

# RECORD OF PROCEEDINGS

Minutes of

COUNCIL OF THE CITY OF NORTH CANTON

SPECIAL

Meeting

DAYTON LEGAL BLANK, INC., FORM NO. 10148

Held Monday, April 19, 6:45 p.m. 20 04

## CALL TO ORDER

The Special Council Meeting was called to order Monday, April 19, 2004 at 6:45 p.m. by President of Council Snyder.

Mr. Snyder: May I have a motion to excuse Member Foltz?

Mrs. Kiesling moved and Mr. Lane seconded to excuse the absence of Member Foltz. All members present voting:

Yes: Kiesling, Lane, Lindower, Peters, Sarbach and Snyder.

Mr. Snyder: Madam Clerk, can you call the roll please?

## ROLL CALL

1. The following members of council responded to roll call: Lane, Lindower, Peters, Sarbach, Snyder and Kiesling. Also present were: Mayor Rice, Director of Administration Miller, Director of Law Pusateri, Director of Finance Herr, City Engineer Benekos and Clerk of Council Bittle.

Mr. Snyder: Thank you. May I have a motion to read by title only, second reading of Ordinance No. 56-04?

2. Mrs. Kiesling moved and Mr. Peters seconded to **read by title only, second reading** of Ordinance No. 56-04. All members present voting:  
Yes: Lindower, Peters, Sarbach, Snyder, Kiesling and Lane.  
No: 0

Mr. Snyder: Mr. Law Director, before you read that I have a question.

Mrs. Kiesling: Yea, we can ...inaudible...

Mr. Snyder: I think we'd like to pass that on emergency.

Mrs. Kiesling: Right.

Mr. Snyder: Do we have to amend that prior to reading?

Mr. Pusateri: Yes. Inaudible... it's not here on emergency, yea.

Mr. Snyder: Yes.

Mrs. Kiesling: Right.

Mr. Pusateri: As amended...

Mr. Snyder: Okay.

Mr. Lane: Yea, I think all three ...

Mrs. Bittle: Actually...

Mr. Lane: of these were supposed to be an emergency...

Mr. Snyder: Yes.

Mr. Lane: And that's why we're having ...

Mr. Snyder: Exactly. May I have a motion to amend Ordinance 56-04?

Mrs. Bittle: I think...

Mr. Pusateri: Mary Louise has a point.

Mrs. Bittle: I think we need to read it and then amend it.

Mr. Snyder: Amend it, okay.

Mrs. Bittle: And then vote on it as amended.

Mr. Pusateri: Read the...

Mrs. Bittle: Read it as it is...

Mr. Snyder: Read it as it's published.

Mr. Pusateri: Alright.

## Ordinance No. 56-04 - Second Reading

Ordinance No. 56-04 amending Ordinance No. 22-99 by the creation of the Valley View Community Reinvestment Area in the City of North Canton.

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Mr. Snyder: Now may I have a motion to amend Ordinance 56-04 to include an emergency provision?

Mr. Sarbach: What was it...

Mrs. Kiesling: So moved.

Mr. Snyder: What was it about or why the emergency or what was inaudible ...

Mr. Sarbach: Yea, I'll wait for a second and then I'll ask them to discuss it.

Mr. Snyder: Alright.

Mr. Peters: I'll second.

Mr. Sarbach: What's the reasoning for the emergency?

Mr. Snyder: That is a new area down there. The Director of Administration has drawn out a map and I apologize you might not of received that...

Mr. Sarbach: I have seen it, yes.

Mr. Snyder: But the administration does have some movement there from some people that need it sooner than later. And it was originally thought it was in the...

Mrs. Kiesling: Enterprise Zone.

Mr. Snyder: Enterprise Zone. But Enterprise Zone does not allow any form of retail, so it has to be in a CRA. So we've - they've asked that it be fast tracked because this goes to the Department of Development and it's going to take some time so we're trying to shorten the period.

Mr. Lane: There was also that article in the Rep, was it yesterday or the last few days, that talked about that area and the need to start housing that hasn't been built in 25 years or something...

Mr. Miller: Well that's the state legislature the law requires you look at housing. However, when you're looking at housing and you deal with housing you also end up with a secondary benefit the business and it ends up being a good blend because the original Valley View subdivision hasn't had a new house built in it since 1965. There's nine vacant lots there or eleven vacant lots in the original subdivision. And this is basically Portage and Pittsburg to the corporate limits north and west. That's basically the area that it encompasses and also goes across the street, old Valley View Supply, which is Bair's Tractor and Ernie's Cycle and the duplex on the other side of it. So it's an area that we identified in looking at the business that wants to come into that area and also looking at the housing and making sure we had the requirements met of the Ohio Revised Code.

Mr. Sarbach: Mainly, the only concern I had was this was discussed by a previous council until we move on this it didn't seem to be a big hurry and now it's an emergency and I take it that you've taken the bull by the horns and are moving forward ...

Mr. Miller: Yes.

Mr. Sarbach: and see some reason to do...

Mr. Miller: Yes.

Mr. Sarbach: that based on people needing - I'll support that.

Mr. Snyder: Any other questions? May I have motion to adopt the second reading of Ordinance No. 56-04 as amended? Mam.

Mrs. Bittle: We didn't have the vote on the emergency.

Mr. Snyder: Oh, I apologize.

Mrs. Bittle: We had a motion and a second.

Mr. Snyder: Call the roll please.

All members present voting:

Yes: Peters, Sarbach, Snyder, Kiesling, Lane and Lindower.

No: 0

Mr. Sarbach moved and Mr. Peters seconded to **adopt the second reading, as amended**, of Ordinance No. 56-04. All members present voting:

Yes: Sarbach, Snyder, Kiesling, Lane, Lindower and Peters.

No: 0

Mr. Sarbach moved and Mrs. Kiesling seconded to **suspend the rules, as amended**, for Ordinance No. 56-04. All members present voting:

Yes: Snyder, Kiesling, Lane, Lindower, Peters and Sarbach.

No: 0

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Mr. Peters moved and Mrs. Kiesling seconded to adopt under suspension of the rules, as amended, Ordinance No. 56-04. All members present voting: Yes: Kiesling, Lane, Lindower, Peters, Sarbach and Snyder. No: 0

Mr. Snyder: Thank you.

- 3. Mrs. Kiesling moved and Mr. Peters seconded to read by title only, second reading of Ordinance No. 60-04. All members present voting: Yes: Lane, Lindower, Peters, Sarbach, Snyder and Kiesling. No: 0

Ordinance No. 60-04 - Second Reading

An ordinance authorizing the Mayor of the City of North Canton through the Board of Control, to enter a professional service agreement for the design of the 9th Street/Orchard/Overland Project.

Mr. Snyder: May I have a motion to amend Ordinance No. 60-04 to include an emergency clause?

Mr. Lane moved and Mrs. Kiesling seconded to amend Ordinance No. 60-04 to include an emergency clause. All members present voting: Yes: Lane, Lindower, Peters, Sarbach, Snyder and Kiesling. No: 0

Mr. Snyder: That would be Chairman Lane. Is there any comments ...inaudible...

Mr. Lane: This is just a little housekeeping. Because of our lack of an emergency quorum we wanted to get this project bid and underway and that's the reason behind it. This is Mr. Fano's area up in there and we had quite a discussion on that a few weeks back. So...

Mr. Snyder: Alright sir. May I have a motion to adopt the second reading of Ordinance No. 60-04.

Mr. Sarbach moved and Mrs. Kiesling seconded to adopt the second reading (as amended) of Ordinance No. 60-04.

Mrs. Bittle: As amended? Mr. Snyder: As amended, yes mam.

All members present voting: Yes: Lindower, Peters, Sarbach, Snyder, Kiesling and Lane. No: 0

Mr. Lane moved and Mr. Sarbach seconded to suspend the rules, as amended, for Ordinance No. 60-04. All members present voting: Yes: Peters, Sarbach, Snyder, Kiesling, Lane and Lindower. No: 0

Mr. Peters moved and Mr. Lane seconded to adopt under suspension, as amended, Ordinance No. 60-04. All members present voting: Yes: Sarbach, Snyder, Kiesling, Lane, Lindower and Peters. No: 0

- 4. Mr. Lane moved and Mrs. Kiesling seconded to read by title only, second reading of Ordinance No. 61-04. All members present voting: Yes: Snyder, Kiesling, Lane, Lindower, Peters and Sarbach. No: 0

Ordinance No. 61-04 - Second Reading

An ordinance authorizing the Mayor of the City of North Canton, through the Board of Control, to enter into a professional service agreement for the design of the Landsdowne Subdivision Rehab project.

Mr. Snyder: Chairman - May I have a motion to amend Ordinance No. 61-04 to include an emergency?

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Mr. Lane moved and Mrs. Kiesling seconded to **amend** Ordinance No. 61-04 to include an emergency clause. All members present voting:  
Yes: Kiesling, Lane, Lindower, Peters, Sarbach and Snyder.  
No: 0

Mr. Snyder: Oh excuse me...

Mrs. Kiesling: It's your turn.

Mr. Snyder: Chairman Lane. I'm standing here...

Mrs. Kiesling: Hello...

Mr. Lane: I was waiting for my official invitation. I can't do anything without being ...

Mr. Pusateri: Inaudible... It's hot in here.

Mr. Lane: anointed. Yea, he's - loosen your tie.

Mr. Snyder: I was thinking about going swimming.

Mr. Lane: This again is a little bit of a housekeeping thing here. We're trying to speed along this process. We did have an emergency situation a few weeks ago so we'd like to at least skip the third reading and get this thing underway.

Mr. Snyder: Thank you.

Mr. Lane moved and Mrs. Kiesling seconded to **adopt the second reading, as amended,** of Ordinance No. 61-04. All members present voting:  
Yes: Lane, Lindower, Peters, Sarbach, Snyder and Kiesling.  
No: 0

Mr. Peters moved and Mrs. Kiesling seconded to **suspend the rules, as amended,** for Ordinance No. 61-04. All members present voting:  
Yes: Lindower, Peters, Sarbach, Snyder, Kiesling and Lane.  
No: 0

Mr. Lane moved and Mr. Peters seconded to **adopt under suspension of the rules, as amended,** Ordinance No. 61-04. All members present voting:  
Yes: Peters, Sarbach, Snyder, Kiesling, Lane and Lindower.  
No: 0

ADJOURN:

Mr. Snyder: There be no further business that can be conducted under a special meeting I'll entertain a motion to adjourn.

Mr. Sarbach moved and Mrs. Kiesling seconded to adjourn the special council meeting. All members present voting:  
Yes: Sarbach, Snyder, Kiesling, Lane, Lindower and Peters.  
No: 0

The special meeting adjourned at 6:57 p.m.

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PRESIDENT OF COUNCIL

ATTEST:

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CLERK OF COUNCIL