

RECORD OF PROCEEDINGS

Minutes of COUNCIL OF THE CITY OF NORTH CANTON

REGULAR

Meeting

DAYTON LEGAL BLANK, INC. FORM NO. 1014R

Held Monday, March 23 7:00 p.m. 2009

CALL TO ORDER:

1. The meeting was called to order Monday, March 23, 2009 at 7:00 p.m. by President of Council Daryl Revoldt.
2. The opening prayer was delivered by Rev. Gary Smith, Zion United Church of Christ
3. All present recited the Pledge of Allegiance.

ROLL CALL:

4. Mr. Revoldt: Thank you Reverend. 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, Director of Administration Wise, Director of Law McFarren, Director of Finance Zumbar, City Engineer Benekos, Director of Economic Development Bowles, Superintendent of Utilities, Services and Recreation Chufar, Superintendent of Permits & Inspection Hampton and Clerk of Council Kalpac.

5. Consideration

Council Meeting Minutes – March 9, 2009
Financial Statement – February, 2009

Mr. Revoldt: We have for your consideration minutes of our council meeting of March 9, 2009 as well as the financial statement for February, 2009. Are there any corrections or amendments, questions?

Mr. DeOrio moved and Mr. Davies seconded to approve the council meeting minutes and financial statement as submitted. All members present voting:
Yes: DeOrio, Foltz, Kiesling, Peters, Revoldt, Snyder, Davies.
No: 0

6. Committee Minutes

Mr. Revoldt: We also have for your consideration minutes of the following committees: Finance & Property; Street & Alley; Water, Sewer & Rubbish all held on March 16, 2009. Are there any corrections or amendments to those minutes?

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

Finance & Property Committee: Please refer to the minutes on file in the Council Office for the Finance & Property Committee meeting held March 16, 2009.

Street & Alley Committee: Please refer to the minutes on file in the Council Office for the Street & Alley Committee meeting held March 16, 2009.

Water, Sewer & Rubbish Committee: Please refer to the minutes on file in the Council Office for the Water, Sewer & Rubbish Committee meeting held March 16, 2009.

7. Recognition of Visitors

Mr. Revoldt: Is there anyone who wishes to address the Council? If so, please address the Chair. Mr. Lane, please approach the microphone.

Doug Lane: Mr. President, Doug Lane, 509 Summit Street SE here in North Canton. I actually wear two hats tonight. First as the former Ward 3 representative I do want to give a personal thank you to Councilperson Davies and to the rest of Council for the Eastwoods project. That I know you're going to be voting on this evening. That was a priority of mine when I was on council and I'm very happy to see progress being on that issue. I do appreciate it very much as I know the residents there do. Secondly, wearing the hat as President of the North Canton Chamber of Commerce, I want to thank council for the action last week in moving the North Main design forward for a vote this evening. In light of the news that came about over the weekend about Acme's remodeling and their over a million dollar investment in that particular property the redesign the enhancement of our northern entryway taking on even more importance and Acme and other chamber members' businesses have shown faith in our

RECORD OF PROCEEDINGS

Minutes of

COUNCIL OF THE CITY OF NORTH CANTON

REGULAR

Meeting

DAYTON LEGAL BLANK, INC., FORM NO. 10148

Held Monday, March 23 7:00 p.m. 20 09

city and they've invested in their properties and I feel that we should do the same whenever possible; particularly when grant money is available to do a majority of the cost on that. So speaking on behalf of the Chamber, I do urge a "yes" on the legislation this evening. So I appreciate it.

Mr. Revoldt: Thank you. Is there anyone else who wishes to address the Council? Well thank you Mr. Lane for your solo comments this evening. Seeing that there is no one else let's move on to old business.

OLD BUSINESS:

8. Mr. Revoldt: May I have a motion to read by title only, third reading of Ordinance 23-09?

Mr. DeOrio moved and Mr. Peters seconded to **read by title only, third reading** of Ordinance No. 23-09. All members present voting:

Yes: Kiesling, Peters, Revoldt, Snyder, Davies, DeOrio Foltz.
No: 0

Ordinance No. 23-09 – 3rd Reading – Finance & Property Committee

An ordinance to make appropriations for current expenses and other expenditures of the City of North Canton, Ohio, for the period beginning January 1, 2009 and ending December 31, 2009 and declaring the same to be an emergency.

Mr. Revoldt: Mr. Snyder.

Mr. Snyder: Thank you Mr. President. Member Foltz asked me a question and I apologize I did not communicate to the members of the council. We did make a couple changes in the budget since it was last reviewed and that was to incorporate the 750,000 for the waterline and storm waterline on Main Street, 5,000 was for a power washer that went bad at the city Service Center. We do clean our trucks and our equipment and we elected to buy a little better one so it will last a few years. There was another \$10,000 – we were inspected by the Fire Department of Jackson Township and found that our building was not in compliance with the fire code so we have to buy smoke detectors and alarm systems for the fire prevention system in our building which was about 10,000 and so we've done that, as well as a \$25,000 expenditure of the design of the Eastwoods subdivision street. So those numbers did change a little bit and that's the reason for it. So if that's everybody. Seeing that this is the third and final reading of this very arduous process to get this budget passed. If there are no questions or additions or addendums I would like to move it along for a vote Mr. President.

Mr. Revoldt: Alright, I would assume that is a motion to adopt.

Mr. DeOrio: Second.

Mr. Revoldt: It's been moved and seconded, Clerk.

Mr. Snyder moved and Mr. DeOrio seconded to **adopt the third reading** of Ordinance No. 23-09. All members present voting:

Yes: Peters, Revoldt, Snyder, Davies, DeOrio, Foltz, Kiesling.
No: 0

NEW BUSINESS:

9. Mr. Revoldt: Moving on to new business, Item 9 a motion to read by title only, first reading Ordinance 27-09.

Mr. DeOrio moved and Mr. Davies seconded to **read by title only, first reading** of Ordinance No. 27-09. All members present voting:

Yes: Revoldt, Snyder, Davies, DeOrio, Foltz, Kiesling, Peters.
No: 0

Ordinance No. 27-09 – 1st Reading – Street & Alley Committee

An ordinance authorizing the Director of Administration of the City of North Canton to advertise and receive bids and for the Mayor of the City of North Canton to be authorized to enter into a contract for the Eastwood Subdivision Street Rehab – Phase 1 Project and declaring the same to be an emergency.

RECORD OF PROCEEDINGS

Minutes of COUNCIL OF THE CITY OF NORTH CANTON

REGULAR

Meeting

DAYTON LEGAL BLANK, INC. FORM NO. 10138

Held Monday, March 237:00 p.m.2009

Mr. Revoldt: Mr. DeOrio.

Mr. DeOrio: Mr. President, as result of the committee meeting last week there was discussion of this issue and details were brought forward from the administration on what's going to happen down there. Finally the individuals are going to get some relief. We talked about the length of Vincent and what happens when it crosses with some of the other main intersection coming into that allotment and it seems to be a well thought out plan. Everybody spoke in favor of it. And Mr. Davies you're the ward councilman from there if you'd like to add anything to that or...

Mr. Davies: Not really other than it is sorely needed and I'm glad that we're at least getting it started.

Mr. DeOrio: Would you like to make the motion to adopt.

Mr. Davies: I would love to make the motion and move that we approve.

Mr. DeOrio: I would second it.

Mr. Revoldt: It's been moved and seconded.

Mr. Davies moved and Mr. DeOrio seconded to **adopt the first reading** of Ordinance No. 27-09. All members present voting:

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

No: 0

Mr. Revoldt: May I have a motion to suspend the rules for Ordinance 27-09?

Mr. DeOrio moved and Mr. Davies seconded to **suspend the rules** for Ordinance No. 27-09. 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 27-09.

Mr. Davies moved and Mr. DeOrio seconded to **adopt under suspension of the rules** Ordinance No. 27-09. All members present voting:

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

No: 0

10. Mr. Revoldt: And then Item 10, a motion to read by title only, first reading of Ordinance 28-09.

Mr. DeOrio moved and Mrs. Kiesling seconded to **read by title only, first reading** of Ordinance No. 28-09. All members present voting:

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

No: 0

Ordinance No. 28-09 – 1st Reading – Street & Alley Committee

An ordinance authorizing the Director of Administration of the City of North Canton to advertise and receive bids and for the Mayor of the City of North Canton to be authorized to enter into a contract for the resurfacing, repaving, replacement, repair and preventative maintenance of certain streets, alleys and city parking lots and declaring the same to be an emergency.

Mr. Revoldt: Mr. DeOrio.

Mr. DeOrio: Yes, this is our general street resurfacing program and historically we have allotted I think like \$250,000 in the budget for this and I believe that's the case this year as well. And I would have just a question for the administration on something that just occurred to me. I assume that you're putting together the list of streets to do and all that and it would probably be safe to say that there are probably more streets that we need to do than we have money for.

Mayor Held: Yes.

Mr. DeOrio: But in the event that the you know pricing comes back on this really well because commodity prices have fallen and we'll find out I guess – but if the asphalt prices have fallen significantly you know we may be able to pave more than you might normally have thought of. I would just ask that you guys just keep that – do you want to do the full 250 or because you got a good price break you may want to just stick with the ones you

RECORD OF PROCEEDINGS

Minutes of COUNCIL OF THE CITY OF NORTH CANTON REGULAR Meeting

DAYTON LEGAL BLANK, INC. FORM NO. 10148

Held Monday, March 23 7:00 p.m. 20 09

planned and have some left over. But to be thinking about what you want to do on that. That was all.

Mayor Held: That's a good point. We would like to pave as many feet possible. So if we get a good price then we'll just go down to the next level and pave those streets.

Mr. DeOrio: Okay. Very good. If there's nothing else from any..

Mr. Davies: I would just ... When you have a list I would like to see the list. Whenever you know...

Mayor Held: And typically how we've done it is we certainly like input from Council, obviously. And then also we're getting regular input on a daily basis from our city employees that travel the streets everyday. And you know there's some issue -- historically what we've found is that the streets that the administration typically prioritizes usually aligns with the same streets council submits. It's just a matter of you know of how many streets you can do. And we would welcome your input and when we get a list together we'll be sure to pass that on to you. And the only restrictions are if we're going to go and do let's say a waterline next year there's no sense on paving over that street and then going back and tearing it up which has been done in the past but we don't like to do that from this point forward.

Mr. DeOrio: If there is nothing else I would move for passage of this ordinance.

Mr. Davies: Second

Mr. DeOrio moved and Mr. Davies seconded to adopt the first reading of Ordinance No. 28-09. All members present voting:

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

No: 0

Mr. Revoldt: Motion to suspend the rules for Ordinance 28-09.

Mr. Davies moved and Mrs. Kiesling seconded to suspend the rules for Ordinance No. 28-09. All members present voting:

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

No: 0

Mr. Revoldt: A motion to adopt under the rules as suspended Ordinance No. 28-09.

Mr. DeOrio moved and Mr. Davies seconded to adopt under suspension of the rules Ordinance No. 28-09. All members present voting:

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

No: 0

11. Mr. Revoldt: Item 11, a motion to read by title only, first reading of Ordinance 29-09.

Mr. DeOrio moved and Mrs. Kiesling seconded to read by title only, first reading of Ordinance No. 29-09. All members present voting:

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

No: Davies

Ordinance No. 29-09 - 1st Reading - Street & Alley Committee

An ordinance authorizing the Mayor of the City of North Canton to enter into a professional services agreement for the design of the North Main Streetscape Phase VI Project and declaring the same to be an emergency.

Mr. Revoldt: Mr. DeOrio.

Mr. DeOrio: Mr. President, there's been much discussion about this over the last few weeks. And I was talking to some of you and had a couple suggestions offered to me that we may well be interested in adopting on this ordinance. So what I would like to do as you look at 29-09 is point out perhaps a cosmetic change but also to invite the administration as I sound off a couple of ideas to see what they think. I think it was evident in the committee meeting a week ago that this project is more than a streetscape project. And for it to be labeled as such is a real misnomer and is confusing to the citizens of the community. It really ought to be considered as just a street reconstruction project. And I was wondering if we could amend the title of the ordinance and the first section of the ordinance to strike out the word "Streetscape Phase VI" and consider this as a street reconstruction project. That was one idea that I had that came out of the committee meeting last week. And I want to invite some comment on that.

RECORD OF PROCEEDINGS

Minutes of COUNCIL OF THE CITY OF NORTH CANTON

REGULAR

Meeting

DAYTON LEGAL BLANK, INC. FORM NO. 10148

Held Monday, March 23

7:00 p.m.

2009

Mr. Revoldt: At this time?
Mrs. Kiesling: Right now.
Mr. DeOrio: Yea, right now.

Mr. Revoldt: Well I would concur with you. I think streetscape is somewhat inaccurate to the job of literally rebuilding that street and widening it. And I think streetscape suggests that it is more decorative but the reality is we're out here to promote better traffic flow as well as higher air quality which is the purpose of the grant. Is that not correct?

Mr. Benekos: Correct.

Mr. Revoldt: Right. So I would prefer that - I would support that amendment if others would join me. Administration.

Mayor Held: No, we appreciate the support of the City Council on this. I agree with everything that you're saying. I mean I think it is important especially in light of the funding situation that we have that we take full advantage of it and we get the process moving. But I especially Councilman DeOrio when you mentioned something about the streetscape, I think it is somewhat of a misrepresentation.

Mr. DeOrio: Well I think the presentation that you know the Administrator put on last week...
Mayor Held: Yes.

Mr. DeOrio: it's a lot more than that. And I think the Engineer had spoken that you know the miscellaneous components to it are a very small percentage of the total project cost.

Mayor Held: And this gives us an opportunity also when we go out to advertise and receive bids then we can look at what our options are and what are funding situation is at that time.

Mr. DeOrio: A perfect segue in regards to the advertising and receiving bids what I was thinking about because there was a lot of discussion on it I was wondering if the Administration or the Engineer could write the bids specs in such a way that we can get an itemization of this project as far as you know what do the street lights cost if you were to do that. What do the - what do bricks cost for that? So that we you know there were some numbers floated around it could be anywhere from this percent to this percent. And I think we would really like to know that. And I don't know if that means that to get it quoted that way when you do your design work that you have to think about and your engineering work to design it with you know...

Mayor Held: Three options - if we were to present it as a street project without the lamp posts and the brick and then another option with just the lamp posts and then a third...

Mr. DeOrio: Yea like - I think that's what we're looking for.

Mayor Held: One with the bricks and the lamp posts. And then we would have an idea - we would be able to break it down once we get the cost. Let's say we have two options. I mean you could break it out two or three options, and with the design that wouldn't have any impact on it, right Jim.

Mr. Benekos: No.

Mayor Held: Because you can - once you get the design as long as it's all inclusive then when Jim puts the specifications together he could ask for option a, option b or option c. And then after we get those prices back we could then look at the funding source. So let's say it's a difference of \$50,000 with an 80% grant from the state and then we would be able to identify what the real cost is to the city. So that really is - it's a good idea. It gives Council and also the Administration some options as far as how we can best use our resources.

Mr. DeOrio: And I think the Engineer had spoken before on another option - I think it was you Jim - about maybe the street lights aren't as densely populated as they are on South Main. Maybe it's you know so maybe that's another way...

Mayor Held: Spaced out.

Mr. DeOrio: that the Mayor is saying you know you can price it with some or with none or with all those types of things. So it sounds like you guys are already thinking along those directions. Anyway we - I think it might be helpful to spell that out in the ordinance if that's ...

Mr. McFarren: We can do that on the construction bid.
Mr. DeOrio: Okay.

RECORD OF PROCEEDINGS

Minutes of

COUNCIL OF THE CITY OF NORTH CANTON

REGULAR

Meeting

DAYTON LEGAL BLANK, INC., FORM NO. 10148

Held Monday, March 23 7:00 p.m. 20 09

Mr. McFarren: On this one what we need to do is we need to move for adoption, motion to amend, replace North Main Street Streetscape with whatever language you want to do - North Main Street Reconstruction, North Main Street Rehab, vote on the amendment then go back and vote on the original.

Mr. Revoldt: I was going to suggest that in Section 1 at the conclusion of the word Project a comma be substituted and then "preparing for bid specifications for options with and without a variety of lighting and brick" or something to that effect.

Mr. Benekos: You could just put streetscape elements or decorative elements.

Mr. Revoldt: Or decorative elements - preparing bid specifications for options of with decorative elements.

Mr. Benekos: With and without decorative elements.

Mr. Revoldt: With and without decorative elements.

Mr. Foltz: I had a question: I think we're ...inaudible... this up. I think we're looking to present options for future discussion on this. And I'm still of the opinion if we're going to do this do it the right way. Do it the way we started down south all the way to the north. I don't understand if we're going to bid this with some options. If we don't bid the lighting and hopefully we'll go to maybe a fiberglass type light versus what we have there that's rusting through, but what are we going to do put up street lights? I mean why would we bury the utilities?

Mayor Held: If I could just clarify. Really where we're at right now is we want to make sure we get the design passed.

Mr. Foltz: Yea, I understand that.

Mayor Held: So that it's all encompassing. So that we can do the streetscape project just as we've done down south and I know that some council members have had some concern as far as how much the additional cost is going to be and it's really hard to itemize it out because we haven't had the bids yet. But I think you know my opinion still remains the same, the same as yours Doug, that I want to move ahead with the project just as we did on South Main. But I also think it's important too that we itemize the cost out. So that we can see exactly what the city is going to be spending and also what the state funding is going to provide. And I feel confident that once we get those numbers back even though we don't know exactly what they are at this point, that we'll still proceed with the project just as we did on South Main because I really believe it's a bargain. But you know we can make that decision when the time comes.

Mr. DeOrio: Well I think to address member Foltz's point is that we don't know what the decorative element of it is exactly because as the Mayor said it has not been bid out. But let's just say hypothically that this project has been represented to the grant makers to be of such a design and scope and they've awarded or hopefully finishing awarding the rest of the funds for this and the question would be well if you removed this component to it, this decorative component to it, what would the penalty be. Well is the penalty lose the million dollars? Then obviously it's a no brainer. What if it's the cost element to it is 500,000 and the - if you forfeited that you would lose 300,000 ...

Mayor Held: Right.

Mr. DeOrio: Well that's a net savings of 200,000. I don't know the math on it.

Mayor Held: Right.

Mr. DeOrio: It's just - it would just be helpful I think to have the math.

Mayor Held: Right - that's right.

Mr. DeOrio: Not that's it's going to change anybody's mind.

Mayor Held: Right now we're just discussing and debating numbers really that we don't have at this point. And as long as we have the engineering and it includes the decorative elements and also the street widening we're certainly, from an administrative standpoint, we're pleased to move ahead with that. Did you have something to add? Okay.

Mr. DeOrio: Okay. Randy, from what you said as far as well I mean what the Council President said as far as that language, you wanted to insert that in the title and also in Section 1?

Mr. McFarren: You just need a motion right now to amend dealing with the language "North Main Streetscape". Every where it appears in the ordinance it becomes "North Main

RECORD OF PROCEEDINGS

Minutes of COUNCIL OF THE CITY OF NORTH CANTON

REGULAR

Meeting

DAYTON LEGAL BLANK, INC. FORM NO. 10148

Held Monday, March 23

7:00 p.m.

2009

Rehabilitation – North Main Reconstruction” whatever. So it appears one, two, three places in the ordinance. You want to change any other language again you need a motion to amend.

Mr. DeOrio: Okay, I'll...

Mr. McFarren: Because it's been read as is right now.

Mr. DeOrio: I would make the motion then that in Ordinance No. 29-09 that the references to the "North Main Streetscape Phase VI Project" be replaced with "North Main Street Reconstruction Project" and would also include in this amendment that in the title of Ordinance No. 29-09 and in Section 1 that after the word project a comma be inserted along with the words "preparing bid specifications with and without decorative elements."

Mr. Revoldt: It's been moved. I will second that.

Mr. DeOrio moved and Mr. Revoldt seconded to **amend Ordinance No. 29-09** by replacement of "North Main Streetscape Phase VI Project" with "North Main Street Reconstruction Project, preparing bid specifications with and without decorative elements."

All members present voting:

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

No: Davies

Mr. Revoldt: May I have a motion then to adopt the first reading of Ordinance 29-09 as amended?

Mrs. Kiesling moved and Mr. DeOrio seconded to **adopt the first reading, as amended**, of Ordinance No. 29-09. All members present voting:

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

No: Davies.

Mr. Revoldt: May I have a motion to suspend the rules for Ordinance 29-09 as amended?

Mr. DeOrio moved and Mrs. Kiesling seconded to **suspend the rules, as amended**, for Ordinance No. 29-09. All members present voting:

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

No: Davies

Mr. Revoldt: A motion to adopt under the rules as suspended Ordinance 29-09 as amended.

Mr. DeOrio moved and Mr. Peters seconded to **adopt under suspension of the rules, as amended**, Ordinance No. 29-09. All members present voting:

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

No: Davies.

12. Mr. Revoldt: Item 12, a motion to read by title only, first reading of Ordinance 30-09.

Mr. DEOrio moved and Mrs. Kiesling seconded to **read by title only, first reading** of Ordinance No. 30-09. All members present voting:

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

No: 0

Ordinance No. 30-09 – 1st Reading – Water, Sewer & Rubbish Committee

An ordinance authorizing the Director of Administration of the City of North Canton to advertise and receive bids and for the Mayor of the City of North Canton to be authorized to enter into a contract for the construction of the West Park Waterline Project and declaring the same to be an emergency.

Mr. Revoldt: Mr. Davies.

Mr. Davies: The West Park waterline is part of the ongoing replacement of older waterlines and so forth in the city, which has been going on for a number years. We're getting close to completion which is a good thing. We're far ahead of most cities in Ohio in redoing our water infrastructure. So I would move that we approve.

Mr. Davies moved and Mr. DeOrio seconded to **adopt the first reading** of Ordinance No. 30-09. All members present voting:

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

No: 0

RECORD OF PROCEEDINGS

0179

Minutes of

COUNCIL OF THE CITY OF NORTH CANTON

REGULAR

Meeting

DAYTON LEGAL BLANK, INC. FORM NO. 10148

Held Monday, March 23 7:00 p.m. 20 09

Mr. Revoldt: Motion to suspend the rules for Ordinance 30-09.

Mr. DeOrio moved and Mr. Davies seconded to **suspend the rules** for Ordinance No. 30-09.
All members present voting:
Yes: Snyder, Davies, DeOrio, Foltz, Kiesling, Peters, Revoldt.
No: 0

Mr. Revoldt: Motion to adopt under the rules as suspended Ordinance 30-09.

Mr. Davies moved and Mr. DeOrio seconded to **adopt under suspension of the rules** Ordinance No. 30-09. All members present voting:
Yes: Davies, DeOrio, Foltz, Kiesling, Peters, Revoldt, Snyder.
No: 0

13. Mr. Revoldt: Item 13, a motion to read by title only first reading of Ordinance 31-09.

Mrs. Kiesling moved and Mr. Davies seconded to **read by title only, first reading** of Ordinance No. 31-09. All members present voting:
Yes: DeOrio, Foltz, Kiesling, Peters, Revoldt, Snyder, Davies.
No: 0

Ordinance No. 31-09 – 1st Reading – Water, Sewer & Rubbish Committee

An ordinance authorizing the Director of Administration of the City of North Canton to advertise and receive bids and for the Mayor of the City of North Canton to be authorized to enter into a contract for the construction of the 7th Street Waterline Project and declaring the same to be an emergency.

Mr. Davies: Again, another waterline replacement that's needed in the city. I move that we adopt.

Mr. Davies moved and Mrs. Kiesling seconded to **adopt the first reading** of Ordinance No. 31-09. All members present voting:
Yes: Foltz, Kiesling, Peters, Revoldt, Snyder, Davies, DeOrio.
No: 0

Mr. Revoldt: Motion to suspend the rules for Ordinance 31-09.

Mr. DeOrio moved and Mr. Davies seconded to **suspend the rules** for Ordinance No. 31-09. 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 31-09.

Mr. Davies moved and Mr. DeOrio seconded to **adopt under suspension of the rules** Ordinance No. 31-09. All members present voting:
Yes: Peters, Revoldt, Snyder, Davies, DeOrio, Foltz, Kiesling.
No: 0

14. Mr. Revoldt: May I have a motion to amend this agenda to include Item 14, Ordinance No. 32-09 and to waive the rules of council requiring a committee report?

Mr. DeOrio moved and Mrs. Kiesling seconded to **amend the agenda to include Item 14, Ordinance No. 32-09 and to waive the rules of council requiring a committee report.** All members present voting:
Yes: Revoldt, Snyder, Davies, DeOrio, Foltz, Kiesling, Peters.
No: 0

Mr. Revoldt: May I have a motion to read by title only first reading of Ordinance 32-09.

Mr. DeOrio moved and Mr. Peters seconded to **read by title only, first reading** of Ordinance No. 32-09. All members present voting:
Yes: Snyder, Davies, DeOrio, Foltz, Kiesling, Peters, Revoldt.
No: 0

Held Monday, March 23

7:00 p.m.

2009

Ordinance No. 32-09

An ordinance authorizing the Director of Finance of the City of North Canton to establish a Capital Project Fund entitled Hoover District Improvement Fund for the purpose to accurately account for all amounts received and expended in conjunction with the Jobs Ready Site ("JRS") Grant and declaring the same to be an emergency.

Mr. Revoldt: Mr. Snyder.

Mr. Snyder: Thank you Mr. President. As so read we discussed earlier this gives them the opportunity to establish an audit to know where the dollars are going on the JRS grant. That's basically it.

Mr. Revoldt: Any questions or comments?

Mr. DeOrio moved and Mr. Davies seconded to **adopt the first reading** of Ordinance No. 32-09. All members present voting:

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

No: 0

Mr. Revoldt: Motion to adopt under the rules as suspended or excuse me, a motion to suspend the rules for Ordinance 32-09.

Mr. DeOrio moved and Mr. Davies seconded to **suspend the rules** for Ordinance No. 32-09. All members present voting:

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

No: 0

Mr. Revoldt: Now a motion to adopt under the rules as suspended Ordinance 32-09.

Mr. Davies moved and Mr. DeOrio seconded to **adopt under suspension of the rules** Ordinance No. 32-09. All members present voting:

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

No: 0

REPORTS:

Mr. Revoldt: Reports. Director of Law.

Mr. McFarren: Superintendent Tom Hampton informs me that he has been in communication with the owner of the Duke station and that the owner indicates to him that they are securing bids to have a private contractor remove and restore the premises. It will be some time before we know what the results of that will be and we will keep you informed.

Mrs. Kiesling: Great.

Mr. Revoldt: Mrs. Kiesling deserves some credit for that activity.

Mrs. Kiesling: A couple of residents said something to me - not me.

Mr. Revoldt: I understand, but she apparently threatened to go up and demolish the building herself so it will be done. Director of Finance.

Mr. Zumbar: Just to bring you up on several items that we have been working on during the course of working on the budget. Of course we had put some money aside to contract with a company called SmartBill. What this will do is it's going to change the look of your utility bill that goes out. You'll now actually have an invoice it is a full page document that the folks will clearly see a difference instead of the small little card that they've been receiving every month. This is something that we had I think the city had been looking at for quite some time but we've forward with the project. So that will be in your next utility bill that's coming out. It is anticipated to save the city some money because now we're sending them out in bulk in terms of postage and also in the fact that we'll be buying the stock in bulk. It will help out in saving the city some cost.

Mr. DeOrio: Does that give you more ability to put messages from the city.

Mr. Zumbar: Yes sir.

Mrs. Kiesling: Great.

RECORD OF PROCEEDINGS

Minutes of

COUNCIL OF THE CITY OF NORTH CANTON

REGULAR

Meeting

DAYTON LEGAL BLANK, INC., FORM NO. 10148

Held

Monday, March 23

7:00 p.m.

20 09

Mr. Zumbar: That was one of the deciding factors in doing this. We now have a larger space where we can put in a greater message as well as in terms of the annual consumer confidence report that is sent out with the water bill sorry the Water Treatment Plant, you'll see that will also get now inserted into this document that gets sent out. And again will save the city some money because it spends – it costs several thousand dollars to mail that out individually. Here we'll actually insert it with the bill that goes out to each water utility user and they'll actually – we're targeting those individuals. So you know there will be some cost savings there I think. I'm waiting on quote on it on how much it is going to cost the city, but probably we'll be able to save the city a couple of thousand dollars. In terms on other items that we're working on, we're working with the Engineer's Office and various department heads on a water sewer rate study. Now that took off – we started that January, February time frame. We anticipate having that rapped up hopefully for you folks by June. You'll have some type of report that comes out. Again, these are things that I want to keep you aware of. Obviously when everything is crunched and we get all the numbers back we'll be able to sit down with you folks and go through it and explain to you what the rationale was behind it.

Mr. DeOrio: Rationale behind conducting the study or rationale the decision that's already made.

Mr. Zumbar: Well I think the results – the results of the study.

Mrs. Kiesling: Raising rates.

Mr. Zumbar: There's a – of course there's a list of projects and the wish list that I think you'll see the Water Plant and of course the terms on the sewer side of things we're looking at doing. But we have to have some type of idea of what our future products are going to be and work those into this particular study so that we can at least try and reach those projects. And again the idea is you know come back to you folks give you the report, give you an analysis and let you folks make a decisions from that point forward.

Mr. Snyder: You may want to include the address of the CIC so they can apply for some funds to pay their bill with when we raise their ...inaudible...

Mr. DeOrio: Is this being done by you and the Engineer or you guys have a consultant?

Mr. Zumbar: We have a consultant. We're using the firm ARCADIS.

Mrs. Kiesling: That's who we used before.

Mr. Snyder: Yes.

Mrs. Kiesling: Do you not like them?

Mr. DeOrio: Yea, I'm not optimistic about the outcome. I think fresh eyes would be really welcomed on this. I know you weren't here in the city at the time that the last was done five or so years ago. I think probably....

Mr. Snyder: No, it was ten years – I think we had it nine years ago. It was a ten year program.

Mrs. Kiesling: No, I was on council.

Mr. DeOrio: It was a five year program.

Mr. Snyder: Five year program was it?

Mr. DeOrio: Yea, I know we're up on our – 2009 was our fifth year in a row. But I hope that we would you know be able to address you know the significant debt that's on books in water. And I would hope that there's some exit strategy for getting out of debt.

Mr. Zumbar: It depends on the projects.

Mr. DeOrio: Obviously when they give a zero percent loan you know that's not a debt we want to get out of.

Mr. Zumbar: Right.

Mr. DeOrio: But I don't know the makeup of all the debt that's on the books but it's something that concerns me and has before. But I appreciate that you're involved with it.

Mr. Zumbar: We'll crunch the numbers. We'll get back with you folks and we'll circle up again and we'll have a report issued to you hopefully again by I believe it's June. Is that correct Jim?

Mr. Benekos: Correct.

Mr. Revoldt: Any other questions for Alex?

Mr. DeOrio: I don't think he's done. I think I interrupted him a too many times.

RECORD OF PROCEEDINGS

Minutes of COUNCIL OF THE CITY OF NORTH CANTON

REGULAR

Meeting

DAYTON LEGAL BLANK INC. FORM NO. 10148

Held Monday, March 23

7:00 p.m.

2009

Mr. Zumbar: That's alright. There's all sorts of things we work on but we'll turn it over to administration they can report out.

Mr. Revoldt: Punt it to them. Director of Administration.

Mr. Wise: Appreciate council's work and assistance on the budget that's passed. We'll be working on the full budget now instead of a temporary budget that will assist the department heads greatly. Appreciate your support of the things passed tonight the water projects, the street rehab reconstruction the design on that – appreciate those things. That's all I have.

Mr. Revoldt: Mr. Mayor.

Mayor Held: Yes, I agree. This is the seventh budget that I've had the opportunity to work on for the City of North Canton. It was clearly the most difficult budget that we've ever had to put together. And I've never had as much support from any council as I did with this council here. So I think collectively we really accomplished a great deal. And I know that everybody had a great deal of input on it in a lot of areas and looked at the budget from all angles. It simply was not an easy budget to put together, but we were able to accomplish that and approve it. So for that I would like to thank all of our council members and also our administrative staff, Finance Director, City Administrator, department heads you know again they do all the work and we approve it. And then also a special thanks to Councilman Marcia Kiesling for saving the D.A.R.E. Program, helping to keep that going. And we're going to take a nine month program and we've reduced it down to, it was a compromise to keep it alive, we've reduced it down to twelve week program. And we'll be able to use the D.A.R.E. Officer for support to the Police Department but at the same time be able to continue the D.A.R.E. Program that started since 1992. So thank you Marcia.

Mrs. Kiesling: Thank you guys for figuring it out.

Mayor Held: We also have the State of the City. I'd like to thank the council members that were able to attend the State of the City. This is the first time we've had it on channel 11. So for those of you that were not able to attend it's broadcasted on channel 11. And this is all done by high school students which makes it even more impressive. I mean it's like a first rate program. And they did a real nice job on that. And then finally we have the – I'll pass this out to Council President if you could hand those out. Mr. President, we have tonight we just actually made history in the City of North Canton because we promoted our first Assistant Fire Chief, which is the first Assistant Fire Chief that oversees both the Fire and EMS Department. Historically we have had Fire – Assistant Fire Chiefs in the past, one over Fire another assistant chief over EMS. And this is the first time that we've promoted an assistant chief. It is a part-time position. It's basically we've promoted Ron Feller who is a Captain. He was hired by the City of North Canton Fire Department back in 1984. And on June 1, 1992 he was promoted to Captain and has served extremely well. I think the three qualities that Ron Feller possess is that number one to say the least his father, Gene Feller, was the Fire Chief for a number of years and really taught him well. But he is very dedicated, he has integrity and he's very experienced. So he's going to be our new assistant chief. And we swore him in today and there's not going to be you know an additional cost to the city from the respect that we are establishing a new position we're just promoting him to that level. And so if you get a moment to congratulate him I think it's really going to be an important position for the city. And that's all I have.

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

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

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

REPORTS – COUNCIL:

Mr. Revoldt: Mr. Foltz.
Mr. Foltz: No report.

Mr. Revoldt: Mr. Peters.
Mr. Peters: No report, sir.

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

RECORD OF PROCEEDINGS

Minutes of

COUNCIL OF THE CITY OF NORTH CANTON

REGULAR

Meeting

DAYTON LEGAL BLANK, INC., FORM NO. 10148

Held Monday, March 23 7:00 p.m. 20 09

Mr. Revoldt: Mr. DeOrio.

Mr. DeOrio: Oh yes I have - I guess I'm - can't keep quiet tonight, but had a question if someone could help me remember. On the lawn and leaf recycling thing were we doing something in the spring with something...

Mr. Wise: Yes.

Mr. DeOrio: Well could you give me the details on that, I've forgotten what they were.

Mr. Wise: It's a - well now that you mention it, I think a six-week recycling program in the spring. Those dates we're looking at and getting together with J&J and we're going to have those out and set here fairly soon.

Mr. Revoldt: It will be communicated on our next water bill.

Mr. DeOrio: I was just going to ask if in the next water bill they could do something.

Mr. Wise: And I mean if anyone has any input. If there's a particular time that you think we should be doing this we're certainly willing to take that input. We'll be talking with Mr. Chufar and Mr. Hill in our Service Department and then we'll speak with J&J and get that lined up.

Mayor Held: And then in addition to that too we still have about \$60,000 that we have from a grant from the Solid Waste District. We need to spend that this year. We're going to be able to spend it on bags, leaf bags, also containers. But we must have a component a promotional component in order to get the full amount for our leaf recycling. But it's also very positive. You've seen the newsletters that we've sent out in the past. We try to communicate as much information as we can. It takes a little bit of time to put the newsletter together. But we need to have at least one newsletter that goes out to all the residents to promote the recycling. If we can get one in time together for the spring we can do that also, but we'll definitely need one for the fall. Our backup is, depending on the time and the amount time that it takes to put together, we can send out a letter also in the water bill, as you mentioned. And - but Tom Chufar is going to be putting together a plan. We'll submit that recycling plan or budget to City Council so that we can make sure and utilize the money that we have on reserve because if we do not spend it then in accordance with our grant agreement then we've got to turn it back. But there's not going to be a need to do it. And also Channel 11 has agreed to do a promotional - somewhat like a mini documentary about where our recycling goes to. We have a lot of questions from residents as to where our recycling goes and so they plan to take the cameras on down to the landfill to show where our waste goes, which is the Kimble Landfill. And then also where our recycling goes, which is the J&J Recycling Center and we can setup a tour anytime that council members want to go on that it's fascinating, it really is as far as what happens to our recyclables. They hand separate every recyclable that goes into our system. Everyone is separated by a person. So very impressive. Yes...

Mr. Foltz: Mayor, would paper bags be available for spring cleanup; cause that would include the grass clippings which I have been a very much proponent of for the last couple of years.

Mayor Held: Yes, do we - are we going to be able to get together, Tom, to distribute bags?

Mr. Chufar (speaking from the audience): It just depends on what we're going to have for funding on that.

Mayor Held: Okay. I think our target was to purchase additional bags with the \$60,000 and to make those available. And in addition to the money that we have right now in reserve we're going to be receiving more money for our recycling the tonnage that we had last year also. So the tonnage that we recycled last year we're going to get a per ton basis this year so it's each year follows. It's just that we're not going to be bringing in the amount of money that we have in the past which is about \$60,000 each year.

Mr. DeOrio: Unless we get our tonnage up?

Mayor Held: That's correct. If our tonnage goes up then ...

Mr. Foltz: Grass clippings...

Mayor Held: That's right - that's right. And usually whenever you look at a program first time you have a spring cleanup...

Mr. Foltz: Right.

RECORD OF PROCEEDINGS

Minutes of COUNCIL OF THE CITY OF NORTH CANTON

REGULAR

Meeting

DAYTON LEGAL BLANK, INC. FORM NO. 10148

Held Monday, March 23

7:00 p.m.

2009

Mayor Held: It's going to be awhile. But then you have the second, third and fourth time, the numbers continue to go up because it's all about awareness. Just like we had our leaf recycling, numbers were low first year; had to get people sold on the idea of using plas or plastic – paper bags. And then once they get in the habit of using it then the numbers just – they've went up every year so far.

Mr. Revoldt: Let me ask you this is there a correlation between using – I'm sorry, did I cut you off? Is there a correlation between using the blue bin and using recycling bags?

Mayor Held: Yes.

Mr. Revoldt: Alright. General rule of thumb is those that use blue bins use bags. Correct?

Mayor Held: Well, there's a correlation in usually people that recycle and have the bins are usually pretty dedicated to the recycling compost the recycling concept and then they're also pretty committed to the yard waste collection program. So we have - I mean the same people do it year after year after year, particularly with the leaf recycling. So - but do we have data as far as the direct correlation there, no, but we do know this when you have bags out at the curb it promotes the program. When you have blue bins out at the curb we've seen historically throughout a three-county area when you utilize the blue bins the recycling numbers go up because it's like it's the best form of advertisement out there blue bins right at the curb. And there's also I think it urges that when you see your neighbor that's recycling people tend to want also to participate in that. So but we don't have direct numbers.

Mr. DeOrio: Thank you.

Mr. Revoldt: Thank you. Any other questions or comments on recycling? Mr. Peters.

Mr. Peters: Nothing. Inaudible...to Marcia here.

Mr. Revoldt: Oh, excuse me. See what happens, I'm just lost in time. You get a second shot.

Mr. DeOrio: I gave you a clue, I pointed to her.

Mr. Revoldt: I know, I know.

Mrs. Kiesling: To change the subject in the name of community and economic development we'd maybe like to have a resolution thanking Acme for their one million dollar investment that we just learned about this weekend in the newspaper.

Mr. DeOrio: Tremendous idea Marcia.

Mr. Revoldt: Maybe you could draft something up and maybe we'll officially adopt it and sign it and dispatch it to Acme thanking them for the investment.

Mrs. Kiesling: Alright.

Mr. Revoldt: That is significant.

Mr. Snyder: It's a million four I think.

Mrs. Kiesling: It's a little over a million I thought I read.

Mr. Revoldt: Mr. Snyder.

Mr. Snyder: No, I don't believe I have anything. Thank you.

Mayor Held: Mr. President, I'm sorry – one last thing. I'm sorry to interrupt here but I did have one final announcement that I forgot to or I failed to mention. We're going to be holding our annual Tax Incentive Review Council meeting on Monday, March 30th at 9:00 a.m. and also under the TIRC, the Tax Incentive Review Council will conduct its annual review of the City's tax incentive agreements for the 2008 tax year. And as Mayor I am able to appoint two members and I would ask that Councilman Snyder and Councilman Davies serve on the TIRC Committee. I think your experience – both of your experience as far as being small business owners in the area really lends itself to this – serving on this committee and I would appreciate it if you would serve on it.

Mr. Snyder: Thank you Mayor. It would be a pleasure – it would be an honor.

Mayor Held: And that's all I have. Thank you.

Mr. Revoldt: Is that it for you?

Mayor Held: Yes, that's all. Thank you.

RECORD OF PROCEEDINGS

0185

Minutes of

COUNCIL OF THE CITY OF NORTH CANTON

REGULAR

Meeting

DAYTON LEGAL BLANK, INC., FORM NO. 10148

Held Monday, March 23 7:00 p.m. 20 09

Mr. Revoldt: I would like to, just to wrap up, I'd like to echo the Mayor's comments tonight. The community goes a great debt to Jeff, Pat and Jon for their efforts on this budget. Not only did it include much conversation, a number of meetings with the administration and the employees, ably assisted by EJ and Alex. This was not a particularly easy task this year, will become more difficult in succeeding years, but a good model. And I would just simply ask Gail that our next minister who comes up pray for us that our income covers our budget expenditures or we will be back at it later this year. And I think that's something that Pat and Jeff and Jon would prefer to avoid. So you might want to put in a little plug with one of the padres when they come back up that we hit Mr. Zumber's projections.

FINAL CALL FOR NEW BUSINESS:

Mr. Revoldt: And on that happy note I'll take a final call for business. Is there anyone who wishes to address the Council? It is now 7:50 it's time we should head home. Anyone wish to address the Council? Seeing none, I'll entertain a motion to adjourn.

ADJOURN:

Mr. DeOrio moved and Mr. Davies seconded to adjourn the council meeting. All members present voting:
Yes: Kiesling, Peters, Revoldt, Snyder, Davies, DeOrio, Foltz.
No: 0

The meeting adjourned at 7:51 p.m.

Daryl Revoldt
PRESIDENT OF COUNCIL

ATTEST:

Gail M. Kalsac
CLERK OF COUNCIL

3/30/09-gmk