

RECORD OF PROCEEDINGS

Minutes of COUNCIL OF THE CITY OF NORTH CANTON

REGULAR

Meeting

DAYTON LEGAL BLANK INC. FORM NO. 10148

Held Monday, February 14 7:00 p.m. 20 11

CALL TO ORDER:

1. The Council meeting was called to order Monday, February 14, 2011 at 7:00 p.m. by President of Council Daryl Revoldt.
2. The opening prayer was delivered by President of Council Daryl Revoldt.
3. All present recited the Pledge of Allegiance.

ROLL CALL:

4. Mr. Revoldt: Clerk, please call the roll.

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

5. Consideration:

Council Meeting Minutes – January 31, 2011

Mr. Revoldt: Council has for its consideration minutes of the Council meeting of January 31, 2011. Are there any questions or amendments to those minutes?

Mr. DeOrio: I move we approve as submitted.

Mr. Davies: Second.

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

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

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

No: 0

6. Committee Minutes:

Mr. Revoldt: Council also has for its approval this evening minutes from both committees and an executive session. The executive session was held for Personnel & Safety on February 7th. We have minutes from community & Economic Development; Finance & Property; Ordinance, Rules & claims; Park & Rec; and Personnel & Safety all held on February 7th. Are there any corrections or questions about those minutes?

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

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

No: 0

Mr. DeOrio: I move we approve as submitted.

Mr. Davies: Second.

Mr. DeOrio moved and Mr. Davies seconded to approve the executive session and Committee report minutes as submitted. All members present voting:

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

No: 0

Executive Session for Personnel & Safety Committee: Please refer to the minutes on file in the Council Office of the Executive Session meetings for Personnel & Safety held February 7, 2011

Finance & Property Committee: Please refer to the minutes on file in the Council Office of the Finance & Property Committee meeting held February 7, 2011.

Ordinance, Rules & claims Committee: Please refer to the minutes on file in the Council Office of the Ordinance, Rules & claims Committee meeting held February 7, 2011.

Park & Recreation Committee: Please refer to the minutes on file in the Council Office of the Park & Recreation Committee meeting held February 7, 2011.

Personnel & Safety Committee: Please refer to the minutes on file in the Council Office of the Personnel & Safety Committee meeting held February 7, 2011.

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7. Recognition of Visitors:

Mr. Revoldt: Recognition of visitors. We have a full house this evening and I would ask that - first of all that you be recognized by the Chair, when you are, if you would please step forward to the microphone and state clearly for the record your name and address. We would also ask in the interest of making sure that everyone is heard this evening that you try to abbreviate your comments and not be redundant. But clearly if you feel that something has been left out from a previous speaker make sure we have an opportunity to hear it. So let's move on to recognition of visitors and first is Mr. Osborne.

Chuck Osborne: My name is Chuck Osborne. 307 Fairview Street SE, North Canton, Ohio. I normally have prepared comments but this is going to come just extemporaneously as I will not be here the next two meetings and I wanted to express my concerns. This is regarding the Harleigh House proposed plans. Any of you, and I'm am sure many of you are looking at the online comments to the proposal in the paper, if my memory serves me right it's up to like 70 comments. After about 21 or so I inserted some comments and I took a little different tact and I looked at it from an economic point of view for the City. For the life of me I can't understand why you would want to put something of this use on prime frontage street on Main Street. I see no economic benefit for the City. ICAN, if you've looked at their website, proposes to speak on behalf of clients who have mental illness. I would think there would be much better locales with a greater buffer, something that provides some serenity and green space around them. Certainly it's not something you want to hold out on Main Street. I see no jobs coming from this. So I do not see it benefiting the City of North Canton at all and I do not see it benefiting their clients. So I would urge this Council to tread lightly. And it appears from the turnout here tonight, and I wish we wish we had this every Council meeting, that I'm not going to be alone on this one. So again, I won't be here the next two Council meetings so I wanted to get my comments out. Thank you

Mr. Revoldt: Thank you sir. Is there anyone here who wishes to address the ICAN proposal? Yes, please.

Laura Young: My name is Laura Young. I reside at 204 5th Street NE in North Canton. This is my backyard. I - I would have to say to start with my brother is a vet of the Iraq War. He was homeless, he was - he was diagnosed with PTSD (post traumatic stress syndrome) and there is not a single thing that he needed that the VA (Veterans Administration) did not provide for him - housing, counseling, a job, everything that he needed the VA provided for him and will provide for him. I've got an entire list of questions that I would like the Council to address to Maryellen Cameron. And I'm not going to read through the whole list now. My biggest - I think my biggest problem at this point is and I'm not trying to bash here, but the **Canton Repository** did not paint the whole picture. And anybody who read that article of course they're going to say yes we want to help our vets. But if you do any research into the ICAN Incorporated Housing Solutions, there is nothing on their website about veterans, nothing. I was on the phone with the VA today trying to find the person that she is talking to in the VA. I was told by a man named Hector McDaniel who is the Stark County head of VA, to ask in what capacity is she working with the VA. I also spoke with another man who said oh yeah, we work with ICAN, we do referral. We refer people to them, they refer people to us, so on and so forth. My big problem is they're trying to sell it as helping out vets and - and - and - the truth is that we as a community, what we need to look at is the safety of our community. And there are 50 plus children who live in this allotment back there. We need to find out what kind of parameters they set for these people and this all in here. And I will ask her every single one of these questions if you guys don't. I've got a copy of my own. You can have this copy. I'm just you know trying to raise a five year old daughter and I have a really hard time - the world is scary enough and we bought in North Canton because it's a safe community, with a great school system and to see something this just be - I am just one of those people that doesn't believe that you can take something bad, put it in a good situation and it's going to get better. I'm not that kind of person. I would love for that to be the way that it happens but nine out of ten times something bad has to happen before something good does. And I just, I would like to submit these questions for Council to look at and maybe address them directly to her...

Ms. Kiesling: Definitely.

Ms. Young: I mean before today I was - I assumed that you guys were going to do it in closed Council, since then I found out that there is going to be open meetings. So I'll do it myself if you guys don't want to do it. But these are just some of the few questions that you have to address before you say yeah sure no problem lets help the vets. Are they all going to be vets? Can they guarantee they're all going to be vets? Is the money going to come directly from the VA? You know, I mean these are the questions we have to ask. If they're not vets, what are their backgrounds? What are their criminal backgrounds? You know, my significant other put it really well and it's an analogy, and it's a great analogy and I like it so I am going to say it, would you take 25 loaded handguns and throw them out in your community? The good thing about the handguns is somebody would have to walk up and pick up that handgun in order to make it deadly. These are walking talking human beings who will be out in our community - will be. Are they going to have to take medications? Are

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they going to be okay? I - the - it's my daughter's backyard. It's where my daughter rides her bike. You know what I mean? It's - and we ride our bike down Main Street here. Would you ride your bike down Main Street in Canton with a five year old? Probably not. I don't want to see that happen to this town, it's too good, it's too wonderful living here. So I'll give this to whoever I need to give it too.

Mr. Snyder: Council Clerk.

Mrs. Kiesling: The Clerk will take it.

Ms. Young: And I'll be here the next two meetings. Thank you.

Mr. Revoldt: Okay, that's good. Thank you. We have your name and address on record, correct?

Ms. Young: Yes, you do.

Mr. Foltz: Yes.

Mr. Revoldt: This might be a good opportunity maybe - and I regret that Jim isn't here, but I think a couple points and I would ask Council to correct me if I am mistaken. But first of all is that what we have is essentially pending is a private transaction between the owner of the Harleigh Inn and a nonprofit, A. B is the nonprofit treats - it provides hous - or provides residential housing and supervision for individuals with mental illness. Number 3 is, this nonprofit currently has property utilized for that purpose inside the City of North Canton. Number 3 or Number 4, is the reconfiguration of this site would be contingent upon the Zoning Board of Appeals making ...

Mr. Snyder: ZBA.

Mr. Revoldt: ZBA providing a conditional use for that facility. That's a separate issue. The nonprofit's letter to us indicates that we do have an opportunity to come on the record regarding this project. And I regret that in my dim memory, I'm not certain whether we're for or against it necessarily kills the project.

Mrs. Kiesling: I don't - Eric, can you answer that question?

Mr. Revoldt: Do you know Eric by chance?

Mrs. Kiesling: I know that we have 30 days to respond to them.

Mr. Revoldt: We have 30 days, but if we

Mr. Bowles: We have 30 days and then the letter basically says we have 45 for receipt.

Mr. Revoldt: But tell me if you can, does Council's affirmative or negative opinion have a bearing on the project moving forward. Do you know?

Mr. Bowles: It might with OHFA (Ohio Housing Finance Agency), but it would not with the other funding sources. And I don't know if the OHFA funding - they're being able to obtain the OHFA funding is going to drive the whole project.

Mr. Revoldt: See the reason I ask, many many years ago, when I was in another job, there was a situation in Alliance where someone was contemplating residential housing and the elected officials rejected the proposition, but it went forward because they did not have the ultimate authority in the project, even though they came in as a no, the project went forward. And it was - it's my recollection that the law was changed or the rules were changed so that situation made a Council vote irrelevant per se. Could you check that out for us? And this goes to our constituent's question.

Mr. Bowles: At the Council - Chair of the Community and Economic Development Committee asked me to have a report - a synopsis ready for Council and I'll include that in the report for next week's Committee of the Whole.

Mrs. Kiesling: Next Tuesday, great.

Mr. Revoldt: Okay. Are there any other questions regarding....

Mr. Snyder: Mr. President, if I may...

Mr. Revoldt: You may.

Mr. Snyder: Thank you for the privilege. Members of Council, to the audience, pursuant to this I've had conversations with both your Ward Councilmen and our Engineer, Director of Administration today regarding the possibility of converting that building into residential housing. Without a formal plan as to the layout of the property we have no idea what size it is. It's speculated it would be 17 single units and I think 4 double units. Should that be the case the property does not meet the present zoning requirements. It would fall short of the square feet to construct 17 single and 4

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double units. As to fire safety and so forth, without a submittal of a formal plan of the project, there's no way that could be answered. At that particular point it has to go to our building officials and meet the present zoning's requirements to the City of North Canton. It does not meet the zoning requirements for off-street parking, it is 20 some spaces short, hence for the approval. Should it receive the approval by the ZBA for the conditional use of the parking? It would still have to meet the required specifications for residential housing in a GB-B (General Business B) District. So right now it could not meet that specification. It would require significant alteration and significant money. And I have no idea, I don't know anything about the company and we are doing extensive research to find out from other municipalities what impact these residential communities have had upon their cities and we'll be able to report that back next Monday. But I will assure you, I know that Mr. Peters is working diligently every angle that is possible to protect your rights and to protect your property.

Mr. Revoldt: Mr. Davies

Mr. Davies: Very quickly I spoke with the head of Building Permits, Tom Hampton, who's since left the City. But he said the units - the rooms are not big enough for permanent housing. It's fine as motel, hotel, but not as permanent housing. So they will not meet - meet present zoning laws. Now Council has no control over what the Zoning Board does. We don't vote on that. But my guess is - well I won't guess what the zoning would do, I don't think they would probably approve it, but it will not pass the zoning. I personally spoke to Maryellen from ICAN. While they would love to have this be for veterans because of funding sources and so forth, they cannot say that it will be specifically for veterans. They cannot pick and choose because they take a certain amount of government money. And that is true. Chuck mentioned economically, economically there is essentially no upside to the City of North Canton because there will be no there will be no - there will be no employees there so there will be no income tax. There would be some property tax, which is being paid now and quite possibly our costs for services could go up because of using ambulance and possibly police. So you know we'll have to look at it and give them a fair look at it. As Jon said, we've talked to the Police Chief and asked him to check with other communities where ICAN has housing to see what have been the ramifications. Have there been you know ongoing problems and so forth? We want to know that. But at least at this point, from what I've seen, there is very little upside to the City of North Canton. It's you know it's not going to bring a lot to the community as if you know - as something that would be economically viable. Obviously, we'd love to help veterans if we could but I don't know that we'll any insurance that there'll be any veterans in the building. So that's from what I know.

Mr. Revoldt: Okay. Is there anyone else who wishes to weigh in on the record on this matter?

Mr. Peters: Well I mean I'll weigh in.

Mr. Revoldt: Mr. Peters.

Mr. Peters: I'll agree with everything that Mr. Davies has to say, I'll even add, I believe that it has zero positive impact on the community. And to Laura's point, you know if there were, if this is to benefit veterans then the VA should certainly have if not all, at least a majority hand in how they're taken care of. Draining our City services and I don't believe that this is the proper spot for it. Most of the folks I think that are going to end up in this house are going to be - are going to need the services that we can't provide them within walking distance, right next door. Most of those services are found downtown Canton right now. And that's why I think you have the cluster of those type of homes in that area because those are the services or that's what they need. So I - I'm absolutely opposed.

Mr. Revoldt: Any other comments or questions at this point? Okay, Miss, you will be back to us on Monday night?

Mrs. Kiesling: Tuesday.

Mr. Revoldt: Tuesday night, excuse me. We will have on Community and Economic Development this item for a full report. I think the critical question for us is what weight does Councilmanic action carry?

Mr. Bowles: With OHFA.

Mr. Revoldt: With OHFA.

Mr. Bowles: The approval or disapproval letter.

Mr. Revoldt: Absolutely. Okay.

Mrs. Kiesling: And just for the audience's sake, we'll make our decision next week because we have to have our letter in before the 28th meeting. So it'll be a done deal before the 28th.

Mr. Snyder: Mr. President, does that organization, is that a federal, what is it?

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Mr. Bowles: No, it's the Ohio Housing Finance Agency. They get their money from the State of Ohio and also home funds the federal ...

Mr. Snyder: You mean they're responsible to whom? They answer to the ...

Mr. Bowles: Well they're responsible ...

Mr. Snyder: To the General Assembly or who do they answer to?

Mr. Bowles: The federal rules and regulations that guide them, the Home Investment Partnership Program and how those monies are used for home ownership. They have a lot of very good programs at the State.

Mr. Snyder: Well, but I mean are they answerable to our elected state representatives and state...

Mr. Bowles: Our congress.

Mr. Snyder: So it would behoove our residents to contact their elected officials at the state level and plead their case. Correct?

Mr. Bowles: The input from all sources is always helpful.

Mrs. Kiesling: Alright, but...

Mr. Foltz: Daryl, one follow up, Jeff and I discussed - Councilman Peters and I discussed about maybe a letter going out to the immediate neighbors. I don't know how many feet away but just to make sure everyone is notified in Ward 1 and Ward 2 of this decision that's occurring here for our community. So Gail we will have to get back to you on that see what we can do. Get that out for next meeting. I want to make sure maybe they're not going to catch it in the paper and so forth but they need to know. Thank you.

Mr. Snyder: Is it - are they within the distance of our predator? What's the distance?

Mrs. Kiesling: To the high school.

Mr. Snyder: To the high school....

Mrs. Kiesling: They're probably pretty close.

Mr. Snyder: The proximity to that, they're within the 2,500 feet.

Mrs. Kiesling: Is it 2,500 or is it 1,500?

Mr. Peters: Certainly to the pool and the park.

Mrs. Kiesling: Yeah.

Mr. Peters: But they're

Mr. Revoldt: Yes mam, you're going to get a rare second triple play.

Ms. Young: I know. I'm sorry. I read - I read the letter - letter that the City received from the ICAN Incorporated and I understand that the City really is kind of, they can only do so much. My point is as a City we do absolutely everything, we exhaust absolutely every measure to stop this. Because if we don't we're looking at the downfall of North Canton. We have taken a hit on Hoover. I know we need tax dollars. I'm praying for the economy to jump back. This will be one of the communities that will jump back the quickest, I know it. You let something like this in, you're asking for the downfall of North Canton. And I just - I understand that you might only be able to write a letter to them. I will tell everybody I know to write my congressmen, I will do anything. I told Jeff if they need - if the bid is \$200,000, let's ...inaudible... and I am just throwing a number out there, and they need 2,100 to make it sweet, I will wash the man's car for a year for free to make it a sweeter deal. I do not want this company, ICAN Inc., purchasing this property and moving people in. That's all.

Mr. Peters: Thank you.

Mr. Revoldt: Just on a concluding note, I think it's incumbent, particularly because we are taking this down and it's going to be reported to the press, that this is an issue that impacts veterans.

Mr. Osborne (speaking from the audience): Can you speak up?

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Mr. Revoldt: This is an issue that impacts veterans. I think all of us want to be in a position to support those veterans who are receiving treatment in the wake of their service to our country. The flip of all this is there are communities and as our resident has suggested, there are serious economic development implications in your community. And I can point to one to the north where there were and are serious issues regarding housing that have impacted the community's economic development prospects. So this is a really tough nut for our group. How do we balance two very valid conflicting interests? On one hand our responsibility to perhaps those who have fought for our freedom. The flip of it is how do we balance the responsibility to protect our community's economic viability? And we know, at least certainly I do, and can make a fairly compelling argument that it can have adverse affects if it's not properly managed. So we'll go from there. Next week, correct Mr. Bowles, Item 1a Clerk, on the agenda. Alright, let's move on. Is there another subject that has brought you here this evening? Yes sir, please step forward to the microphone and state your name and address.

Paul Uhlman: Good evening, my name is Paul Uhlman. I live at 1144 Rosewood Street NE, North Canton. Last Council meeting I came to you with my hat in my hand and I asked for, I solicited consideration about the street conditions in Eastwoods subdivision and I told you about the sewer problem that I personally have experienced. Since last month something new has come up and I wanted to make you aware of it. I do realize that water and sewer problems come before street renovations. I agree with this. This morning the City came out and they cleaned the sewer in front of my house and then they TV'd it and videotaped it and I understand that you will get the report tomorrow. What was found was within the first 174 feet, there's three bellies where some pipe goes and it dips down and causes - well we call it sinuosity or domestic waste collects ...inaudible... or will collect there. My sewer connection cannot be seen because mine is always under water. This one of the problems I have sewer problems. This has forced me to get several hundred dollars a year additional insurance for basement flood insurance. At the 174 foot mark the camera cannot even get through the pipe. The soil condition out there is so poor that the bedding under the pipe is not supporting the pipe and these problems are only going to get worse. For this reason I think consideration for the street improvement for Rosewood should be moved up because of the sewer condition. This is a - it's going to be a hazard to their health. So like I said, Tom said you are going to get a report a written report tomorrow on that subject. But this is a serious problem. Any questions?

Mr. Revoldt: Council?

Mr. Uhlman: Thank you.

Mr. Davies: This goes back to things we have talked about, planning and how we decide which streets get done and so on so forth. And I spoke with Mr. Benekos this afternoon, he agrees, he wants to see some kind of planning. He wants to put together a program so that we can look at things like this and say, what street needs to be done first? We, two weeks ago, three weeks ago, when money was found miraculously and a couple streets, it was decided we were going to do Chandler and Donner, and several of us said, well wait a second how was that decided and, who made those decisions and so forth. You know as a Ward representative you know I care about the constituents in my Ward, as does Mr. Foltz, as does Mr. Peters, and as does Mr. Snyder. And we all have to advocate for the people in our Wards and that's a fair thing. But we've got to have a way, okay, to decide which streets get done first and why so that we can let you know the people of this City know what they can expect. It just has to be done. And Mr. Benekos agrees he wants to do that so hopefully you know we'll get moving on that and come up with some answers. You know I would suggest if in fact there is sewer problems and we're having flooding that - that is a problem that perhaps other streets don't have and we need to you know get this fixed. And I know Rosewood Circle, one of the reasons is it has not been paved, among the fact that there's no money is because they knew there were sewer problems and they knew that things would have to be done at some point and they wanted to wait until it got bad enough where they could do the street and the sewer and everything all in one straight shot. So now may be the time for that. That would be my comment.

Mr. Uhlman: Well this is a major problem and we're all concerned with it.

Mr. Davies: Well we can't have water in basements. I mean we've talked about that before and said that becomes....

Mr. Uhlman: Well several times I've had backups and luckily I've been home at the time, but one of these days I'm going to be on vacation and come home and find an indoor pool of not very nice water. So consider that and thank you.

Mr. Revoldt: Thank you sir. Is there anyone else who wishes to speak? Yes, sir. (cell phone ringing in audience) Little musical interlude here.

Fred King: I'm Fred King, 1213 Eastwoods Circle SE. And as you recall, I'm back again and I've got a few people from Eastwoods here that are interested in this. Inaudible... raise your hands from

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Eastwoods Circle – Eastwoods Allotment. So there is a large number of people certainly as you are aware that are interested in this, large community of people, large voting block of people. Eastwoods Circle, you've been getting the progress photos from me. It's disintegrated, Eastwoods Circle this part of it from Vincent where it was fixed before up the hill has literally disintegrated. And I've drove down the streets that Mr. Benekos mentioned or there was in the paper, excuse me. And Chandler's bad but so is Eastwoods. So please get this list going quickly and let's find an equitable way of dealing with the money. Thank you.

Mr. Peters: Daryl, I got a question. The soil down there is pretty poor. When was the last time sewer has been addressed in that area?

Mrs. Kiesling: I'm sure Daryl doesn't know.

Mr. Revoldt: I – Doug, if you'll carry me down memory lane. I believe the last time we did anything on sanitary was maybe in the 1990's. So it's been a good probably 20 years. We had some issues down there. But I think what we're, particularly Paul's experiencing, are the results of building, you know it was one of the last neighborhoods built down in that area and it was the last built for reason, it was pretty soft. And I know we had some pretty serious street issues down there in terms of holding the roads together because they simply didn't have the - they didn't have the proper foundation. Phil Roush, was Engineer, so it would have been pre-June.

Mr. Foltz: The base work underneath...

Mr. Revoldt: The base work was bad.

Mr. Foltz: underneath the concrete...

Mr. Revoldt: Yeah, it's – it's just a – it was in many ways just by way of background, now that Ruth Basner's gone, the town grew kind of willy-nilly in the 70's and 80's, it was the go-go years. And we didn't look, we as a community didn't look real hard at infrastructure. We allowed the contractors to install it. I think our specifications tended to be a little soft, our inspections was even softer and consequently I mean it's one of the reasons we spent so much money replacing water lines because it just kind of got done. And everybody was thrilled with the growth. They equated growth with progress and they kind of looked this other way because if they did it wouldn't affect profit. So it's kind of where we are. Long answer to your question. So it's probably been twenty years.

Mr. Snyder: You know Mr. President, if I may, on this particular street, the component of both sanitary and storm and water, as well as street rehabilitation, would comprise about four of our enterprise funds. The water and sanitary having no funds right at the present time and it would be even difficult to do Chandler, Donner. But is it possible that we can charge Administration with the possibility of searching for a Community Development Block Grant funds to do that particular street and get it assigned and we can get it on there, which will expedite it. And I know that we have been successful in other areas, especially in the northeast section where we've gotten grants to do those streets. Because the components rate high enough on the scale that having both sanitary problems and water problems both and then the surface portion where we could ...inaudible... our particular portion when we find the money. Otherwise, it becomes unfortunately a wing and a prayer. We just keep promising and we're not seeming to get anywhere. But if we can segregate at least one of them and possibly obtain a 60% or 80% by grant, we can expedite the development of that particular street. And if we could look at, I don't know what the ...

Mr. Revoldt: Eric, let me - tomorrow, I'm - here's my interest and I want to pick up on Jon just for a second. Ask Jim, the street's a wreck alright, it's unsalvageable. So if we bust it up, simply to replace the sanitary, alright, and we can find some cash to do it with the understanding that we will get the rest of it later, but can we open the street and replace the sanitary? That's the real issue for right now. It's not a perfect fix, but yet this individual has got a housing issue with potential backup.

Mr. Snyder: Mr. President, the problem we have there, we have no funds in the sanitary because of the fact we're going to metering which is about \$600,000. Which we're going to be on bond...

Mr. Revoldt: We don't want to bond any money ...inaudible...

Mr. Snyder: Right. And we don't - that's the problem, that's why, to do those two components the water and sewer we're going to.....

Mr. Revoldt: Right

Mr. Snyder: It's going to take some grant money if we can get it.

Mr. Revoldt: Right. Maybe we can go to another account. Let's find out - first of all find out whether it's technically feasible to bust open the street, fix this one part of it with a new base and lay it out and what cost. And then we'll figure out a way if we can find it either grant or otherwise. But let's

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look at and see if we can fix that first. Questions or comments? Anyone else want to come back onto the streets and issues related? Yes, mam,

Denise Lee: Hi, I'm Denise Lee. I live at 1280 Eastwoods, at the corner of Eastwoods and Vincent. We were - we're right on the corner there where Vincent was just done wonderful. I live on one of the very worst parts. I have two toddlers learning to ride bikes and everything. I wanted to make a point that all of the residents that are here and the others that couldn't make it, this whole time, this 25 to 30 years we've been paying property tax and the City has never had to repave our streets. They didn't pay to put them in, the developer did. So knowing that the money has never actually been funded by the City to repave our streets other than Vincent, we feel like money has been found, at least one of our streets should be allocated per year. We've come to so many meetings and just want to see some action.

Mr. Revoldt: Great comment. Let - any response? Doug.

Mr. Foltz: Yes, I am just going to summarize this. Eastwoods is a newer lot. I don't know the age, but ...inaudible.. 30 to 40 years old.

Ms. Lee: 30 to 35.

Mr. Foltz: Thirty. So we had the benefit of a developer coming in and putting everything in new. And here we are 35 years later having to do repair work. And that's unfortunate and I understand the neighbors wanting their streets done. I'm looking at Ward 1, where I have housing that's 60 to 80 years old. And this street that I am talking about doesn't have curbs - that have fallen in. Somebody couldn't get a wheelchair up, a husband couldn't get a wheelchair wife up into her home. We had to put asphalt down along the old broken curbs. We've got problems there. We've got problems in Mr. Snyder's Ward and we've got problems in Ward 2, Jeff Peter's Ward. The problem we have is that we only have a finite amount of money. It was discussed last year and I brought it up with Council Member Snyder to get a bond to take care of some of these and it didn't really go anywhere in Council. I was supportive of that. I don't know what the actual answer is going to be. I sympathize with the people in Eastwoods, I do. I sympathize with my Ward residents, who I represent and that's been discussed up here. So we need to get a handle on it and I'm for looking at another bond to do these right. I mean the good thing that's happened in my tenure in 16 years is we started replacing these infrastructure problems. The problem is we haven't had enough money to get around everywhere that we wanted to. At least we whittled down the list. I'm very proud of the money we've spent there because it wasn't just money that was frivolously spent, it went to infrastructure, which improves our neighborhoods and keeps the integrity of that neighborhood strong and the property value strong. That's the only way these are going to get done. If there's - probably every street in that allotment East - mid-Eastwood allotment needs done other than the one we just did two or three years ago. Right, it needs done? And then we have sanitary problems. We're not going to get it done with a couple hundred thousand dollars a year. It's not going to make, we're all going to be sitting up here discussing it, very heatedly discussing it. As Jon - Jon you know you and I have discussed it for the 14 years you've been here. And we do what we can and eventually we get around to it, but I think we got to look at some other opportunities to bond money or something to get these things done on a short-term plan. If not we'll be talking about these streets five years from now. Doug Lane was talking about these streets when he was the Council member here. Those are all fair statements.

Mr. Snyder: That's right.

Mr. Foltz: But there is only so much money to go around. So we have to create some kind of vehicle that all of us can buy into and help all of our residents.

Ms. Lee: Do any of you know the approximate cost of doing one the streets? I don't know that.

Mr. Snyder: About 500,000

Mr. Davies: Yeah, it's in the 300 to 400,000 dollars.

Mr. Snyder: About 500,000....

Ms. Lee: So it would take up the entire block of money that was found?

Mr. Revoldt: Yeah.

Mr. Foltz: Just the street money, yes.

Mr. Snyder: The street money. That's without doing water and sewer.

Mr. Davies: Because your streets have to be totally torn out ...

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Ms. Lee: Right.

Mr. Davies: and redone. And you know there are 3 to 500,000 dollars.

Mr. Snyder: Pursuant to that – excuse me Mr. President, pursuant to that - Mr. Foltz's statement, Mr. Davies did ask me and I had some conversation with the Mayor, presently we have a one and half mill. Municipal Road Fund, which was just passed this last fall. It generates about \$565,000 in a twelve month cycle. We are collecting only six months at a time. The first half of that 260 some thousand dollars is earmarked for \$300,000 for repaving this particular spring and summer. As you know the condition the City, we've had a terrible winter. We're going to be able – we've got to cut out and do. So the majority of that money will go there. That - that's where that muni road fund money. We will look at talking to our Bond Counsel to see what the 565 could buy us 3, 5 million 6 million dollars. They're on a 15 year cycle, so whatever we could borrow out we're going to do that. Otherwise, as Mr. Foltz tells you, there's no way we can get started. I mean it's just, at 500,000 is not going to buy us much work. And that's due to expire in 2013 that was a - oh it's a five year, 2014, I am sorry. So ...

Mr. Davies: And Jon had another idea, since you're here, and that was you know we had put a year back a year and a half back, two years back a 2 mill levy on the ballot for streets, which was defeated.

Mrs. Kiesling: Went down. Right.

Mr. Davies: We could conceivably do that again and design it so the extra mill - do it for 15 years. You're bringing in 500,000 a year and figure it over 15 years you're going to bring in 6 to 8 million dollars. Okay. That we could then use to fix streets. But we have to, we would have to get that passed. Council is not allowed to go out and campaign for levies and so forth, the City isn't allowed to do that. What we would need would be a group that would be willing to put a committee together and possibly you know put signs up and possibly go door to door and send letters and so forth to citizens in the City and we could get people from Doug's Ward and Jon's Ward, and Jeff's Ward, that would be willing to help pass this so we could conceivably get you know 8 million dollars which would go a long way to fixing all the streets in Eastwoods, as well as Donner and Chatham and Chandler and the other – I've got it here somewhere ...

Mrs. Kiesling: The list.....

Mr. Foltz: Twenty-five.

Mr. Davies: Twenty – the other streets okay that need to be done in the City, that we're aware of on a quick study by Mr. Benekos, not an extensive study that really needs to be done.

Mr. Peters: These are all rebuilds too not just paving.

Mr. Davies: Almost all of them are rebuilds, yeah, not just paving. So you know that's something to think about. If your group would be you know willing that's something that you know we could go back on the levy and say hey for an extra mill for 15 years, we can generate, we'd have to come up with an exact number, but probably going to be around 8 million or so and we'd be able to get a lot of these streets done and move on.

Ms. Lee: Aside from that though, what is preventing this money that was found to be used this year for our streets?

Mr. Snyder: Well because the problem – the component takes both sanitary and water. That money...

Ms. Lee: But Eastwoods doesn't, does it?

Mr. Snyder: Pardon me.

Ms. Lee: The street I live on, Eastwoods Circle doesn't, does it?

Mr. Snyder: Well when we open them up we have to repair everything in there, otherwise we are back there in two three years ...

Ms. Lee: Tearing...

Mr. Snyder: tearing the street all the way back out again and fixing it. If we don't do it it's not in our best, even though I realize aesthetically and practically your street's not in good shape. But if we can't do it properly, it costs you the taxpayer twice as much. So when we do it, we go - and the problem believe it or not and I'm only speaking, and Mr. Foltz will concur with me, both Chandler and Donner both have a - Donner especially has a sanitary problem and water problem. Chandler has a

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water problem so we can't even do those two projects because we don't have any money in the water fund.

Ms. Lee: But like Eastwoods Circle or Sprucewoods, do those have other underlying problems? I've never heard of that, I ...

Mr. Snyder: Well they might not have any critical problem, but they do have to be replaced.

Mr. Davies: Let me say that nothing's been decided. And again, I talked to Mr. Benekos today, he did say that both Chandler and Donner were pulled off because of sewer problems and water problems and so forth that weren't going to be done this year. So there may be a possibility, I don't know what else is out there, but we're going to discuss it and see. You know, I'm not going to promise because I can't. Because I don't know what else and other things -- the other thing we have to be a little bit careful of is things jump out at us that we don't expect. And we have to be a little bit careful and have some money backup. So if something, you know a sinkhole opens up you know in the middle of Main Street we can get it fixed, you know. So, I know we are working on it, I know Mr. Benekos is working on it. I assure you I'm following things, I'm watching and I'm trying my best in trying to come up with a way we can get these streets done, because we need them all over the City. It's not you know just Eastwoods, it's as I say in Doug's Ward and Jeff's Ward and Jon's Ward.

Ms. Lee: I think that the frustration is that so many of us have come over so many years and we got a petition signed by the majority of our residents to go to asphalt rather than the more expensive cement streets. I mean we've made those concessions. We've tried to do things like that to make it as cost effective as we can. And we've come over a period of years and you know we're still, we always kind of get told oh it will happen it will happen. And you know Vincent did happen which we are very grateful for but you know the whole rest of the neighborhood is still in shambles.

Mr. Revoldt: Well let's, let me just -- just further complicate this matter because you know certainly we're not tone deaf to pleads of this neighborhood. One of the reasons we sought a bond issue or excuse me a road levy in May 2010, was we understood that we were running out of capital money to work on these streets. We understood that. The voters of this community said no - issue of timing. We had some discussions in this chamber regarding borrowing money. Those discussions did not have adequate support. So we put that aside. The road levy that we do have barely covers paving, repair paving. It's pretty small. The big elephant in the room is that we're looking at a general fund deficit in a year. And some of the other conversations we've had are, what are our primary responsibilities to the community? Is it streets or is it safety? If we have to choose, which is it going to be? And that conversation takes us in to some really really ugly places. Do we want to have fewer policemen on the street? We can and that'll help shrink our deficit. One of those could be that maybe what we want is a 2 mill safety levy. And that might free up some general fund money for that. But - but would the voters support a safety levy and a street levy -- and a new street levy at the same time? That's something we don't have a good feel for. So it's pretty complicated. And, I think you know, I can't speak for other members of Council, but my belief is our primary responsibility is safety, that's number 1. Number 2 is to this gentleman's concern is that when you flush the toilet it ought to have a place to go. Alright, that's number 2. And that's safety because that's public health. Beyond that then we move into what the voters give us and some pretty tough choices in terms of fire and police and what have you. So we're not - we're really wrestling with this stuff. Snyder and I were on the phone today for about a half hour this morning trying to strategize on where we're going. And other people are thinking about this sort of thing as well. We're just not real sure at this point.

Ms. Lee: I guess we just want to make sure we don't fall off the radar screen, because it it just....

Mr. Revoldt: I don't think that is going to be a problem.

Ms. Lee: We keep getting overlooked though.

Mrs. Kiesling: As Jeff as your councilman you do not have to worry about that. He reminds us often.

Mr. Snyder: He used to bring us liquor ...inaudible...

Mrs. Kiesling: Yeah.

Mr. Revoldt: Okay Mayor, let's take one wrap up question here.

Mr. Osborne (speaking from the audience): Daryl ...inaudible...

Mr. Revoldt: Hold on a second Chuck. Let me go with the Mayor first and if we have anybody else. I think there was a woman in the back that had raised her hand and let me go to her first. And I think we have another constituent back here.

Mary Hull: I'm also from Rosewood Circle. This morning when I went down to my basement I had water all over my downstairs. I live at 1130 Rosewood Circle.

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Mr. Revoldt: Was the water clear or brown?

Ms. Hull: It was clear but the odor was atrocious. The whole house was terrible.

Mr. Revoldt: Okay you've probably got some ice in your downspouts, is my guess or underground.

Ms. Hull: I think that they were doing something with the sewers, because I live near Paul.

Mr. Revoldt: Oh, well...

Ms. Hull: Something might have caused it to back flow.

Mr. Revoldt: You know one of the things that you might want to do before the City comes out and checks, is verify that your downspout isn't connected to the storm or the sanitary. Because...

Ms. Hull: I had already spoken to the gentlemen that was doing the ...

Mr. Revoldt: Okay.

Ms. Hull: whatever they were doing.

Mr. Revoldt: Okay, cause if we run a smoke test and find that your downspout is connected to the sanitary ...

Ms. Hull: Okay.

Mr. Revoldt: do you know what is going to happen?

Ms. Hull: No.

Mr. Revoldt: Well you're on the public record and I guess I should advise you that we're going to have you dig up your yard and connect it to the - connect it to the storm.

Ms. Hull: I see.

Mr. Revoldt: So it's something that you want to pay some attention to at some point.

Ms. Hull: Certainly, but this has never happened before.

Mr. Revoldt: Yeah, I understand.

Ms. Hull: Inaudible... they were doing the sewers. And I must say that Rosewood Circle is terrible.

Mr. Revoldt: Understood.

Ms. Hull: It's going to much worse after the snow melts and we have all of these rocks and stones. When the cars go by they fly.

Mr. Revoldt: You know - to ...

Ms. Hull: I just want you to know we have Rosewood Circle here too.

Mr. Revoldt: Yeah to put it in context. I mean you know one of the things that ...

Mr. Davies: But she lives at 1130 Rosewood Circle.

Mr. Revoldt: Jon and I talked about today is what's this winter really going to do to our just our patching program. I mean I look at my street, I've got a stretch of it that is - it was done maybe 3 or 4 years ago, it is so bad that it looks like they are going to have to grind out and rebuild a portion of it and its relatively virgin asphalt. Everhard Road as we know is pretty beat up. We're not in good place.

Ms. Hull: We do have concerns with the sanitary problems down there.

Mr. Revoldt: Got it. Okay.

Ms. Hull: That has been a problem that we were ...inaudible...

Mr. Revoldt: Okay, thank you for your comment and please make sure you are not connected into the sanitary.

Mr. Osborne (speaking from audience): May I make just one comment.

Mr. Revoldt: Very quick, Chuck.

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Mr. Osborne: I would like to just bring up that, and I have been harping on this for about 3 or 4 years now, you have \$700,000 sitting in an escrow fund ...

Mr. Davies: We're well aware of that.

Mr. Osborne: and you plan on giving 100,000 of that to the CIC (Community Improvement Corporation). How can you continue to give that to the CIC, hoping that some businesses will come along and you can hand it to them when you have these kinds of infrastructure problems? That is not.....

Mrs. Kiesling: Because the public voted for it Chuck.

Mr. Osborne: The public did not know what they were voting on. And I guarantee that these people...

Mrs. Kiesling: alright...

Mr. Osborne: here probably voted for it but they don't realize the impact that it's having on them now.

Mr. Revoitd: Well let me answer your.....

Mr. Osborne: You've already given 440,000 of it, of the original 1.5 million to buy cranes over here. You bought some worthless piece of property down here on South Main that you're letting a gentleman use as a parking lot for a dollar a year. The CIC I think has a couple hundred thousand dollars in its account...

Mr. Revoitd: Okay,.....

Mr. Osborne: There is no reason to continue to give them another \$700,000 when you have these kinds of issues.

Mr. Revoitd: Okay. Chuck, if you have your seat. Thank you. I think the record needs to reflect that we have completed a financial analysis on both of the projects that Mr. Osborne referenced. The simple fact of the matter is that the parking lot, which another Council purchased and paved and which made the location of, I don't know, 60 or 70 jobs.....

Mr. Bowles: Sixty-five.

Mr. Revoitd: Sixty-five jobs. That project has paid for itself. It produces annual revenue for us, so it's like buying stock. The cranes across the street, which Mr. Osborne indicated that we had purchased, the fact of the matter is that we did not give the cranes to the company. The City owns the cranes and leases those for a dollar a year to Meyers Control Power. In the midst of the nation's worst recession that company has operated in this community for about two and a half years. The revenue that we have received from that company has paid for I believe 30% a little over 30% of those cranes already.

Mrs. Loretto: No pardon me Daryl, probably 50%.

Mr. Revoitd: Excuse me, 50%. I stand corrected. That's even better yet. From our Finance Director. So in terms of a return on investment to draw jobs into this community I'd say we did pretty good. The fact of the matter is we operate in a very competitive economic environment we compete with Akron, we compete with Hudson, etc. When we have money that we can prudently bring to the table it can be, as these two instances illustrate, decisive for economic well being. We are literally talking about hundreds of thousands of dollars annually in revenue. So, I appreciate the opportunity Mr. Osborne to get it on the record, but frankly I disagree.

Mr. Osborne: Inaudible... Mr. DeHoff, you just saved him \$420,000.

Mr. Revoitd: (Gavel) Excuse me, anyone else on this subject?

Mayor Held: If I could.

Mr. Revoitd: Very quickly because we are going to get through this section.

Mayor Held: Just to summarize things, I had an opportunity to talk to a number of the residents over in Eastwoods. And just to let you know that this clearly is a priority for the City. Originally there was some discussion as far as what the City Engineer had proposed and recently as far as streets to be done. And I had a conversation with him. Because whenever you have a sanitary sewer problem, a storm sewer problem, or a drainage problem and then the street also has to be repaired, that's clearly a priority. And we rank them in this way. And we did this back 10 years ago when I was the City Administrator. If you look at, the first priority was water lines, if you have a bad waterline, that's a priority from the administration standpoint, because that affects people 365 days out the year. The

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second was sanitation and storm sewer and we tied those two together because they usually go hand in hand. If you have drainage problems and you have an old sanitary line, typically you'll have storm water that infiltrates into the sanitation. So we look at those hand in hand. We rank them second because it's typically a seasonal issue, when you have flooding or high water is when you have the sanitary sewer backups. And then of course the third is the paving the streets or the conditions of the streets. I think that one of the reasons that particularly Rosewood was put off for so many years is because it's a dead end street and there's a lower volume of traffic. Right now I can assure you that the Council Members, myself, the City Engineer, our Sanitation Engineer, everybody is crystal clear of the problem that we have over at Rosewood. There is no doubt that that street is a priority. There's no doubt that Eastwoods in general is a priority. Along with the other list that we have here in front of us, Donner and Chandler that have waterlines that have to be replaced, the real challenge is and this is what I think that you've talked with Council members about doing, is exploring what the options are. You've heard about a levy being passed, additional funds for a levy, but also looking at a bond issue. The real challenge is in the short run we do have limited funds, but the question is do we even have enough at this point, you know how many streets can we do? Can we do Rosewood, can we do one project? But then that still leaves a list of what 20 other streets that we've got to look at. So what we're doing right now with Council and with our Finance Director is looking at what the options are. We may explore a bond issue to see how many streets we could get done but then also how the City would fund the repayment of that. And – but I don't – at this point we don't have a clear answer. But I can assure you folks that you are on the radar, we are fully aware and that your streets, particularly Rosewood is a top priority. Again because of the needs that you have, the street's in deplorable condition, that's obvious, but the sanitation and the drainage.

Mr. Revoldt: Is there any other issue that needs to come before this body this evening. If not I am going to set a five minute recess. We'll allow the chamber to clear itself and then we'll proceed with our regular business, if that's agreeable.

Mayor Held: Thank you.

Mr. Revoldt: It is now 8:06, we'll reconvene. Let's move on to old business. The first item is a motion to read by title only, third reading Ordinance No. 3-11.

OLD BUSINESS:

8. Mr. DeOrio moved and Mr. Davies seconded to **read by title only, third reading** of Ordinance No. 3-11. All members present voting:
Yes: Kiesling, Peters, Revoldt, Snyder, Davies, DeOrio, Foltz.
No: 0

Ordinance No. 3-11 – 3rd Reading – Ordinance, Rules & claims

An ordinance amending Chapter 907 Street Excavations, specifically 907.03 DEPOSIT REQUIRED, of the Codified Ordinances of the City of North Canton, and repealing any and all legislation inconsistent herewith and declaring the same to be an emergency.

Mr. Revoldt: Are there any questions or comments regarding this matter? It's been discussed and reviewed in three separate readings.

Mr. DeOrio moved and Mr. Peters seconded to **adopt the third reading** of Ordinance No. 3-11. All members present voting:
Yes: Peters, Revoldt, Snyder, Davies, DeOrio, Foltz, Kiesling.
No: 0

Mr. Revoldt: As this is the third reading can we suspend the rules on this?

Mr. DeOrio moved and Mr. Davies seconded to **suspend the rules** for Ordinance No. 3-11. All members present voting:
Yes: Revoldt, Snyder, Davies, DeOrio, Foltz, Kiesling, Peters.
No: 0

Mr. Revoldt: It has an emergency clause in it.
Mrs. Kalpac: Yeah, but you're suspending the rules for three readings.
Mr. Revoldt: Yeah, but I want him to sign it so we ...

Mr. Nilges: But you – it gets – you've already done three readings. So where there's an emergency provision in it all he has to do is sign it and it becomes effective.

Mr. Revoldt: Exactly what I'm after. All I want him to do is sign it so it becomes effective immediately, not in 30 days.

Mr. DeOrio: I think you have to suspend the rules in order for that to happen.

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Mr. Revoldt: Which I just made a motion.

Mr. DeOrio: Right. But I think that's contrary to what he just said.

Mr. Nilges: Well what I'm saying is that rule is the three readings.

Mrs. Kalpac: Yeah, that's what you're suspending the rule for.

Mr. Nilges: And we've already done that. When you vote to suspend the rule you're suspending the three readings.

Mr. Revoldt: Okay, but you give it three readings, alright and – okay.

Mr. DeOrio: No, you're right, you're right. If we don't do it it will go into effect 30 days after the Mayor signs it. We want it to go into effect the day he signs it.

Mrs. Kiesling: No, because we've read all three with the emergency clause in it.

Mr. Nilges: Right.

Mr. DeOrio: Right. So we want to suspend the rules ...

Mr. Revoldt: Do we? That's my question.

Mr. DeOrio: to allow for passage of this under suspension of the rules.

Mr. Nilges: But you don't need to do that because there's nothing to suspend.

Mrs. Kiesling: We always read it with that in it.

Mr. DeOrio: There is something to suspend.

Mrs. Kiesling: Inaudible...

Mr. DeOrio: If that – if that was the case then what is the point of having the emergency clause? You would just put this in everything and bypass it.

Mr. Peters: You can suspend the second and third reading.

Mr. Nilges: Yeah. I mean if you wanted to do it on the first read – if you wanted to suspend the rules for a reading, you could – you could – if you wanted to do it like we often do, when we just pass it on the first night it's before Council, you would just suspend the rules and that's the reading.

Mr. Revoldt: This is our new language. Remember we kind of tripped on this a little earlier and I'm still intellectually struggling with it.

Mr. DeOrio: I am too. I agree with you.

Mr. Nilges: But on the other hand, I'm comfortable if you guys want to do this rule – you want to suspend the rules and...

Mr. Davies: Let's just suspend it. Let's just do it like we used to do it and then we're sure.

Mr. Revoldt: Okay, let me adopt...

Mr. Nilges: I'm fine with that.

Mr. Revoldt: Let me have a motion to adopt under the rules as suspended Ordinance 3-11.

Mr. Davies moved and Mr. DeOrio seconded to **adopt under suspend of the rules** Ordinance No. 3-11. All members present voting:

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

No: 0

9. Mr. Revoldt: Motion to read by title only, third reading of Ordinance 4-11.

Mr. Davies moved and Mr. DeOrio seconded to **read by title only, third reading** of Ordinance No. 4-11. All members present voting:

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

No: 0

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Ordinance No. 4-11 – 3rd Reading – Ordinance, Rules & claims

An ordinance amending Chapter 935 Water Lines and Hydrants, specifically 935.08 NONRESIDENT'S USE OF WATER OR SANITARY SEWER SERVICE; AGREEMENT of the Codified Ordinance of the City of North Canton, and repealing any and all legislation inconsistent herewith and declaring the same to be an emergency.

Mr. Revoldt: Let's clarify that, turn on charges. Are there any questions or comments? Seeing none then a motion to adopt the third reading of Ordinance 4-11.

Mr. Davies moved and Mr. Peters seconded to **adopt the third reading** of Ordinance No. 4-11. All members present voting:

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

No: 0

Mr. Revoldt: Slaves to precedent that we are, motion to suspend the rules for Ordinance 4-11.

Mr. Davies moved and Mr. DeOrio seconded to **suspend the rules** for Ordinance No. 4-11. All members present voting:

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

No: 0

Mr. Revoldt: Motion to adopt under the rules as suspended Ordinance 4-11.

Mr. DeOrio moved and Mr. Davies seconded to **adopt under suspension of the rules** Ordinance No. 4-11. All members present voting:

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

No: 0

10. Mr. Revoldt: Item 10, a motion to read by title only, third reading of Ordinance 5-11.

Mr. Davies moved and Mr. DeOrio seconded to **read by title only, third reading** of Ordinance No. 5-11. All members present voting:

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

No: 0

Ordinance No. 5-11 – 3rd Reading – Ordinance, Rules & claims

An ordinance amending Chapter 937 Water Rates, specifically 937.04 WATER TURN ON CHARGE of the Codified Ordinances of the City of North Canton, and repealing any and all legislation inconsistent herewith and declaring the same to be an emergency.

Mr. Revoldt: Any other questions or comments? Seeing none then a motion to adopt the third reading of Ordinance 5-11.

Mr. Davies moved and Mr. DeOrio seconded to **adopt the third reading** of Ordinance No. 5-11. All members present voting:

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

No: 0

Mr. Revoldt: Motion to suspend the rules for Ordinance 5-11.

Mr. Davies moved and Mr. DeOrio seconded to **suspend the rules** for Ordinance No. 5-11. All members present voting:

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

No: 0

Mr. Revoldt: Motion to adopt under the rules as suspended Ordinance 5-11.

Mr. Davies moved and Mr. DeOrio seconded to **adopt under suspension of the rules** Ordinance No. 5-11. All members present voting:

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

No: 0

11. Mr. Revoldt: Item 11, a motion to read by title only, third reading of Ordinance 6-11.

Mr. DeOrio moved and Mrs. Kiesling seconded to **read by title only, third reading** of Ordinance No. 6-11. All members present voting:

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

No: 0

RECORD OF PROCEEDINGS

Minutes of COUNCIL OF THE CITY OF NORTH CANTON REGULAR Meeting

DAYTON LEGAL BLANK, INC. FORM NO. 10148

Held Monday, February 14 7:00 p.m. 20 11

Ordinance No. 6-11 – 3rd Reading – Ordinance, Rules & claims

An ordinance amending Chapter 1171 Administrative Powers and Duties, specifically Section 1171.06 SCHEDULE OF FEES, of the Codified Ordinances of the City of North Canton, and repealing any and all legislation inconsistent herewith and declaring the same to be an emergency.

Mr. Revoldt: Questions?

Mr. DeOrio moved and Mr. Davies seconded to **adopt the third reading** of Ordinance No. 6-11. All members present voting:

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

No: 0

Mr. Revoldt: Motion to suspend the rules for Ordinance No. 6-11.

Mr. DeOrio moved and Mr. Davies seconded to **suspend the rules** for Ordinance No. 6-11. All members present voting:

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

No: 0

Mr. Revoldt: Motion to adopt under the rules as suspended Ordinance 6-11.

Mr. Davies moved and Mr. DeOrio seconded to **adopt under suspension of the rules** Ordinance No. 6-11. All members present voting:

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

No: 0

12. Mr. Revoldt: Item ...

Mr. Nilges: Ordinance No. 7-11, an ordinance amending...

Mr. Revoldt: Inaudible... we should have a motion to read it first.

Mr. Nilges: Oh, sorry, sorry, I thought we did that.

Mrs. Kalpac: No.

Mr. Nilges: I apologize.

Mr. Revoldt: The Council President is old and slow...

Mr. Nilges: I got ahead of you.

Mr. Revoldt: Motion to read by title only, first or third reading of Ordinance 7-11.

Mr. Davies moved and Mr. DeOrio seconded to **read by title only, third reading** of Ordinance No. 7-11. All members present voting:

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

No: 0

Mr. Revoldt: Now...

Mr. DeOrio: You're up.

Ordinance No. 7-11 – 3rd Reading – Ordinance, Rules & claims

An ordinance amending Chapter 1701 Minimum Housing code; specifically Section 1701.05(f) CHANGES, NEW CERTIFICATES AND FEES. of the Codified Ordinances of the City of North Canton, and repealing any and all legislation inconsistent herewith and declaring the same to be an emergency.

Mr. Revoldt: Any questions? This was an ordinance that we changed from two to three is commercial property.

Mr. DeOrio moved and Mr. Davies seconded to **adopt the third reading** of Ordinance No. 7-11. All members present voting:

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

No: 0

Mr. Revoldt: Motion to suspend the rules for Ordinance 7-11.

Mr. Davies moved and Mr. DeOrio seconded to **suspend the rules** for Ordinance No. 7-11. 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 7-11.

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DAYTON LEGAL BLANK INC. FORM NO. 1014R

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Mr. Davies moved and Mr. DeOrio seconded to **adopt under suspension of the rules** Ordinance No. 7-11. All members present voting:

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

No: 0

13. Mr. Revoldt: Moving on to Item 13, may I have a motion to amend Ordinance 12-11?

Mr. Snyder moved and Mr. DeOrio seconded to **amend Ordinance No. 12-11**. All members present voting:

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

No: 0

Mr. Revoldt: The amendments are – Mr. Snyder.

Mr. Snyder: Thank you Mr. President, Members of the Committee, Members of Council, pursuant to the first reading of the Attachment A of the Appropriation Ordinance, we removed \$306,344 of both projected overtime and ancillary things and additionally you are given another copy tonight and I apologize for the timeliness of it, which brought our appropriation down an additional \$80,000. So from your original submission, approximately three weeks ago, we reduced the requested appropriation by approximately \$385,000. And that being – this - the two street projects were removed and overtime was reduced by 20% and there were a few capital items that were removed from the budget. And page 28 of your budget, we've given you a new clean copy which shows the different capital projects that in fact we'll move forward. And I request that you adopt that as submitted. I was requested to shave additional monies from the budget with the cooperation of the Finance Director we've - that was where we removed it.

Mr. Revoldt: Any comments or questions regarding the proposed amendment? Purpose of reducing the overtime is to get control of our sick leave and absentee costs. Again, that is consistent with our concern about our general fund health ...inaudible... May I have a motion to adopt the amendment?

Mr. DeOrio: So moved - moved to read.

Mrs. Kiesling: Second.

Mr. Davies: Second.

Mr. Revoldt: One second. I - did we adopt the amendment?

Mr. Snyder: We amended it. No, we ...inaudible...

Mrs. Kiesling: We just amended...

Mr. Revoldt: Motion to read, as amendment, Ordinance 12-11.

Mr. DeOrio moved and Mrs. Kiesling seconded to **amend Ordinance No. 12-11 as stated above**. All members present voting:

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

No: 0

Mr. Revoldt: Motion to adopt, as amended, Ordinance 12-11.

Mrs. Kalpac: He has to read it.

Mr. Revoldt: Pardon me ...inaudible... read it. The hour's late.

Mrs. Kiesling: It is.

Ordinance No. 12-11 – 2nd Reading – Finance & Property

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

Mr. Revoldt: Now may I have a motion to adopt, as amended.

Mr. DeOrio moved and Mr. Davies seconded to **adopt the second reading, as amended**, of Ordinance No. 12-11. All members present voting:

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

No: 0

Mr. Revoldt: Now may I have a motion to adopt as amendment Ordinance No. 12-11.

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Mr. DeOrio moved and Mr. Davies seconded to **adopt the second reading, as amended**, of Ordinance No. 12-11. All members present voting:
 Yes: Peters, Revoldt, Snyder, Davies, DeOrio, Foltz, Kiesling.
 No: 0

Mr. Revoldt: Can I have a motion to adopt as amended?
 Mr. Davies: We did that.
 Mrs. Kalpac: We already did that.
 Mr. DeOrio: You want to suspend.

Mr. Revoldt: Okay now you need a motion to suspend the rules. Alright let me have a motion to suspend the rules for Ordinance No.12-11.

Mr. DeOrio: So moved.
 Mr. Davies: Second.

Mr. Revoldt: As amended.

Mr. DeOrio: We did that. I moved he seconded.

Mr. DeOrio moved and Mr. Davies seconded to **suspend the rules** for Ordinance No. 12-11. All members present voting:
 Yes: Revoldt, Snyder, Davies, DeOrio, Foltz, Kiesling, Peters.
 No: 0

Mr. Revoldt: Motion to adopt under suspension Ordinance 12-11 as amended.

Mr. DeOrio moved and Mr. Davies seconded to **adopt under suspension of the rules, as amended**, Ordinance No. 12-11.

Mr. Davies: I make a motion you don't do drugs before council meetings.

(Laughter)

Mrs. Kiesling: Second – oh, that motion, which motion. No, no, I'm kidding.
 Mr. Snyder: Where we at?
 Mr. Revoldt: Is that Red Bull warning this morning. It says don't mix it with alcohol and it messed me up all day.
 Mr. Snyder: I think we're on the 2012 appropriation budget we've been here for so long.

All members present voting:
 Yes: Snyder, Davies, DeOrio, Foltz, Kiesling, Peters, Revoldt.
 No: 0

14. Mr. Revoldt: Now let's move on to Item 14 ...inaudible... start here.

Mrs. Kiesling: Thank you.

Mr. Revoldt: May I have a motion to remove from the table Ordinance No. 13-11?

Mr. DeOrio moved and Mr. Peters seconded to **remove Ordinance No. 13-11 from the table**. All members present voting:
 Yes: Davies, DeOrio, Foltz, Kiesling, Peters, Revoldt, Snyder.
 No: 0

Mr. Revoldt: Now, may I have a motion to read by title...

Mr. Peters: Hold on. Could - do we have amend before we read?

Mr. Revoldt: Yeah, we want to amend it. Let me have a motion to amend Ordinance No. 13-11.

Mr. Davies moved and Mr. DeOrio seconded to **amend Ordinance No. 13-11**. All members present voting:
 Yes: DeOrio, Foltz, Kiesling, Peters, Revoldt, Snyder, Davies.
 No: 0

Mr. Revoldt: Alright, Mr. Peters.

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Mr. Peters: Yeah, now the – what I wanted to amend was Section 4. To add number – to add 3 – Section 4, part 3 that's the longevity pay. We forgot to put in the new hires not eligible for after – Gail, what date was that; 1/1/06, was that it?

Mrs. Kalpac: April 1, 2006.

Mr. Snyder: It was five years back.

Mr. Peters: Yeah.

Mr. Snyder: So it would be 4/1/06.

Mr. Peters: 4/1/06, yeah. Employees hired after 4/1/06 are not eligible for longevity and every employee thereafter moving forward.

Mr. Nilges: So the amendment is – the proposed amendment is,,,

Mr. Peters: Oh, yeah. Section 4., part 3 add, "employees hired after 4/1/06 not eligible for longevity payout.

Mr. Nilges: 4/1/06?

Mr. Peters: Yeah. All employees hired after.

Mr. Foltz: It cross relates to sick leave regulations...

Mr. Snyder: Yeah.

Mr. Nilges: Right.

Mr. Foltz: in paragraph 5.

Mr. Nilges: And this is a different piece of legislation than what was tabled. So we're amending as is you know per the draft that was distributed to Council. In addition to that also the – amending it further to discontinue longevity for employees hired after 4/1/06.

Mr. Peters: Not discontinuing, just not – they're not eligible.

Mr. Nilges: Right.

Mrs. Kiesling: They'll never be eligible I guess is the ...

Mr. Nilges: And I guess that's the best way...

Mr. Peters: Yeah, right.

Mr. Nilges: Best way I could think to put it ...inaudible... they're not eligible.

Mr. Peters: And you are correct...

Mr. Nilges: Redefine the eligibility character. Redefining the eligibility to include only those employees hired before April 1, 2006.

Mr. Snyder: Right.

Mr. Peters: Yes, okay.

Mr. Nilges: And the other changes that were present in there.

Mr. Peters: And the other changes that were submitted.

Mr. DeOrio: And if I might add, in looking at the handout that I got tonight, assuming that's the most recent version, how does that amendment affect Section 4., paragraph 2? Because to me it sounds like we have a gap.

Mr. Peters: It wouldn't affect it anyway because those employees are already hired – they were hired prior to.

Mr. DeOrio: Well what about somebody hired in '04? They don't fall under Section 2., but they don't fall under Section 3., or somebody hired in '05.

Mr. Nilges: If you just eliminated – you would elimin – you would also, in addition to making that change you would be eliminating – you would have to eliminate Section 2. too. Because you just...

Mr. DeOrio: Yeah.

Mr. Peters: Inaudible... yeah, you're right.

Mr. DeOrio: Yeah, I agree.

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Mr. Peters: Yeah, you're right. Okay, and within that amendment because that's already said and done - that hired prior to August 1, 2003 longevity is paid after three years as opposed to five...

Mr. Nilges: Inaudible...

Mr. Peters: So yeah - so okay, as part of that amendment strike Section 2. or yeah...
Mr. DeOrio: Yeah...

Mr. Peters: Part 2 ...

Mr. DeOrio: Substitute your amendment ...inaudible...

Mr. Revoldt: And that is your part of the motion to amend. Correct?

Mr. Peters: Yes, that is part of my...

Mr. Nilges: One more question while we're amending. What about an emergency provision? It currently doesn't contain one. So the next time this is read you could then suspend the rules, take a final reading and then pass it on emergency.

Mr. Peters: You want to ...inaudible...

Mr. DeOrio: I support the chairman's efforts.

Mr. Peters: Okay, yeah, let's include a...

Mr. Nilges: Emergency clause...

Mr. Peters: Emergency clause for the next...

Mr. Foltz: Emergency clause for the third reading - next Council meeting.

Mr. Revoldt: Yeah, I am suffering under some liability without my five-hour energy drink. But I believe that I need a motion to approve the amendments.

Mr. DeOrio moved and Mr. Foltz seconded to **amend Ordinance No. 13-11 as stated above.**
All members present voting:

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

No: 0

Mr. Revoldt: Now, we're going to move to adopt a first reading.

Mrs. Kalpac: No, we're going to read.

Mr. Peters: You've got to read as amended.

Mr. Revoldt: Yeah, I've got to read as amended. But before we do this let's make sure that we have one clean copy for our next vote. Alright, we've got it all in. Now, I'd like a motion to read as amended Ordinance No. 13-11.

Mr. DeOrio moved and Mr. Davies seconded to **read by title only, first reading, as amended**, of Ordinance No. 13-11. All members present voting:

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

No: 0

Mr. Revoldt: Now, may I have a motion to adopt as amended Ordinance No. 13-11 or excuse me read?

Ordinance No. 13-11 - 1st Reading - Personnel & Safety

An ordinance amending chapter 155 Personnel Regulations of Part One-Administrative code of the Codified Ordinances of the City of North Canton, for of the City of North Canton, and repealing any and all legislation inconsistent herewith and declaring an emergency.

Mr. Revoldt: Okay, now, any other questions or comments? Seeing none...

Mr. Nilges: And declaring an emergency.

Mr. Revoldt: Seeing none, may I have a motion to adopt as amended the first reading of Ordinance 13-11?

Mr. DeOrio moved and Mr. Davies seconded to **adopt the first reading, as amended**, of Ordinance No. 13-11. All members present voting:

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

No: 0

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DAYTON LEGAL BLANK, INC. FORM NO. 1014R

Held Monday, February 14 7:00 p.m. 20 11

NEW BUSINESS:

15. Mr. Revoldt: Alright, let's move on to new business. A motion to read by title only, first reading of Ordinance No. 14-11.

Mr. DeOrio moved and Mr. Davies seconded to **read by title only, first reading** of Ordinance No. 14-11. All members present voting:

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

No: 0

Ordinance No. 14-11 – 1st Reading – Finance & Property

An ordinance authorizing the Mayor of the City of North canton to accept and utilize a Federal Management Agency Grant in an amount not to exceed \$233,795 for the reimbursement of the purchase of Radio Equipment for use by the Fire/EMS Departments, and declaring the same to be an emergency.

Mr. Revoldt: Jon

Mr. Snyder: Thank you. This is for a grant that was secured for radio equipment to bring up to the current standards, along with equipment to be placed in the console of the dispatcher. The City's share is approximately \$12,000 the rest is all by grant. It does contain an emergency as it does exist for the health and safety of our firefighters and EMS workers.

Mr. DeOrio moved and Mr. Davies seconded to **adopt the first reading** of Ordinance No. 14-11. All members present voting:

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

No: 0

Mr. Revoldt: Motion to suspend the rules for Ordinance 14-11.

Mr. Davies moved and Mr. DeOrio seconded to **suspend the rules** for Ordinance No. 14-11. 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 14-11.

Mr. DeOrio moved and Mr. Davies seconded to **adopt under suspension of the rules** Ordinance No. 14-11. All members present voting:

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

No: 0

16. Mr. Revoldt: Motion to read by title only, first reading Ordinance No. 15-11.

Mr. DeOrio moved and Mr. Davies seconded to **read by title only, first reading** of Ordinance No. 15-11. All members present voting:

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

No: 0

Ordinance No. 15-11 – 1st Reading – Ordinance, Rules & claims

An ordinance amending Chapter 907 Street Excavations, Section 907.02 STREET OPENING PERMIT; FEE; EXCEPTIONS, and to establish Section 907.99 PENALTY of the Codified Ordinance of the City of North Canton and repealing any and all legislation inconsistent herewith and declaring the same to be an emergency.

Mr. Revoldt: As you recall this was the amendment that was directed to utilities, prior notification and establishing a penalty. Any questions or comments? Seeing none then a motion to adopt the first reading of Ordinance No. 15-11.

Mr. Nilges: May I just quickly go over this?

Mr. Revoldt: Yes.

Mr. Nilges: Councilman DeOrio and others I believe had said maybe we put in some timing on when this takes place. After review of the rest of the sister ordinances in the chapter it became clear that there is one that does establish certain time frames. So I did not include that in here but I did include a new penalty provision that does make a daily penalty for every day that you're not in compliance.

Mr. DeOrio: Thank you. I move for adoption.

Mr. Davies: Second

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Mr. DeOrio moved and Mr. Davies seconded to **adopt the first reading** of Ordinance No. 15-11. All members present voting:
 Yes: Kiesling, Peters, Revoldt, Snyder, Davies, DeOrio, Foltz,
 No: 0

17. Mr. Revoldt: Moving on to Item 17, we want to give this another reading then we'll go with it. Item 17, a motion to read by title only, first reading of Ordinance 16-11.

Mr. DeOrio moved and Mr. Davies seconded to **read by title only, first reading** of Ordinance No. 16-11. All members present voting:
 Yes: Peters, Revoldt, Snyder, Davies, DeOrio, Foltz, Kiesling.
 No: 0

Ordinance No. 16-11 – 1st Reading – Ordinance, Rules & claims

An ordinance amending Chapter 1303 Razing of Buildings, specifically 1303.07 FEE FOR PERMITS of the Codified Ordinances of the City of North Canton, and repealing any and all legislation inconsistent herewith and declaring the same to be an emergency.

Mr. Revoldt: Any questions or comments?

Mr. DeOrio moved and Mr. Davies seconded to **adopt the first reading** of Ordinance No. 16-11. All members present voting:
 Yes: Revoldt, Snyder, Davies, DeOrio, Foltz, Kiesling, Peters.
 No: 0

18. Mr. Revoldt: Item 18, a motion to read by title only, first reading of Ordinance 17-11

Mr. DeOrio moved and Mr. Davies seconded to **read by title only, first reading** of Ordinance No. 17-11. All members present voting:
 Yes: Snyder, Davies, DeOrio, Foltz, Kiesling, Peters, Revoldt.
 No: 0

Ordinance No. 17-11 – 1st Reading – Ordinance, Rules & claims

An ordinance amending Chapter 1501 Ohio Fire Code, specifically Section 1501.13 FEE SCHEDULE, of the Codified Ordinances of the City of North Canton to establish fees for inspections for the issuance and enforcement of underground storage tanks permits, and repealing any and all legislation inconsistent herewith and declaring the same to be an emergency.

Mr. Revoldt: The Building Department responding to a complaint by Mrs. McGrew has raised all the fees to \$100.00. She was concerned about the old Duke Station and wanted to make sure that we got everything out. The fees are up one hundred bucks.

Mr. DeOrio: Thank you, Dottie.
 Mr. Peters: Thanks, Dottie.

Mr. Revoldt: Thanks, Dottie. Motion to adopt.

Mr. DeOrio moved and Mr. Davies seconded to **adopt the first reading** of Ordinance No. 17-11. All members present voting:
 Yes: Davies, DeOrio, Foltz, Kiesling, Peters, Revoldt, Snyder.
 No: 0

19. Mr. Revoldt: You know some day, 50 years a 100 years from now some middle school student is going to wonder what the heck was that Mrs. McGrew doing. Well we know now. Item 19, a motion to read by title only, first reading of Ordinance No. 18-11.

Mr. DeOrio moved and Mrs. Kiesling seconded to **read by title only, first reading** of Ordinance No. 18-11. All members present voting:
 Yes: DeOrio, Foltz, Kiesling, Peters, Revoldt, Snyder, Davies.
 No: 0

Ordinance No. 18-11 – 1st Reading – Ordinance, Rules & claims

An ordinance amending Chapter 1507 Open Burning, specifically Section 1507.04 PERMIT, of the Codified Ordinances of the City of North Canton to establish an open burning permit fee for all recreational fires and declaring the same to be an emergency.

Mr. Revoldt: You may recall that we had none and after vigorous debate we determined that \$10.00 is the right amount. And so with that I'll have a motion to adopt the first reading of 18-11.

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Mr. DeOrio moved and Mr. Foltz seconded to **adopt the first reading** of Ordinance No. 18-11.

All members present voting:

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

No: 0

20. Mr. Revoldt: Item 20, a motion to read by title only, first reading of Ordinance No. 19-11.

Mrs. Kiesling moved and Mr. Foltz seconded to **read by title only, first reading** of Ordinance No. 19-11. All members present voting:

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

No: 0

Ordinance No. 19-11 – 1st Reading – Park & Recreation

An ordinance establishing recreational rental rates and policies for rental of the City of North Canton Ball Fields known as Price Park; Dogwood; Knights of Columbus; Clearmount; and Witwer Ball Fields and declaring the same to be an emergency.

Mr. Foltz: Yes, as Council knows we discussed this last Committee meeting. A letter was sent to Council, the Mayor, Jim Benekos involving ball field use permits. Tom Chufar, Superintendent of Utilities, Services and Recreation provided that. We had a discussion about certain aspects of this ordinance, one being the pricing and the other one being how it would affect league plays that fees for leagues that are paid to our Rec Department. There was going to be a conversation between Mr. Chufar and our Law Director to review those fees. As you see with this ordinance, the fees increased for games with lights from \$35 to \$40. I believe there were no other changes for the day games or the practice games. And Section 4. was added new to the existing ordinance in our packet which reads, "That this ordinance shall not apply to leagues that have paid any applicable league fee required by the North Canton Department of Recreation." So we just added a section. With that said I'll entertain any questions to Tom Chufar or me or our Law Director.

Mr. Peters: The costs are built into the league. Right? The league fees. Okay.

Mr. Foltz: I believe so. Tom, is that correct?

Mr. Chufar (speaking from the audience): That's correct.

Mr. Foltz: Okay. Any other questions?

Mr. Davies: Yeah, did we go back and look at what the exact costs are to maintain these fields? Again this was for teams outside of North Canton, not our regular Little League teams, but teams outside North Canton. And the questions were brought up what does it cost to maintain these fields. You know you mentioned before games you bring a – I'm assuming a tractor or something out to drag the field and you've got to put lines on it. You know if you bring a truck or a tractor and drag a field and a man who gets paid 14 or 15 or more dollars an hour, there's no way \$25 is enough – it isn't.

Mr. Peters: That's per field. Right?

Mr. Chufar (speaking from the audience): That's per field; however, technically ...inaudible...

Mr. Foltz: That's for a four hour rentals.

Mr. Chufar (speaking from the audience): in the summer we do have a summer, part-time guy that's typically doing most of the work on those ball fields. Inaudible... Bill McKinney is not our ball field guy per se that does all the ball fields, he does maybe some of them, but most of them are done by summer help most of who are making \$8.00 an hour.

Unidentified: \$8.00 ...

Mr. Chufar (speaking from the audience): Inaudible... ball fields and prepare it for practice game is a lot less than a regular game. And that's why that difference in pricing is there.

Mr. Peters: And he's not doing it every ...

Mr. Chufar (speaking from the audience): Correct. He's not doing it...

Mr. Peters: Every four hours. He does it...

Mr. Chufar (speaking from the audience): Inaudible... every day, every Friday.

Mr. Peters: Right. I see them at Dogwood. I see what they do, they'll go in, they'll drag them all, line them all and I mean he's out of there probably an hour and a half.

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Mr. Chufar (speaking from the audience): A couple hours ...inaudible...

Mr. Peters: Yeah, two hours. And he's done for the day, he's not going back and doing them for the next round of games.

Mr. Chufar (speaking from the audience): No. He's also picking up trash and cleaning up around bleachers, checking the bleachers ...inaudible...

Mr. Foltz: Okay, so you feel that these fees accurately reflect the costs involved.

Mr. Chufar (speaking from the audience): Inaudible... actual, accurate automatic is the Price Park Ball Field with lights. If we put the lights on and we charged what it would actually cost, we're not going to get anybody using that ball field. We haven't charged in the past for these. That's why this ordinance ...inaudible... We talked about ...inaudible... We have to start somewhere. I'd rather start lower and then work our way up through rather than price ourselves totally out of the game. Inaudible... let's keep our ball fields active and let's bring some money back ...inaudible... we never did per se on an ordinance.

Mr. Foltz: Okay.

Mr. Davies: Do we know, do we have prices from other fields around Stark County and what they might charge - what they might charge for a lighted game?

Mr. Chufar (speaking from the audience): Not Stark county, but did kilowatt on our - pricing on our ball field with lights ...inaudible... There's 26 lights - I can't remember exactly. I did send an email to Hans. But I believe it came out roughly about \$82.00 for an actual with the lights ...inaudible...

Mr. Peters: One hour? One hour?

Mr. Chufar (speaking from the audience): No. That was for I believe a for a three-hour game - three or four I can't remember exactly, but it was in the email to Hans.

Mr. Davies: You know, again, what I'm saying is you know what do other municipal entities charge for their field with lights. Are we competitive? Are we charging more? Are we charging less? And again it gets back to you know that you're asking the tax payers to subsidize so other teams from other cities, other municipalities can come in and play on our fields. I don't think it's right. I won't vote for it. So - but that's me.

Mr. Foltz: Okay. Director of Recreation's spoken. I think you're happy. We'll see where this shakes out. Any other questions on Council?

Mr. Revoldt: Let me - let me just ask - just make a note. Tom, in the future if you'd be kind enough to move in this direction so we can capture you on the microphone. I think Gail may be having a problem and some of the others may be having a problem hearing. So okay, you've - we've got a motion to read. Do we need a motion to adopt? If there are no other questions.

Mr. Peters: Yeah, I just - I had a question but it kind of pertains but not really. We can talk about it later.

Mr. Foltz: So moved.

Mr. Peters: I'm okay with this.

Mr. Revoldt: It's been moved.

Mr. Peters: Second.

Mr. Revoldt: To adopt the first reading and it's been seconded for a first reading of Ordinance 19-11.

Mr. Foltz moved and Mr. Peters seconded to adopt the first reading of Ordinance No. 19-11. All members present voting:

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

No: Davies, DeOrio.

REPORTS:

Mr. Revoldt: Alright. We'll defer that. Reports.

Mr. Nilges: None.

Mr. Revoldt: Director of Finance.

Mrs. Loretto: 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, February 14 7:00 p.m. 20 11

Mr. Revoldt: We have in your packets a statement about grants.
Mrs. Loretto: Yes.

Mr. Revoldt: And the question was what did we do in terms of grants last year. Correct?

Mrs. Loretto: Yes. I thought you said what was in the ordinance this year. So I brought them - this is what's in the ordinance this year.

Mr. Revoldt: This year it's 12 million dollars.

Mrs. Loretto: And it's a carryover from 15 million to 12 million.

Mr. Revoldt: Okay. So we're doing pretty good. Alright. Mayor.

Mayor Held: Yes. I wanted to remind Council and I believe that you folks probably did receive a letter from AEP about raising the rates to be consistent with their costs. And in the event that you did not receive one, I will make sure that you have a copy of that. It has to go before the PUCO (Public Utilities Commission of Ohio) and I will pass that on to you.

Mr. Revoldt: We'll be holding a torch light parade to Mr. Snitchler's home. Correct? Mr. Bowles.
Mr. Bowles: No report.

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

REPORTS - COUNCIL:

Mr. Revoldt: Mr. Foltz.

Mr. Foltz: Yeah, a few things. Thank you Marge for the information you gave to Council showing the pool revenue and the breakdown. We can see the pool does make us money. Obviously, we spent money there and to prove it I'll continue to advocate for that because I believe in our pool and our recreation and park services. But I feel sometimes they're constantly coming under attack here for various reasons. But as you can see for the last three years we grossed as far as revenue 88,000 in 2008; 28,000 in 2009; and 55,000 in 2010. So I'm pleased to see that in a report. I'm looking for this now and it came up - here it is, there was a discussion about the Buddy Pass at the Committee meeting. And let me read what the Buddy Pass is because it is - it was discussed about how someone's taking advantage of our existing pool membership process: "A Buddy Pass will be limited to one per family purchasing a single or family seasonal membership. The Buddy Pass can be used by a babysitter, relative or friend accompanying the season membership holder to the pool. A Buddy Pass is not limited to a specific person." So what that means is if you have a Buddy Pass to your family, you give it to the babysitter one day, you can give it to Tommy's friend Joe the next day, you can give it to Sally's friend Linda the next day. That's the whole purpose to the Buddy Pass. I will discuss future - the Rec Committee in the future to increase some of the fees. Not so much the daily, but the membership fees for our City residents and our school district, for property owners so that we can raise more revenue for the pool. Thank you.

Mr. Revoldt: Mr. Peters.

Mr. Peters: Yeah, to Mayor's point about AEP. We have a CD on file in the Council Office ...
Mayor Held: Yeah.

Mr. Peters: That outlines the rates.

Mayor Held: Did you get a copy of the letter also?

Mr. Peters: Yeah, I've got a copy right here.
Mayor Held: Okay.

Mr. Peters: And yeah, and Gail has a copy of the letter also.
Mayor Held: Okay. Just wanted to make sure that you had one.

Mr. Peters: Okay. And other than that, no report.

Mr. Davies: No report.

Mr. DeOrio: Well I wasn't going to bring it up during this session here, but since Mr. Foltz has alluded to it, I do want to point out that in my estimation the swimming pool financial statement is not completely accurate. There seems to be an error in the formula that totals the ending balances. So if

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you were to add the '06, '07 and '08 and '09 and 2010 ending balances together, I'm – I guess the way you're presenting it Marge, to me it – it – I guess I'm not reading it the way that Mr. Foltz is. So maybe you can just give me some time.

Mrs. Loretto: It's a running total. I didn't have...

Mr. Foltz: A running total with carryover every year. I just read the actual expenses versus – the revenue versus expenses for those three years.

Mrs. Loretto: You – it's – I started with zero because I only went back five years.

Mr. Foltz: Exactly.

Mrs. Loretto: There might have been a plus or minus in the sixth year back. But I started with the zero and then whatever the balance was at the bottom was brought forward to the next year because if you were doing an independent fund that's the way it would be and I sort of got the impression that that's what you guys were looking at.

Mr. Foltz: As an enterprise fund you're showing the carryover year to year.

Mrs. Loretto: I'm showing the carryover if it's positive or negative.

Mr. Foltz: Member DeOrio, what I was doing was taking the total annual revenue which we all get reports on that every month and say for 2008 it shows \$288,322 there. And then I took the total expenditures of \$200,281 that's on the second to the last line and difference I just rounded, but it was 88,000. That's where I ...inaudible... those figures.

Mr. DeOrio: So what you're doing, you're taking the 88 minus the 200...

Mr. Foltz: Right.

Mr. DeOrio: minus the previous year's ending balance.

Mr. Foltz: I just looked at the yearly to show you that the pool...

Mr. DeOrio: Well I couldn't just figure out where those numbers were coming from because it – but there's – you're doing a step there in between ...

Mr. Foltz: Right.

Mr. DeOrio: of what she's doing ...

Mr. Foltz: I'm doing a step that's not reflected. Correct.

Mr. DeOrio: that's not reflected on there. So I apologize ...

Mr. Foltz: That's okay.

Mr. DeOrio: if I caused any consternation that – but I didn't understand it. Thank you.

Mr. Foltz: Okay.

Mr. Revoldt: Five hour energy.

Mr. DeOrio: The mind only endures ...

Mr. Revoldt: The mind absorbs what the body endures.

Mr. DeOrio: There you go.

Mrs. Kiesling: There you go.

Mr. DeOrio: But you couldn't have it without that tonight.

Mr. Revoldt: Mrs. Kiesling.

Mrs. Kiesling: No report.

Mr. Revoldt: Mr. Snyder.

Mr. Snyder: Well I absorbed too much so I don't want to ...inaudible...

Mr. Revoldt: Alright. Very good.

Mr. Foltz: Jon, you finally admitted it.

Mr. Revoldt: Well we've had a good discussion tonight about municipal finances and I'd just like to remind everybody that we'll have another opportunity to discuss this and other subjects on Tuesday, February 22nd. And that will be our next Committee of the Whole meeting, not Monday but Tuesday, February 22nd. Final call for business. Seeing none, I'd better have a motion to adjourn.

RECORD OF PROCEEDINGS

Minutes of COUNCIL OF THE CITY OF NORTH CANTON REGULAR Meeting

DAYTON LEGAL BLANK, INC. FORM NO. 1014R

Held Monday, February 14 7:00 p.m. 20 11

ADJOURN:

Mr. Davies moved and Mrs. Kiesling seconded to adjourn the Council meeting. All members present voting:

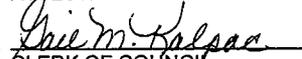
Yes: Revoldt, Snyder, Davies, DeOrio, Foltz, Kiesling, Peters.

No: 0

The meeting adjourned at 8:51 p.m.


PRESIDENT OF COUNCIL

ATTEST:


CLERK OF COUNCIL

3/1/11-gmk