

RECORD OF PROCEEDINGS

0347

Minutes of

COUNCIL OF THE CITY OF NORTH CANTON

REGULAR

Meeting

DAYTON LEGAL BLANK, INC., FORM NO. 1014B

Held Monday, September 28, 7:00 p.m. 20 09

CALL TO ORDER:

- 1. The council meeting was called to order Monday, September 28, 2009 at 7:00 p.m. by President of Council Daryl Revoldt.
- 2. The opening prayer was delivered by Rev. Don Baird, Community Christian Church
- 3. All present recited the Pledge of Allegiance.

ROLL CALL:

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

- 4. 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, Director of Economic Development Bowles, Superintendent of Streets & Utilities Chufar, Superintendent of Permits & Inspection Hampton, Rental Coordinator Raymond and Clerk of Council Kalpac. City Engineer Benekos was not present for the meeting.

5. Consideration

Council Meeting Minutes – September 14, 2009

Mr. Revoldt: We have for our consideration the minutes from the council meeting for September 14, 2009. Are there any corrections or amendments?

Mr. DeOrio moved and Mr. Davies seconded to approve the council meeting minutes as submitted. All members present voting:

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

6. Committee Minutes

Mr. Revoldt: We also have for our consideration this evening committee minutes from Finance & Property; Ordinance, Rules & Claims; and Street & Alley. Those committee meetings were held on September 21, 2009. Mr. DeOrio.

Mr. DeOrio moved and Mrs. Kiesling seconded to approve the committee 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 of the Finance & Property Committee meeting held September 21, 2009.

Ordinance, Rules & Claims Committee: Please refer to the minutes on file in the Council Office of the Ordinance, Rules & Claims Committee meeting held September 21, 2009.

Street & Alley Committee: Please refer to the minutes on file in the Council Office of the Street & Alley Committee meeting held September 21, 2009.

7. Recognition of Visitors

Mr. Revoldt: Item 7 is recognition of visitors. Is there anyone here who wishes to address the Council prior to hearing from our Police Chief?

Mayor Held: We do have our Police Chief here who's present tonight. And what we intended on doing is giving a presentation. He's gathered a lot of data and also report on the traffic situation over on Radford. And so if you'd like we could have the Chief...

Mr. Revoldt: We will in just a moment.
Mayor Held: Okay.

Mr. Revoldt: Is there anyone else who wishes to address the Council prior to hearing from the Police Chief? Mr. Osborne.

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Chuck Osborne: My name is Chuck Osborne. 307 Fairview Street SE – North Canton, Ohio. I don't have prepared comments tonight but I do have an issue that has been highly talked about here actually over the last year and it's traffic in the city. There has been a great deal of discussion over the last year and a lot of hard work by Mr. DeOrio about what are termed traffic calming devices to control speeding. I too I guess have had some issues with speeding but I've just learned to live with it cause it's just very – probably very few speeders. But the situation was brought home to me here last Thursday when East Maple Street was closed. And actually this situation erupts every time we close Main Street or a major thoroughfare running through the city. Traffic is diverted off the main thoroughfares and what happens? People are going to find the - their own way through neighborhoods around the closing or around the perceived traffic impediment. Last Thursday, not continuously, but at 3 or 4, 5 minute intervals for 2 or 3 minutes I would average 10 to 12 cars a minute. Now if you extrapolate per hour you're talking hundreds of cars an hour, trucks and throw in the speeders on top of it. And to go from a residential street at 25 miles an hour it catches your attention and it's not pleasant. Now we've talked about Chatham. I know Mr. DeOrio has been very concerned about Chatham. He's had a lot of complaints. I had heard here recently that you know there's problems on Radford. And I heard as a result of the complaints on Radford, which came I guess one of the leading complainants and this is hearsay it was the daughter of former Mayor Creighton. And evidently – again hearsay that resulted in a trip to Dayton by the City Administrator and not only the City Engineer which was a devotion of a lot of resources at the highest levels of North Canton City government. Now I don't have a prominent individual living on my street who can maybe give me connections to the political ladder, but I would like to think that the city could instead of manufacturing speeding issues and traffic issues in the city not create them. If you're going to divert traffic off the major streets limit it and control where this traffic goes. It was not fun. And I made a few calls and I was tempted to run out there and put up my own 25 miles an hour speed limit sign. Our prior discussions about speeding in the city to me and I don't mean to throw stones, but I wonder is this an indication that our local law enforcement is not enforcing speeding in the city or they don't – do they not have enough resources to enforce speeding in the city? But when you hear complaints throughout the city of speeding it makes you wonder why we're getting these complaints throughout the city. Now I do hope with Mr. Peters' suggestion and Council's support that you're going to hire part-timers and concentrate those part-timers where you know the speeding is originating and occurring I hope you have some luck in that regard. But we need to do something about the traffic. And I hope people on the less prominent streets in the city are not forgotten. Radford is not the only street in this city that is suffering and has to endure the traffic. So I hope we can get some attention. Your mention of the stealth meter or whatever you called that, I think that would probably be a good investment to get a few of them. Concentrate on where and when the speeding is occurring and put some law enforcement out there and ticket. Ever since the first car rolled off the assembly line we've known and been aware of a speeding issue. And we've also had a fix for it, law enforcement issuing tickets. Not spending millions of dollars like the City of Dayton putting in traffic calming devices. Thank you.

Mayor Held: May I respond?

Mr. Revoldt: No. Chief Grimes – is there anyone else who wishes to address this issue this evening? Chief Grimes, we're ready for your report. Welcome.

Police Chief Grimes: Thank you. I'm getting old, have to use my specs. I missed the council meeting two weeks ago. And timetable for me, at least my perception of the timetable was July 20th of this year there was an accident on Radford where a car ran into some folks' garage. This was caused by an unlicensed juvenile driver from that neighborhood. And after that the Ward Councilman and the Mayor asked that we do a little more enforcement and patrol up that area. I told them that we would and we did that from July 21st till August 28th. Generally what our goal is is compliance; it's what we're after. Not how many speeding tickets we can write or whatever. Our goal is compliance you know so we can get people to obey the traffic situation. So generally what we do is we start out with more officers on patrol, give it - the area a little more enforcement action. That's what we did up there. We usually save the tickets for the major violations and issue warnings for the minor infractions and try to get out there and let the people know we're out there. Do a little education with them and – because some folks don't realize you know what they're doing through the neighborhoods. So then what we usually do is leave that area for a little bit. We may monitor it again and then come back in a couple weeks if we're not getting the compliance that we want and then we get a little stricter as we go along. So I know a question before was when do we normally write tickets. And normally we issue warnings for speeding violations up to 5 miles over the posted speed limit. We want to give them a few miles. We don't know if they're speedometer is off and that type of thing. So then usually between 6 and 9 miles an hour we let the officer have the discretion whether he writes a warning or whether he writes a ticket. And then if you're up over you know from 10 on we would like to see a traffic ticket because we believe that is more of a major speed violation. And again these rules are not hard and fast, it's a policy because it depends on the time of day, where you're at you know the conditions that are around

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there, that type of thing. But officers are pretty good I think at using their own discretion on that. So but that's the way – I noticed that had come up and that's the way we do it. So - but we also would go out and determine the severity of the problem because we get you know as we said before a lot of speeding violations and some are more critical than other places and we've got to go out and make sure there's a problem first when we go out there. So we use statistics on traffic and crash and that type of thing. We'll put the speed trailer out there see what we can gather that way and see if the statistics ...inaudible... out what people are telling us out there. So – because sometimes we have residents; speeding is a problem in their neighborhood but maybe not necessarily when they're driving in someone else's neighborhood. And everybody likes their neighborhood to be you know traffic to be going really slow, I like it in my neighborhood. So you get a little different perception. But we – our job is to go out there because we only have limited resources and see what we can do on that. So during that time it also came up that we were just writing warnings. We wrote 5 traffic tickets, 3 for stop sign, 1 for speed and 1 under suspension and we did write 12 warnings, 5 for stop sign, 6 for speed and 1 for left of center. The feedback that I got from the officers that were out there was that there was an occasional high speeding out there but most people were not speeding that much over the limit and that most of the traffic seemed to be coming in and out of there from those neighboring – from the surrounding neighborhoods there. Two weeks ago I guess it was on September 14th there was a council meeting where residents came to complain that speeders and lack of police action and from my – like I say I was not here, but from my reading of the minutes it appeared that one, a question came up that we were not watching the area because of the shift change and this when school kids speed. A second issue was that the police were not giving tickets, only warnings. Another issue was dump trucks using Jake brakes to slow down. Another one was people of all ages speed. Another one was the question on what does the speed trailer actually do that we have. Another one was that more traffic is using the street up there. And then there was a discussion on calming devices. And after the council meeting I was advised by the Mayor that he and Council demanded more citations up there as a way to address this problem. So I did advise the supervisors to put – to have this area more intensely patrolled and I issued a directive to issue traffic citations over 5 miles an hour and up; that there would be nobody immune from that, including me if I drove through there. We also setup the speed trailer because we wanted to count the cars that were coming in and out. Also, I wanted to get an indication of the speed count up in that area. I also immediately, that same day, allocated some overtime for the next two days to see if we did have a problem with the school kids leaving during our shift time and we put an officer up there. And we also did a search of our records to see just what problems we had in our computer so we could go up there and take a look. So during that time we started that September 15th at 2:30 and we concluded the intensive part of that September 18th at 2:30 and we continued to monitor up there during the next week. And we dedicated 20 hours and 43 minutes of specific patrol time to Radford. During that time we wrote 20 speed citations, the high speed that we wrote was 46 miles an hour, the low speed was 30, the average of all the citations was 33.6 miles an hour. We wrote 3 stop sign citations and 1 expired plate citation. The ages of the people we found were the highest person in age was 77, the lowest was 17. In fact, only 1 juvenile was cited. The ages to breakdown that were under 18 was the 1 person, if we cited 18 to 25 there was 7 people, 26 year old to 35 there was 1, 36 to 45 there was 3, 46 to 55 was 6, 55 to 65 was 1 and 66 years and older there were 5. Twenty of the 24 cited people were from the adjoining neighborhood area. There other 4 didn't live there. I don't know if they had a tie there or were coming to visit or had kids in that area or not, but 20 of the 24 were tied to that area. We did use the Smart Trailer up there and this we purchased in 1996 for \$13,600. So it's getting a little old but it still works for getting approximate data that we needed. From September 16th to the 17th we checked southbound vehicles on Radford and we got 1,086 vehicles that we clocked in a 24-hour period; that's one side of the road. The average was 23.6 miles per hour. The lowest was 11 and the highest speed we got was 44. We did it the next day again southbound, September 17th to 18th, we got 720 vehicles that day, but we found that we had a kink in one of the hoses there so that may have accounted for the low vehicle count. Again, we got 23.5 as the speeding average, low was 11, high was 36. On September 18th to 19th we did northbound, we got 1,312 vehicles. The average speed there was 24.1 mile per hour. The minimum was 11 and the high was 41. We did close up the box. The speed trailer works in various ways. It can display your speed so you know what it is; it can display your speed and still record the data in there; or we can fold it up into a box and still let it record the data. That's what we did although it's an old speed trailer and you know it's not too stealthy you kind of know it's there. But the accident data – we looked at the accident data in 2009, which is this year, we had the 1 accident where the car versus the garage and the house; in 2008 we had 1 accident and it was stop sign. Both people had stopped, one started to go before the other one did and ran into the back of them. In 2007 we did not have any accidents. In 2006 we did not have any accidents. Our conclusions you know to answer some of the questions raised a couple weeks ago was that we will look at shift change if we believe that we have a problem, that's not a problem for us we've done that before, especially on Hillbrook. Before we had caravans of kids coming in there after school, we put three cars down and pick out the first three cars and the other forty would go by but that's the manpower that we had at the time. We did that for weeks on end till they got the message we were going to be down there. So you know there is a reason that we give warnings along with citations. You know sometimes it's just appropriate to issue a warning

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instead of a citation. But I want everyone here to know that the Police Department is not afraid to issue a citation to anybody. You know we'll arrest anybody, we'll cite anybody, it's not a problem for us, it's what we do. The city does not have a no engine or Jake brake ordinance so we can't really address anybody using those in the city. And if we did have one we'd want to call it an engine ordinance or an engine brake ordinance, not Jake because Jake's a trademark name and we'd get sued for using that. So - but sometimes you'll see signs out there about that. We did learn that people of all ages do speed in this area but most seem to be 18 years of age or older. And we did collect data from the speed trailer and I concur, I mean I've been 31 years, traffic obviously is a lot more Radford than it's ever been, it's that way in the whole entire city. We're just getting inundated with traffic. The calming devices I can't address other than it's being addressed by City Council. Some follow up that we intend to do is you know we conclude it's not really a huge problem in comparison to other parts of the city that we also must patrol and watch. However, we're going to continue to give this some extra patrol time and monitor the situation up there and see how speeds go. And because of a recent contract change, we are currently hiring part-time officers and our goal is by next spring to have enough of them on there that we can start a speed enforcement program city-wide where we can bring these officers in and direct them to where we want them to. And that way the public won't know where we're out, out there and we'll be able to address that. So it will also free up our full time officers to do what they do because again, North Canton's growing not just with the traffic, but with the kind of problems that we have to deal with down there. So it's very rare that you can go down there that we don't have a prisoner sitting there either on his way out to jail or are talking to us. So we're looking at other various programs too that we can utilize because you know speed is a problem here for the residents, it's a problem for me as Police Chief, it's our number one complaint all over. It's been a high complaint since I've been here in North Canton even though we're known from around as being so highly visible and out there. But still our citizens you know demand the speed enforcement and we're going to give it to them. But we're checking different programs, one we're looking at and we're just in the preliminary stages of looking at, the National Highway Traffic Safety Association mentions this type of policy where if the citizens want to get involved with us we can train them to either look at - use the radar in teams of maybe three where they can see how fast it is themselves down there because sometimes your perception's different, but if you're holding the radar you'll know. But we want them working in maybe a team of three where one runs the radar, one collects the data, one verifies the data. Obviously citizens can't arrest anybody but what they would do is they would turn that data into us and then we would know whether there's a problem there or not. Also we may want to send the owner of those vehicles a letter from the Police Department letting them know the activity that we did there and that you know that they were at least watched and try to get them to slow down. This is in its very preliminary stages. I have not called around other places to see how well that's worked. I'd also have to get with the Law Department and insurance company to see what liability problems we'd incur if there was a situation there. But we want to try to address something and if we can get the citizens to help us, obviously we have citizens that are aware of speed. And if you know - I know from the Glenwood area we have a lot of people that stay at home and you know are around there during the day that wouldn't mind helping us out. So it's just something that we've got on the back burner there. So - but we know of it and we'll continue to patrol North Canton, that's what we do.

Mr. Revoldt: Chief, if you'd be happy to take some questions. Mayor, comments.

Mayor Held: Yea. First off Chief, thank you very much for the program that you did out there on Radford. And just to clarify, you know we do have - the chief complaint that we have as the Chief just said is speeding in the city as far as law enforcement. And we have it - it's spread out throughout the city. But just from my own experience I found that typically when you have families that have young children, it certainly raises the level of concern especially when you have smaller toddlers. And how do we address this? We address this as we get the complaints. And clearly on Radford we had a number of residents that came up, they spoke to me personally a few weeks actually probably four weeks before they had actually come up. On a number of occasions a number of the residents and expressed their concerns and then collectively came up. And usually that's a pretty good indication when you have a group of residents that come up and attend the meeting that there's a high level of frustration or a concern that needs to be addressed. And I think what exasperated the situation also was the fact that we did have an accident with an unlicensed juvenile driver in that area about a month before that. But I think that this process really - I certainly learned a lot from it and I've also learned too the importance of the Police Department and discretionary enforcement and why they do what they do. Because the Chief did ask me at what speed should people get a ticket. I never thought of it. Do they get it at 26 miles an hour, 27 you know what did I expect? And that's where I turned it over to him. And that's where he reminded that it should be. So again, I appreciate the response and the evaluation and at the same time I want to thank the residents for coming out here because I know that it was a big big point of frustration for you folks. And I think that by having the police presence out there it has made a difference at least I've talked to Mr. Darlington and also Mrs. Kling and they've expressed their satisfaction to this point. And I know there's other areas on Glenwood where Councilman Snyder held a meeting due to the traffic on Glenwood. And I think that we had a similar

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program and the residents were satisfied with it and that's really what we're here to do. And Chuck, you didn't give me a call about the speeding on Fairview. And it's not who calls in my book it's just whether or not there are serious concerns, not just by one resident, but by multiple residents and that's usually how I like to respond. I mean I respond to all the complaints but clearly when you have multiple residents complaining about the same issue that tells you that's there's something that's taking place there and that's usually how we filter through and what determines what course of action we take. So that's all I have. But thank you to the residents for coming up here tonight, for coming up last week, for calling me and communicating this to use because that's what we're here for to make sure that we keep a nice safe community. And Chief, thank you.

Mr. Revoldt: Council – Jeff?

Mr. Davies: The only comment I'd make, I think the idea of gathering information like with the trailer is a great idea. I do think we should look into the stealth sticks because obviously when the trailer is there having gone by them I slow down immediately and people do so it doesn't give you an accurate picture. It gives you some idea and certainly the numbers going by. But I think if they're at all affordable to have at least a couple of those that we could put I think you'd probably get a more accurate picture of what's going on. And I would be for it assuming we can you know find the money to do it. But I think that would help and as I say just give a more accurate picture. But I think what you did was admirable and right and at least we have some idea how many cars. And 1,000 cars you know a day in one lane is a lot of cars going through a residential area, it just truly is. So...

Chief Grimes: And there's not many SCATS (Stark County Area Transportation Study) figures right now, you know from the Stark County Transportation. North Canton is on their list to be hit next year. So and you might get a little bit better reading that way on what's up there. But the opposites, like you said...

Mr. Davies: But I do think we need to do that and get information. I think that's a great idea. At first I thought no, but I do agree that's to know exactly what the problem is and put numbers to it.

Chief Grimes: Sometimes at night we see them speed up because they want to see the bigger numbers too. You know it works the opposite way and we've actually found that happen.

Mr. Davies: Well that could be but...

Mr. Revoldt: Any other – Pat.

Mr. DeOrio: Yes, well some of the things that you said Chief you'd of thought you would of been here at the meeting last week when we talked about traffic calming devices because a lot of what you said is things that members of council had expressed. One I wanted to expand on just a little bit was the idea of a citizens' education advisory committee we'll call it, where we would train some people to use a radar gun and I think that would do a lot of things. When I think that you had mentioned that would indicate to the people how fast the cars are really moving. Perception is an issue on that. I think that getting a letter from the Police Department saying that your vehicle was spotted traveling at a rate of speed would have a very important effect. And as a parent who someday will have children that drive I – God willing that if I was a parent and got that letter that I had let my child use the car and they were speeding with it I think that would do a lot to help with the juvenile driver. So I'd like to see us you know pursue that in some way. You know the one city of course that we knew to do it and Mr. Osborne incorrectly named it, it's not Dayton, it was Dublin, but if there are others in regards to this National Highway ...

Chief Grimes: Traffic Safety Association.

Mr. DeOrio: Traffic Safety Association that are aware of that I would be interested in helping you do any kind of research that you might need to help kind of get that going. It would be nice if we could kind of put that together in some fashion to coincide with what you intend to do hopefully by spring and have you know some part-time officers available. And I think if – we might be able to augment that with this – in the affected areas that might be you know a first response. You know the whole speeding thing is that there are you know a multitude of solutions from the most benign to the most extreme. And it's trying to find where along that road per say that you find effectiveness and the residents can tolerate that. And you know I think on the very extreme you have the road impediments, the traffic calming devices, the humps, that shouldn't be a surprise to anyone that no one – they haven't installed any in Dublin since they passed the ordinance. Well that's because nobody really likes them and they wanted if you were going to get one put in they wanted to make darn sure that nearly 100 percent of the people in that affected area approved of it because it's something that they have to live with. So I don't think from the comments that were mentioned last week that anybody's really seriously interested in that extreme end. I think we're all kind of on this front end with what you've done so far

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you know picking up some of the stealth stat machines. I remember talking to, is it Lieutenant Nist, a year – a couple years ago about the speed trailer and you know getting a new one. They also have the ones that you can mount on the telephone pole that are a little more permanent, that kind of thing, that we should have some more tools in our belt in regard to that. So I'm going to take Member Davies up on his offer and see if we can't work that through the Finance Committee as the budget kind of gets put together here for next year. But I think you've done a great job under difficult circumstances. And if you look at the 20 ticket or 20 tickets written in the three day period and you take the number of cars that you clocked during that three day interval, I totaled it's about 3,000 vehicles over the three day period and you got 20 tickets out of 3,000 vehicles that's three-quarters of one percent. That's a very small number in the grand scheme of things. But you know in reference to what was said earlier and I take a little bit of umbrage to what Mr. Osborne has said, I don't think it was political or strategic connections that brought some of the residents here. It was just a coincidence of events happening. I mean we had it in our neighborhood where one particular resident who speed a lot and you know when I moved there and most of the neighborhood was brand new at that time there were a lot of little kids and you know I think that any vehicle that went more than 5 miles an hour seemed to be speeding. But you know a lot of our kids are almost grown up, they're not around the neighborhood playing anymore. And you have your – your threshold changes. Well you know the folks on Radford their threshold changed when there was an accident and so they have more of an awareness to it and now that's perfectly normal. So there's nothing weird about that it's just – it just happened at this time and it's coming forward. Same way with Glenwood, I mean two years ago when Quaker Steak and Lube wasn't there it really wasn't an issue, but the threshold changes as our environment changes. So I just wanted to make sure I addressed that. But in any event thank you for all that you do and all that your officers do.

Chief Grimes: You're welcome.

Mr. Revoldt: Any other questions or comments - Council? Chief, I would ask and I want to ...inaudible... Jeff that at some appropriate period we return out that there and simply setup the trailer without the monitor – speed monitor and again calculate the traffic volume and look at the speeds again so that way we get a couple sets of numbers that might help us. I would just to amplify or just maybe layer on something with Pat I recently sat through a day's worth of Lean Six Sigma Training and the whole purpose is to take your rate of error down to zero. So I guess while we might be at less than one percent our goal would be – should be zero if we're really – if we're operating on an industrial standard would be our true purpose. So you – Chief, if you would like to stay here for a moment we have a question or two from the audience. Sir, if you would standup and kind of approach the mic so we can capture you live for posterity.

Greg Miller: 1495 Radford. Chief, thank you very much for all your help, you've got a difficult job. And I just want to ask one question. We had the speed trailer, if I'm – if I heard that right sitting there for three days and that's the three days when you were at your most intense as far as stopping cars. And I know when the speed trailer is out there it slows traffic down. So I'm saying – I'm thinking that maybe those numbers weren't right because I think traffic was slowing down because of that. And I saw a lot of the kids taking the other street over. So I – what I'd like to see maybe the next time let's just have the police there and not the trailer, don't slow them down you know so you can get an accurate reading on what's going on. That was just my – again, thank you all for your help. We appreciate it.

Mr. Revoldt: That's a good point.

Mayor Held: Yes, you're welcome. Thank you.

Mr. Revoldt: I think the Chief indicated that they will be back out in the future on another 72-hour cycle. Correct? Unannounced...

Chief Grimes (speaking from audience): Yes. I would not speed.

Mr. Revoldt: Alright. Any other comments or questions regarding this matter? Pat? Chief, thank you. Are there any other issues that need to come before the Council before we turn to our business this evening? Seeing none, let's move on to old business. Mr. Davies, the Chairman of the Water, Sewer & Rubbish Committee has asked that we table Ordinance 79-09 pending a discussion between the Law Department and the Engineer. We have some questions regarding the contract. If that's agreeable I'll take a motion to table.

OLD BUSINESS:

8. Mr. DeOrio moved and Mr. Davies seconded to table Ordinance No. 79-09. All members present voting:
 Yes: Kiesling, Peters, Revoldt, Snyder, Davies, DeOrio, Foltz.
 No: 0

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9. Mr. Revoldt: Item 9, a motion to read by title only, third reading of Ordinance No. 80-09.

Mr. DeOrio moved and Mr. Davies seconded to **read by title only, third reading** of Ordinance No. 80-09. All members present voting:

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

No: 0

Ordinance No. 80-09 – 3rd Reading – Water, Sewer & Rubbish

An ordinance authorizing the Mayor of the City of North Canton to enter into an Agreement by and between the City of North Canton ("City") and the Board of County Commissioners of Stark County ("County") for the installation of waterlines for the Cleveland Avenue / Mt. Pleasant Intersection Improvement Project, at a cost not to exceed \$75,000.

Mr. Davies: Yea, what's happening is the County is redoing Cleveland Avenue up there at the intersection of Mt. Pleasant and we wanted to run waterlines down Mt. Pleasant so someday we might hookup customers down that way. They're digging things up. They'll put the trenches in and we can put our waterlines in and ...inaudible... them off for future use and it will save us a lot of money if we do it at that point. So I would make a motion that we approve.

Mr. Davies moved and Mr. DeOrio seconded to **adopt the third reading** of Ordinance No. 80-09. All members present voting:

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

No: 0

10. Mr. Revoldt: Item 10, a motion to read by title only, second reading of Ordinance 87-09.

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

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

No: 0

Ordinance No. 87-09 – 2nd Reading – Personnel & Safety

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

Mr. Peters: Yea, we're required by law to incorporate this into the Personnel Handbook and I believe this is going to be the first of many things we're going to be taking this ... on. So any questions? If not, I motion that we approve.

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

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

No: 0

11. Mr. Revoldt: Item 11, a motion to read by title only, second reading of Ordinance 91-09.

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

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

No: 0

Ordinance No. 91-09 – 2nd 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. Snyder: Yes, the present contract will expire the 31st of March of next year. This gives us an ability to get –seek several quotes which is most favorable to the city both in quality and in price.

Mr. Revoldt: Do we have a copy of the specifications?

Mr. Snyder: Mr. President, I know that you've requested that. I don't know if we've had that yet. I defer to the Director of Administration on that; I don't know.

Mr. Wise: Yes, Mr. Chufar has spoken with the current cleaning contractor. We are formulating some changes that we'll present to the Council President for his review.

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Mr. Snyder: That being said I'll make a motion that we adopt the...

Mr. Revoldt: Yea, we need a motion to adopt.

Mr. Snyder: second reading of Ordinance No. 91-09.

Mr. Snyder moved and Mr. DeOrio seconded to **adopt the second reading** of Ordinance No. 91-09. All members present voting:

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

No: 0

12. Mr. Revoldt: Item 12, a motion to read by title only, second reading of Ordinance 92-09.

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

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

No: 0

Ordinance No. 92-09 – 2nd 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: Again, I think you all received a copy of the specifications submitted by the Director of Finance to the different financial institutions to which he would like to deposit the funds, requesting bid specifications accordingly. This is both required by city ordinance as well as the Ohio Revised Code requires us not to exceed a 36-month period and this is for a 24-month period which so forth that's it.

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

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

No: 0

NEW BUSINESS: None

Mr. Revoldt: Moving onto new business, there is none. Reports – Director of Law.

REPORTS:

Mr. McFarren: No report.

Mr. Revoldt: Mr. Zumbar.

Mr. Zumbar: Just a reminder to department heads please get to me your budget requests for the coming year. They are due September 30th. The gold star award this year goes to Gail Kalpac – first person to turn it in. That concludes my report, Mr. President.

Mr. Revoldt: Director of Administration.

Mr. Wise: Yes, three items. Next week the week of October 5th is Fire Prevention Week. This is an annual event. We have on two separate dates Monday the 5th and Wednesday the 7th there is an open house at the Fire Department Station No. 1 on North Main Street here just north of City Hall across the street from the library or just up from the library. They do a number of events. The kids get up – can come up and look at fire trucks, they have the fire hose setup so the kids can spray the fire hose, they do demonstrations of rescue, extraction from vehicles, there are some vehicles, kind of junk vehicles that have been donated, they will tear those apart with the extraction devices, so called "jaws of life". They do that to a couple cars, it's really quite a nice event, a chance to see the Fire Department and what they do and the very nice equipment that we have. The natural gas aggregation program did strike a price this last week. The price for natural gas for December of 2009 through April of 2010 will be \$7.44 per MCF. Now that – on top of that there will be a transportation charge, but this year's price is \$10.70, there's a transportation charge on top of that as well. As it relates to May and forward, we have the opportunity at any point to strike those months if they go down. If they do not or we don't strike we can float. Typically through the summer the prices are lower. At this – at this point, on advice of our consultant, they are not as low as they feel the market – as they should be. The

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market for whatever reason has them at a somewhat higher rate. We can strike at a lower rate – at a lower rate for the rest of the year if those go down. If not we will float then through the rest of year and that will be a price per month when the month comes up. Typically there's a lot less gas used in the summer months. The final item, if you were here last week and on other occasions the new PA system, I'm sorry the new recording and PA system that we had, there was quite a bit of static kind of a popcorn almost firework kind of sound over an extensive period of time last meeting, the Clerk of Council spent some time with the contractor and under one of the chairs here at the dais there were some loose wires and apparently when that chair went across a connection or a wire that caused the noise and that has been fixed. So with any luck that will be the end of that. Thank you Mr. President.

Mr. DeOrio: Which chair was it?

Mr. Davies: Daryl's.

Mr. Revoldt: Now I know why I was so excited at the meetings.

Mr. DeOrio: Yea. I think you should keep...

Mr. Revoldt: I'm even going to be more excited in a few moments so...

Mr. DeOrio: keep your feet still when Mr. Osborne speaks.

Mr. Revoldt: Alright, Mr. Mayor.

Mayor Held: Yes. Two announcements I have. The first one in order to streamline any complaints that we have in the city, particularly ones that come through Council we want to make sure that they're handled in a timely manner we like to get back to people within 24 to 48 hours and in order to facilitate that we're going to employ our Work Report Program that we have down at the Service Center. We'll be – we're going to use that same software in our office just so that we have unit – universal tracking mechanism. And with council members certainly if you call Gail and she can send an email over to us or any one of the council members can call myself or the Administrator, just a phone call is fine, we'll make sure that it gets into the system. And that way we're aware of when issues are being addressed and whether they're being done in a timely manner. Now with that in mind we do have the Police Department, Fire Department, Water, Street, Sewer they all have numbers listed in the phonebook. So often times residents will take it upon themselves, which is fine to do that, to call those particular departments and then each department does track those. But whenever you have an issue or complaint certainly if you let us know we'll make sure that it's addressed. And then secondly, we had a meeting with the Blue and Gold Star – actually it was the Blue Star Moms. And that's the organization I'm sure you're all familiar with. They have – they represent the Blue Star Moms represent the soldiers and those that are serving our country. And they also expanded their program where they have the Gold Star Parents or the Gold Star Families where they have lost a loved one that was serving our country. And so we met with them because as I had mentioned to council months earlier that we were looking to dedicate that park to the Blue and Gold Star families over at Northwood. And so they're looking into that as far as what type of monies are available from their organization. It could be as little as at this point a sign that recognizes the park or it could be something a little more elaborate with a flag for the – American flag, Blue Star flag and Gold Star flag. But as that moves along we'll be sure to keep you all up to speed. And that's all I have.

Mr. Revoldt: Mr. Bowles.

Mr. Bowles: No report.

Mr. Revoldt: Clerk.

Mrs. Kaipac: No report.

REPORTS – COUNCIL:

Mr. Revoldt: Mr. Foltz.

Mr. Foltz: Just to follow up with our Director of Administration. The opt-out provision when does that occur? Do you know offhand?

Mr. Wise: There will be a letter.

Mr. Foltz: In case we get some calls on that.

Mr. Wise: Yea, there will be a letter sent by – there's a press release that we're reviewing now and will be sent out shortly. There's a letter – an opt-out letter and also as I understand it, an enrollment letter for those who are not in. It's my understanding those will be received sometime around October 14th.

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Mr. Foltz: October 14th so if we get some questions on that the letter is coming.

Mr. Wise: They'll get letters.

Mr. Foltz: Okay. Because I know different gas carriers will send letters out and even earlier this year.

Mr. Wise: Right there's been a lot of solicitation sent by other providers. If someone is in – currently in the program and they want to stay in the program they don't have to do anything.

Mr. Foltz: They do nothing. They have to opt-out if they want to join some other group.

Mr. Wise: If they want to opt-out there is absolutely no fee to opt-out. The only thing I'd caution is a lot of these low offers many times there's very significant termination fee. So just check all the things clearly.

Mr. Foltz: Okay, thank you. That's it.

Mr. Peters: No report. I just have one quick question. Has the administration on the stealth stats, have you guys done any more research on that?

Mr. Wise: I did not get a chance to look at that this week.

Mr. Peters: Okay. Do you have an email address – not an email address, a website that you go to or...

Mr. Wise: Yea. I think it's stealth – if you Google stealth stat ...

Mr. Peters: I'll Google that. Okay.

Mr. Wise: And I don't remember the actual name or website. I can get that for you though.

Mr. Revoldt: Mr. Davies.

Mr. Davies: Very quickly, I asked Gail to copy and I put in all the councilmen's packets it's a listing of various cities around the country and what ordinances they have on chickens so that you can read through this and see what other cities are doing. And when we revisit this we can take a look. What I will recommend so everybody knows and Mr. Pritchard you might put this in the paper, that we allow no more than four chickens, they be kept 50 feet away from homes and they have to be kept in a run. That seems to be what most cities recommend and what their ordinances state. And I think that's fair. There may be other councilmen that have other ideas which is fine. I'm sure next week or in another three weeks we'll talk about that again. But rather than you know just totally prohibiting I think there's a way to control and make everybody happy.

Mr. Revoldt: Mr. DeOrio.

Mr. DeOrio: Yes. I had an idea and that's probably a dangerous thing. But it would – it occurred to me that something that seemed to be missing from our discussions in just the four years that I've been here so I wanted to see if I could maybe ask the Mayor and the President of Council if it – if there wouldn't be a way the Administration and coordinating with our Chairman of Community and Economic Development, that maybe like once a month we could have some sort of a report or an update on what new business has come into the city. Now as an example I drive by you know up and down Main Street and Mayor you do as well. And you know so I'm always looking and I saw this business that you know obviously has moved in here. I don't know anything about it. An interesting sign if you know which one I mean, it's like something with a heart.

Mrs. Kiesling: The old Blockbuster? Is it Blockbuster?

Mr. Snyder: The MRDD guy. That's a workshop.

Mr. Bowles: Midwest Industries.

Mayor Held: That's right.

Mr. DeOrio: Well it would be nice – I don't know if maybe that's one of the one's we already had. But I just thought you know that's such – you know it's a good news kind of thing and it wouldn't hurt to promote some of our North Canton businesses in the...

Mayor Held: Right.

Mr. DeOrio: Mayor do you want to – whoever wants to take the lead on it, work together on some sort of collaboration I think you know maybe even invite them to come and let them talk about their businesses.

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Mayor Held: Absolutely. I think that's a good idea. You know really what we really try to get the word out. I think that sometimes you know one of the best forms really here is City Council. They did have an open house on the area that took over Blockbuster. And that organization is really very unique because it works with individuals that have developmental disabilities and it is a private company. And they do work. They employ these individuals that have disabilities. And it's really very fascinating. But they did have an open house. And we will make an effort to make sure that each week that we give you that update. I believe that it may have been covered in the Our Town hopefully. Okay. And that's a very good point. And we do have hopefully sometime very soon we'll have another announcement, a smaller company about 9 jobs over at the Hoover facility. So as soon as we get final word on that we'll be sure and let you know of that also. But that's a very good point. We've got to make sure that we're promoting all the new businesses that are coming in here.

Mr. DeOrio: Thank you Mr. President.

Mr. Revoldt: Mrs. Kiesling.

Mrs. Kiesling: I have no report other than to say it's a great idea. I do usually get reports but I didn't know about the open house. So...

Mayor Held: Yes, yes.

Mrs. Kiesling: didn't hit that one.

Mayor Held: We'll make sure that you - that that is taken care of.

Mrs. Kiesling: Alright.

Mr. Revoldt: Mr. Snyder.

Mr. Snyder: No sir, I have nothing.

Mr. Revoldt: In just a moment I am going to ask Mr. Foltz to move and Mr. DeOrio to second the adjournment of our meeting - in just a moment. I learned a long time ago in politics that no charge should ever go unanswered. And the Council President has become disturbed from what I believe is a rather careless or intentional habit of impugning the integrity of the officials in this body whether they be elected or they are appointed. In recent weeks Mr. Bowles has been subject to I think rather careless attack regarding his integrity, the Mayor and members of this Council. Tonight we heard that the allegation was quote, "favoritism" and of course we've heard the charge of corruption as well. I think the bottom line is, is god only knows there's enough corruption in northeastern Ohio if you read the pages of the Cleveland Plain Dealer or the Akron Beacon Journal. Public corruption is a serious issue it's not just to be taken idly or dismissed without examination. But the fact of the matter is that retaining public confidence in our public institutions is difficult, particularly when we make mistakes. And I think all of us recognize that we make mistakes for the best of reasons. It's not symptom of corruption or favoritism or some other illegal behavior. But as I sat here tonight and I listened to the comments about the speed issue I was reminded in the back of the room there was a young student who's now gone. How horrible it is for the scouts and the students who are up here on Monday nights, the only thing that they might hear is the fact that we're crooked or we're corrupt, we've misbehaving, we're not treating everyone equally. I think the fact of the matter is that when our behavior is incorrectly labeled corrupt, it does send a horrible message to the students and scouts and other visitors to our community. And the fact of the matter is Chuck, when you level such charges it diminishes the merit of your argument and frankly it makes you look like an idiot. And with that I'll have a motion to adjourn.

ADJOURN:

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

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

No: 0

The meeting adjourned at 7:56 p.m.

James Revoldt
PRESIDENT OF COUNCIL

ATTEST:

Dee M. Helpas
CLERK OF COUNCIL

10/6/09-gmk