

DAYTON LEGAL BLANK INC. FORM NO. 1014R

Held Monday, May 24, 7:00 p.m. 10 20

CALL TO ORDER:

- 1. The council meeting was called to order Monday, May 24, 2010 at 7:00 p.m. by President of Council Daryl Revoldt.

OPENING PRAYER:

The opening prayer was delivered by President of Council Daryl Revoldt.

PLEDGE OF ALLEGIANCE:

- 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, Revoldt and Snyder. Also present were: Mayor Held, Director of Administration Wise, Director of Law Nilges, Director of Finance Zumbar, City Engineer Benekos, Superintendent of Streets & Utilities Chufar, Director of Economic Development Bowles, and Clerk of Council Kalpac. Council Member Peters was absent. Council Member Kiesling arrived at 7:05 pm.

Mr. Revoldt: May I have a motion to excuse Members Kiesling and Peters.

Mr. Davies moved and Mr. DeOrio seconded to excuse Members Kiesling and Peters. All members present voting: Yes: DeOrio, Foltz, Revoldt, Snyder, Davies. No: 0.

CONSIDERATION:

- 5. Mr. Revoldt: Council has for its consideration minutes of its Meeting of May 10, 2010. It also has for its approval this evening the Financial Statement for April, 2010 and the Mayor's Court receipts from February and March, 2010. Are there any questions or corrections?

Mr. DeOrio: Mr. President, I would move for approval of those minutes, statements and receipts as submitted.

Mr. Davies: Second.

Mr. DeOrio moved and Mr. Davies seconded to approve minutes of May 10, 2010, Financial Statement of April, 2010, and Mayor's Court Receipts for February and March, 2010. All members present voting: Yes: Foltz, Revoldt, Snyder, Davies, DeOrio. No: 0.

COMMITTEE MINUTES:

- 6. Mr. Revoldt: Council also has for its consideration this evening, Committee Minutes - an Executive Session for Finance & Property held on May 10, 2010 and Personnel & Safety Executive Committee Meeting also held on May 10 2010, as well as Regular Committee Minutes - Finance & Property, Ordinance, Rules & Claims, Street & Alley, Water, Sewer & Rubbish all dating from May 17, 2010. Are there any amendments or questions regarding those minutes?

Mr. DeOrio: Mr. President, I would move for approval of the Committee Minutes as submitted.

Mr. Davies: Second.

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Mr. DeOrio moved and Mr. Davies seconded to **approve Executive Session and Committee Report Minutes** as submitted. All members present voting:

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

No: 0.

Executive Session Minutes – Finance & Property Committee: Please refer to the minutes on file in the Council Office of the Executive Session Meeting for Finance and Property Committee held on April 26, 2010.

Executive Session Minutes – Finance & Property Committee: Please refer to the minutes on file in the Council Office of the Executive Session Meeting for Finance & Property Committee held on May 10, 2010.

Executive Session Minutes – Personnel & Safety Committee: Please refer to the minutes on file in the Council Office of the Executive Session Meeting for Personnel & Safety Committee held on May 10, 2010.

Finance & Property Committee: Please refer to the minutes on file in the Council Office of the Finance & Property Committee meeting held on May 17, 2010.

Ordinance, Rules & Claims: Please refer to the minutes on file in the Council Office of the Ordinance, Rules & Claims Committee meeting held on May 17, 2010.

Street & Alley Committee: Please refer to the minutes on file in the Council Office of the Street & Alley Committee meeting held on May 17, 2010.

Water, Sewer & Rubbish: Please refer to the minutes on file in the Council Office of the Water, Sewer & Rubbish Committee meeting held on May 17, 2010.

RECOGNITION OF VISITORS:

7. Mr. Revoldt: Recognition of Visitors. Is there anyone here who wishes to address the Council this evening? Seeing none then, I will move on to Old Business, which we have none.

None.

OLD BUSINESS:

None.

NEW BUSINESS:

8. Mr. Revoldt: Item 8, a motion to read by title only, first reading, Ordinance No. 42-10.

Mr. Foltz moved and Mr. Davies seconded to **read by title only, the first reading**, of Ordinance No. 42-10. All members present voting:

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

No: 0.

Ordinance No. 42-10 – 1st Reading – Street & Alley Committee

An ordinance authorizing the Mayor of the City of North Canton, through the Board of Control, to enter into an Agreement by and between the City of North Canton and the Board of Stark County Commissioners in conjunction with Community Development Block Grant funding in an amount not to exceed \$189,000 for the Hower Street NE and Witwer Street NE Sanitary Sewer Replacement (Main Street to Taft Avenue NE), and declaring the same to be an emergency.

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Mr. DeOrio: Mr. President, I don't have really anything to add from the last time we had any discussions on this. It's pretty self-explanatory but if anybody else has any questions or comments or the Administration would like to weigh in, they may, otherwise I would move for adoption of Ordinance No. 42-10.

Mr. Revoldt: Do you wish to weigh in? Comment? Do we have a second?

Mr. Davies: Second.

Mr. DeOrio moved and Mr. Davies seconded to **adopt the first reading** of Ordinance No. 42-10. All members present voting:

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

No: 0.

Mr. Revoldt: May I have a motion to suspend the rules for Ordinance No. 42-10.

Mrs. Kalpac: Can't – it would have to be defeated, you need six (6) to pass it.

Mr. Revoldt: Excuse me?

Mrs. Kalpac: You need six (6) to pass on emergency.

Mr. Nilges: Yeah, six (6) in emergency, so you'll have to bring it back.

9. Mr. Revoldt: Moving on to Item 9. A motion to read by title only, first reading, Ordinance No. 43-10.

Mr. DeOrio moved and Mr. Davies seconded to **read by title only** Ordinance No. 43-10. All members present voting:

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

No: 0.

Ordinance No. 43-10 – 1st Reading – Finance & Property Committee

An ordinance authorizing the supplemental appropriation of funds of the City of North Canton, Ohio, to be appropriated from the unappropriated resources of the Capital Improvement Fund to the Park Department Equipment Account in the amount of \$68,125 for the current expenses during the fiscal year ending December 31, 2010, and declaring the same to be an emergency.

Mr. Snyder: Mr. President and Members of Council, this is for a new mower that we purchased and this will capitalize it as we do now, all our assets, and this is what this is for, transferring the money over there to do that. It is part of the 2010 budget so it is a capital piece of equipment that we needed to mow the City's parks and so forth.

Mr. Revoldt: Are there any questions? Administration?

Mr. Wise: Nothing additional.

Mr. Revoldt: Council? Seeing none, then a motion to adopt the first reading of Ordinance No. 43-10.

Mr. Foltz moved and Mr. Davies seconded to **adopt the first reading** of Ordinance No. 43-10. All members present voting:

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

No: 0.

Mr. Revoldt: Motion to suspend the rules for Ordinance No. 43-10.

Mr. Peters moved and Mr. DeOrio seconded to **suspend the rules** for Ordinance No. 43-10. All members present voting:

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

No: 0.

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Mr. Revoldt: Motion to adopt under the rules, as suspended, Ordinance No. 43-10.

Mr. Davies moved and Mr. DeOrio seconded to **adopt under suspension of the rules**, Ordinance No. 43-10. All members present voting:

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

No: 0.

10. Mr. Revoldt: Item 10. A motion to read by title only, first reading, Ordinance No. 44-10.

Mr. DeOrio moved and Mr. Davies seconded to **read by title only** Ordinance No. 44-10. All members present voting:

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

No: 0.

Ordinance No. 44-10 – 1st Reading – Finance & Property Committee

An ordinance adopting the Solid Waste Management Plan for the Stark-Tuscarawas-Wayne Joint Solid Waste Management District and declaring the same to be an emergency.

Mr. Revoldt: Mr. Snyder.

Mr. Snyder: Mr. President and Members of Council, it is available if you so choose to see it in the Director of Administration's office, it's on disc form. We've done this in the past. This is a plan of the Stark and Wayne Joint Solid Waste District and we're asking that you adopt it as to, as submitted.

Mr. Revoldt: Do we have an expert in the house on solid waste?

Mr. Snyder: I think Eric Bowles, is he in charge of that?

(Laughter)

Mr. DeOrio: Deep in thought, it happens to me too.

Mayor Held: Sometimes I'm slow on the uptake.

Mr. Revoldt: Does the Administration have any comment regarding 44-10?

Mr. Wise: Nothing other than what we talked about last week.

Mr. Revoldt: Council? May I have a motion to adopt the first reading of Ordinance No. 44-10.

Mr. DeOrio moved and Mr. Davies seconded to **adopt the first reading of** Ordinance No. 44-10. All members present voting:

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

No: 0.

Mr. Revoldt: Motion to suspend the rules for Ordinance No. 44-10.

Mr. Davies moved and Mr. DeOrio seconded to **suspend the rules** for Ordinance No. 44-10. All members present voting:

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

No: 0.

Mr. Revoldt: A motion to adopt under the rules, as suspended, Ordinance No. 44-10.

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Mr. Davies moved and Mr. DeOrio seconded to **adopt under suspension of the rules**, Ordinance No. 44-10. All members present voting:
Yes: Foltz, Kiesling, Revoldt, Snyder, Davies, DeOrio.
No: 0.

11. Mr. Revoldt: Item 11. Motion to read by title only, first reading, Ordinance No. 45-10.

Mr. DeOrio moved and Mr. Davies seconded to **read by title only** Ordinance No. 45-10. All members present voting:
Yes: Kiesling, Revoldt, Snyder, Davies, DeOrio, Foltz.
No: 0.

Ordinance No. 45-10 – 1st Reading – Finance & Property Committee

An ordinance requiring the Director of Law of the City of North Canton to provide written approval of all contracts as to form and content and declaring the same to be an emergency.

Mr. Snyder: Mr. President and Members of Council, we felt, the Finance Committee felt this would give another pair of eyes to any contract. It is presently a requirement of the Ohio Revised Code that all contracts be written as to form and content. Anything that would obligate or make the City obligatory to any type of agreement or contract would first be approved by the Law Director as to the form and the content and just kind of another – keeping us out of trouble and these would be codified and moved on and that would be a requirement whether it be a simple project that the City is doing, but again, it would be looked at prior to coming to Council to be executed.

Mr. Revoldt: Does anyone else have any questions or comments regarding Ordinance No. 45-10? Seeing none, then a motion to adopt the first reading of Ordinance No. 45-10.

Mr. Davies moved and Mr. DeOrio seconded to **adopt the first reading of** Ordinance No. 45-10. All members present voting:
Yes: Revoldt, Snyder, Davies, DeOrio, Foltz, Kiesling.
No: 0.

Mr. Revoldt: Motion to suspend the rules for Ordinance No. 45-10.

Mr. DeOrio moved and Mr. Davies seconded to **suspend the rules** for Ordinance No. 45-10. All members present voting:
Yes: Snyder, Davies, DeOrio, Foltz, Kiesling, Revoldt.
No: 0.

Mr. Revoldt: Motion to adopt under the rules, as suspended, Ordinance No. 45-10.

Mr. Davies moved and Mr. DeOrio seconded to **adopt under suspension of the rules**, Ordinance No. 45-10. All members present voting:
Yes: Davies, DeOrio, Foltz, Kiesling, Revoldt, Snyder.
No: 0.

12. Mr. Revoldt: Item 12. A motion to read by title only, first reading, Ordinance No. 46-10.

Mr. DeOrio moved and Mr. Davies seconded to **read by title only, first reading**, Ordinance No. 46-10. All members present voting:
Yes: DeOrio, Foltz, Kiesling, Revoldt, Snyder, Davies.
No: 0.

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Ordinance No. 46-10 – 1st Reading – Water, Sewer & Rubbish Committee

An ordinance amending Chapter 927.07 RATES of the Codified Ordinances of the City of North Canton for the purpose of increasing the user rates for sewer users of the sanitary sewer system of the City of North Canton, repealing any and all legislation inconsistent herewith and declaring the same to be an emergency.

Mr. Davies: This comes out of the study that was done by Arcadis. Because we're going to have to do some monitoring, meter reader monitoring, of our effluence, going into Canton, and there is going to be a cost there because Canton has raised our rates on treating our sewage, and because we're going to have to put out some money for design of Canton's new updated sewage treatment plant, they're going to have spend approximately \$72,000,000 and it was decided we're going to go ahead and get the design work done ahead, we are going to have to raise rates. It was – Arcadis suggested that we raise rates 10% a year for four (4) years. Council decided last week that we would raise them 10% for the balance of 2010 and then 10% for 2011. So that's where we are. Are there questions for the Committee?

Mr. DeOrio: Yeah, I have a couple questions. In our packets we had a memo from the Director of Finance and I wanted to ask him a couple questions when he's ready to zero in on this – a memo that you had sent over.

Mr. Zumbar: Yes.

Mr. DeOrio: And, it was just a little confusing in my mind but I'm sure it will be very simple when I understand it, but, if we look at the current rate for the sewage treatment from Canton and the County, is that – it says \$5 and \$6 respectively...

Mr. Zumbar: Yes.

Mr. DeOrio: is that the amount that they invoice us for, or have we added something to that to get to that?

Mr. Zumbar: That is actually the, when the study was completed, that's what Arcadis has costed out of the \$21 fee. That's a portion to the County and a portion to Canton.

Mr. DeOrio: So it's their calculation that if we were to collect \$5 per...

Mr. Zumbar: User

Mr. DeOrio: ...yeah, per user, that, on the residential side of that would then likewise with the business and the industrial, that would make up what we anticipate, or what we now have coming from...

Mr. Zumbar: Right, that's using the existing rate structures, the existing users, and the base itself.

Mr. DeOrio: Alright. And then for 2010, adding the 10% for Canton, goes from \$5 to \$5.50?

Mr. Zumbar: That's correct.

Mr. DeOrio: Alright. Is that number - \$5.50 what they think, if we get these meters and part of this treatment plant upgrade?

Mr. Zumbar: I don't believe that the treatment plant upgrade was put in there. If you look, you'll see in 2011, it's frozen at \$5.50. I think we were going to – we were waiting to see what the ultimate costs were going to be and we're going to come back and re-address this in 2011, once we have a firmer idea of what the actual bond was going to be and how much they did need to borrow and did we really need to contribute \$5,000,000, is what our estimated portion is right now.

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Mr. DeOrio: That answers a question that I had, but as a follow-up, I guess where I'm kind of going with this is that, you know, my – I envisioned that the costs coming from Canton or the County were just pass-through, we didn't really add anything on to it, and if that thesis is correct, then I don't think, you know, adding 10% to that keeps it as clear. It would seem to me that we'd want to take whatever percent adjustment we'd want, we'd want it on the North Canton bill and then whatever Canton or the County passes through to us, we would just add to that.

Mr. Snyder: It goes to 8-1/2%, doesn't it? That's what we agreed, it's either 8-1/2 or 9% - we agreed to...

Mr. Davies: They wanted 9 or 9-1/2 and we agreed to 7-1/2, I thought.

Mr. DeOrio: Well, my point...

Mr. Zubar: Originally, the Canton proposal was that our costs were set at 9-1/2%. Right now, we're currently being charged 7-1.2% with the understanding that they're going to come back and do a reconciliation at the end of the three (3) year period of time. So we have from three (3) years of signing that contract, to get those meters in and then the discussion was originally around \$750,000 to do the meters but now we're thinking of a different solution for the meters. It's going to be temporary meters to get the flows...

Mr. Benekos: We're still discussing it. It still could go to the full \$750,000...

Mr. Zubar: Full \$750,000?

Mr. DeOrio: Well, I guess where I'm – my point is and maybe it's only a point that I'm making in my own head, but, I think we were breaking down this bill on, I think, Jon, you had mentioned that before we were going to try to break this down and show these pass-throughs. Alright, well, if we're going to try to show that I think we should be consistent in that what we're showing is, in fact, just the pass-throughs and not some sort of additional costs that we're adding on to it, or padding it, I guess, adding a 10% hike to that from Canton – I don't know that it's going to be 10% and it sounds like it's going to be 7-1/2 for now and it could be adjusted whatever, but whatever shows for Canton and the County, that should adjust immediately as we know those costs and if we need to raise our rates 10% to cover all this stuff, wouldn't that make more sense that it just comes out of the North Canton line item, that we add whatever we need to add to that line item. So, if you need to make up \$2.10 to go from \$21 to \$23.10...

Mr. Zubar: Again, I'm just – I'm following what Bob McNutt prepared for the City and how these costs were derived. He broke out the apportionments based upon the costs that we currently have from 2009. Basically it's – it is a 10% bump for Canton and then it's frozen until 2011 at which time we should have a better idea of what the true costs are going to be from that point forward.

Mr. Snyder: Isn't the – presently there's an ordinance that requires, if there's an increase by the County, I don't know about the City of Canton, unfortunately, the County increases – we automatically increase. Maybe we should raise our North Canton just a little more – take that \$1.10 off the other ones and also have in the ordinance that when Canton or the County raises, we automatically raise. That way you're not being proactively raising something that – and arbitraging the difference that you make technically, so we would leave it at \$5 and \$6, put the inside at say \$11.50 which we need to build reserves in our City portion, and then change the existing ordinance that requires the Mayor to execute the County's charge to include the City charge. If it comes in at 15% then we just automatically raise it – it would not take action of the Council, it would just automatically be done.

Mr. Davies: My understanding, they were taking all the costs that we were due to incur, you know, the \$750,000, the increase from Canton, etc., etc. and adding that to the present charges and then doing the 10% per year, would get us where we need to be, paying for all that, and then also building our rainy day fund so to speak

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because our reserve funds had dwindled down and we want to maintain like three (3) months receipts in case there's an emergency and we have to – if something breaks and we have to fix it and we need money, so I think they figured, I'm assuming they took all those costs in and just upped everything, you know, the 10% a year, you know, across the board to account for what we need to get our rainy day fund up and to pay the costs that were forecast. And the reason we only did it for the two (2) years was because there was some talk that if we go to temporary meters and etc., etc., and some other things that may not cost what we thought they would, so it wouldn't go up for two (2) years so then we could look at it again after 2011 and see where we are – see what those costs are, etc. I think that's – I'm assuming that's how they did it. They just dumped all that stuff in and threw 10% a year on the total cost to – so that we would be able to bring our funds up to where we needed to be to pay the \$750,000 and the increase from Canton at this point in time.

Mr. Benekos: That's correct. The other item is, we needed to increase our rates to upgrade our system which is getting older and deteriorating. That was one of the components in there. The difficult thing in breaking it out between North Canton, Canton and the County is all of our sewage doesn't all go to Canton, and all of it doesn't go to the County. So if the County raises their rates, basically, technically it's only on – the County's only raising it on half, basically half of our users; and if Canton raises it, it's only raising it on the other half. But Canton won't raise the percentage other than what's in the agreement, what our overall percentage is, but their bases will increase when the treatment plant improvements get made. So, it may still stay at the 7.5% overall, but right now we're paying it based on, you know, maybe 2-3 million a year. After the improvements, it'll be based on 3-4 million a year. But that percentage will stay the same. So, it's difficult to break it out like this and have a true pass-through. The pass-through we have now is for fixed fees with the County. Whenever a new user comes on board, right now it's about \$1,500, maybe \$1,600, just a fixed fee, then, you know, the monthly fee is after that. So if that \$1,600 goes up to \$1,700, that's what we pass-through. I don't think we have, correct me, I don't know – I'm not real clear on it, if Canton or the County raises their monthly fee, you know, we can increase it.

Mr. Zubar: I've never seen us do it with Canton but I've seen us do it with the County. When I came in, in '08 that was, you know, the County informed us that we were going to experience a 10% bump on their end so we passed the 10% along.

Mr. Benekos: But the point is, it's difficult just to have a straight pass-through on the ordinance or on the bill to show who's paying for what because some of the people's bills go to Canton, technically.

Mr. DeOrio: Well, to follow-up on that, and I should make it clear, I'm not saying that we not raise the rate – I was on record some time ago that we need to do this and I'm not against all the reasons cited that there are very legitimate reasons. But it was just occurring to me that if we're trying – if we're going to say that on your bill, this is how much is attributed to Canton and this is how much is attributed to the County, that there needs to be some – you know, that needs to be it. There isn't something else that we're adding to that and I appreciate what – your candor in saying that it's very difficult to say, to get this itemized out on a bill like that; and maybe we would be doing more harm than good by doing that if we're unable to do it, but I do like Jon's suggestion. You know, I don't think it really matters, you know, where the total comes from if we're trying to get \$2.10 there, why not leave the Canton and the County frozen and put it on the North Canton so that when you get rate increases or adjustments that are going to come, that we don't hear an argument, well, we say well that's just pass-through from Canton – no, it's not, it's more than that, you're adding to the bill.

Mr. Snyder: And then since we would raise to \$12.10 and leave the two (2) at \$5 and \$6, and still accomplish the aggregate of \$23.10.

Mr. DeOrio: Because I don't think when Arcadis did the study, they were thinking about we were breaking down this bill.

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Mr. Davies: Right.

Mr. Zumbar: They weren't.

Mr. Snyder: Well, you know, if we're going to break it out in the bill, it probably sounds a little better that way.

Mr. Davies: But I think it's important for people to know, again, the sewer fund is an enterprise fund – the monies can only be spent on the sewer system – we can't take it out and spend it for general fund or for anything else. So, if we get over the amount we need for a rainy day fund, then we could back things down. That was part of the reason for just going the two (2) years or actually year and a half, really. So that if we found we were billing too much, we could back it down and reassess it. So that was why we didn't go with just four (4) years.

Mr. Zumbar: The rate itself in the ordinance isn't going to change – you just – in terms of the breakout, and I can re-do that and make sure that we get the right information put in.

Mr. Snyder: Okay, and the amount will stay the same.

Mr. Zumbar: Yep.

Mr. DeOrio: Thank you. Thank you, Mr. President.

Mr. Davies: Any questions from any of the Council?

Mrs. Kiesling: No, it's fine with me.

Mr. Davies: Administration?

Mr. Revoldt: May we have a motion to adopt the first reading of Ordinance No. 46-10.

Mr. Davies: We're going to...

Mr. Revoldt: Just one reading today.

Mr. Davies: Just one reading tonight? Okay.

Mr. Revoldt: That's correct.

Mr. DeOrio moved and Mr. Davies seconded to **adopt the first reading** of Ordinance No. 46-10. All members present voting:

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

No: 0.

Mr. Revoldt: Before we move on to reports, I'd like to ask Council for a motion to reconsider Ordinance No. 42-10. Anyone who voted in the affirmative may make that motion.

Mr. Foltz: So moved.

Mr. DeOrio: What, I have a point of order? In the motion to reconsider, isn't it then, it's somebody who's wishing to vote the other way that they make a motion to reconsider.

Mr. Nilges: No, I don't believe that's necessarily correct. Here, we lacked the quorum for the proper number of votes to pass it on emergency and it would be changed circumstances which would create a different result which would be the ability to...

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Mrs. Kiesling: And you're hoping I'm voting yes, right?
Mr. Nilges: Well, you're, that's true...

Mrs. Kiesling: Oh, okay...

Mr. Nilges:...you might not...

Mrs. Kiesling: Exactly, so you may not want to re – change it

Mr. Revoldt: So, you were hiding out.

Mrs. Kiesling: Yeah, that's it.

Mr. Nilges: So then we would still not be able to...

Mrs. Kiesling: Right, right

Mr. Revoldt: After examining *Roberts Rules* the Law Department has concluded that we have the ability, given his reading and interpretation, to reconsider Ordinance No. 42-10.

Mr. DeOrio: I'll second Mr. Foltz's motion.

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

Mr. Foltz moved and Mr. DeOrio seconded to **reconsider the first reading** of Ordinance No. 42-10. All members present voting:
Yes: Kiesling, Revoldt, Snyder, Davies, DeOrio, Foltz.
No: 0.

Mr. Revoldt: Now, may I have a motion to read by title only, first reading, Ordinance No. 42-10,.

Mr. DeOrio moved and Mrs. Kiesling seconded to **read by title only**, Ordinance No. 42-10. All members present voting:
Yes: Revoldt, Snyder, Davies, DeOrio, Foltz, Kiesling.
No: 0.

Ordinance No. 42-10 – 1st Reading – Street & Alley Committee

An ordinance authorizing the Mayor of the City of North Canton, through the Board of Control, to enter into an Agreement by and between the City of North Canton and the Board of Stark County Commissioners in conjunction with Community Development Block Grant funding in an amount not to exceed \$189,000 for the Hower Street NE and Witwer Street NE Sanitary Sewer Replacement (Main Street to Taft Avenue NE), and declaring the same to be an emergency.

Mr. DeOrio: On – you know, Mrs. Kiesling was not here for the stimulating discussion that ensued as a result of the discussion on this – would you like us to repeat anything?

Mrs. Kiesling: No questions, I'm good.

Mr. DeOrio: I would move for passage of Ordinance No. 42-10.

Mrs. Kiesling: Second.

Mr. DeOrio moved and Mrs. Kiesling seconded to **adopt the first reading** of Ordinance No. 42-10. All members present voting:
Yes: Snyder, Davies, DeOrio, Foltz, Kiesling, Revoldt.
No: 0.

Mr. Revoldt: Motion to suspend the rules for Ordinance No. 42-10.

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Held

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Mr. DeOrio moved and Mrs. Kiesling seconded to **suspend the rules** for Ordinance No. 42-10. All members present voting:

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

No: 0.

Mr. Revoldt: Motion to adopt under the rules, as suspended, Ordinance No. 42-10.

Mr. DeOrio moved and Mr. Davies seconded to **adopt under suspension of the rules**, Ordinance No. 42-10. All members present voting:

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

No: 0.

Mr. Revoldt: The minutes should show that Mrs. Kiesling joined our meeting this evening prior to the first reading of Item 9., Ordinance 43-10, and the transcript will indicate her participation at that point.

REPORTS:

Mr. Revoldt: Reports, Director of Law.

Mr. Nilges: None.

Mr. Revoldt: Director of Finance.

Mr. Zumbar: None.

Mr. Revoldt: Director of Administration.

Mr. Wise: Yes, briefly, the pool, the City Pool opens Tuesday, next Tuesday, June 1. Pool passes are on sale at this time. The rates go up for the pool beginning, or after Friday, so next Tuesday the rates will go up so if you haven't bought your pool passes, now's a good time to buy them. Also, the last day of school is next Thursday, June 3. So, lots of changes. Thank you.

Mr. Revoldt: Mayor.

Mayor Held: Yes, this Memorial Day, we'll have our Memorial Day Parade and immediately following the parade, we will have our ceremony that we typically have at the end of the parade which is always a nice - real nice ceremony. We invite all of the veterans to come up and we recognize them. This is special this Memorial Day because we have the construction of our memorial right in Bitzer Park and we certainly invite all of the Council Members to attend. If any of you would like to be in the parade, if you would let Gail know and then she could pass that on to Tom Chufar who will get magnets for the side of the car, and you're all welcome to attend. And immediately following the parade is when we have the ceremony. That's all. Thank you.

Mr. Revoldt: Engineer.

Mr. Benekos: No report.

Mr. Revoldt: Mr. Bowles.

Mr. Bowles: No report.

Mr. Revoldt: Clerk.

Mrs. Kalpac: No report.

Mr. Revoldt: Mr. Foltz.

Mr. Foltz: Just to compliment Tom Hampton and Judy Juenemann. The high grass situation, I think, has been very favorably taken care of this year; and we're just getting letters out sooner and just people knowing they're going to get charged, property owners knowing they're going to get charged - so I haven't had any calls other than the few I called in and they were taken care of in a reasonable amount of time so I wanted to pass those compliments on to our City workers - they all do a good job. In this case, I wanted to recognize those two (2) especially for their hard work on getting the high grass cut down. Thank you.

Mayor Held: They did do a lot of work on that also. Thank you for bringing that up.

RECORD OF PROCEEDINGS

REGULAR

Minutes of

Meeting

DAYTON LEGAL BLANK, INC. FORM NO. 10148

Held Monday, May 24, 7:00 p.m. 10
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Mr. Revoldt: Mr. Davies
Mr. Davies: No.

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

Mr. Revoldt: Mrs. Kiesling.
Mrs. Kiesling: Yeah, I guess I'd just like to say that I'm glad, I guess I feel I'm needed tonight. I didn't realize I was needed and my comment only goes to last week and the fact that, you know, some things got taken off my committee and a week later, I'm still, a week later, not real happy about it; especially since the last week I felt as if, why show up, if you don't need me to run my committee then, why be here. And then I get a text that my son had just gotten a home run and I left the game to come to my meeting, which really makes me mad. So knowing that you needed my vote to pass this on an emergency really really made me feel good. So, thank you. That's it.

Mayor Held: I'm glad you were here, Marcia.

Mr. Foltz: Glad you're here, Marcia.

Mrs. Kiesling: Thank you.

Mr. Revoldt: Mr. Snyder.

Mr. Snyder: I have no comment, thank you.

Mr. Revoldt: We're glad you're here. Mr. Nilges has reminded me that the City has pursued litigation against the property on Castlewood. It's my understanding that Mr. Nilges has personally served notice to the property owner and the matter is being pursued. In addition, Council will hold no meeting on the 31st. It is our fifth Monday and we will resume in June. Final call for business. Is there anyone who wishes to address the Council? Seeing none, I'll entertain a motion to adjourn.

ADJOURN:

Mr. Davies moved and Mr. DeOrio seconded to **adjourn**. All members present voting:

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

No: 0.

The meeting adjourned at 7:34 p.m.

Harold Revoldt
PRESIDENT OF COUNCIL

ATTEST:

G. S. Walzac
CLERK OF COUNCIL