

RECORD OF PROCEEDINGS

Minutes of COUNCIL OF THE CITY OF NORTH CANTON

REGULAR

Meeting

DAYTON LEGAL BLANK, INC. FORM NO. 10148

Held Monday, October 12, 7:00 p.m. 2009

CALL TO ORDER:

1. The council meeting was called to order Monday, October 12, 2009 at 7:00 p.m. by President of Council Daryl Revoldt.
2. The opening prayer was delivered by Rev. Dr. Mel Lindberg (retired, United Methodist Church)
3. All present recited the Pledge of Allegiance.
4. Roll Call

Mr. Revoldt: Thank you Reverend. Clerk, would you please call the roll.

The following members of Council responded to roll call: Davies, DeOrio, Kiesling, Peters, Revoldt and Snyder. Council Member Foltz was not present for the meeting. Also present were: Mayor Held, Director of Administration Wise, Director of Law McFarren, Director of Finance Zumber, Director of Economic Development Bowles, City Engineer Benekos, Superintendent of Streets & Utilities Chufar, Superintendent of Permits & Inspection Hampton, Rental Coordinator Raymond and Clerk of Council Kalpac.

Mr. Revoldt: May I have a motion to excuse Mr. Foltz?

Mr. Snyder moved and Mr. DeOrio seconded to excuse the absence of Council Member Foltz.

All members present voting:

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

No: 0

5. Consideration

Council Meeting Minutes – September 28, 2009
Mayor's Court Receipts – July and August, 2009

Mr. Revoldt: We have for your consideration the minutes of the council meeting for September 28, 2009. Your packet also contains the mayor's court receipts for July and August. Are there any questions, corrections or amendments to those documents?

Mr. Snyder moved and Mr. DeOrio seconded to approve minutes of the council meeting and mayor's court receipts as presented. All members present voting:

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

No: 0

6. Committee Minutes

Mr. Revoldt: You also have for your consideration minutes from the Community & Economic Development Committee; Finance & Property; Personnel & Safety; Street & Alley; and Water, Sewer & Rubbish. Those committee meetings were held on October 5, 2009.

Mr. DeOrio moved and Mr. Davies seconded to approve the committee report minutes as presented. All members present voting:

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

No: 0

Community & Economic Development Committee: Please refer to the minutes on file in the Council Office for the Community & Economic Development Committee meeting held October 5, 2009.

Finance & Property Committee: Please refer to the minutes on file in the Council Office for Finance & Property Committee meeting held October 5, 2009.

Personnel & Safety Committee: Please refer to the minutes on file in the Council Office for the Personnel & Safety Committee meeting held October 5, 2009.

Street & Alley Committee: Please refer to the minutes on file in the Council Office for the Street & Alley Committee meeting held October 5, 2009.

Water, Sewer & Rubbish Committee: Please refer to the minutes on file in the Council Office for the Water, Sewer, & Rubbish Committee meeting held October 5, 2009.

Mr. Revoldt: I would like to have a motion to include Item 12 to our agenda. This would be Ordinance No. 95-09, Connection Permits.

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Mr. Davies moved and Mr. DeOrio seconded to amend the agenda to include Item 12, Ordinance No. 95-09. All members present voting:
 Yes: Revoldt, Snyder, Davies, DeOrio, Kiesling, Peters.
 No: 0

7. Recognition of Visitors

Mr. Revoldt: Let's move on then to recognition of visitors. Is there anyone who wishes to address the Council? Mr. Osborne.

Chuck Osborne: I'm going to step back here a little bit.
 Mr. Revoldt: Please.

Mr. Osborne: My name is Chuck Osborne. 307 Fairview Street SE, North Canton, Ohio. I don't have any prepared comments tonight, I'll just speak extemporaneously. Regarding the - I guess hope to forget \$70,000 loss on the Arrowhead Lease. I would like to know if there has been any serious discussion and consideration, I've only briefly talked to Mr. Zumbar about this probably six weeks ago. Everyone up here I guess is covered by errors and omissions insurance, I guess under the city's insurance policy. Seventy thousand dollars is a lot to just walk away from and lose and I know if it happened to anyone of you on your property you'd probably put a claim in on your homeowner's insurance. Well the city has errors and omissions insurance. I wonder if there's any serious discussion and consideration to put a claim in with our general insurance company for reimbursement. I don't know at what level of loss the city would experience that it would prompt them to put in a claim, but I think a \$70,000 loss is sizeable. I don't know what level of impact it would have on our premiums, which was the concern Mr. Zumbar raised to me. I would like to see this city explore that and see if you can recoup your losses on that. That's all I have.

Mr. Revoldt: Thank you.
 Mr. Osborne: Thank you.

Mr. Revoldt: Is there anyone else who wishes to address the Council? Mr. Brenton, if you'd please come forward to the microphone.

Sam Brenton: My name's Sam Brenton from 1681 Westfield SW. I only come up to ask one stupid question. Am I allowed?
 Mr. Revoldt: You are.

Mr. Brenton: Who fixed that wall down there on Everhard Road, took those old ties out and put that wall in?

Mayor Held: I'm not - I'm not sure that I follow you Mr. Brenton. What wall are you talking about?
 Mr. Brenton: Well there was a...

Mr. Revoldt: Mr. Brenton is asking if the city placed the railroad ties that were the retaining wall at the southeast intersection of Westfield and Everhard Road. And I believe the answer is the property owner.

Mr. Wise: I don't know anything about it. I mean I don't know - I didn't know there was one fixed.

Mr. Brenton: The city put them in years ago when they did the sidewalk. The next week there - it wasn't tied in. So and people been saying why don't the city fix it they put it in. So you say them poor kids had to do it?
 Mr. Revoldt: I'm saying they must have.

Mr. Brenton: Inaudible... But anyhow, all was said I'd like to have stock in two places, that old man that stands down there on Everhard Road and Whipple bumming coins. I'd like to have stock in him. And the light system down here at Easthill. Most of us for that private property down there, you pay for that but you wouldn't pay for them kids after putting that mess in? You ought to be ashamed of yourself Revoldt. That's all ...inaudible...

Mr. Revoldt: Mr. Brenton.
 Mr. Brenton: Yes, go ahead.

Mr. Revoldt: Please, you know in all fairness I'm not sure that the property owners ever made a request to us for that replacement.

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Mr. Brenton: Here's the guy right there that mentioned it to you. He's mentioned it to you.

Mr. Snyder: Mr. Brenton's referring to the fact he brought that to my attention and the first person I talked to was Mike Miller at the time which was about three or four years ago, wasn't it Sam.

Mr. Brenton: Yea.

Mr. Snyder: And I went down and the seen the property owner. He and his wife both teach at Malone College and I think I talked to Mr. Wise about a couple years ago. But I don't know that any other conversation pursued from there on.

Mr. Revoldt: Mr. Brenton, I just want to be real clear about this.

Mr. Brenton: Yes, I'd like to be too. Did they pay for it or did you pay for it.

Mr. Revoldt: And I want to be very direct because you referenced my name.

Mr. Brenton: Okay.

Mr. Revoldt: Now you're telling me that those property owners made a request to me to repair that wall.

Mr. Brenton: I think they did because they wanted to sell ...

Mr. Revoldt: No, hold on a second Mr. Brenton.

Mr. Brenton: No, no, no, to the City.

Mr. Revoldt: No, hold on a second. Excuse me, not I think they made a request to me. Did they or didn't they, Mr. Brenton?

Mr. Brenton: I wasn't there so I can't say. But ...

Mr. Revoldt: Mr. Brenton, you just did.

Mr. Brenton: I know a fact - I don't know. That is the date or not. I can't prove it by me. So I can only say one thing Revoldt, everyday you and your wife is making your loop and you pass that. Do you applaud it when you look at that mess you made? That whole corner down there is a disaster. That old man that comes down there every morning with that cup of coffee from McDonald's, right at the fireplug he fell right into the street - right in due to the way that sidewalk is there. And I'm not the only one that's seen it. I can tap two people on the shoulder that's also seen it. Fell on the street, four lanes of traffic stopped when that old man rolled right into the street due to that sidewalk down there that you. Like I say, whoever did that flunks sandbox. Okay. Because I called Rush - I called Mr. Rush and I said do not let that man put that in the way you've got it laid out. If you go down there take a kid and a little red wagon. Right there at Everhard, that corner on the north side don't pull that kid across the street because he will go - that is a disaster.

Mayor Held: How about if we do this Mr. Brenton, because just as last week when you brought it to our attention about the dead limbs that were hanging over Everhard and also ...inaudible...

Mr. Brenton: And right there that district there - what do you call it Wilkshire or whatever, right by that sign you'll see that dead tree hanging over the tree - over the street. But that fence there...

Mayor Held: That's right. And we've got our Street Department fixing it - it's working on it. It's gone already. That's - that's taken care of. So here's what I'd like to do because really all the council members including myself and everybody up here wants to make sure we're addressing the needs of the residents. And I know Mr. Revoldt does too I mean there's no doubt in my mind and the same thing with Mr. Snyder. The thing is that we don't have and I don't believe council has - certainly we don't have any formal request from the residents. Sometimes things will communicate - people will communicate whether it's to the previous administrator or previous elected official, but if there's a responsibility that the city has we'll make sure and look into it on our end and then we'll get and then we'll let...

Mr. Brenton: Yea but there's a ...

Mayor Held: the homeowners know so that we can make a determination. They at least need to know whether it's the city's responsibility or whether it's their responsibility.

Mr. Brenton: When I called you you said you were going to get on it and I believed you.

Mayor Held: Right.

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Mr. Brenton: Alright. Now that fence belongs to the city cause they take care of it – that split log fence. The city goes in there – and that wall belongs to the city. They go in there and trim those trees on that. So whoever took those logs out they've got them stacked right out to the sidewalk.

Mayor Held: Right. Well let us do this, because they're – even with the split rail fence you know there was some concern you know as far as who's responsible for the fence along that area also. But we're going to make sure that we look into it with the City Administrator and our Law Director and we will make sure that we have an answer here in the next two weeks on that.

Mr. Brenton: And if you want me to I am still able I can go down and move those logs myself. I'll just lay them on the ground along side the fence. I'm not afraid to do it.

Mayor Held: Okay give us – if you can give us two weeks and we'll make sure that we get an answer on that for the homeowner. Because now as you're talking about this I'm starting to visualize the wall that you're talking about, the railroad ties.

Mr. Brenton: It was made out of railroad ties. I'd say it's about that long and just as soon as they put it in it started going towards the street. hey didn't tie it in and it was dangerous. People don't walk that sidewalk. If you go down Everhard Road there's nobody on that sidewalk cause it's completely dangerous. That logs was ready to tip anytime. So like I said...

Mayor Held: Well let us – give us two weeks. We'll make sure that we have our Street Department and our City Administrator look at it and we'll have our Law Director look at it legally but I can assure you every member up here on council including myself, we want to make sure that the residents that we're serving them. I mean there's no doubt about it.

Mr. Brenton: Like I told you when I see that guy I'll tell you. Because I worked on the railroad and the one time I was busy and I thought somebody was fooling with my wallet when I looked around those big steam engine's wheels was sliding past me. He really bumped me. That's how close I come. Cause I know danger. So when I see that rather than have a hole in some windshield I'll let you know. It's just that simple. Hey thank you guys.

Mayor Held: Thank you.

Mr. Revoldt: Is there anyone else who wishes to address the Council?

Mr. Brenton: I'm going home.

OLD BUSINESS:

8. Mr. Revoldt: Well on that high note let's move on to old business, may I have a motion to read motion to read by title only, third reading of Ordinance No. 87-09.

Mr. Davies moved and Mr. DeOrio seconded to **read by title only, third reading** of Ordinance No. 87-09. All members present voting:

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

No: 0

Ordinance No. 87-09 – 3rd Reading – Personnel & Safety

An ordinance incorporating the City's Public Records Policy into The City of North Canton Personnel Handbook.

Mr. Peters: Yes we're required by law to do this. I don't think there's been any questions or any changes since then so with that I move that we adopt the third reading.

Mr. Peters moved and Mr. DeOrio seconded to **adopt the third reading** of Ordinance No. 87-09. All members present voting:

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

No: 0

9. Mr. Revoldt: Item 9, a motion to read by title only, third reading of Ordinance 91-09.

Mr. DeOrio moved and Mr. Davies seconded to **read by title only, third reading** of Ordinance No. 91-09. All members present voting:

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

No: 0

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Ordinance No. 91-09 – 3rd Reading – Finance & Property

An ordinance authorizing the Director of Administration of the City of North Canton to seek quotes for cleaning services for the period April 1, 2010 through March 31, 2012 for the City of North Canton and authorizing the Mayor of the City of North Canton to enter into a contract for said cleaning services.

Mr. Revoldt: Jon.

Mr. Snyder: This is the third reading. We're being proactive the period begins April 1, 2010. Along with this I think the President of Council has requested that it be included in the agreement a cost to clean the building top to bottom ship to stern or however they say that. And that's that.

Mr. Osborne (speaking from audience): Stem to stern – stem to stern.

Mr. Snyder: That's it. Thank you. Stem to stern. I know it was something that had something to do with a ship, but...

Mr. DeOrio: Mr. Chairman, have you seen the language on that?

Mr. Snyder: We are waiting to see that. I believe Director of Administration Wise was going to give the President that...

Mayor Held: I'm sorry. Go ahead I was talking to him, I'm sorry.

Mr. Snyder: Excuse me. Director, do you have that language of that bid specification or are we – you're waiting to have the third reading then draft the legislation?

Mr. Wise: I provided it to Gail to give to President of Council.

Mr. Snyder: Okay.

Mr. Revoldt: I have the specs.

Mr. DeOrio: And you were just saving them for a rainy day?

Mrs. Kiesling: And you're one of six so or seven.

Mr. Revoldt: I guess I must have been saving it I was not clear that...

Mr. DeOrio: You weren't inclined to let anybody else look at it or what?

Mr. Snyder: Let me – Mr. President, possibly since the members of not only the committee but the members of council have not seen that would you indulge us if we do not – if I pull back and make sure they get a copy this week and I could read it in two weeks. Would that be comfortable?

Mr. Revoldt: That'd be fine.

Mr. Snyder: Mr. DeOrio would that be...

Mr. DeOrio: That'd be acceptable.

Mr. Davies: Were you happy with it?

Mr. Revoldt: Reasonably.

Mr. Davies: Because if you're happy I'm sure we will be.

Mr. DeOrio: Did you say reasonably or...

Mr. Revoldt: Reasonably.

Mr. DeOrio: Reasonably is not totally.

Mr. Revoldt: No.

Mr. Davies: We should look at it.

Mr. Revoldt: The – I had an opportunity to discuss the current contractor's performance with Mr. Chufar and Mr. Wise last week and indicated to them my interest in more intense scrutiny on certain areas within the building. These range from the conditions of the restrooms and the equipment therein to more diligent cleaning of the vestibule. I need to have the facility painted and the aluminum wall structures wiped down and cleaned. And this was particularly evident in the lower level and some upper areas where the cleaning – floor cleaning materials had been left on the baseboards. So – but having said that.

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Mr. Snyder: Well I would again – if you'll indulge us we'll have that sent and allow everybody to make marginal notes and then...

Mr. Revoldt: Let's have a motion to table this, Ordinance 91-09.

Mr. DeOrio moved and Mrs. Kiesling seconded to **table** Ordinance No. 91-09. All members present voting:

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

No: 0

10. Mr. Revoldt: Item 10, a motion to read by title only, third reading of Ordinance 92-09.

Mr. DeOrio moved and Mr. Davies seconded to **read by title only, third reading** of Ordinance No. 92-09. All members present voting:

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

No: 0

Ordinance No. 92-09 – 3rd Reading – Finance & Property

An ordinance authorizing the Mayor of the City of North Canton, Ohio, to enter into a contract with a financial institution that has been designated as the central depository for active funds for the City of North Canton, pursuant to Ordinance No. 81-97, for the period commencing January 1, 2010 and terminating December 31, 2012.

Mr. Snyder: Mr. President, we're required as so designated by Ohio Revised Code to designate a depository. The length of time cannot exceed 36 months. The Director's request is for a 24 month period. I believe a copy of the request was placed in last's weeks or week's before packet. And that's about it. There be no questions, I move that we adopt the third reading of Ordinance No. 92-09.

Mr. Snyder moved and Mr. DeOrio seconded to **adopt the third reading** of Ordinance No. 92-09. All members present voting:

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

No: 0

NEW BUSINESS:

11. Mr. Revoldt: Moving on to new business, a motion to read by title only, first reading of Resolution No. 94-09.

Mr. DeOrio moved and Mrs. Kiesling seconded to **read by title only, first reading** of Resolution No. 94-09. All members present voting:

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

No: 0

Resolution No. 94-09 – 1st Reading – Finance & Property

Resolution accepting the amounts and rates as determined by the Budget Commission and authorizing the necessary tax levies and certifying them to the County Auditor and declaring an emergency.

Mr. Snyder: Mr. President, Members of Council, again this is a requirement. The timeline is I believe the 31st day of October – 1st day of November. Right? Because it falls on a Saturday the 2nd day of November – Sunday, excuse me. However, we've asked for an emergency clause to put in there. We'd like to get one reading allowing the public the ability if they would want to question. The inside millage cannot exceed 10 mills, which we're within that period and telling what we do actually charge for the mill – including the school millage. That's that.

Mr. Revoldt: Questions or comments? Pat?

Mr. DeOrio: No.

Mr. Revoldt: Jeff? Seeing none, then a motion to adopt the first reading of Resolution 94-09.

Mr. Davies moved and Mr. DeOrio seconded to **adopt the first reading** of Resolution 94-09. All members present voting:

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

No: 0

Mr. Revoldt: Before we move on we will have six members of Council present for our next council – regular council meeting at which time we will adopt this on emergency. You will be absent Mr. Davies, correct?

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Mr. Davies: Yes.

Mr. Revoldt: Okay. Will anyone else be absent? I'm going to presume that Mr. Foltz will be here. Okay. Let's move on to Item 12, a motion to read by title only, first reading of Ordinance 95-09.

Mr. Davies moved and Mr. DeOrio seconded to **read by title only, first reading** of Ordinance No. 95-09. All members present voting:

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

No: 0

Ordinance No. 95-09 – 1st Reading – Water, Sewer & Rubbish

An ordinance amending Section 923.04 CONNECTION PERMITS of the Codified Ordinances of the City of North Canton to permit installment payment of required remuneration for sanitary sewer lines, repealing any and all legislation inconsistent herewith and declaring the same to be an emergency.

Mr. Revoldt: Jon.

Mr. Snyder: That's ...

Mrs. Kiesling: Jeff.

Mr. Snyder: That's Jeff.

Mr. Davies: Oh that's me. That's what we had talked about in our special meeting before this meeting. It's the tap-in fee allowing a homeowner – assuming the city has no outlay of expenditures on, in other words the sewer is already there, a developer has put it in already, but they still have to pay a fee – a frontage fee would come to the city, but we're not outlaying any money. Give them 12 months to pay for it to ease the burden to the homeowner so that they can – we have a gentleman that his septic went bad and he needs to hook on very quickly and it's - the fee is going to be about 5,000 and that's a burden and it would help him if he could pay over 12 months. So this is similar to what we do with water tap ins assuming the lines are already there. So it just ... takes the two water and sewer and coincides them and makes them the same. So I would move that we adopt.

Mr. Peters: Second.

Mr. Revoldt: We should note for the record that the council had earlier discussed an assessment process and upon review it was determined that the legal costs for preparing an assessment would exceed the tap-in fee. So this was the most economical way to go for the city.

Mr. DeOrio: And assuming in those two comments that the debt is securitized to the ... additional sewer charges should be noted.

Mr. Revoldt: May I have a motion to adopt the first reading of Ordinance 95-09.

Mr. Peters: We already did and I seconded.

Mr. Davies moved and Mr. Peters seconded to **adopt the first reading** of Ordinance No. 95-09. All members present voting:

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

No: 0

Mr. Revoldt: Motion to suspend the rules for Ordinance 95-09.

Mr. Davies moved and Mr. DeOrio seconded to **suspend the rules** for Ordinance No. 95-09. All members present voting:

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

No: 0

Mrs. Kalpac: I think you wanted to pass this on emergency next time.

Mr. Revoldt: Pardon.

Mrs. Kiesling: I think we want it tonight.

Mr. Revoldt: I think we want to do it tonight.

Mrs. Kalpac: Okay. Alright, I'm sorry, I was confused.

Mr. Davies: We needed to get this done real quick.

Mr. Revoldt: I thought we'd like to do it tonight if we can.

Mr. Davies: Yea, we're trying to help this gentleman.

Mr. Revoldt: Is there anyone who objects to doing this on an emergency? That's okay, I'm confused too.

Mr. Revoldt: Motion to adopt under the rules as suspended Ordinance 95-09.

Mr. Davies moved and Mrs. Kiesling seconded to **adopt under suspension of the rules** Ordinance No. 95-09. All members present voting:

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

No: 0

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Mr. Snyder: Mr. President, point of order if I may please.
Mr. Revoldt: You may.

Mr. Snyder: It might show the record that we did adopt and read without council minutes.

Mr. Revoldt: That is true. I needed -- may I have a motion that we have waived rules of council that require a committee report?

Mr. Davies moved and Mrs. Kiesling seconded to **waive the rules of council requiring a committee report** for Ordinance No. 95-09. All members present voting:

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

No: 0

Mrs. Kiesling: Why are you wavering Pat?

Mr. DeOrio: It's after the fact.

Mrs. Kiesling: Because it's out of order? We can read it again.

Mr. Revoldt: Well it's -- if you'd like we could take it in order. Let's...

Mr. DeOrio: I wouldn't be the one to complain if there was a problem.

Mr. Revoldt: Well would you like to do it again? Let's do it again. May I have a motion -- we have a motion and a second and the appropriate votes to waive the rules of council requiring a committee report. So having done that may I now have a motion to read by title only, first reading of Ordinance 95-09.

Mr. Davies moved and Mr. DeOrio seconded to **read by title only, first reading** of Ordinance No. 95-09. All members present voting:

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

No: 0

Ordinance No. 95-09 -- 1st Reading -- Water, Sewer & Rubbish

An ordinance amending Section 923.04 CONNECTION PERMITS of the Codified Ordinances of the City of North Canton to permit installment payment of required remuneration for sanitary sewer lines, repealing any and all legislation inconsistent herewith and declaring the same to be an emergency.

Mr. Revoldt: May I have a motion to adopt the first reading of Ordinance 95-09?

Mr. Davies moved and Mr. DeOrio seconded to **adopt the first reading** of Ordinance No. 95-09. All members present voting:

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

No: 0

Mr. Revoldt: A motion to suspend the rules for Ordinance 95-09?

Mr. Davies moved and Mr. DeOrio seconded to **suspend the rules** for Ordinance No. 95-09. All members present voting:

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

No: 0

Mr. Revoldt: A motion to adopt under the rules as suspended Ordinance 95-09.

Mr. Davies moved and Mr. DeOrio seconded to **adopt under suspension of the rules** Ordinance No. 95-09. All members present voting:

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

No: 0

Mr. Revoldt: Now may I have a motion to schedule a special council for October 19, 2009 immediately following the Committee of the Whole. The purpose of the meeting will be to consider legislation for Well #10 Raw Waterline Project and that will be the subject of our Council of the Whole meeting following this session.

Mr. DeOrio moved and Mrs. Kiesling seconded to **schedule a special council meeting for Monday, October 19, 2009 immediately following the Committee of the Whole meeting.** The purpose of the meeting will be to consider legislation for the Well #10 Raw Waterline Project. All members present voting:

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

No: 0

REPORTS:

Mr. Revoldt: Reports -- Director of Law.

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DAYTON LEGAL BLANK, INC. FORM NO. 10148

Held Monday, October 12, 7:00 p.m. 2009

Mr. McFarren: Yes. Seldom does your legal counsel convey pleasant news, tonight is the exception. With the cooperation of Finance Director Alex Zumbar and his department, we expect to take in at this point in time, so far this month, we expect to take in approximately 6,000 or excuse me \$7,000 consisting of income tax collection that is owed to the city. These are two different situations. The one situation we had to sort of encourage compliance on somebody who had a bad habit of not taking care of business year after year. Because of his failure to take care of business he's paying full interest and penalty on this thing which substantially increases his liability. Now I bring this up because I have attempted repeatedly to make it clear that enforcement of the obligations owed to the city is important to us. It's also important to the residents who are paying their taxes and to the people who rely upon the services that are paid with those monies. The other situation we had to sue somebody and this was a couple years ago. We sued somebody, took a judgment lien, they went into foreclosure, we appeared in the foreclosure and now they went into bankruptcy. Well guess what, we're going to get paid. So sometimes the road is slow and sometimes the road is long, but if we hang in there and protect ourselves we can get our money. The other situation I think the members of council who were present at the CIC ("Community Improvement Corporation") meeting last week are aware, I wanted to bring it to everybody else's attention, and that is the CIC brought about 60 jobs into this community in 2008 with the MRDD ("Mental Retardation and Developmental Disabilities") situation down at on South Main. During that CIC meeting the report indicated that our investment, ours being the city by way of the CIC, has been totally returned. And when you consider that this has happened in less than two years, from 2008 to today, the return is 100 percent and then some. So it seems like the bad news always gets pounded heavily and we're all under a lot of pressure doing more with less and sometimes it's just nice to hear something good. And that concludes my report.

Mr. Revoldt: Thank you. Questions? Director of Finance.

Mr. Zumbar: No report.

Mr. Revoldt: Director of Administration.

Mr. Wise: No report.

Mr. Revoldt: Mayor.

Mayor Held: Yes, I have a few things. First off if Council has not seen a copy of the *Forbes* magazine, there's a picture of Stuart Lichter. Nice article in there of all the work he's doing across the country. And of course, the picture here was taken right at the Hoover Plant, it didn't mention the Hoover Facility in the article, but this is really one of his lead projects. So we can get a copy of this for our council members. Real nice work being done over there. Also, we do have our fall newsletter for the leaf recycling. It is going to go out this week. And that's going to announce -- Tom, do you have the dates? Tom Chufar.

Mr. Chufar (speaking from audience): The 20th.

Mayor Held: The 20th of October, that's when we're going to start collecting leaves and it will go all the way through till...

Mr. Chufar (speaking from audience): November 23rd.

Mayor Held: November 23rd. So a nice long program. The newsletter will explain all of that and also promote the recycling program a little bit. But it's something that we have to do and I appreciate council's support and cooperation on that. And secondly, we have Rich Steinhebel of our Drinking Water Plant -- Superintendent of our Drinking Water Plant. And what we did today was really pretty groundbreaking, we swore in our new Drinking Water Plant operator today, but he's the first ever that also serves on a part-time basis at our Fire Department -- he's also a firefighter. And Rich Steinhebel has been working with Earle Wise, our Administrator, to try to implement some of the recommendations -- well actually all of the recommendations of our Performance Audit from the state and one of those is cross utilization of workers. So when we were looking to appoint a Drinking Water Plant Operator, we were real eager to try to find somebody that had the skills and qualifications that could serve also in our Fire Department. So what that -- what that will allow us to do is if there is an emerging situation with the Fire Department where we need additional hands during the day if he is working the day shift and we have enough of a backup with Rich and some of the other employees at the Drinking Water Plant where that person can be relieved. And his name is Ryan Lawrence. He has a chemistry and biology background so he's very well qualified and he also serves in the Fire Department presently. So we're very proud of the work that you're doing there Rich. And also you've reduced the number of full time Drinking Water Plant Operators; we were at nine.

Mr. Steinhebel (speaking from audience): Yes.

Mayor Held: And now we're down to...

Mr. Steinhebel (speaking from audience): Six.

RECORD OF PROCEEDINGS

0367

Minutes of

COUNCIL OF THE CITY OF NORTH CANTON

REGULAR

Meeting

DAYTON LEGAL BLANK, INC. FORM NO. 10148

Held Monday, October 12, 7:00 p.m. 20 09

Mayor Held: Six. So Rich is working real hard to optimize the number of employees we have down there. And I'll tell you what really drove this is the fact that we had the Performance Audit here. And I know that you know that Council you really drove to have that done and I'm really proud of the work that everybody's done on council and also here because you look at other communities throughout Stark County and they're just looking into Performance Audits. Ours is completed, it's done, it's in place and we're actually implementing the recommendations. So I'd like to thank our department heads, particularly Rich Steinhebel and also our council members because it shows it's working. And lastly, we have an "Alive After Five" - we have those every month. This one's really unique because it's going to be over at the Hoover High School. They've got a lot of different programs there that you can familiarize yourself with. And one of the programs as all of the council members and myself are very well aware of is the interviews that they did for all the elected officials. Everybody here participated and each person, each candidate had ten minutes to share; a cable television program which is run by high school students which is very impressive. You can go there this Wednesday from 5 to 7 and they can give you a behind the scenes tour. That's all I have.

Mr. Revoldt: Mr. Benekos.
Mr. Benekos: No report.

Mr. Revoldt: Mr. Bowles.
Mr. Bowles: No report.

Mr. Revoldt: Mrs. Kalpac.
Mrs. Kalpac: No report.

REPORTS - COUNCIL:

Mr. Revoldt: Mr. Peters.
Mr. Peters: No report.

Mr. Revoldt: Mr. Davies.
Mr. Davies: No report.

Mr. Revoldt: Mr. DeOrio.
Mr. DeOrio: No report.

Mr. Revoldt: Mrs. Kiesling.
Mrs. Kiesling: No report.

Mr. Revoldt: Mr. Snyder.
Mr. Snyder: Nothing Mr. President.

FINAL CALL FOR NEW BUSINESS:

Mr. Revoldt: May I have a motion - is there anyone else who wishes to address the Council? This is the final call for business.

ADJOURN:

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

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

No: 0

The meeting adjourned at 7:34 p.m.

David Revoldt

PRESIDENT OF COUNCIL

ATTEST:

Jim M. Kalpac

CLERK OF COUNCIL