

MINUTES FROM COUNCIL MEETING
CITY OF NORTH CANTON
MONDAY, SEPTEMBER 28, 2015

1. Call to Order

COUNCIL PRESIDENT PETERS: I'd like to call to order the Council Meeting Monday, September 28, 2015. Opening prayer Reverend Jay Clarke, St. Paul Roman Catholic Church. Welcome, Father Jay.

2. Opening Prayer – Reverend Jay Clarke, St. Paul Roman Catholic Church.

3. Pledge of Allegiance

4. Roll Call

COUNCIL PRESIDENT PETERS: Clerk, please call the roll?

Roll call found the following council members in attendance: Cerreta, Foltz, Griffith, Kiesling, Peters and Werren. Thus having 6 in attendance.

COUNCIL PRESIDENT PETERS: Thank you may I have a motion and a second to excuse Member Fonte?

COUNCILMAN FOLTZ: So moved.

COUNCILMAN CERRETA: Second.

Roll call vote of 6 yes to excuse Councilman Fonte.

COUNCIL PRESIDENT PETERS: I'll turn it over to Mr. Mayor Held.

MAYOR HELD: First I would ask Patrick Lewis if he would step up here and also our police chief. We have a great announcement today about a little bit earlier today about 6:30 we hired a new police officer. When you look at the City of North Canton and the services that we provide our number one priority is to make sure that our residents are safe. The primary force behind our safety is our police department as well as our fire and EMS. It's the police department that's out there dealing with the residents making sure that all the laws are obeyed and more importantly keeping our streets safe. In North Canton we sent out a survey to the residents 91 I'll round up 92%, 92% of the residents that were surveyed gave our police department a good to excellent rating. And that's with individuals that's writing speed tickets. I had one resident say "hey Mayor I got a speeding ticket going down Schneider what should I do?" I said "pay it" you know we've got to make sure we're following the rules and the laws. And today we got a great addition to our police department. Patrick served our country and what branch of the military, Patrick? (Marines) The Marines. And he also came and served the City of North Canton as a dispatcher. And anybody that has worked as a dispatcher knows that is probably the best training you can have for working in the police department. Because you are on the other end of the line you're like the lifeline to the police officers. When the police officers are out in the field the only line of communication that they have really is the dispatchers. Patrick worked for dispatch for a year and a half then he became a commissioned police officer and worked for another 6 months. And we really didn't expect a full-time position would open up as quickly but Officer Altieri who was working full-time and had already retired from the Sheriff's department decided to go back to part-time so this opened up an avenue for Patrick to be hired. And there's two quick stories that I would like to share with you know we know you can see Patrick is physically fit he's in great shape he's a Marine he comes from excellent background and training. But at the same time in North Canton it's the little things that makes the difference in the city. So John Minnock who's our lieutenant said he has training with him and they were driving around in a car and one of the fire hydrant caps was hanging off and he got out and screwed it back in. And that made it took notice there with John or lieutenant. And then also when we had the public library had an event where they had a movie and they had all the kids come out and they had candy canes and snow cones. Bunch a little kids running back and forth and my youngest daughter who has Downs Syndrome we parked in the middle school parking lot and walked across to the park. Well sometimes she likes to go back and forth a little bit you know more frequently than others so it must have been dozens times that she went back and forth and Patrick had a part-time duty as an extra officer to cross the people from the parking lot at the middle school to the little movie that was taken place. First I said "hello Patrick how are you doing?" we talked a little bit and then came back a second a time said "hello" the third time it was like why bother saying hello, fourth, fifth, sixth, seven, eight, I think it was eleven times now I'm getting a little embarrassed but you know the funny thing was there were no cars, there was not traffic and every single time Patrick crossed us. And so without hesitation and I think that says a lot about his character and his sense of duty to even though it might be occur to be something trivial like crossing myself and my daughter across the street he followed through with it. So I did get on the phone. I called our administrator and the chief and I said "you know Patrick he is committed". And there's where the chief reminded me of this position and we could bring him up full time. The other thing is too that when you look at the list it was a real easy choice because you were at the top of the list out of all the officers. And when you look at the test scores and there's a number of criteria we use to determine who's going to be you know in the top candidates you were at the top of the list with about 100 points you had 105 points because of your military service and also the fact that you serve part-time. So this is a great day for the City of North Canton and we have both of Patrick's parents here today and so we welcome you, Patrick's grandmother is here as well and also Paige

his fiancé is here and his stepdad Jon Schneider, Jon is very familiar with this room here. So this is just a great night and we're glad to have you and I know you'll do a great job. So ladies and gentlemen Patrick Lewis.

CHIEF WILDER: I just want to thank the audience and council for your indulgence in allowing us to introduce our newest patrol officer. I want to thank the cooperation of Mr. Grimes and Mayor Held helping us organize getting him hired full-time. We understand the impact that we make in our community and the actions that we perform it's so critical to the safety of our community and we don't take that lightly. The oath that he took that I the same oath I take and it all leads up to us being doing our jobs fairly and impartially in accordance to the laws of the State of Ohio and our country let alone our community and we don't take that lightly. We want to make our community the safest place to live, work, visit. And he's going to be a great addition for us. He continues finishing up his service in the Marine Corp and the reserves but just want to appreciate your support as much as we try to do our best to do our duty to our community and our country. So again thank you very much for your indulgence and I think they have dinner plans so we are going to exist stage left as they say. Good evening everyone and thank you again.

MAYOR HELD: And we have one, one last announcement here. We've got our red team here. How can we miss the red team? It's our Lions Club. The Lions Club if any of you had an opportunity to go to a Lions meeting there's two things that stand out in my mind as far as the Lions Club and the Lions membership. Because number one they are all committed to serving this community and number two they do like to have fun at their meetings. All good fun. Because I remember the first Lions Club I went to in North Canton there was some rubber stuffed animal that was a monkey maybe that was being shot across the room. And you know it was all to raise money it was to raise money for the community. And so I say that because you know often times you have a lot of organizations if you join the city. And the one thing about the Lions Club they're all committed to serving people and at the same time they do they make it fun and make it enjoyable. But the guests that come and visit and also for the members. And what I'd like to do is cause we've have a full group how about if each one of you wouldn't mind to standing and saying your name and the number of years you've been Lions member. (At this time each member stood gave their name and the years of membership. They did so from the gallery and weren't near the microphone.) What we have is a proclamation and this and also if you can take a look at this too what we have here got the original charter from 1955 for the North Canton Lions Club. So when we're done with everything we can take a look at that. And what we do here is we have the proclamation for the Lions Club if you could turn around also and show the council members the check. This is like the publishers clearing house a check for \$3,000 from the Lions Club and this so you know we had a goal for the city the administration and the council we wanted to plant 100 trees right, this year and how many did we have over on East Maple it was like 38. And now we've got another 60 trees that we're going to be planting with this money from the Lions Club. And so this really is a great gesture on behalf of the Lions Club and we're so very thankful. Jim and Jim Davis is working with the Lions Club to make sure that we put together a plan so that we plant all those trees. And let me grab this proclamation and I'm going to read this if you don't mind:

Whereas, I David J. Held as the Mayor of the City of North Canton, Ohio, hereby recognize the North Canton Lions Club in celebrating their 60th anniversary. The Lions Club whose motto is "we serve" is best known for aiding the blind and visually impaired. The core belief is community is what we make it. The Lions Club is the largest service organization in the world along with giving to the many local charities the Lions Club provides a scholarship each year to a Hoover High School senior and coordinates a spring and fall artisan and craft show that has become a local tradition. To commemorate their anniversary the North Canton Lions Club is generously donating 60 trees for the City of North Canton. And those trees will up along Main Street I think the main focus will be on the north end of Main Street up towards ACME and north of Applegate. But then throughout the rest of the city. Whereas the North Canton Lions Club was honored by the Hoover Alumni Association as a 2013 inductee into their Hoover Alumni Hall of Distinction. Furthermore, the honors continued in 2014 by the North Canton Chamber of Commerce with the community service award. Now therefore, I David J. Held as the Mayor of the City of North Canton do hereby proclaim October 2015 a month of recognition to honor the North Canton Lions Club 60th anniversary." Alright here's the check now if you notice do you see our finance director she's going like this she wants the check. She knows. Alright. But seriously the work that the Lions Club does you know often times all of your time and dedication and the service that you give to the community most people really will never know what it is that you do. When you look at all the trees that are going to be planted along Main Street you know there will be generation after generation will benefit from the trees and most of them may not but we try to do the best we can to promote the Lions Club. But you know how that it is year after year people will forget but the good thing is that they'll all benefit from the work that you do and more importantly the trees will be planted. So if we can get a picture here if we don't mind.

JOHN FERRIS: Yeah, we would like to say something. The idea came up from the need when the Mayor announced sometime in the winter even last fall of planting trees in the city and somebody say "we're going to be 60 years old let's give 60 trees to the city." We said "whoa, how much is that cost?" "We don't know." We still don't know but we believe that we have enough money to start it and we believe that we have more money ready. And we'll be doing a craft show in a couple of weeks at the high school and we'll be making a few more dollars and hopefully that will be available for to give to the city for the remainder of the trees.

MAYOR HELD: I think we're going to have like three different types of trees because we had a plan that was put together Jim Davis had a plan. Jim, if you don't mind mentioning real quick what the plan is.

STREET SUPERINTENDENT DAVIS: Yeah, right there's we just had park board meeting today and we got some budgetary numbers back Friday from and I'll share that with you I'll send you an email on that tomorrow. And using three different types

of trees up our Main Street scape ones that are prone to resist salt and reflection and all kinds of (inaudible) And planting them up on Main Street and make it not just a tree but also some floral settings and park settings and make the street scape make some real nice shade areas and stuff like that.

MAYOR HELD: And we do know that our trees have to survive some salt because we like to spread salt on our streets. Now we want to do is stand for a group picture here for sure and I want to get councilmembers in there as well. The only thing is it will take we've got such a big crowd.

(At this time the Lions Club stood with city council to pose for some pictures)

MAYOR HELD: Ladies and gentlemen you're welcome to stay if you'd like but you don't have to feel or required to stay. Thank you, council.

5. Consideration

COUNCIL PRESIDENT PETERS: Okay, at this time may I have a motion and a second to approve as presented:

Council Meeting Minutes: September 14, 2015
Special Committee of the Whole Minutes: September 16, 2015
Committee of the Whole Minutes: September 21, 2015

COUNCILMAN FOLTZ: Motion to approve as presented.

COUNCILMAN CERRETA: Second.

Roll call vote of 6 yes, to approve the above minutes.

COUNCIL PRESIDENT PETERS: Alright at this time I'd like to welcome Mr. Bob McNutt of CT Consultants; he's here to talk to us regarding the Fixed Based Water Meter Project. Mr. McNutt?

BOB MCNUTT: Thank you, I guess I'm not sure where to start but I did want to say something to the Lions Club as somebody who is legally blind I very much appreciate as many people appreciate what the Lions Club does but most of them left before I could say that. So thank you. I've been here many times for different water and infrastructure related things and do appreciate very much the opportunity to come and talk. And tonight we're going to talk about something that's pretty boring in sense meter technology. When I first came in I thought it may be controversial though when I saw all the policemen here. I'm sorry my back is to you so I'm going to turn around. People look at this, this is what we're going to talk about general speaking. Some people see this as a water meter really this is a cash register. This is a cash register for what we do in our water system. Currently the technology is these meters are in our homes we have a little touch pad like this on the outside of your homes each of you have it. And the guys and girls who are meter readers they walk by with a little thing like this and sit here and they read this meter. Then they take this and then (inaudible) then this goes back to the billing office and we have to download that data and go to the next step of processing the information, fact checking the information and paying the bills. Separate steps as you can see involved with simply reading the meter, collecting the data and getting that out to each of you and our constituents in paying the bills. I'm going to have to move over here. So this is the workflow you know again we talked about the basic workflow this is the workflow that we're going to talk about tonight. The workflow of again taking the information from our meters on the lower left, reading that information again with this end point, that end point is the touchpad that we have now. What we're looking at going with is a different type of an end point that sends the signal instead of our folks being in harm's way many times in the wintertime, etc. Instead of them going out to collect it it sends that signal automatically back to a collector in this case we're talking about our water tanks putting an antenna up on that. That information then going to a cloud base server where it is processed automatically and then that going out to creating our bills. So it's a similar type of work process but it's streamlined. So what we're looking is a much quicker, much more efficient type of a network. Another way to look at this is again we're talking about technology. You may remember in the early '90's when my wife and I first got married we had we got one of these bad cell phones, one way to think about that bad cellphone you see old fashioned way of reading our meter readers where we didn't have this touchpad and we had folks going into the homes and of course that was maybe once a quarter or whatever but they'd go into your homes and read it. The technology advanced and then we got these nice touchpads which allowed them to least get the reading outside the house every month and that was kind of like these old flip phones. Third generation is when we got those phones that had a slide out touchpad which I never could use but my kids loved them at the time. That is what we call a drive by type system where again you've got a little transmitter like this that as the car goes up and down the road the computer in the car picks up the reading and as the technology has advanced we all now have smartphones right? We have more information, more brains walking around with our kids than my first sell of a computer that I bought I'm not that old you know. So the technology has advanced and now this is what we're talking about advanced meter infrastructure. That's what we're looking at going with and that's what we want to present tonight. We took a lot of time we walked back through this graph just kind of shows you graphically some of the different technologies and the general cost whether it's a 10 year or 20 year but the idea is we took a lot of time had a lot of meetings had the finance department, the city manager, we had a lot of people involved in learning about just the various technologies to come up with what we really wanted to look at. What's the purpose of this? You know is it just for saving money? Well I don't think we have our smartphones on our hips because it saves us money. But it does save some money in

what we're talking about. It also improves the services our smartphones has the ability to do a lot more services than before. And in this case true to me and what I love is the engineering side of it as well. There's a lot of advances. But we're not just saving money. We all do want to save money yes that's a component here that we're going to talk about. But it's also reducing our liability. So how are we saving money? As we look at our staffing we're looking at reassigning staff to other areas in the city that they can be equally well used at. Areas where we don't have enough staffing now; we never have enough you know. It just seems like there's always a need. So if we look at just the meter readers there's 2.5 folks and I won't go through all the details but the salaries and the fringes you know you can boil that down that to a net cost per year for the type of hours that they spend just on the meter reading. Also we have service techs when somebody calls in and says "hey my bill can't be right the meter must be wacked out" somebody right now has to go out to that house to look at the meter and see what's going on we send our techs out there. We have a certain amount of time that we've estimated those techs are going out that will be eliminated with this newer advanced technology. So that's going to save us money. We do have some administrative supports Karen's staff sitting in the office when the people call in screaming and yelling about their bills they take those calls. They try to field them the best they can and they send them out to the service techs then to go on out in the field. Well there's some support savings with that as well. Let's not forget our cars, you know we have trucks dedicated to just our meter readers. We've got the purchase of the trucks itself, the gas, fuel, maintenance. All of that has real cost. Now if you have been adding up these numbers you'll see the number in a little bit. But it's not just a financial savings. There's a lot of savings in reduction in liability and reduction. Our meter readers are out there they're exposed to dogs, animals chasing them, getting bit, they're exposed to slips, trips and falls. They're exposed to the angry resident for whatever reason. There's a lot of issues we need additional security forces as we talked about earlier tonight just to help keep them safe from time to time. There is a value in reassigning our staff it's kind of a little bit more difficult to put a value on that necessarily. But there are some soft costs and some soft value to being able to use staff in other ways that we can't currently use them because we don't have enough of them. But with any new technology I have to say there is a always a negative. And in this case our meter readers are going to lose their free exercise program you know they're not going to be walking miles and miles every day. So they'll have to join a gym or something. But the net cost is as we calculate these things there's about 225 I'm going to round it about \$225,000 a year on an annual savings. That's something that we're going to look at the return on that equality in a minute. So what else can we do? Again, I said it's not just a financial savings its improved services. With this new type of technology we will be able to collect meter readings every hour on the hour in a sense sent into us once a day but hourly readings. That has a lot of impact on the engineering side which I'm going to talk about. But it also has a lot impact on how we can work with our customers. These automatic readings we know we get some in our gas bills you see the little daily or monthly records well this is going to help us to detect some things too. Are there leaks in the homes? Are there customers went south for the winter and there should be no flow at all and what happens? There's a lot of additional tools with this advanced metering infrastructure that we are going to gain through this process. It's going to help us as the financial side, as the service tech side and as the engineering side as we deal with our community. So some of the services our large customers can get an idea of how they're really using their water. You know is there a peak time of day, is somebody sealing their water at night. They can see on these hourly readings. We can provide a service to them as well if we so chose where they can get in and see this information directly. Our normal customers again when they call in to complain about that bill Karen's staff can pull it right up on line they can look right at it and say "well you know you used from 4:00 am to 8:00 am so many gallons of water". We can see that automatically; now we're not sending the service tech out to go out and find out what's going on with that meeting. We have real live daily and up-to-date information. We can track I mentioned the snowbird but we can also track how much water on a daily basis that were making active at the water treatment plant and can compare that to the amount of water that's actually being billed consumption in our system. Right now we get one number every day or every month actually we get a number that says Karen, used 5000 gallons of water. That's all we know. She used 5000 gallons. We don't know when she used it, how much she used water peak demand is on any particular day. This new technology is going to give us that ability to get that granular in our information. Engineering, again I started talking about this. Once I as one of your engineers can evaluate and understand those peak usages that will help us better size our piping networks, better size your pumping networks. When we look at our large customers again those are really our cash registers aren't they? Because they're the ones consuming the most water. When we can right size your meters with actual data instead of one point per month we can do a better job for them and we'll realize better revenue as a result. Again, we talked about some of the other things we can detect, we can detect reversal of flow across somebody's meter we can see things like backflow issues. If we recognize those we get an immediate alarm and then we can do something about it. Right now we may not know until some bad contaminate gets into our water unknowingly. But this type of technology can alarm us every single day on any of those type of events. And I've already talked about the non-revenue water and seen that on a daily basis. So what is our return on the investment? I know you can't read all these numbers and it's not important to do all the math here if you want to see it all later I can go through it in great detail. Cure your insomnia I'm sure. But we looked at Sensus and Neptune with the type of technology that we're looking at. And we've got basic engineering budgetary numbers from them and from this we're looking at the city ask the city to do certain things in house to get some savings. So they're giving us numbers you know 10 year capital of \$2,000,000, \$2,500,000, \$3,000,000 round numbers but based on their different calculations we're looking at spending somewhere around the \$1,675,000 on average between these four different areas. What that boils down to though with our \$225,000 of actual cost is a return on our investment if you look at the one Sensus their budgetary number 7.5 years or if you look at Neptune's numbers its 5.8 years. Again, that's strictly the financial return on the investment not considering the other issues. Now let's compare this a little bit. I've worked with you guys for many years and so I went back and looked at some past studies that we've looked at and the return on investments in previous studies were very, very similar. So I wanted to show that. And again this return on investment is not considering any additional revenues because all we're talking about doing right now is changing out that end point we're not really changing meters at this point. So we're not looking at an increase in revenue from new meters being more accurate or anything like that. So that's the basics of what we've done this is my contact information if anybody needs it. I can also provide cards later but this gives you a summary really just a quick

window into what we spent what a couple years going through and calculating. Jim, did you want to say a little bit more about that?

ENGINEER BENEKOS: No. Yes, so where we are right now with the process that we've had we have budgeted about just over a \$1,000,000 this year. We've been allocating funds the last couple of years towards this issue we're up to \$1,000,000. We're ready at this point to advertise and receive bids. We've looked at different technologies one of them being cellular technology, one's a combination of cellular and radio reads. And we feel going with the tried and true radio read that's Sensus and Neptune and I think a couple others can provide is the way we want to go. We looked at the 20 year lifecycle costs we feel this is the best lifecycle cost for the City of North Canton. So we're asking to go ahead advertise and receive bids the numbers that Bob through up there from Sensus was \$1,675,000, the numbers from Neptune was \$1,300,000. But these are non-bid numbers. Okay, also it's not like looking into the details. This will be a 20 year program. The batteries on these sending units that go from the meter from the end point there that sends the signal to a collector those are typically 10 years. We're asking for a 20 year lifecycle I think we're going to ask for 15 years total replacement. So if a battery dies within that first 15 years that they'll replace that for free. So the last 5 years of that will be prorated cost for those batteries. At the end of 20 years we know we'll probably be looking at putting all new sending units on whether these ones last or not. By that time hopefully battery technology will be better and we'll get maybe a 39 year lifecycle out of it. But and Bob and I won't be here then. But no, we feel this program, one will save money for the city, we'll improve service to our customers. Once we bid this out and we have the final number then we'll come back to council if we need additional funding. We want to try and bid it out before the end of this year so we can get that additional funding in the budget for next year. Probably if we need that additional funding then we'll award it after the beginning of the year when we have that additional funding. So I think is it on council's agenda tonight for first or second reading? (Second reading) Second reading and then if we could proceed to the third if we could get an emergency on the third reading so we can bid it out yet this year and get those prices and get this program moving. Every month I think Karen was asking me "are we ready to bid it yet? Are we ready to bid it again?" Because with this comes new billing software and we talked we had to each company that we explored. Talked to Karen specifically and her ladies there about how that software will work. I think they're comfortable with just about any of the companies so far. If a third party comes in with a different software we'll look at that before we make a final decision. So with that if you have any questions we'll be glad to answer those.

COUNCILMAN GRIFFITH: Jim, you mentioned the carrying cost are we able to be in a position where we negotiate a contract where for the first 15 years or some period of time we'd be able to have no additional cost from a carrying cost standpoint? That would adjust so this would be a one time in that sense and then at the end of the contract or whatever period we determined whatever upkeep would be there would be our responsibility.

ENGINEER BENEKOS: Correct, there's yeah, the equipment will be the sending unit that goes on the end of the meter, there'll be the collectors and then there's the software and that will be in the contract how the software is written, any upgrades are included?

BOB MCNUTT: Well they are and how they normally do it is they have an annual maintenance fee after so many years just like any other software they try to do that. We could one of two things still; we can have all 15 years of that included in one bid or if it serves the council's choice we can have let's say for example 5 years in the bid and then re-do that every 5 years. However you guys want to do it. Now's the time we can set up the bid anyway we want.

COUNCILMAN CERRETA: Let me ask you a couple things about you're saying this program is going to cost us \$1,300,000 to \$1,500,000...

ENGINEER BENEKOS: Those are none bid numbers.

COUNCILMAN CERRETA: Okay, okay...

ENGINEER BENEKOS: When they know they're bidding they'll...

COUNCILMAN CERRETA: And do we know what we're saving? I'd like to get numbers from Karen exactly what we're saving; what are we doing with these people; I want to know exactly what we're saving. This is a lot of money and we're throwing this out like it's some massive thing that we really need right now. I want to know I mean you're talking about the amount of times that we have to know when people are brushing their teeth or whatever that is. Why do we need to know that? I know when people have a leak or something we've got to know that. That's understandable. Why do we've got to know all these times that you have to have people are using water and everything. What's the benefit to that? And my other question just a follow up there is there any additional software we're going to need in 5 years that's going to cost us another \$10,000 to \$20,000 for these programs. And then is there is something new coming out in the next 5 years that again you know that's even going to be better than this? So a lot of questions there but you know I'm just the presentation was great but we're spending \$1,500,000 I need to know more. What are we saving on this?

ENGINEER BENEKOS: Well Bob pointed out the hard costs that we're saving is just over \$200,000 a year annually.

COUNCILMAN CERRETA: I noticed he put that up there but I didn't see hard facts exactly where's that coming from? Just something that says up there annually \$1,500,000. I want to know why the people that and where are they going? I know we're going to put them somewhere else. You know I've talked to the ladies out front too I know exactly you know they tell

me how many issues they have per month and what they do to go fix that. And but so I want to know what this is going to save us for \$1,500,000. This is a lot of money and we just can't sit here and this along and say it's going to be nice in 20 years. So I'd like to get more information and if someone else wants to chime in if you don't think I'm asking for the right thing then come out. But I want to see more this is a lot of money. And we stood up here and we do you know we pick away at little things for our pool and all that then all of a sudden we throw \$1,500,000 for water and we think you know something that do we really need this right now? Is this the best thing for us? So these are questions I'd like to know before I even give another reading on it. To be honest with you.

ENGINEER BENEKOS: Yeah, well I know Bob's done you know extensive you know Bob has done our water rate study; he knows our, our finances in and out. And I think Bob can provide a spreadsheet with those exact savings done.

COUNCILMAN CERRETA: Okay, well I'd like if he would get together with Karen and tell me what we're saving with our city and facts about what we use now and how this is going to save us. It makes sense someone comes up to me from our city and we're spending \$1,500,000 of their bucks on a massive project for water I've got to know why. Where are we saving?

ENGINEER BENEKOS: The other question you asked was about you know in 5 years is there another technology? We looked at all those technologies that are out there and we don't feel comfortable with those and the cost for those we're exceeding than what these costs are. As I mentioned the cellular technology I think that just rolled out here maybe about 2 years ago, 2014. We had them come in and give a presentation there's some benefits to those but there's some drawbacks to those. So you know they're you could go out with one of those technologies but we didn't feel that we were what was the best technology at this time.

COUNCILMAN GRIFFITH: I think Mark, Karen has done some good analysis on this that she passed along to us several months ago when we first started talking about this. One of the things it didn't include is the carrying costs associated with not doing this. I mean if we opt to remain the way we are today and not move forward with the technology well there's going to be a fair amount of replacement costs associated with just what we have out there right now. So what we're doing is spending money on antiquated technology which I'm opposed to. So if we continue to replace our meters with old meters that aren't going to be able to upgraded and replaced then I mean that's a problem too. Kind of I would be more worried about wasting tax dollars doing that as opposed to just like rebuilding catch basins with brick instead of cement. You now is it saving us money, yes, but it's also saving money because we're not putting antiquated technology in the ground that we have to replace later on anyway. So I think the fact that we the return investment which is up there right now at 5.79 even on the high end doesn't even include that the soft cost which is we're providing a better service and greater technology to the folks. And it is interesting in the hourly thing like you said I mean I know when I'm taking a shower and you mentioned somebody stealing water I've never even heard of that before. I guess out west it happens all the time but...

COUNCILWOMAN WERREN: Yeah, but I had a constituent that it was a real problem for this year. And their water bills were huge, we couldn't tell what was wrong and then it became a service issue they had come back and forth and I mean the time that the city spent on this issue was tremendous. So when I heard that, that was huge.

COUNCILMAN GRIFFITH: Dominic will tell you anytime that you sell a house of course you have to do final reading or two or three things like that this will be a lot easier for our people to do because its technology that they have at their fingertips versus sending somebody out to do it. I mean the costs, the savings are real. I mean they're manifested at least \$250,000 a year if not more than that. And so again the return on the investment how long will it take us to recoup the expenses that are there. I mean I think on the long end we're talking about 5 or 6 years but on the short end that makes a difference. And that's why I asked about the carrying costs. What I worry more about is how long is you know if we buy a new pool liner how long until we have to pay for another one. That's fair. But in this case what are our carrying costs going to be a yearly basis? Like we're spending a bunch of money but are we going to spend \$100,000 a year on new software which is what you were asking about. But in this case we're able to do the package where we're not spending additional dollars immediately to do that. So I think that makes we know what the expense is then. We can say we know it's going to be \$1,300,000 or \$1,500,000 and then we know how long the return is on investment for that too. So I'm comfortable with Karen's numbers in this respect.

COUNCILMAN FOLTZ: I have a few questions. One, now if we decide to go ahead and we purchase this either a Neptune or a Sensus is that the two probably technology companies we're probably going to use. It'll be bid out I understand all that. Will every house get a new meter or are we using the existing meters with sensors put on those?

ENGINEER BENEKOS: There's already a sensor on the majority of the houses probably 98%.

COUNCILMAN FOLTZ: As of right now we already have sensors in place in the residential?

ENGINEER BENEKOS: Correct, they're on the outside of the house.

COUNCILMAN FOLTZ: I know they're on the outside.

BOB MCNUTT: The type of sensor you have right now is right here. And this new unit will snap right on the thread on the outside of the house.

COUNCILMAN FOLTZ: Okay, so that comes off and you use that...

BOB MCNUUTT: And that's the idea to make this a lot less expensive not going back into the homes and having to deal with actually replacing the meters right now. The idea is to snap the unit right on this to do what we need to do lower cost installation and still give us a 15 to 20 we need out of this.

COUNCILMAN FOLTZ: Okay, so meters will still need to be replaced that's maintenance wise so many years if there's a problem I don't know if we do them so many years. Do we have an inventory of that?

ENGINEER BENEKOS: Right, the meters are separate item that we want to discuss. Yeah, right now the existing meters and the end unit, the touchpad in place are functioning well and all we need to do as Bob said slip the sending unit over the top of the touchpad and it will start sending a signal. Now the meters separate from this program you know there's a lot of meters out there that are old and we want to come back and talk to you about a meter replacement program for the future. And also we've been a large meter audit looking at the 2 inch meters and larger throughout the city. We did the study this summer and we're finalizing that report. We want to get that to council. Those larger meters you know have the larger fail ratio if they fail you lose a lot of income based on those. So if they're not reading properly so that's why we did a large meter audit. How many meters do we have? We went out there and physically inspected all of those. And to determine also if it's the right size meter for that application and that business. Some businesses you know were using you know 100,000 gallons a day but now they're only using you know 20,000 gallons. That meter isn't reading correctly because of the type of meter and the usage through that meter. So that's another thing we want to come back and talk about are the meters themselves. But we don't need to do that as a part of this program, whether we proceed with AMI or not we want to visit you know the meters themselves.

COUNCILMAN FOLTZ: Okay, now does Canton have this technology?

BOB MCNUUTT: Canton was one of the first communities in the United States that went with this technology 15 years ago. So they've been using this technology for the last 15 years. Being the new kid on the block and the very new technology they faced one of the issue and we're all probably very well aware of it the battery life of what they had did not last the way they were hoping it would last. We're 15 years later just like we looked at the technology in our cell phones; the batteries in our cell phones have grown over those times. The old bag phone I think you usually get an hour or two max talk time. And you know as that technology has advanced I can go a whole day, two days even with a lot of computing directions, everything on this without having to recharge my battery. So that technology over 15 years has changed and Canton has just re... almost completed now their replacement of that 15 year old technology. And we're using some of what they did the 15 year guarantee on the battery life for example to make sure that we lock down our investment early on based on their experience.

COUNCILMAN FOLTZ: Now what system do they have was it Neptune, Sensus' or...?

BOB MCNUUTT: It was actually a different one...

ENGINEER BENEKOS: Itron?

BOB MCNUUTT: Well Itron is the one company but I forget Intech or something like that its one that's not doing as much anymore. Because they had all their meters I think Itron is the reading portion of it that they're using now. But they changed meters and their meter reading.

COUNCILMAN FOLTZ: Okay, and who are they using now?

BOB MCNUUTT: I think its Itron but I'll have to double check on that.

COUNCILMAN FOLTZ: Itron so they're not using Sensus or Neptune?

ENGINEER BENEKOS: But Itron can bid on our system.

COUNCILMAN FOLTZ: You know I don't want to say you know these other companies aren't qualified these are the only two that we've looked at as an estimate here.

BOB MCNUUTT: When we were looking technologies we try to lock it down we didn't want 20 vendors in here trying to talk to us. So...

COUNCILMAN FOLTZ: Right, you want to get it somewhere where you've got competitive bidding to a certain style that you guys that everyone's comfortable with.

ENGINEER BENEKOS: Right, the reason why we initiated with Sensus is we have all Sensus meters.

COUNCILMAN FOLTZ: I see.

ENGINEER BENEKOS: It's not mandatory or not technologically necessary that we have to go with a Sensus sending unit. So Neptune, Itron can provide the sending unit, the collector and the software. So...

BOB MCNUUTT: And that would help our bids comes in even better by having more open competition.

COUNCILMAN FOLTZ: Well I guess one thing too you brought up the savings I guess it will be more personnel. Do we have any union issues with that? Are we in good footing looking at if we decide to go forward what happens to those meter readers in the process?

MAYOR HELD: Really what we have its better utilization of the employees. So as we have individuals retire you have Mike Grimes and Jim Davis are assessing what the department's needs are. So if we have if we're eliminating the water meter readers they're already making decisions now as people retire to whether or not we're going to replace those individuals. Because right now a meter reader will go out and read for two weeks but then the other two weeks when they're not reading their utilized in another area of the water treatment plant.

COUNCILMAN FOLTZ: And I asked as a fair questions I don't want to come back and all of a sudden we're yeah we approved it now we've got a situation you know we've got to think...

COUNCILMAN CERRETA: That's why I'd like to see a plan, I want to see on paper what our plan is after we spend this million \$1,500,000 and also you know what kind of upgrades do you need to have every two years to this kind of thing. And what's the cost of those that are associated with that.

BOB MCNUTT: Each company while they bid this project has to provide a full detail of those costs. And again our idea is to lump all 15 years of that cost into the bid so that all of those technological upgrades if they have them are all included.

COUNCILMAN CERRETA: That's good to hear I just can't stand to see when we get things like financial things and then two years later we spend \$10,000 to \$20,000 on an upgrade when we just got it two years ago. So good to hear.

MAYOR HELD: What I would suggest is that because the same questions that the councilmembers are asking are the same questions that I had as we were going through this process. Bob is actually an engineering consultant so his company is not selling any of the products that we're buying. You're helping to facilitate the process and also developing the specs. Because it kind of reminds me of buying you know the new cell phone. You know do you get the touch screen, do you get an iPhone, do you get an Android. And you know what's the differences between those things? And I think that you folks have with Jim Davis and Mike Grimes and Jim Benekos you've narrowed down the field in a lot of ways by focusing on technology that we know has a strong history. Right, so we're not going to into the new technology that maybe has shorter track record, correct? But what would be helpful at least what I'm hearing and what Councilman Cerreta had brought up is you know it's a lot of money that we're spending. There's no doubt that we know that we need to advance in our technology but I think we've got to afford the councilmembers that same luxury to go through the process and fully understand it. Maybe like in a few work sessions to know really what it is that we're getting into. And why the legwork that you folks have already done why this is the direction you're going into. Does that sound like a good cause these are really just you know like you said they're just slides that are put together but they're supported by much greater detail data. But I think that we've got to allow all of the elected officials the opportunity to go through that data so you better understand what we're...

COUNCILMAN CERRETA: No, I want to see that I really do I mean I don't your numbers that we got some time ago you were talking. I don't remember those.

COUNCILMAN GRIFFITH: That's fine.

MAYOR HELD: Kind of like what you did on the pool.

COUNCILMAN CERRETA: Okay, so I'd like to see some concrete numbers in front of me you know about we're going to save and that kind of thing. And I'd like to know from like from some questions about you know maybe the technology what's coming around the road. I'll fine with the whole system it's just I don't want to see additional cost. You answered the question about upgrades which I appreciate that. And I think it really then comes down to is this something that we really need really bad to spend \$1,500,000 and how financially are we going to be. When are we going to get our return? I know these were kind of rough numbers from somewhere. But I want to know numbers from us. What are we going to get exactly? Now can we get that or not? Am I asking too much?

MAYOR HELD: No, absolutely.

COUNCILMAN CERRETA: Okay.

MAYOR HELD: I mean then see really what it is it's kind of like when we did the pool when we went with the YMCA it's like yourself and Dan worked closely on that proposal with Y. But then it took time for the other councilmembers and myself to get comfortable with it. Because as you know the ones that are working more closely through the process and with the numbers obviously there's a greater comfort level. But then once that comfort level is reach now let's make the presentation. You know we've got to have the councilmembers go through that same process so that you fully understand it. And I think that would be that's going to be really important. So maybe what we can do is setup some more setup a couple work sessions and go through that process.

COUNCILMAN CERRETA: Well Jim when do you need the bids? When you were talking about you were even mentioning emergency. So what was this what's your schedule?

ENGINEER BENEKOS: We'd like to have it to be able to bid it out the middle of October and receive bids by the middle of November so that we can analyze those and be ready to by the middle of December to know whether we what we need to put in the budget. I know that's going to be late for Karen and we may end up just throwing a number in the budget.

MAYOR HELD: Yeah, I mean that might be cause the biggest thing is we want to make sure there's no rush.

ENGINEER BENEKOS: Yeah.

COUNCILMAN CERRETA: Well if you can get me the numbers I'm pretty satisfied with it doesn't take me 5 sessions to do that or a couple sessions. But I don't mind passing second reading tonight and you can get me the numbers and we can both all see the numbers and are satisfied. It doesn't take us overnight to do that you know maybe some time this week or in the next session what next Monday we meet. Okay, and then we can be pretty satisfied with it. Then if we feel that it's you know cause we know we've been waiting on this presentation for quite some time now. And last time we talked about it was oh at least a month ago when we started talking about it. So I'm okay with that bringing it up to pass it on second reading and then get this information that I haven't seen yet and I don't feel comfortable putting this \$1,500,000 out until I do see that information. Does that sound fair?

MAYOR HELD: That's very fair. Because we want to make sure that that all the councilmembers are comfortable with it. Because there is you know it is a big decision and it's a you know it's a 15 year or 15 to 20 year decision that we're committing to one company and you know just when we're talking about guaranteed of the battery life. Well we hope that company their financial strength and their track record is if they're going to be a round in 15 years. You know we want to make sure...

COUNCILMAN FOLTZ: One additional thing I'd ask for will this affect our rates for water use to our residents? As far as when we purchase this do we have to look at an increase?

COUNCILMAN CERRETA: Good questions.

COUNCILMAN FOLTZ: I mean I want to make sure we're addressing that. I don't you know then all of a sudden we raise the rates...

COUNCILWOMAN KIESLING: But our increases are built in.

COUNCILMAN FOLTZ: I know they're built in but maybe they weren't built I don't remember if they're built in for a new system to be purchased in 2016. That's what I don't know about.

ENGINEER BENEKOS: This program will not increase the rates. I mean it's not...its saving us money so we're not...

COUNCILWOMAN KIESLING: Yeah, it's a savings.

COUNCILMAN FOLTZ: It's saving us money. Okay, I understand the payback 5 years or whatever we think we'll just look at it I just want to make sure that happens too.

COUNCILMAN CERRETA: Good question I'm glad you brought it up.

COUNCILWOMAN KIESLING: Remember Mark it comes out of the water fund not the general fund.

COUNCILMAN CERRETA: I know that.

COUNCILMAN FOLTZ: Oh, I understand that. But still water rates are something that we...

COUNCILWOMAN KIESLING: I agree.

COUNCILMAN CERRETA: And we're going to talk about water rates probably in this year so we know that. But that's a really good question.

COUNCILMAN FOLTZ: Okay.

MAYOR HELD: And also maybe what we could do too is get some of the communities that have made the switch so that they so that we can have them talk to the city, our councilmembers to say "this is what it was like for us before and this is you know what it's like now."

BOB MCNUTT: We can get several communities, Canton actually just did this presentation for the American Water Works Association state conference last or two weeks ago. And they talked about you know what they did. Also the City of Hudson City Engineer Tom Sheraton would be more than happy I'm sure to come in and talk to you. He did that program when he was the assistant engineer in Stow, Ohio. He did the same type of thing. We can get the City of Akron they've done the same type of thing so they can come in. So yeah, let us know you know how many you would like and we'll go out there and get a couple of these guys to come in to talk to you about it.

MAYOR HELD: Because one of the disadvantages I think just we have and water systems you know not only throughout the State of Ohio but throughout the country everybody operates so independently. You know if you go to other countries they have a larger district where all of the water supply is managed more on a national level. And here you could have the City of North Canton has one water treatment plant system and one technology and the City of Canton has a different one and Hudson has a different one, Stow has... So we're so the communication for example when we were looking at joining RITA for income tax collection I went to the Mayor's Association meeting and you know you have like 15 mayors sitting around I just asked them what they thought about it. Immediately best move they made. But then they laid out the challenges that they had too during the transition period. So if we could do something like that but also have the councilmembers be a part of that talk to the communities that have made the transition like in the last two years, right?

COUNCILMAN CERRETA: Yeah, I think its 3 or 5 numbers we don't need anybody to come present to us. I'd be glad to call someone and make sure that as the chairman of the water make sure I'm comfortable with it. If that's okay.

COUNCILWOMAN KIESLING: Yeah.

COUNCILMAN CERRETA: Yeah, if you can get us couple other people that are within northeast Ohio. Okay?

MAYOR HELD: That would be helpful.

COUNCILMAN FOLTZ: Alright?

FINANCE DIRECTOR ALGER: One other thing I wanted to say with that high usage and low usage it does help us when people have such high usage we can point down to tell them what day. Some time they remember "oh yeah we had family in that day or we were watering" so those things will be alerted to us as well so we can be better customer services tell them they're too high usage or we're looking at stuff that we should have water flow and we don't water flow. So we know the meter's not working or something. So those are items that we also know these handheld things are getting so old that can't even find batteries for them so technology is there and we need to improve. So those are some points that solves them.

COUNCILMAN CERRETA: I know the electric company does that to me all the time now. They send me that little form that says "I'm overusing what the average person would use". It doesn't me any information about what I can do not to just turn my damn lights off basically. I don't know. So I would like that kind of information. Mike, I'm sorry to interrupt you.

DIRECTOR GRIMES: I was just going to say you know just remember I think the project was good in that it's not a rush we've been talking several years at this. You folks have been setting the money back so it's not like we just came up with this thing. I mean we've looked at that I asked Jim to you know run the project because when I inherited it it was everywhere and he's done a good job of corralling that and then we brought Bob in and we're having way too many meetings with Bob. But you know it's not really a rush or anything so you know I think I've got to remember that it's kind of a good way to do the project. I think. Whether we ultimately do it or not it's a good way to look at it.

COUNCILMAN FOLTZ: Alright.

COUNCILMAN CERRETA: Thank you, I'm good.

COUNCIL PRESIDENT PETERS: Everyone else good? Alright, Bob, thank you. Mary Beth, are we still on? (Yes) Okay, at this time if you wish to address council please step forward state your name and address.

6. Recognition of Visitors

GLEN SAYLOR: Can you put the time on so I know how much time I have?

LAW DIRECTOR FOX: Mr. Saylor just so you're aware they were trying to load the software for the presentation there was a glitch in there and she wasn't able to put the timer up. If it's okay the chair and perhaps when there's a minute left he'll raise his hand so you'll know.

GLEN SAYLOR: Okay, I'll ask you cause I'm going to run tight on time. 340 Reed Ave NW. I talk tonight concern events relating to the appeal to city council the Hoover Company district south parking lot expansion. Specially the establishment of rules and procedures to hear this appeal. I'm going to go through a lot of material very quickly so the first one and I'm going to reference the pages. Page 1, August 21, 2015 Common Pleas Judge Kristen Farmer rules that the appellants Mr. Osborne and others did have a right to appeal to city council under Ordinance 1177.11. Footnote three of her decision mandates that city council hear this appeal using the provisions of this ordinance even though the ordinance has since been repealed. Page 2, in letters dated September 3, 2015 and I may mention too that I checked with Mr. Osborne prior to this presentation and he hadn't no problem me providing emails and letters that were addressed to him in my presentation. In letters dated September 3, 2015 Mr. Osborne and the other appellants are notified by the clerk of council about the rules and procedures regards to their appeal to city council. Among the rules that were that only a single representative of the appellants could present arguments and that the appellant's representative would be afforded 15 minutes to speak. These are very specific rules and procedures but where did they come? Page 3, Ordinance 1177.11 gives us the answer its states "that council shall establish appropriate rules and procedures to hear and decide such appeals. Page 4 on September 8 Mr. Osborne emailed the clerk of

council requesting to know when council established these rules and procedures and to have the related documents and records provided to him. Page 5, the law director subsequently sent a letter dated September 6 back to Mr. Osborne. Before I continue you might wonder why I state that the letter came from the law director when the actual letter was signed by the clerk of council. Page 6, Ordinance 25 – 2015 passed earlier this year states that a city employee who receives a public records request must advise the law director and the law director will assist the employee in evaluating and responding to such requests. So clearly the law director had a hand in the formulation of this letter. Going back to page 5 the law director's response to Mr. Osborne is that quote "the request is overly broad for the purposes of public record act because it lacks specificity this office requires to identify and locate these records". And furthermore to that quote "council committee meetings are organized by date not by subject". My question is ladies and gentlemen how could these letters dated September 3, 2015 to the appellants that specifically outline the rules and procedures of the appeal to city council how could those specific rules and procedures be in those letters yet the law director seems to have no idea where they came from. It doesn't make any sense. Mr. Osborne is asking "hey where did you come up with these rules and procedures its city council that's supposed to make them up when did you do it?" So let me help Mr. Fox out since the Judge Farmer's ruling was on August 21 and the letters were sent to the appellants September 3 a good place to start is anywhere between in that time period long and behold August 31 you guys went into executive session for the purpose of speaking with the law director concerning a dispute involving the city that is subject to pending or imminent court action. Now we don't know as the public what whether you guys made rules or regulations within that executive session. But if I was a betting man I'm betting that's when you did because the law director probably said "hey you don't have to worry about doing anything cause we're going to win this case". And then uh-oh...

COUNCIL PRESIDENT PETERS: 30 seconds Glen, 30 seconds.

GLEN SAYLOR: Okay, but let's assume that council established these rules sometime prior to August 31 if that were the case then the law director certainly had to have researched that and had to have the applicable information close at hand. So why doesn't he present that to Mr. Osborne instead of giving some excuse that it was overly burdensome on the city to provide that information. Members of city...

COUNCIL PRESIDENT PETERS: Alright, that's 5 minutes Glen.

GLEN SAYLOR: Can I get I've got 2 more sentences. Can you give me that?

COUNCIL PRESIDENT PETERS: I'll give you 2 sentences.

GLEN SAYLOR: Okay, okay, members of city council can be removed every 2 years by election but the law director cannot be removed it is the council people that have been entrusted by the citizens of North Canton to make sure that we've got a law director that acts in a responsible manner.

COUNCIL PRESIDENT PETERS: Okay, thanks Glen.

GLEN SAYLOR: In conclusion and this is my last sentence that was a run sentence.

COUNCIL PRESIDENT PETERS: That's more than 2.

GLEN SAYLOR: In conclusion members of this council can take action on this issue or you can remain silent. However if you chose to remain silent you have spoken volumes. Thank you.

COUNCIL PRESIDENT PETERS: Thank you.

GLEN SAYLOR: I appreciate you letting me have a little extra time there. Thank you.

COUNCIL PRESIDENT PETERS: Absolutely. Alright, if there's anyone else wishing to address council please step forward state your name and address. Seeing none we will move onto new business.

COUNCILMAN GRIFFITH: I feel that it's necessary we should clarify Glen, we set those rules in open session just a week ago. We openly debated it...

LAW DIRECTOR FOX: Mr. Griffith, just to be direct to Mr. Saylor I don't think he was as clear as what was requested. Mr. Osborne's request asked for every time, every meeting, every date that those rules were discussed. That issue requires that you go through and look through every meeting every time that those rules may have been discussed in council regardless. When they began.

COUNCILMAN GRIFFITH: Regardless of the public record request we can talk about that for sure we talked about the rules in open session we have full record of that anyone is entitled to look at.

GLEN SAYLOR: The letters that went to appellants were dated September 3 you can see that clearly from and that's my problem.

COUNCIL PRESIDENT PETERS: Okay, since you've asked the question based on the letter here it says "a single representative

for appellants shall be provided with 15 minutes for oral arguments". What we discussed was each person gets 5 minutes.

COUNCILMAN GRIFFITH: Were subsequent notices sent out?

COUNCIL PRESIDENT PETERS: Yeah, there has and that's...

COUNCILMAN GRIFFITH: Another after we took action Glen there was letters were sent out to all the people who participated in saying these are rules that we set in council and those are the rules that will be followed at the hearing.

GLEN SAYLOR: But I'm looking at the September 3 letter that was sent out how did those rules get created? That's what Mr. Osborne and I'm not going to speak for him but that's plainly what he was requesting on September 8. He got the letter September 3 specifying those rules and regulations he's asking the law director where did those come from. Because its city council that has to establish those rules and regulations...

COUNCIL PRESIDENT PETERS: Alright...

GLEN SAYLOR: We see nothing that indicates that city council did that.

COUNCIL PRESIDENT PETERS: Mr. Saylor, the fact remains is we met on I believe it was the 16th and we discussed the rules and subsequent letters were put out and that's the format that we're going to use in the appeal tomorrow. And that was discussed in open council session. You were here. You were here. Okay, moving onto new business. May I have a motion and a second to read by title only the first reading of Ordinance No. 54 – 2015?

COUNCILMAN FOLTZ: So moved.

COUNCILMAN CERRETA: Second.

Roll call vote of 6 yes to read by title only the first reading of Ordinance No. 54 – 2015.

9. Ordinance No. 54 – 2015

Community and Economic Development Committee

An ordinance authorizing the Mayor of the City of North Canton to take all necessary actions to exchange portions of certain parcels of real estate with Michael Shuster.

COUNCIL PRESIDENT PETERS: Thank you, Chairwoman Kiesling?

COUNCILWOMAN KIESLING: Yes, this is a resident that lives on Irondale Circle, we are swapping 0.48 acres with him in his backyard it will square off his back yard, it will square off our city property as well. And all costs associated with the exchange will be the responsibility of the property owner Mr. Shuster. And we are holding a public hearing on it Monday, October 12th and all the residents within 200 feet were notified even though is not a zoning issue we don't really have to have a public hearing but we're going to go ahead and do that. We did notify the residents in that vicinity. So we're going to give it you know it's got to take three readings and...

LAW DIRECTOR FOX: And if you would if you look at your packet based on the comments in last week's committee meeting I added two provisions in there: one, making it clear that the resident making this request for the transfer we're making it clear that the resident bears responsibility for the cost that's associated with that. We're also putting in the ordinance itself that in deed we have scheduled and will hold a public meeting to get feedback from the community regarding that before we would have a third reading of that legislation. So you should before going forward if you wish to have those two pieces added there perhaps by a roll call vote accept the legislation as amended.

COUNCILWOMAN KIESLING: I would like to motion to amend that piece of legislation to add section 4 and 5 regarding the property owner will bare all cost and we're having a public hearing on Monday, October 12th.

COUNCILMAN GRIFFITH: Second.

Roll call vote of 6 yes to amend Ordinance No. 54 – 2015 to include language discussed.

LAW DIRECTOR FOX: Then a roll call vote to adopt as amended the first reading of Ordinance No. 54 – 2015.

COUNCIL PRESIDENT PETERS: The second reading.

COUNCILWOMAN KIESLING: The first reading.

COUNCIL PRESIDENT PETERS: The first reading.

LAW DIRECTOR FOX: The first reading, yes sir.

COUNCILMAN FOLTZ: Motion to adopt as amended Ordinance No. 54 – 2015.

COUNCILWOMAN KIESLING: I'll second.

Roll call vote of 6 yes to adopt as amended the first reading of Ordinance No. 54 – 2015.

AMDNDDED ORDINANCE NO. 54 – 2015 WAS GIVEN FIRST READING.

COUNCIL PRESIDENT PETERS: Okay, moving on may I have a motion and a second to read by title only the first reading of Ordinance No. 55 – 2015?

COUNCILMAN GRIFFITH: So moved.

COUNCILMAN CERRETA: Second.

Roll call vote of 6 yes to read by title only the first reading of Ordinance No. 55 - 2015.

10. Ordinance No. 55 – 2015

Water, Sewer and Rubbish Committee

An ordinance authorizing the waterline extension for St. James Place No. 13, located in part of the S.E. Quarter Section 32, Lake Township, Range 8, Stark County, Ohio, in accordance with plans and specifications approved by the North Canton City Engineer, and accepting an necessary easements associated with said waterline extension, and declaring the same to be an emergency.

COUNCIL PRESIDENT PETERS: Thank you, Chairman Cerreta.

COUNCILMAN CERRETA: Yes, we discussed in this in committee last week. This is a waterline extension to St. James Place and this will be paid for by the developer. So I move that we go ahead and approved this on the first reading and I believe it is also on emergency.

COUNCILWOMAN KIESLING: Second.

Roll call vote of 6 yes to adopt the first reading of Ordinance No. 55 – 2015.

COUNCIL PRESIDENT PETERS: Thank you, may I have a motion and a second to suspend the rules of council for three readings for Ordinance No. 55 – 2015?

COUNCILMAN GRIFFITH: So moved.

COUNCILMAN CERRETA: Second.

Roll call vote of 6 yes to suspend the rules of council for three readings for Ordinance No. 55 – 2015.

COUNCIL PRESIDENT PETERS: Thank you, may I have a motion and a second to adopt under suspension of the rules Ordinance No. 55 – 2015?

COUNCILMAN CERRETA: So moved.

COUNCILWOMAN WERRENA: Second.

Roll call vote of 6 yes to adopt under suspension of the rules Ordinance No. 55 – 2015.

ORDINANCE NO. 55 – 2015 WAS PASSED BY A ROLL CALL VOTE OF 6 YES.

COUNCIL PRESIDENT PETERS: Thank you, may I have a motion and a second to read by title only the first reading of Ordinance No. 56 – 2015?

COUNCILMAN GRIFFITH: So moved.

COUNCILWOMAN KIESLING: Second.

Roll call vote of 6 yes to read by title the first reading of Ordinance No. 56 – 2015.

11. Ordinance No. 56 – 2015

Water, Sewer and Rubbish Committee

An ordinance authorizing the Mayor of the City of North Canton, through the Board of Control, to enter into an amended agreement, by and between the city, and the Akron-Canton Regional Airport Authority ("Airport") requiring the Airport to make payment to the City in the amount of \$23,537 for certain improvements to the City's water system to provide adequate flow and pressure to the Airport, and repealing Ordinance No. 36 – 2006, which authorized the previous amended agreement, and repealing any and all legislation inconsistent herewith, and declaring the same to be an emergency.

COUNCIL PRESIDENT PETERS: Thank you, Chairman Cerreta.

COUNCILMAN CERRETA: This has to do with the water system upgraded at the airport. We talked again about this in committee and decided to put it on. So I move we move to approve this on the first reading. Once again this is also on emergency.

COUNCILWOMAN KIESLING: Second.

Roll call vote of 6 yes to adopt the first reading of Ordinance No. 56 – 2015.

COUNCIL PRESIDENT PETERS: Thank you, may I have a motion and a second to suspend the rules of council for three readings for Ordinance No. 56 – 2015?

COUNCILWOMAN KIESLING: So moved.

COUNCILMAN CERRETA: Second.

Roll call vote of 6 yes to adopt under suspension of the rules Ordinance No. 56 – 2015.

COUNCIL PRESIDENT PETERS: Thank you, may I have a motion and a second to adopt under suspension of the rules Ordinance No. 56 – 2015?

COUNCILMAN CERRETA: So moved.

COUNCILWOMAN KIESLING: Second.

Roll call vote of 6 yes to adopt under suspension of the rules Ordinance No. 56 – 2015.

ORDINANCE NO. 56 – 2015 WAS PASSED BY A ROLL CALL VOTE OF 6 YES.

COUNCIL PRESIDENT PETERS: Thank you, may I have a motion and a second to read by title only the first reading of Ordinance No. 57 – 2015?

COUNCILMAN GRIFFITH: So moved.

COUNCILMAN CERRETA: Second.

Roll call vote of 6 yes to read by title only the first reading of Ordinance No. 57 – 2015.

12. Ordinance No. 57 – 2015 Finance and Property Committee

An ordinance authorizing the supplemental appropriation of funds of the City of North Canton, Ohio, to be appropriated from the unappropriated resources of the Permit Fee Fund to the State Building Permit Fees Account in the amount of \$3,000.00 for the current expenses during the fiscal year ending December 31, 2015.

COUNCIL PRESIDENT PETERS: Thank you, Chairman Griffith.

COUNCILMAN GRIFFITH: This is the additional amount that we owe for the permits that we've issued this year. So again good news in this case this is the kind of bill we want to pay. We talked about it last week. Without any question then I would move its approval.

COUNCILWOMAN KIESLING: Second.

Roll call vote of 6 yes to adopt the first reading of Ordinance No. 57 – 2015.

COUNCIL PRESIDENT PETERS: Thank you, may I have a motion and a second to suspend the rules of council for three readings for Ordinance No. 57 – 2015?

COUNCILMAN GRIFFITH: Do we have an emergency clause in this one?

COUNCILMAN CERRETA: Do we need it?

COUNCILMAN GRIFFITH: Is it necessary Karen for us for the state permit fee? (No)

COUNCIL PRESIDENT PETERS: Okay, strike that.

ORDINANCE No. 57 – 2015 WAS GIVEN FIRST READING.

COUNCIL PRESIDENT PETERS: Okay, may I have a motion and a second to read by title the first reading of Ordinance No. 58 – 2015?

COUNCILMAN GRIFFITH: So moved.

COUNCILMAN CERRETA: Second.

Roll call vote of 6 yes to read by title only the first reading of Ordinance No. 58 – 2015.

13. Ordinance No. 58 – 2015 Finance and Property Committee

An ordinance authorizing the Mayor of the City of North Canton to accept and utilize funds donated by the North Canton Lions Club for the purchase of 60 trees to be planted throughout the City, and declaring the same to be an emergency.

COUNCIL PRESIDENT PETERS: Thank you, Chairman Griffith.

COUNCILMAN GRIFFITH: This allows us to not just accept the funds but to make sure they're set aside for the appropriate purpose which is important. We've already taken the picture so I's strongly recommend passage here and move its adoption.

COUNCILWOMAN KIESLING: I think that was a motion I'll second it.

LAW DIRECTOR FOX: The reason for the emergency is so they can purchase and get some of them in the ground before the season turns.

COUNCILMAN GRIFFITH: The funds are literally in hand. So we need to have authority to accept them, yes.

Roll call vote of 6 yes to adopt the first reading of Ordinance No. 58 – 2015

COUNCIL PRESIDENT PETERS: Thank you, may I have a motion and a second to suspend the rules of council for three readings for Ordinance No. 58 – 2015?

COUNCILMAN GRIFFITH: So moved.

COUNCILMAN CERRETA: Second.

Roll call vote of 6 yes to suspend the rules of council for three readings for Ordinance No. 58 – 2015.

COUNCIL PRESIDENT PETERS: Thank you, may I have a motion and a second to adopt under suspension of the rules Ordinance No. 58 – 2015?

COUNCILMAN GRIFFITH: So moved.

COUNCILWOMAN KIESLING: Second.

Roll call vote of 6 yes to adopt under suspension of the rules Ordinance No. 58 – 2015.

ORDINANCE NO. 58 – 2015 WAS PASSED BY A ROLL CALL VOTE OF 6 YES.

COUNCIL PRESIDENT PETERS: Thank you, may I have a motion and a second to read by title only the first reading of Ordinance No. 59 – 2015?

COUNCILMAN GRIFFITH: So moved.

COUNCILWOMAN KIESLING: Second.

Roll call vote of 6 yes to read by title only the first reading of Ordinance No. 59 – 2015.

14. Ordinance No. 59 – 2015 Finance and Property Committee

An ordinance authorizing the Mayor of the City of North Canton, Ohio, to enter into a settlement agreement between the City and Zablo & Sons Building Corporation regarding a dispute over the foundation and construction of a proposed building located at 840 Easthill Street SE, North Canton, which caused the City to issue a notice of violation and file a complaint in the Canton Municipal Court, case number 2015CRB01881.

COUNCIL PRESIDENT PETERS: Thank you, Chairman Griffith.

COUNCILMAN GRIFFITH: Obviously this is the agreement that we talked about last week in committee. I was out there on Saturday waived at Linda, yes, my daughter and I who commented on how terrible it looked frankly. You know she's a very bright girl obviously. So yes, but this is we talked about as far as moving forward you know being reluctant to do so. From a policy standpoint.

LAW DIRECTOR FOX: Well if I may one of the important considerations with this is given the date of the trial for the criminal action here this agreement necessitated that the city perform its portion of this obligation in the contract in advance for the time period before he would be able to resolve the issue. And the agreement was that upon the city dismissing the or requesting that the prosecutor dismiss the criminal action that Zablo and Sons would comply with the three things that we asked for. Which was to remove the wall, to grade it and to seed it. Now that's not yet been completed my understanding is that our engineer has spoken with him and the schedule right now is to begin that on Wednesday. But the important part for passing this legislation because we're a municipal body you know things take time you know they say it kind of moves like steering a battleship. It just takes longer we have to have three readings, there's 30 days before it becomes law. However, because we've already performed our portion of this we're waiting for Zablo and Sons to comply. If we don't pass this legislation and enter into this agreement then we lose a tool to compel compliance which is breach of contract. We're entering into a contract for our dismissing they've agreed that they're going to do these three things. So I'm asking council to take a look at that not necessarily the progress to date but say the progress to date when you give it your final reading. And that would be you know its third reading and approval at that time if it's not completed or if it hasn't reached you know significant compliance at that point then I think I'd be onboard with that. But I'm asking to up to this point given the opportunity to resolve that and not take away this additional tool that we've already completed our portion of it.

COUNCILWOMAN KIESLING: Does that make sense?

COUNCILWOMAN WERREN: Yeah.

COUNCILWOMAN KIESLING: And we have 2 more readings.

COUNCILMAN CERRETA: Hopefully it will be done or we won't finish the reading. Correct?

COUNCILWOMAN KIESLING: Well, in the end I think we have to finish the reading so we can take him back to court.

COUNCILMAN CERRETA: Okay.

COUNCILWOMAN KIESLING: So regardless this is our agreement with him, we have to solidify our agreement with him to be able to take it back to court because he fails to honor his side of the agreement.

COUNCILMAN FOLTZ: Let's look at this; if he doesn't have anything done I keep hearing these he's going to do it these empty promises, empty promises, pass it on emergency and just bring it right back to court. What are we messing around with it for?

COUNCILWOMAN KIESLING: Can we pass this on emergency though?

COUNCILMAN FOLTZ: Cause you know each... I understand the deal that was made unfortunately the deal was made probably should have had some parameters of time restraints in it. But unfortunately after all this time we did you know he was going to comply and I'm not blaming our law director the process I'm just saying you know we gave our word to let it go by the tenth direction and now we're sitting here waiting for him to get his act together. Which is ridiculous. So I'm at the point if he doesn't do this Wednesday another empty promise you got Wednesday, Thursday, Friday this weekend and Monday; if something doesn't happen in committee we're going to have some further discussion about pass this on emergency and hauling him right back into court or whatever tool we can use. The strongest thing we can do as a council as administration I would recommend we do it. That's my point. Hopefully that makes sense to everybody. Because we're just passing something because it's part of the agreement we made with him but he's still not doing anything. That's our aggravation.

COUNCILMAN CERRETA: Believe me this is the most we can do right now.

COUNCILMAN FOLTZ: Well, no we can pass it on emergency and then haul them back in. I don't want to sit and wait 30 days or send another letter. I mean that's ridiculous.

COUNCILWOMAN KIESLING: Why can't we do emergency? It's dealing with zoning?

COUNCILMAN FOLTZ: Let's look for another way because other communities can seem to do it.

COUNCILMAN CERRETA: I'm all in agreement with that.

COUNCILWOMAN KIESLING: We're all in agreement. Alright, well hopefully Jim you'll get his butt moving.

COUNCILMAN FOLTZ: Well, it shouldn't be anybody he should just do it.

LAW DIRECTOR FOX: What needs to be you know our engineer can speak with Mr. Zablo and I can contact his legal counsel and if he still representing him in this I believe that he would and just express the sense of urgency that council needs to see you know moving forward. And that clearly we've not seen anything you know imagine when you're thinking of well there's some tall weeds and so forth but if you're thinking of grading it pretty soon perhaps that's not an issue but indeed those weeds have been pretty tall for quite a period of time.

COUNCILWOMAN KIESLING: Well they've even looked worst though since the wall.

DIRECTOR GRIMES: Well I do believe he pulled a demo permit in the last couple of days. So... from us.

LAW DIRECTOR FOX: Yes, I believe it's on Friday the permit department issued the demolition and he has a schedule I believe the schedule is it's planned to begin Wednesday, this Wednesday. Two days from now.

ENGINEER BENEKOS: That's correct.

COUNCILMAN CERRETA: It shouldn't take but a couple days. I mean this is a job for a contractor like that.

LAW DIRECTOR FOX: That's our belief as well and I believe in in our discussions he has the same assumption. That it shouldn't take long at all.

COUNCILMAN GRIFFITH: Well there's only one way to find out.

COUNCILMAN CERRETA: Okay.

COUNCILWOMAN KIESLING: Alright.

COUNCILMAN FOLTZ: Do we need a motion to pass first reading?

COUNCILMAN CERRETA: Pass first reading and then we can discuss it on next Monday and see where we are.

COUNCILMAN FOLTZ: Motion.

COUNCILWOMAN KIESLING: Second.

Roll call vote of 6 yes to adopt the first reading of Ordinance No. 59 – 2015.

ORDINANCE NO. 59 – 2015 WAS GIVEN FIRST READING.

COUNCIL PRESIDENT PETERS: Thank you, and moving onto old business. May I have a motion and a second to read by title only the second reading of Ordinance No. 46 – 2015?

COUNCILMAN CERRETA: So moved.

COUNCILWOMAN KIESLING: Second.

Roll call vote of 6 yes to read by title only the second reading of Ordinance No. 46 – 2015.

16. Ordinance No. 46 – 2015

Water, Sewer and Rubbish Committee

An ordinance authorizing the Director of Administration of the City of North Canton to advertise and receive bids according to specifications now on file in the Director's office, and authorizing the Mayor of the City of North Canton, through the Board of Control, to enter into a contract for the Fixed Base Water Meter Project, at a total cost not to exceed \$1,074,000.

COUNCIL PRESIDENT PETERS: Thank you, Chairman Cerreta.

COUNCILMAN CERRETA: Yes, we had a presentation on this this evening. I move that we go ahead and pass it on the first reading and then get the information that we requested for some costs fix for our community here and some information. We can discuss that at our next committee meeting and then if we feel like moving forward we can pass it on emergency at our next full meeting. So I move that we go ahead and approve this on the second reading.

COUNCILWOMAN KIESLING: I'll second.

Roll call vote of 6 yes to adopt the second reading of Ordinance No. 46 – 2015.

ORDINANE NO. 46 – 2015 WAS GIVEN SECOND READING.

17. Reports – Council:

COUNCIL PRESIDENT PETERS: Alright, thank you very much. Reports, Member Werren?

COUNCILWOMAN WERREN: No report.

COUNCIL PRESIDENT PETERS: Member Kiesling?

COUNCILWOMAN KIESLING: Yeah, actually we got some good news today. Not many of us was aware of this weekend Bill Lemmon's one of his companies Brookwood Management went into the old train store on South Main. He had bought that property several months ago and so he moved some of his Brookwood Management part of his company into that building. However he also moved 6 employees from Canton so we just gained 6 employees they started today. So pretty exciting. And didn't come to us, didn't ask for any money just moved them, started working. So glad to see it.

COUNCIL PRESIDENT PETERS: Very nice, very nice.

COUNCILMAN GRIFFITH: That will improve the façade of that building dramatically.

COUNCILWOMAN KIESLING: They already have they put the signs up already and he said "look around back" Rice has dug out all kinds of cement. I only saw the front and Rice did a lot in the back. So...

COUNCIL PRESIDENT PETERS: Very nice. Member Griffith?

COUNCILMAN GRIFFITH: Two brief items. Number one, I know everyone's been clamoring for it but we got what is close to the final draft for the new tax legislation. So all of you now have 60 pages of scintillating reading if you chose to go through it. The rules will follow soon and they might actually be longer. So that's item #1. And item #2 we put the RITA discussion piece on for next week and hopefully we'll be able to talk some about that and potentially move forward. So good progress on both of those fronts.

COUNCIL PRESIDENT PETERS: Member Cerreta?

COUNCILMAN CERRETA: Well talking about trees just this week we received or last week a plaque that was actually a plaque that was donated for the trees that Dr. Thomas and Barthels put on East Maple Street. And I put it up on Sunday morning maybe it was Saturday morning. I'd like to you know find a way to get a picture of council with Dr. Thomas and Barthels to dedicate that or at least you know thank him publicly for their donation of not only trees throughout that but the putting in all the trees and everything. All the work that was done. So you'll see that's on the first pillar as you go down East Maple Street its' beautiful. I've never seen a plaque so beautiful and that was donated also. So you'll take a look. So we can talk about that when it's a good time you know Dr. Thomas has got a heart as big as you know this room. And he does he's real big on giving things that are natural like trees and so on. So I think it's very important that we do something like that. So that's all the report I have.

COUNCIL PRESIDENT PETERS: Thank you, Member Foltz?

COUNCILMAN FOLTZ: Yeah, Mike if you could put down for potholes 1547, 1552 Lupe I guess northwest. And then the unnamed alley between Pleasant and Mohler right off of Maple. I think that's a dedicated street. I think it leads back to some smaller apartment buildings. There's some potholes there. I think it's a very nice (inaudible) they've been calling just to make sure that we get it on the list. And I know we've got a lot we're trying to finish up before the snow I don't want to say that word before the colder weather comes in. And thanks for the updates on the street paving I know we're going to get there. I know we've got things to do but hope we get them all finished this year. Sooner rather than later. Alright.

18. Reports:

COUNCIL PRESIDENT PETERS: That's it? Alright, Director of Law?

LAW DIRECTOR FOX: Yes, on November 3rd this year the General Election our state voters are going to face what I think is probably the most controversial, biggest impact issue that I've seen in my lifetime. And that's Issue 3 which if passed would grant a monopoly for the commercial production and sale of marijuana for recreational and medicinal purposes. I think it goes without saying that permitting marijuana for the recreational use it perhaps goes without saying that the harm that would cause our local community and many state agencies, many communities have gotten in front of this and have either enacted legislation as resolutions opposing this or come out publicly and stating that they oppose this Issue 3 for the very purpose of using it for the recreational use. Many are stating they're not commenting on the use for medicinal purposes other than stating that it should be subject to the same research, consideration and study as any other potential medicine under the standards of the U.S. Food and Drug Administration. So I'm asking that our mayor and our council contemplate a resolution as well. Putting on the record its opposition to Issue 3. And you know I think it's important that the city be one of the forefront of the municipalities in Stark County to to come out publicly and state this and that I think others will follow suit. I know a vast amount of state agencies have already done this and a very short but significant list of state agencies that have passed similar resolutions opposing Issue 3 are: Ohio School Board Associations, the Ohio Bar Association, Buckeye Association for Schools, Administrators, the Ohio State Medical Association, the Ohio Nurses Association, the Ohio State Highway Patrol, Buckeye State Sheriffs Association, the Ohio Township Association, the County Commerce of Ohio even though Ohio Farm Bureau have passed some sort of public notice that they oppose Issue 3. And I hope that council and the mayor consider the proposed

resolution that I had passed out. And that we put this on for emergency legislation of consideration in committee next week. That's all I have.

COUNCIL PRESIDENT PETERS: Thank you, Director of Finance.

FINANCE DIRECTOR ALGER: I was looking at the website so I can tell you the City of North Canton's audit report will be released tomorrow Tuesday and we've earned the Auditor's State Award with distinction. Meaning we filed our CAFR (Comprehensive Annual Financial Report) timely, the auditor report does not contain any findings for recovery material, citation materials weaknesses, significant deficiency, single audit findings or question the cost. Like I said it's on the website and that's why I didn't answer you right away I'm sorry I just wanted to make sure that was there. And I do want to mention that's not just me that is all the employees of the city including you guys as well. So I do appreciate that cause that is my biggest goal. Thank you.

COUNCIL PRESIDENT PETERS: Well done, Karen. Director of Administration.

DIRECTOR GRIMES: Thank you, so Karen's yelling at us paid off. We appreciate that. I just want to recognize to of our managers you heard from Superintendent Jim Davis in the back and beside him is our longtime Operations Manager Brian Hill. They're both here because they do care about the trees that we're talking about and also they are in charge of the water distribution for the meter reading and that. So I appreciate them being here and listening through the course. And just to remind people starting October 3rd you can pick up your free lawn bags out at Mohler's Lumber and then unfortunately have to start collecting leaves. So... thank you, sir.

MAYOR HELD: Do we have the dates on the collection yet or are we going to...

DIRECTOR GRIMES: Collection will be the 12th through November 20th.

MAYOR HELD: Quite a bit.

COUNCIL PRESIDENT PETERS: Mr. Mayor?

MAYOR HELD: Yeah, first up Marcia thank you for that announcement 6 new jobs with Brookside Management. Every job counts every single one. And they're good solid jobs too that have been around for a number of years and now they're going to be in North Canton. And I also appreciate council preceding with the meters for the water distribution system. Because we want to make sure that we're updated on our technology. But I think once we get some input from other communities which leads me to my next point with the RITA. I went to a Mayors Association meeting and at the end of the meeting I asked them about RITA the Regional Income Tax Authority and very positive responses on that. Which is good. But they did say that there was a struggle with the transition in the first year. It did not go without problems. Ad so hopefully we can learn from that and so as we're considering the Regional Income Tax Authority and then also with the new devices for the water treatment plant we can go about that in the same way just ask the other communities that have been through this in the past three years. And it certainly does give you a much better comfort level when you know you're making a big decision like that. And since it was brought up you know opposition to Issue 3 I would strongly urge the council I certainly am in opposition to the Issue 3 which is the legalization of marijuana for two reasons. Number one, the people who put this on the ballot they want a monopoly for themselves. Which I would be opposed to any item being put on the ballot for a monopoly. And the second item is the second reason is because there's a lot of unintended consequences that we really haven't thought of. I'm sure that there's a number of good things that could come from that. I don't want to say a number but I'm sure you could identify a few of those but I'm confident that this has not been well vetted and I think the unintended consequences of the legalization of marijuana in the State of Ohio passing would be far greater harm to the State of Ohio than any benefits that would be proposed. And once again regardless of where you stand on it there is no reason for any group of individuals to have a monopoly on any product that is being sold in the State of Ohio. So I certainly would support council if they decided to take a position on that.

COUNCIL PRESIDENT PETERS: Mr. Engineer?

ENGINEER BENEKOS: Sure, two items. On the meters thanks for enduring that and I appreciate the comments we'll get some names and numbers for Mr. Cerreta to be able to call other communities. And see what they have to say with their pluses and minuses might be with the program. Also Bob and Karen will get together put together some numbers hard numbers for you based on our costs and see what the savings are. Hopefully they'll get that to you by Friday so you have the weekend to look over. But that will depend on Bob and Karen's schedule. I know bob will be contacting Karen tomorrow on that. And then yeah we've been toying with this not toying but working with this for three years, so we want council to be comfortable with that. And you know because you know we're working through it and all those questions and we might be comfortable with it and you're just getting presented with it. And I apologize if we're trying to rush it through and if it feels that. So we do want you to be comfortable with it and until you are we don't expect you to proceed with that. So I don't want you to feel like we need to do it you know in a certain timeframe. So I apologize for that. The other thing the list of streets I just found out today there might be well there is additional CDBG funding. We have 7th Street on for next year, Woodrow is in that area, Woodrow is on our list to complete this year. We want to look into that a little bit further if we feel we have a good chance in getting Woodrow CDBG funds for Woodrow we're going to pull Woodrow from this year's program and apply for CDBG funding. Hopefully get maybe 60% to 70% of that funded through those funds. So Woodrow may or may not get done this year based on that. And I'll let you know if you have any thoughts on that let me know. But that's...

COUNCILMAN GRIFFITH: I might but that's alright. If we can CDBG we absolutely should I think that wise.

COUNCILMAN FOLTZ: What you're saying it's supposed to be done from Warstler East to Main Street. You're saying you can maybe do the whole street.

ENGINEER BENEKOS: We might be able to do the whole street...

COUNCILMAN FOLTZ: Or do more of it or find funding that we can free up other money for other streets.

ENGINEER BENEKOS: Correct, correct.

MAYOR HELD: You're talking about the matching.

ENGINEER BENEKOS: Well the CDBG will fund 70% to 80% of that.

MAYOR HELD: Right, right.

ENGINEER BENEKOS: Okay and that's it, thank you.

-COUNCIL PRESIDENT PETERS: Thank you. Madame Clerk?

COUNCIL CLERK BAILEY: The only thing I have is last Thursday I held a Sergeant's promotional exam and 6 candidates tested for it. So that's it.

COUNCIL PRESIDENT PETERS: Outstanding, okay, at this time I'll entertain a motion to adjourn into executive session this will be for the purpose of conferring with the city law director concerning disputes involving the city that are the subject of pending or imminent court action. The executive session will not be open to the public. Is there a motion and a second?

COUNCILMAN FOLTZ: So moved.

COUNCILMAN CERRETA: Second.

Roll call vote of 6 yes to move into executive session.

COUNCIL PRESIDENT PETERS: Okay, motion to adjourn out of executive session.

COUNCILMAN FOLTZ: So moved.

COUNCILMAN CERRETA: Second.

Roll call vote of 6 yes to adjourn executive session and return to the council meeting.

COUNCIL PRESIDENT PETERS: Let the record state no action was taken and with that a final call for new business.

20. Final Call for New Business:

21. Adjourn:

COUNCIL PRESIDENT PETERS: Seeing none I will entertain a motion to adjourn.

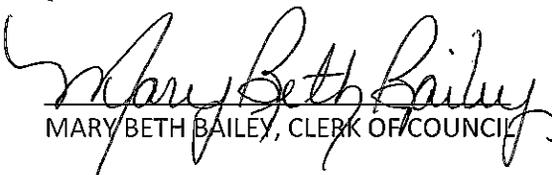
COUNCILMAN FOLTZ: Motion to adjourn.

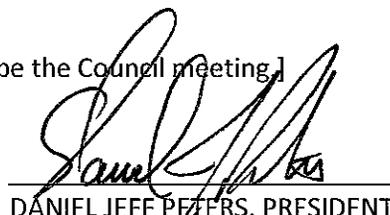
COUNCILWOMAN KIESLING: Second.

Roll call vote of 6 yes to adjourn.

COUNCIL PRESIDENT PETERS: We are adjourned.

[Let the record reflect Charles Osborne set up a tripod and appeared to videotape the Council meeting.]


MARY BETH BAILEY, CLERK OF COUNCIL


DANIEL JEFF PETERS, PRESIDENT