrio, Foltz, Kiesling, Peters.
No: 0

RECORD OF PROCEEDINGS

0323

Minutes of COUNCIL OF THE CITY OF NORTH CANTON REGULAR Meeting

DAYTON LEGAL BLANK, INC., FORM NO. 10148

Held Monday, December 13 7:00 p.m. 20 10

10. Mr. Revoldt: Item 10, a motion to read by title only, third reading of Ordinance No. 95-10.

Mr. DeOrio moved and Mr. Davies seconded to read by title only, third reading of Ordinance No. 95-10. All members present voting: Yes: Snyder, Davies, DeOrio, Foltz, Kiesling, Peters, Revoldt. No: 0

Ordinance No. 95-10 - 3rd Reading - Ordinance, Rules & Claims

An ordinance amending Chapter 935 Water Lines and Hydrants, specifically 935.02 CONNECTION CHARGE OTHER THAN BY ASSESSMENT, of the Codified Ordinances of the City of North Canton, repealing any and all legislation inconsistent, and declaring the same to be an emergency.

Mr. Revoldt: Just to refresh everyone's memory, this amendment assigns the responsibilities to both the city and the contractor where the city is going to be responsible for opening - or excuse me, the contractor is responsible for opening the street and repairing or replacing any of the taps. The city will provide the tap and the tapping sleeve. So it simply clarifies again the economic responsibilities of the parties. Motion to adopt the third reading of Ordinance 95-10.

Mr. DeOrio moved and Mr. Davies seconded to adopt the third reading of Ordinance No. 95-10. All members present voting: Yes: Davies, DeOrio, Foltz, Kiesling, Peters, Revoldt, Snyder. No: 0

NEW BUSINESS:

11. Mr. Revoldt: Moving on to new business, Item 11, a motion to read by title only, first reading of Ordinance No. 99-10.

Mr. Davies moved and Mr. DeOrio seconded to read by title only, first reading of Ordinance No. 99-10. All members present voting: Yes: DeOrio, Foltz, Kiesling, Peters, Revoldt, Snyder, Davies. No: 0

Ordinance No. 99-10 - 1st Reading - Finance & Property

An ordinance to make temporary appropriations for current expenses and other expenditures of the City of North Canton, Ohio, for the period beginning January 1, 2011 and ending December 31, 2011 and declaring the same to be an emergency.

Mr. Snyder: Mr. President, Members of Council, this is a temporary interim budget. As we begin right after the holidays to have our budget hearings for the permanent budget which we hope to - normally we in the past few years adopted within the first 60 days of the year. This will keep the wheels turning here in the City and that's what it's all about.

Mr. Revoldt: Any other questions? Mr. Davies, comments?

Mr. Davies: Is there money in the temporary budget for the - whatever is the new assistant?

Mr. Snyder: The new Assistant Director of Administration? Yes. In the actual budget - there's no funds in there for the present Director of Administrative Services. Those have been removed.

Mr. Davies: Okay.

Mr. Snyder: There is money predicated on a salary range which I believe we talked about in the temporary budget. Yes sir.

Mr. Davies: What's the salary range?

Mr. Snyder: I think it's 60 - up to 65,000, if my memory serves me.

Mr. Davies: We're saying up to but we haven't decided.

Mr. Snyder: We have not decided, but it is ... the funds in that particular line item is based on \$65,000.

Mr. Davies: And then when we ... do we have to - does Council have to ...

Mr. Snyder: We have to okay that position.

RECORD OF PROCEEDINGS

0324

Minutes of COUNCIL OF THE CITY OF NORTH CANTON

REGULAR

Meeting

DAYTON LEGAL BLANK, INC. FORM NO. 10148

Held Monday, December 13 7:00 p.m. 20 10

Mr. Davies: vote on this position and so forth?  
Mr. Snyder: Yes.

Mayor Held: Establish the position. Yes.  
Mr. Peters: Establish.

Mr. Snyder: There is no – there is no – by ordinance...

Mr. Davies: And then we would vote on what we want the salary to be?  
Mr. Snyder: Exactly.  
Mr. Davies: Okay.

Mr. Snyder: Position and salary. Right now we've only increased the line item by I think it's a three months divide into the 65...

Mr. Davies: Well actually it should be a \$5,000 savings 'cause I think the old was making 70.  
Mayor Held: Is 70.

Mr. Davies: So ...  
Mayor Held: That's correct.  
Mr. Snyder: Right.

Mr. Davies: And we're just saying up to so we can still decide what you're going to pay that position.

Mr. Snyder: Exactly. Right now there is no – there's not an authorization for that position.

Mr. DeOrio: Move to adopt.

Mr. DeOrio moved and Mr. Davies seconded to **adopt the first reading** of Ordinance No. 99-10. All members present voting:  
Yes: Foltz, Kiesling, Peters, Revoldt, Snyder, Davies, DeOrio.  
No: 0

Mr. Revoldt: Motion to suspend the rules for Ordinance 99-10.

Mr. Davies moved and Mr. DeOrio seconded to **suspend the rules** for Ordinance No. 99-10. All members present voting:  
Yes: Kiesling, Peters, Revoldt, Snyder, Davies, DeOrio, Foltz.  
No: 0

Mr. Revoldt: Motion to adopt under the rules as suspended Ordinance 99-10.

Mr. DeOrio moved and Mr. Davies seconded to **adopt under suspension of the rules** Ordinance No. 99-10. All members present voting:  
Yes: Peters, Revoldt, Snyder, Davies, DeOrio, Foltz, Kiesling.  
No: 0

12. Mr. Revoldt: Item 12, a motion to read by title only, first reading of Ordinance 100-10.

Mr. Davies moved and Mr. DeOrio seconded to **read by title only, first reading** of Ordinance No. 100-10. All members present voting:  
Yes: Revoldt, Snyder, Davies, DeOrio, Foltz, Kiesling, Peters.  
No: 0

**Ordinance No. 100-10 – 1<sup>st</sup> Reading – Finance & Property**

An ordinance authorizing the supplemental appropriation of funds of the City of North Canton, Ohio, to be appropriated from the unappropriated resources of the General Fund to the Salaries & Wages – School Patrol Account in the amount of \$20,000 for the current expenses during the fiscal year ending December 31, 2010, and declaring the same to be an emergency.

Mr. Snyder: Mr. President, Members of Council, at present there's a negative balance in that account. We've paid these wages, we're - and unfortunately we have not been reimbursed by the school yet, which we will be getting. So to make the fund whole we're transferring the money in there. When the school pays we'll turn it back into the general fund.

Mr. DeOrio: Move to approve.

**RECORD OF PROCEEDINGS**

0325

Minutes of COUNCIL OF THE CITY OF NORTH CANTON REGULAR Meeting

DAYTON LEGAL BLANK, INC. FORM NO. 10148

Held Monday, December 13 7:00 p.m. 20 10

Mr. DeOrio moved and Mr. Davies seconded to **adopt the first reading** of Ordinance No. 100-10. All members present voting:  
 Yes: Snyder, Davies, DeOrio, Foltz, Kiesling, Peters, Revoldt.  
 No: 0

Mr. Revoldt: Motion to suspend the rules for Ordinance 100-10.

Mr. Davies moved and Mr. DeOrio seconded to **suspend the rules** for Ordinance No. 100-10. All members present voting:  
 Yes: Davies, DeOrio, Foltz, Kiesling, Peters, Revoldt, Snyder.  
 No: 0

Mr. Revoldt: Motion to adopt under the rules as suspended Ordinance 100-10.

Mr. Davies moved and Mr. DeOrio seconded to **adopt under suspension of the rules** Ordinance No. 100-10. All members present voting:  
 Yes: DeOrio, Foltz, Kiesling, Peters, Revoldt, Snyder, Davies.  
 No: 0

13. Mr. Revoldt: Item 13, a motion to read by title only, first reading of Ordinance 101-10.

Mr. Davies moved and Mr. DeOrio seconded to **read by title only, first reading** of Ordinance No. 101-10. All members present voting:  
 Yes: Foltz, Kiesling, Peters, Revoldt, Snyder, Davies, DeOrio.  
 No: 0

**Ordinance No. 101-10 – 1<sup>st</sup> Reading – Finance & Property**

An ordinance authorizing certain transfers in the 2010 appropriations for the advancement of funds from within the unappropriated resources of the Income Tax Fund to the Hoover District Improvement Fund for the fiscal year ending December 31, 2010, and declaring the same to be an emergency.

Mr. Snyder: Again, this is an advancement. We will advance this money into that fund because it is a negative fund balance. We're anticipating reimbursement funds from the state on the JRS (Job Ready Site) Grant and we've not received that. As you know they're changing administrations and that's somewhat up into a flux. The law allows us to advance the funds temporarily for up to 12 months and the money will be repaid back to the General Fund and back to the Income Tax Fund upon receipt of the reimbursement from the State. And that amount I think is about \$181,000, if my memory serves me correctly.

Mrs. Kiesling: The ordinance says 163.

Mr. Snyder: 161, is that what it...

Mrs. Kiesling: 163.

Mr. Snyder: 63 is that what ... it must be a little lower than what I thought.

Mr. DeOrio: Mr. Chairman, based on an improved understanding that I on this measure that I received from the Finance Director I would be prepared to vote for it.

Mr. Snyder: I appreciate that.

Mr. Revoldt: Mr. Bowles, when you anticipate reimbursement for this amount?

Mr. Bowles: I think as soon as the State comes to a conclusion.

Mr. Revoldt: Okay.

Mr. Bowles: Once the State makes the decision that we can start ...inaudible... some reimbursements again the money will start to flow.

Mr. Snyder: Mr. President, if I may, I believe this money is monies that ...inaudible... it's not into the actual Hoover property. These are monies for the streetscape and so forth that we've done with Floyd Browne. Is that right, Mr. Benekos?

Mr. Benekos: Correct.

Mr. Snyder: This is out of the share that the City – so we understand where that money's headed, it's our monies that we've used to enhance that corridor right along there and ...

Mr. Revoldt: A motion to adopt the first reading of Ordinance 101-10.

RECORD OF PROCEEDINGS

0326

Minutes of COUNCIL OF THE CITY OF NORTH CANTON

REGULAR

Meeting

DAYTON LEGAL BLANK, INC. FORM NO. 10148

Held Monday, December 13 7:00 p.m. 20 10

Mr. DeOrio moved and Mrs. Kiesling seconded to **adopt the first reading** of Ordinance No. 101-10. All members present voting:

Yes: Kiesling, Peters, Revoldt, Snyder, Davies, DeOrio, Foltz.

No: 0

Mr. Revoldt: Motion to suspend the rules for Ordinance 101-10.

Mr. DeOrio moved and Mrs. Kiesling seconded to **suspend the rules** for Ordinance No. 101-10. All members present voting:

Yes: Peters, Revoldt, Snyder, Davies, DeOrio, Foltz, Kiesling.

No: 0

Mr. Revoldt: Motion to adopt under the rules as suspended Ordinance 101-10.

Mr. DeOrio moved and Mrs. Kiesling seconded to **adopt under suspension of the rules** Ordinance No. 101-10. All members present voting:

Yes: Revoldt, Snyder, Davies, DeOrio, Foltz, Kiesling, Peters.

No: 0

14. Mr. Revoldt: Item 14, a motion to read by title only, first reading of Ordinance 102-10.

Mr. DeOrio moved and Mr. Davies seconded to **read by title only, first reading** of Ordinance No. 102-10. All members present voting:

Yes: Snyder, Davies, DeOrio, Foltz, Kiesling, Peters, Revoldt.

No: 0

**Ordinance No. 102-10 – 1<sup>st</sup> Reading – Finance & Property**

An ordinance authorizing the Mayor of the City of North Canton to enter into an Addendum to the Lease by and between the City of North Canton ("City") and R & S Golf Properties, Inc., an Ohio corporation and Robert C. Purcell and David Scott DeMuesy as individuals ("Lessee") executed on September 22, 2008, for the premises known as The Fairways fra Arrowhead Country Club, and declaring the same to be an emergency.

Mr. Snyder: Mr. President, Members of Council, as you know we anticipate selling bonds on the remaining \$700,000 note that we have on the Fairways which we hold internally. And what we've asked to do and we've had a meeting with the two operators of the Fairways, we wanted to make sure – at presently they have a three-year lease with two three-year options. The bonds will be issued for a ten-year period. In order to put the City in safer position financially and a more comfort zone and put the operators of the Fairways in a more comfortable zone, as they would like to continue to do capital improvements at the tune of \$80,000 a year on to that property, which they're required by lease, we've asked them to extend the initial three-year term to a five-year term and the two options at five years each. The only other change in the actual lease, there'll be eleven equal payments versus twelve. The amount of money does not change. And the reason for this is cash flow situation. They start selling memberships the first of January and their cash flow does not really come in heavily until the end of the month of January and it would put them in breach position where the lease payment and they've always been timely since they've leased the property which will soon be three years, but rather than have them breach, we've agreed – we've offered with the consent of the Council to allow them eleven payments versus twelve. So that's the genesis. And my apologizes, I did not include that in my meeting notes last week but it is in the Addendum to the Lease which they'll execute accordingly. It is the hope that we have – the Committee will have Mr. DeMuesy and Mr. Purcell up here this – sometime here in January to speak to us, tell us their plans and how they're doing and let us know exactly where that – they did have a tough summer and a tough fall, but they've seemed to have got that addressed. Very much like the city streets, it's falling apart, the sprinkler fell apart, the roof went bad, this went bad, but that's all been addressed and it's pretty much up to snuff now. And they anticipate a good 2011. That's that.

Mr. Revoldt: Any other questions or comments? Seeing none, then a motion to adopt the first reading of Ordinance 102-10.

Mr. Davies moved and Mr. DeOrio seconded to **adopt the first reading** of Ordinance No. 102-10. All members present voting:

Yes: Davies, DeOrio, Foltz, Kiesling, Peters, Revoldt, Snyder.

No: 0

Mr. Revoldt: Motion to suspend the rules for Ordinance 102-10.

Mr. Davies moved and Mr. DeOrio seconded to **suspend the rules** for Ordinance No. 102-10. All members present voting:

Yes: DeOrio, Foltz, Kiesling, Peters, Revoldt, Snyder, Davies.

No: 0

RECORD OF PROCEEDINGS

0327

Minutes of COUNCIL OF THE CITY OF NORTH CANTON REGULAR Meeting

DAYTON LEGAL BLANK, INC. FORM NO. 10148

Held Monday, December 13 7:00 p.m. 20 10

Mr. Revoldt: Motion to adopt under the rules as suspended Ordinance 102-10.

Mr. Davies moved and Mr. DeOrio seconded to adopt under suspension of the rules Ordinance No. 102-10. All members present voting: Yes: Foltz, Kiesling, Peters, Revoldt, Snyder, Davies, DeOrio. No: 0

15. Mr. Revoldt: Item 15, a motion to read by title only, first reading of Ordinance 103-10.

Mr. DeOrio moved and Mr. Davies seconded to read by title only, first reading of Ordinance No. 103-10. All members present voting: Yes: Kiesling, Peters, Revoldt, Snyder, Davies, DeOrio, Foltz. No: 0

Ordinance No. 103-10 - 1st Reading - Finance & Property

An ordinance authorizing the Director of Administration of the City of North Canton to advertise and receive bids according to specifications now on file in the office of the Director of Administration for the purchase of Water Treatment Plant chemicals for use by the City of North Canton Drinking Water Treatment Plant, and for the Mayor of the City of North Canton to be authorized, through the Board of Control, to enter into a contract for the purchase of said Water Treatment Plant chemicals and declaring the same to be an emergency.

Mr. Snyder: Mr. President, Members of Council, this is a yearly thing. We need to purchase chemicals for our treatment plant and this authorizes the Director of Administration to advertise and receive bids to purchase same.

Mr. DeOrio: Move to approve.

Mr. DeOrio moved and Mrs. Kiesling seconded to adopt the first reading of Ordinance No. 103-10. All members present voting: Yes: Peters, Revoldt, Snyder, Davies, DeOrio, Foltz, Kiesling. No: 0

Mr. Revoldt: Motion to suspend the rules for Ordinance 103-10.

Mr. Davies moved and Mr. DeOrio seconded to suspend the rules for Ordinance No. 103-10. All members present voting: Yes: Revoldt, Snyder, Davies, DeOrio, Foltz, Kiesling, Peters. No: 0

Mr. Revoldt: Motion to adopt under the rules as suspended Ordinance 103-10.

Mr. Davies moved and Mr. DeOrio seconded to adopt under suspension of the rules Ordinance No. 103-10. All members present voting: Yes: Snyder, Davies, DeOrio, Foltz, Kiesling, Peters, Revoldt. No: 0

16. Mr. Revoldt: Item 16, a motion to read by title only, first reading of Ordinance 104-10.

Mr. Davies moved and Mrs. Kiesling seconded to read by title only, first reading of Ordinance No. 104-10. All members present voting: Yes: Davies, DeOrio, Foltz, Kiesling, Peters, Revoldt, Snyder. No: 0

Ordinance No. 104-10 - 1st Reading - Finance & Property

An ordinance providing for the issuance and sale of not to exceed \$920,000 notes, in anticipation of the issuance of bonds, for the purpose of paying costs of constructing a waterline between certain termini, together with the necessary appurtenances, and declaring an emergency.

Mr. Snyder: Mr. President, Members of Council, we missed that little window, the first window to sell the bonds for the Oster waterline, as we'll call it. Consequently, the note is due and payable on the 29th day of this month. The bonds probably will not sell until anticipated the second week of January. So we have a note due. And in order for us to be current and stay current and timely we need to sell another note or issue a note or somehow to do something to come up with the \$920,000 we need. So we're going to do that on a temporary period until as it so states in the ordinance when the bonds are issued and we'll pay this note off and then we'll be back with a long term note which is a 20 year note - bond.

## RECORD OF PROCEEDINGS

Minutes of COUNCIL OF THE CITY OF NORTH CANTON

REGULAR

Meeting

DAYTON LEGAL BLANK, INC. FORM NO. 10148

Held Monday, December 13 7:00 p.m. 20 10

Mr. DeOrio moved and Mr. Davies seconded to **adopt the first reading** of Ordinance No. 104-10. All members present voting:

Yes: DeOrio, Foltz, Kiesling, Peters, Revoldt, Snyder, Davies.

No: 0

Mr. Revoldt: Motion to suspend the rules for Ordinance 104-10.

Mr. Davies moved and Mr. DeOrio seconded to **suspend the rules** for Ordinance No. 104-10. All members present voting:

Yes: Foltz, Kiesling, Peters, Revoldt, Snyder, Davies, DeOrio.

No: 0

Mr. Revoldt: Motion to adopt under the rules as suspended Ordinance 104-10.

Mr. Davies moved and Mr. DeOrio seconded to **adopt under suspension of the rules** Ordinance No. 104-10. All members present voting:

Yes: Kiesling, Peters, Revoldt, Snyder, Davies, DeOrio, Foltz.

No: 0

17. Mr. Revoldt: Item 17, a motion to read by title only, first reading of Ordinance No. 105-10.

Mr. Davies moved and Mrs. Kiesling seconded to **read by title only, first reading** of Ordinance No. 105-10. All members present voting:

Yes: Peters, Revoldt, Snyder, Davies, DeOrio, Foltz, Kiesling.

No: 0

**Ordinance No. 105-10 – 1<sup>st</sup> Reading – Community & Economic Development**

An ordinance accepting the annexation of certain territory owned by the City of North Canton to the City of North Canton, containing 5.417 acres, more or less, in Plain Township to the City of North Canton.

Mr. Revoldt: Mrs. Kiesling.

Mrs. Kiesling: This is the first reading of the Luzio annexation beside the ball fields. I motion we accept.

Mr. DeOrio: I'll second.

Mrs. Kiesling moved and Mr. DeOrio seconded to **adopt the first reading** of Ordinance No. 105-10. All members present voting:

Yes: Revoldt, Snyder, Davies, DeOrio, Foltz, Kiesling, Peters.

No: 0

18. Mr. Revoldt: Item 18, a motion to read by title only, first reading of Ordinance No. 106-10.

Mr. Davies moved and Mrs. Kiesling seconded to **read by title only, first reading** of Ordinance No. 106-10. All members present voting:

Yes: Snyder, Davies, DeOrio, Foltz, Kiesling, Peters, Revoldt.

No: 0

**Ordinance No. 106-10 – 1<sup>st</sup> Reading – Personnel & Safety**

An ordinance adopting the City of North Canton's Policy on Cellular Telephone Use and declaring the same to be an emergency.

Mr. Peters: Yes, we were strongly advised by the State Auditor to put this on our books. We can make changes to it in the future, but we need to get it on by the first of the year.

Mr. Nilges: Correct.

Mr. Peters: It's our intention to incorporate this into ...

Mr. Nilges: Handbook.

Mr. Peters: The handbook. Correct.

Mr. Nilges: And we've discussed ...

Mr. Peters: Right.

Mr. Nilges: I'd like to get that on sooner than later next year.

Mr. Peters: Gotcha. If there's no questions, I motion to approve.

RECORD OF PROCEEDINGS

0329

Minutes of

COUNCIL OF THE CITY OF NORTH CANTON

REGULAR

Meeting

DAYTON LEGAL BLANK, INC. FORM NO. 10148

Held Monday, December 13 7:00 p.m. 2010

Mr. Peters moved and Mr. DeOrio seconded to **adopt the first reading** of Ordinance No. 106-10. All members present voting:  
 Yes: Davies, DeOrio, Foltz, Kiesling, Peters, Revoldt, Snyder.  
 No: 0

Mr. Revoldt: Motion to suspend the rules for Ordinance 106-10.

Mr. Davies moved and Mr. DeOrio seconded to **suspend the rules** for Ordinance No. 106-10. All members present voting:  
 Yes: DeOrio, Foltz, Kiesling, Peters, Revoldt, Snyder, Davies.  
 No: 0

Mr. Revoldt: Motion to adopt under the rules as suspended Ordinance No. 106-10.

Mr. Davies moved and Mr. DeOrio seconded to **adopt under suspension of the rules** Ordinance No. 106-10. All members present voting:  
 Yes: Foltz, Kiesling, Peters, Revoldt, Snyder, Davies, DeOrio.  
 No: 0

19. Mr. Revoldt: Item 19, oh excuse me, go ahead, Clerk, I'm having one of those senior moments...  
 Mrs. Kalpac: Motion to read.  
 Mr. DeOrio: Move to read Ordinance No. 107-10.

Mr. Revoldt: Yes, that is what I'm after. Item 19, a motion to read by title only a first reading of Ordinance 107-10.

Mr. Davies: So moved.  
 Mr. Peters: Second. Inaudible...

Unidentified: You're there.  
 Mr. Revoldt: I'm there, I'm just confused.

Mr. Davies moved and Mr. Peters seconded to **read by title only, first reading** of Ordinance No. 107-10. All members present voting:  
 Yes: Kiesling, Peters, Revoldt, Snyder, Davies, DeOrio, Foltz.  
 No: 0

**Ordinance No. 107-10 – 1<sup>st</sup> Reading – Personnel & Safety**

An ordinance adopting the City of North Canton's Policy and Procedures for Credit Card use and declaring the same to be an emergency.

Mr. Peters: Yeah, as with the cellular telephone policy, same goes with the credit card. This does meet with the Director of Finance's approval. This will also be put into the handbook. And if there's no questions, I move to approve.

Mr. Peters moved and Mr. Davies seconded to **adopt the first reading** of Ordinance No. 107-10. All members present voting:  
 Yes: Peters, Revoldt, Snyder, Davies, DeOrio, Foltz, Kiesling.  
 No: 0

Mr. Revoldt: Motion to suspend the rules for Ordinance 107-10.

Mr. Davies moved and Mr. DeOrio seconded to **suspend the rules** for Ordinance No. 107-10. All members present voting:  
 Yes: Revoldt, Snyder, Davies, DeOrio, Foltz, Kiesling, Peters.  
 No: 0

Mr. Revoldt: Motion to adopt under the rules as suspended Ordinance 107-10.

Mr. Davies moved and Mr. DeOrio seconded to **adopt under suspension of the rules** Ordinance No. 107-10. All members present voting:  
 Yes: Snyder, Davies, DeOrio, Foltz, Kiesling, Peters, Revoldt.  
 No: 0

20. Mr. Revoldt: Item 20, may I have a motion to table Ordinance No. 108-10?

Mr. Foltz moved and Mr. Davies seconded to **table** Ordinance No. 108-10. All members present voting:  
 Yes: Davies, DeOrio, Foltz, Kiesling, Peters, Revoldt, Snyder.  
 No: 0

RECORD OF PROCEEDINGS

0330

Minutes of COUNCIL OF THE CITY OF NORTH CANTON

REGULAR

Meeting

DAYTON LEGAL BLANK, INC., FORM NO. 10148

Held Monday, December 13 7:00 p.m. 20 10

21. Mr. Revoldt: May I have a motion to amend tonight's agenda to include Item No. 21; that would be Ordinance No. 109-10...

Mr. DeOrio: So moved.

Mr. Revoldt: And to waive the rules of council requiring a committee report?

Mr. DeOrio moved and Mrs. Kiesling seconded to amend the agenda to include Ordinance No. 109-10 and to waive the rules of council requiring a committee report. All members present voting:

Yes: DeOrio, Foltz, Kiesling, Peters, Revoldt, Snyder, Davies.

No: 0

Mr. Revoldt: A motion to read by title only, first reading of Ordinance No. 109-10.

Mr. DeOrio moved and Mr. Davies seconded to read by title only, first reading of Ordinance No. 109-10. All members present voting:

Yes: Foltz, Kiesling, Peters, Revoldt, Snyder, Davies, DeOrio.

No: 0

Ordinance No. 109-10 - 1st Reading - Personnel & Safety

An ordinance amending Ordinance No. 138-07, as amended, to provide an increase in the established compensation rates for part-time exempt and non-exempt personnel and repealing any and all legislation inconsistent herewith, and declaring the same to be an emergency.

Mr. Peters: Yes, the minimum wage is going from \$7.35 to \$7.40 and this will put us in compliance. This affects part-time summer help, pool personnel and maintenance.

Mr. Snyder: How about councilmen? Do I get a little raise out of it?

Mr. Nilges: No, you're exempt.

Mr. Revoldt: \$3.49 per hour.

Mr. Snyder: That was ...inaudible...

Mr. Davies: That's in with the sun's due to burnout in three billion years.

Mr. Snyder: Oh, I was looking for a raise there I thought may - we had a little cash flow.

Mr. Revoldt: May I have a motion to adopt the first reading of Ordinance 109-10?

Mrs. Kiesling moved and Mr. Peters seconded to adopt the first reading of Ordinance No. 109-10. All members present voting:

Yes: Kiesling, Peters, Revoldt, Snyder, Davies, DeOrio, Foltz.

No: 0

Mr. Revoldt: Motion to suspend the rules for Ordinance 109-10.

Mr. Davies moved and Mr. DeOrio seconded to suspend the rules for Ordinance No. 109-10. All members present voting:

Yes: Peters, Revoldt, Snyder, Davies, DeOrio, Foltz, Kiesling.

No: 0

Mr. Revoldt: Motion to adopt under the rules as suspended Ordinance 109-10.

Mr. Davies moved and Mr. DeOrio seconded to adopt under suspension of the rules Ordinance No. 109-10. All members present voting:

Yes: Revoldt, Snyder, Davies, DeOrio, Foltz, Kiesling, Peters.

No: 0

REPORTS:

Mr. Revoldt: Under the threat of coal in lieu of gifts I would encourage all of the administration to brief on this reports session, as well as Mr. Nilges. Reports - Director of Law.

Mr. Nilges: Happy holidays.

Mr. Revoldt: Very good. You got the hint. Mr. Benekos.

Mr. Benekos: Merry Christmas.

Mr. Revoldt: Mayor, it's a tall challenge.

RECORD OF PROCEEDINGS

0331

Minutes of COUNCIL OF THE CITY OF NORTH CANTON REGULAR Meeting

DAYTON LEGAL BLANK, INC. FORM NO. 10148

Held Monday, December 13 7:00 p.m. 20 10

Mayor Held: Yes, it is a challenge. I've got three announcements. One, we did have John Minock, he has been a life-long resident of North Canton. And he began serving as an auxiliary police officer in 1987 and also was the lead detective in the trailer park murder that we had back in 2008.

Mr. Snyder: Was he the head of that investigation.

Mrs. Kiesling: Jon...

Mr. Revoldt: Excuse the pun.

Mayor Held; John graduated from Hoover High School in 1982. He's been married to Christine for 20 years. And he is the first officer to be appointed to the newly created Sergeant position. And that position was established in cooperation with City Council because of the tight economy – we're going to save about nine percent on the Sergeant position rather than hiring a Lieutenant. So John will start in January of 2011. And then also, Captain Jack Patterson, if you see him let him know that – you can congratulate him because he's Firefighter of the Year. He has served forty-four and a half years on the North Canton Fire Department.

Mrs. Kiesling: Wow.

Mayor Held: Another six months and that would have been longer than I've been alive. So it's a long time that he's been serving there and this is the first time that he's been given Firefighter of the Year. He's really been – he epitomizes public service. Because even now he's still one of the first fellows that shows up at all the calls and the first one I believe in the Department and so a special congratulations to Captain Jack Patterson. And lastly, in this weather we're saving about \$100,000 a year on the salt. We normally would salt every street, every lane and what we do now is we go down the side streets one pass. We don't go down the right lane and up the other. We go one pass. And then on the main streets, Main Street and Everhard and Applegrove, we do those you know we go up and down every lane or make two passes. So we're hoping to save you know depending on what the winter's like, I think in our – in the old days we'd spend about 6,500 tons and then last year we spent about 4,500 tons. So we're working on that and as you can see, the main streets are always pretty wet, the side streets because we only take one pass are acceptable. And that's all I have.

Mr. Revoldt: Mr. Bowles.

Mr. Bowles: Two items, Merry Christmas and Happy New Year.

Mr. Revoldt: Clerk.

Mrs. Kalpac: Happy holidays to all.

REPORTS – COUNCIL:

Mr. Revoldt: Mr. Foltz.

Mr. Foltz: Same.

Mr. Revoldt: Mr. Peters.

Mr. Peters: Just one thing. I didn't get a chance to ask Jim in private. Did we put that alley on the plowing schedule?

Mr. Benekos: It is. It should have been and if it doesn't get plowed let us know and we'll get out there and plow it, but yes it should be plowed.

Mr. Peters: Okay. Very good. Happy holidays.

Mr. Revoldt: Mr. Davies.

Mr. Davies: Happy holidays to everybody. Very quickly I want to thank Jim. I've had a couple small problems in the Ward and he's right on it, I mean same day type thing. So I very much appreciate that. Merry Christmas.

Mr. Benekos: Don't get used to it. Thank you.

Mr. Revoldt: Mr. DeOrio.

Mr. DeOrio: Seasons greetings.

Mr. Revoldt: Mrs. Kiesling.

Mrs. Kiesling: Merry Christmas to everybody.

Mr. Revoldt: Mr. Snyder.

DAYTON LEGAL BLANK, INC. FORM NO. 10148

Held Monday, December 13 7:00 p.m. 20 10

Mr. Snyder: I have two things. One, I wonder if we could place on our utility bills in the month of January and February since we have the ability to do that and remind the residents and the businesses that there is an ordinance prohibiting pushing snow into the street. These commercial snow plowers come someone's driveway and shove the snow right into the street after we've just spent thousands of dollars to clean it and it makes it a little more difficult for people to get around. I don't think people realize that's a - there's a law that governs that.

Mayor Held: And they'll get ticketed too.

Mr. Snyder: Right. If they're noted - I mean if you tell them the people are very - they step right up and they will probably - but I think we should remind them of that fact.

Mayor Held: Right.

Mr. Snyder: And we have that ability on our utility bill. If we do that in January and February it may pay off. And then the other thing if I may, just relative - Mrs. Garlock said I've been reminded several times by Mr. DeOrio and Mr. Davies that there are programs available for software that would take the politics out of our street programs. And we put it on a program and we would get it there and we would be able anytime to look at the 20 year history as well as the future of our streets. I think it's almost incumbent on us, as she said, for the electorate to vote and have confidence in us and our ability to choose additional streets to be paved that we look at that software. And I know to revamp the whole system in the City is about 80,000, but I don't know what that - but I think it would be to our benefit to have a computer at the dais at any given time and look at a street and know what's there and what has to be done and what doesn't have to be done, the last thing we did to it. And we can intelligently look at things and plan things out on a five-year basis. Until we adopt five-year capital programs we're going to be constantly fighting - I shouldn't use the word fighting, but disagreeing on what streets get done and what ones don't. And we can a little more intelligently look to a constituent and tell them. That's it Mr. President. Merry Christmas to everybody and see you next year.

Mr. Revoldt: I'd just like to remind everyone that our next meeting will be January 3<sup>rd</sup> and that City Hall will be closed on the 24<sup>th</sup>, 27<sup>th</sup> and 31<sup>st</sup> of this month. So, Merry Christmas to everyone. If I can, may I have a motion to adjourn?

ADJOURN:

Mr. Davies moved and Mr. DeOrio seconded to adjourn the council meeting. All members present voting:

Yes: Snyder, Davies, DeOrio, Foltz, Kiesling, Peters, Revoldt.

No: 0

The meeting adjourned at 7:57 p.m.

  
PRESIDENT OF COUNCIL

ATTEST:

  
CLERK OF COUNCIL

1/6/11-gmk