

RECORD OF PROCEEDINGS

Minutes of

COUNCIL OF THE CITY OF NORTH CANTON

REGULAR

Meeting

DAYTON LEGAL BLANK, INC., FORM NO. 10148

Held Monday, December 10, 7:00 p.m., 2001
(YEAR)

CALL TO ORDER.

1. The council meeting was called to order at 7:00 p.m. by President of Council Jon Snyder.
2. The opening prayer was delivered by Rev. Tom Douce, Interfaith Campus Ministry.
3. All present recited the Pledge of Allegiance.

ROLL CALL:

4. The following members of council responded to roll call: Foltz, Kiesling, Lindower, Magel, McLaughlin, Osborne and Snyder. Also present were: Mayor Rice, Director of Administration Boyajian, Director of Law Batista, Director of Finance Herr, City Engineer Benekos and Clerk of Council Bittle. Director of Administration in Training David Held was present in the audience.
5. Consideration

Minutes of the Council Meeting: 11/26/01
 Minutes of the Organizational Meeting: 12/1/01
 Minutes of the Special Council Meeting: 12/3/01

Mr. McLaughlin moved and Mr. Foltz seconded to accept the minutes of the council meeting, organizational meeting and special council meeting as presented. All members present voting:
 Yes: Kiesling, Lindower, Magel, McLaughlin, Osborne, Snyder and Foltz.
 No: 0

6. Committee Reports

Committee of the Whole (Personnel & Safety): Refer to the minutes on file in the Council Office of the Committee of the Whole meeting held November 26, 2001.

Committee of the Whole (Finance & Property; Personnel & Safety; Street & Alley and Water, Sewer & Rubbish): Refer to the minutes on file in the Council Office of the Committee of the Whole meeting held December 3, 2001.

Mr. Osborne moved and Mr. Foltz seconded to accept the Committee of the Whole minutes as presented. All members present voting:
 Yes: Lindower, Magel, McLaughlin, Osborne, Snyder, Foltz and Kiesling.
 No: 0

7. Recognition of Visitors:

Mr. Snyder: Is there anyone in the audience wishing to speak before the Council this evening? If so step forward, state your name and address for the record. Alright, seeing none.

OLD BUSINESS:

Mr. Snyder: May I have a motion to remove from the table Ordinance No. 127-01?

Mr. McLaughlin moved and Mrs. Magel seconded to **remove from the table** Ordinance No. 127-01. All members present voting:
 Yes: Magel, McLaughlin, Osborne, Snyder, Foltz, Kiesling and Lindower.
 No: 0

8. Mrs. Magel moved and Mr. McLaughlin seconded to **read by title only, third reading** of Ordinance No. 127-01. All members present voting:
 Yes: McLaughlin, Osborne, Snyder, Foltz, Kiesling, Lindower and Magel.
 No: 0

Ordinance No. 127-01 - Third Reading

An ordinance authorizing the Mayor of the City of North Canton, through the Board of Control, to enter into an agreement by between the City of North Canton, Ohio, ("City") and the Township of Plain, Ohio, ("Plain Township") to provide for the installation of a waterline of approximately 1300 feet of 8" water main and appurtenances extending from the cul-de-sac on Whitewood Street to Lydford and Carlton Streets and declaring the same to be an emergency.

RECORD OF PROCEEDINGS

Minutes of COUNCIL OF THE CITY OF NORTH CANTON REGULAR

Meeting

DAYTON LEGAL BLANK, INC., FORM NO. 10148

Held Monday, December 10, 7:00 p.m., 2001
(YEAR)

Mr. Batista: We need a motion to amend that ordinance. I've made some changes I think which were -- you did give a red-lined copy to the Council?

Mrs. Bittle: Bold - it was in bold.

Mr. Batista: Oh okay, bold line changes. So I'd like to have a motion to amend the ordinance per...

Mr. Osborne: Do you have that?

Mr. Snyder: Well, Mrs. Magel has a question. May I ask for a motion to amend then I'll consider a discussion?

Mr. McLaughlin moved and Mrs. Kiesling seconded to amend Ordinance No. 127-01. All members present voting:

Yes: Osborne, Snyder, Foltz, Kiesling, Lindower, Magel and McLaughlin.

No: 0

Mr. Snyder: Mrs. Magel you have a question?

Mrs. Magel: Yea, it's a two part question. Number one, there's not actually an amount of money. Is there determination of the amount?

Mr. Batista: No, we're not paying anything.

Mrs. Magel: Right, well I understand that. But it says the City shall be reimbursed by Plain Township for all costs. When and is that immediate?

Mr. Snyder: I think the...

Mr. Batista: I think it's...inaudible...

Mr. Snyder: projected cost is like \$40,000.00.

Mr. Batista: Yea.

Mr. Snyder: Am I correct on that Mayor?

Mayor Rice: I'm not sure what the projected cost is. Jim, do you know?

Mr. Benekos: I...inaudible...

Mayor Rice: I was thinking it was more than that.

Mr. Snyder: Possibly. I...

Mayor Rice: Last time I looked I thought it was...

Mr. Benekos: Inaudible...it's near 75,000.

Mr. Snyder: Oh, is it that much?

Mayor Rice: I was going to say I think it's more 75, 80.

Mr. Batista: And I think the timing of the reimbursements is in the contract.

Mrs. Magel: Is where?

Mr. Batista: In the contract. I don't have a copy of it with me, but there is. What we're doing is we're going to be sending a draft contract to Plain Township as I indicated at the last council meeting. And that if there are significant changes in the contract I'll hold up the signing of the contract until we get back after the first of the year.

Mrs. Magel: Well is it your understanding to be like immediate or a year from now or months from now?

Mr. Batista: I don't have -- well, I think it's -- again I do not have the contract in front me, but I think it's intended that we are going to put it out for bid. And quite frankly, I think we're going to be looking for Plain Township to provide monies to pay for the contract.

Mrs. Magel: Okay.

Mr. Batista: I mean I don't think we intend to advance and then be reimbursed. I think...

Mr. Benekos: I think we do advance - we do make the payment and then we submit an invoice

Mr. Batista: Yea.

Mr. Benekos: and they pay us I think it's 30 days after the invoice is submitted they have to pay it.

Mr. Batista: Is that what the contract provided? Okay.

Mrs. Magel: Oh that's fine, one month. Okay.

Mr. Snyder: Is there any further discussion on that?

Mr. Osborne: We get any interest on that money?

Mr. Snyder: I don't think. That's normal - that's a normal billing cycle, I think 30 to 45 days...

Mayor Rice: No.

Mr. Snyder: is a normal billing cycle.

RECORD OF PROCEEDINGS

Minutes of

COUNCIL OF THE CITY OF NORTH CANTON

REGULAR

Meeting

DAYTON LEGAL BLANK, INC., FORM NO. 10148

Held

Monday, December 10, 7:00 p.m.

2001

(YEAR)

Mayor Rice: As you know, these are waterlines that are going to become part of our water system that the Plain Township is paying for.

Mr. Osborne: Okay.

Mayor Rice: In that development. So...

Mr. McLaughlin: And we will be responsible for the upkeep and everything else from there on.

Mayor Rice: It's a very good cooperative -- yea, it's just like any other waterline extension would be Rick, that's correct. It's a very good arrangement, cooperative effort between the City and Plain Township that we would be glad to do more of.

Mrs. Kiesling: Yea, if we had...inaudible...

Mr. Snyder: Yea. If there's no other discussion...

Mr. McLaughlin moved and Mr. Foltz seconded to **adopt the third reading, as amended**, of Ordinance No. 127-01. All members present voting:

Yes: Snyder, Foltz, Kiesling, Lindower, Magel, McLaughlin and Osborne.

No: 0

Mr. Snyder: We passing this on emergency or it passes automatically because there's...

Mr. Batista: Yea, it has an emergency clause in it.

Mr. Snyder: So I'll pass it as an emergency?

Mr. Batista: Yea.

Mr. McLaughlin moved and Mr. Osborne seconded to **suspend the rules** for Ordinance No. 127-01. All members present voting:

Yes: Foltz, Kiesling, Lindower, Magel, McLaughlin, Osborne and Snyder.

No: 0

Mr. McLaughlin moved and Mrs. Kiesling seconded to **adopt under suspension of the rules** Ordinance No. 127-01. All members present voting:

Yes: Kiesling, Lindower, Magel, McLaughlin, Osborne, Snyder and Foltz.

No: 0

Mr. Snyder: May I have a motion to remove from the table Ordinance No. 128-01?

Mr. McLaughlin moved and Mr. Osborne seconded to **remove from the table** Ordinance No. 128-01. All members present voting:

Yes: Lindower, Magel, McLaughlin, Osborne, Snyder, Foltz and Kiesling.

No: 0

9. Mr. McLaughlin moved and Mrs. Magel seconded to **read by title only, third reading** of Ordinance No. 128-01. All members present voting:

Yes: Magel, McLaughlin, Osborne, Snyder, Foltz, Kiesling and Lindower.

No: 0

Ordinance No. 128-01 - Third Reading

An ordinance authorizing the Board of Control of the City of North Canton, through the Director of Administration, to advertise and receive bids according to specifications now on file in the office of the Director of Administration for the Whitewood Street Waterline Extension Project and declaring the same to be an emergency.

Mr. Snyder: Now that's the companion legislation to the first piece to allow them to extend that waterline the township is paying for. Is there any further discussion on that or question?

Mr. McLaughlin moved and Mrs. Magel seconded to **adopt the third reading** of Ordinance No. 128-01. All members present voting:

Yes: Magel, McLaughlin, Osborne, Snyder, Foltz, Kiesling and Lindower.

No: 0

Mr. McLaughlin moved and Mr. Osborne seconded to **suspend the rules** for Ordinance No. 128-01. All members present voting:

Yes: McLaughlin, Osborne, Snyder, Foltz, Kiesling, Lindower and Magel.

No: 0

Mr. Snyder: May - excuse me...

Mr. Batista: May I regress just a little bit...

Mr. Snyder: Sure.

RECORD OF PROCEEDINGS

Minutes of COUNCIL OF THE CITY OF NORTH CANTON REGULAR

Meeting

DAYTON LEGAL BLANK, INC., FORM NO. 10148

Held Monday, December 10, 7:00 p.m., 2001
(YEAR)

Mr. Batista: I shouldn't - I think - did we include a copy of the contract in the council packets this week?

Mrs. Bittle: It was in with the Council of the Whole packet.

Mr. Batista: A week ago?

Mrs. Bittle: A week ago.

Mr. Snyder: A week ago.

Mr. Batista: Alright. Anybody got any questions about the contract or am I free to send it to Plain Township for their review? Okay.

Mr. Snyder: Okay, that's good.

Mr. McLaughlin moved and Mr. Osborne seconded to **adopt under suspend the rules** Ordinance No. 128-01. All members present voting:

Yes: Osborne, Snyder, Foltz, Kiesling, Lindower, Magel and McLaughlin.

No: 0

10. Mr. McLaughlin moved and Mrs. Magel seconded to **read by title only, second reading of** Ordinance No. 134-01. All members present voting:

Yes: Snyder, Foltz, Kiesling, Lindower, Magel, McLaughlin and Osborne.

No: 0

Ordinance No. 134-01 - Second Reading

An ordinance authorizing the extension of an eight (8") inch waterline for a distance of approximately 2,257 linear feet to Saint James Place No. 7, located in part of the N.E., N.W., S.E. and S.W. Quarter of Section 32, Township 12 (Lake Township), Range 8 of the Congress Lands north of the Old Seven Ranges, Stark County, Ohio, in accordance with plans and specifications approved by the North Canton City Engineer.

Mr. Snyder: And again that's -- as we know that's St. James No. 7. We just completed 6 and starting on 7. So is there additional discussion?

Mr. Osborne: Is this a single lot or...

Mr. Snyder: No, those are - that's an actual allotment. There's - I don't how many of them - they keep moving north up here.

Mr. Osborne: Okay.

Mr. Snyder: There again, those rates are two and one half times inside rate.

Mr. Osborne: I was just curious how many lots there are in that No. 7.

Mr. Snyder: There are normally about 125 to 130 lots per opening I think.

Mr. Benekos: I don't recall. In the request for the extension it does have the number of units in this allotment. And that should of been in your packet last week.

Mr. McLaughlin: I don't know why but somehow 54 keeps ringing a bell for some reason.

Mr. Batista: That sounds more likely.

Mr. McLaughlin: 54 units or 54...

Mr. Snyder: They that small?

Mr. Batista: Yea. Inaudible...those are big lots.

Mr. Snyder: Big lots.

Mrs. Kiesling: Yea, big lots - big lots.

Mr. Batista: About one-third of an acre.

Mayor Rice: I don't remember.

Mr. Foltz: That's 180 in my ward, but it's 54 up there.

Mrs. Kiesling: Right, exactly.

Mr. McLaughlin: No more street and alley money.

Mr. Benekos: Just says the estimated water demand average 33,200 gallons per day.

Unidentified: I read someplace 54...

Mr. Osborne: Do you recall how many were in the previous Lot 6?

Mr. Benekos: No I do not.

Mr. Snyder: He'll find that out for you.

Mr. Osborne: Okay.

Mr. McLaughlin moved and Mr. Osborne seconded to **adopt the second reading of** Ordinance No. 134-01. All members present voting:

Yes: Foltz, Kiesling, Lindower, Magel, McLaughlin, Osborne and Snyder.

No: 0

RECORD OF PROCEEDINGS

Minutes of

COUNCIL OF THE CITY OF NORTH CANTON

REGULAR

Meeting

DAYTON LEGAL BLANK, INC. FORM NO. 10148

Held

Monday, December 10,

7:00 p.m.

2001

(YEAR)

Mr. Batista: I've got a question for the Engineer.

Mr. Benekos: Yes.

Mr. Batista: In St. Ives, when we started getting up into some of the high numbers of the expansions, we had a water pressure problem.

Mr. Benekos: Yes.

Mr. Batista: You monitoring that?

Mr. Benekos: Yes.

Mr. Batista: Okay.

Mr. Snyder: Okay.

NEW BUSINESS:

- 11. Mr. McLaughlin moved and Mrs. Kiesling seconded to **read by title only, first reading** of Ordinance No. 141-01. All members present voting:
Yes: Kiesling, Lindower, Magel, McLaughlin, Osborne, Snyder and Foltz.
No: 0

Ordinance No. 141-01 - First Reading

An ordinance authorizing the transfer of funds of the City of North Canton, Ohio, from the General Fund to the Street Construction Maintenance and Repair Fund in the amount of \$100,000.00 for the current expenses during the fiscal year ending December 31, 2001 and declaring the same to be an emergency.

Mr. Snyder: As you know our fund came a little short due to the undivided government funds and we appropriated \$100,000.00. If there's no discussion...

Mr. McLaughlin moved and Mrs. Magel seconded to **adopt the first reading** of Ordinance No. 141-01. All members present voting:

Yes: Lindower, Magel, McLaughlin, Osborne, Snyder, Foltz and Kiesling.

No: 0

Mr. Osborne moved and Mr. McLaughlin seconded to **suspend the rules** for Ordinance No. 141-01. All members present voting:

Yes: Magel, McLaughlin, Osborne, Snyder, Foltz, Kiesling and Lindower.

No: 0

Mr. McLaughlin moved and Mr. Osborne seconded to **adopt under suspension of the rules** Ordinance No. 141-01. All members present voting:

Yes: McLaughlin, Osborne, Snyder, Foltz, Kiesling, Lindower and Magel.

No: 0

- 12. Mr. McLaughlin moved and Mrs. Kiesling seconded to **read by title only, first reading** of Ordinance No. 142-01. All members present voting:
Yes: Osborne, Snyder, Foltz, Kiesling, Lindower, Magel and McLaughlin.
No: 0

Ordinance No. 142-01 - First Reading

An ordinance authorizing the Mayor of the City of North Canton, through the Board of Control, to enter into a professional service agreement of Phase II of the Source Control Interim Action (SCIA) program for the Dressler Road Well Field, at a cost not to exceed \$252,500.00 and declaring the same to be an emergency.

Mr. Snyder: As you're all aware we spoke last week regarding the remediation of Dressler and it could be on the low side of 50 or on the high side 252,500. Is there any discussion on that? If not...

Mr. Osborne moved and Mr. McLaughlin seconded to **adopt the first reading** of Ordinance No. 142-01. All members present voting:

Yes: Snyder, Foltz, Kiesling, Lindower, Magel, McLaughlin and Osborne.

No: 0

Mr. McLaughlin moved and Mr. Osborne seconded to **suspend the rules** for Ordinance No. 142-01. All members present voting:

Yes: Foltz, Kiesling, Lindower, Magel, McLaughlin, Osborne and Snyder.

No: 0

Mr. McLaughlin moved and Mrs. Magel seconded to **adopt under suspension of the rules** Ordinance No. 142-01. All members present voting:

Yes: Kiesling, Lindower, Magel, McLaughlin, Osborne, Snyder and Foltz.

No: 0

RECORD OF PROCEEDINGS

Minutes of COUNCIL OF THE CITY OF NORTH CANTON REGULAR

Meeting

DAYTON LEGAL BLANK, INC., FORM NO. 10148

Held Monday, December 10, 7:00 p.m., 2001
(YEAR)

13. Mr. McLaughlin moved and Mrs. Magel seconded to **read by title only, first reading** of Ordinance No. 143-01. All members present voting:
Yes: Lindower, Magel, McLaughlin, Osborne, Snyder, Foltz and Kiesling.
No: 0

Ordinance No. 143-01 - First Reading

An ordinance authorizing the Mayor of the City of North Canton, Ohio, to enter into an Agreement by and between the City of North Canton and the County of Stark, by its Board of County Commissioners, to provide a credit to North Canton for use of its sanitary sewer lines for flow generated by County Customers and declaring the same to be an emergency.

Mr. Snyder: This again is similar to the one we entered some time ago. And they'll continue to give us a credit towards our monthly billing at the sewer. Is there any further discussion on Ordinance 143-01? If not...

Mr. Osborne: So moved.

Mr. Snyder: Thank you.

Mr. Osborne moved and Mr. McLaughlin seconded to **adopt the first reading** of Ordinance No. 143-01. All members present voting:
Yes: Magel, McLaughlin, Osborne, Snyder, Foltz, Kiesling and Lindower.
No: 0

Mr. McLaughlin moved and Mr. Foltz seconded to **suspend the rules** for Ordinance No. 143-01. All members present voting:
Yes: McLaughlin, Osborne, Snyder, Foltz, Kiesling, Lindower and Magel.
No: 0

Mr. McLaughlin moved and Mrs. Magel seconded to **adopt under suspension of the rules** Ordinance No. 143-01. All members present voting:
Yes: Osborne, Snyder, Foltz, Kiesling, Lindower, Magel and McLaughlin.
No: 0

14. Mr. McLaughlin moved and Mrs. Magel seconded to **read by title only, first reading** of Ordinance No. 144-01. All members present voting:
Yes: Snyder, Foltz, Kiesling, Lindower, Magel, McLaughlin and Osborne.
No: 0

Ordinance No. 144-01 - First Reading

Ordinance No. 144-01, amending Ordinance No. 45-99, as amended, to provide an increase in the hourly rate of pay for safety forces classifications and to provide for an increase in the uniform allowance for Dispatcher C and Special Patrolman positions, and declaring the same to be an emergency.

Mr. Snyder: That also, I believe, the crossing guards are in that.

Mr. Lindower: Yea, that should be included there also.

Mr. Snyder: Yea. Are they not included in that?

Mr. Lindower: It's...

Mr. Boyajian: They should be in the legislation.

Mr. McLaughlin: It is in the legislation.

Mr. Lindower: It should - it is, but it's not in the ordinance on the front page here.

Mr. Snyder: Okay. And you know like I believe it was what 10 percent...

Mr. Lindower: \$10.00 an hour.

Mr. McLaughlin: \$10.00, yea.

Mr. Snyder: \$10.00 and 10.5 to companion the rest of forces.

Mr. McLaughlin: Should we make a motion to include the...

Mr. Snyder: Is it in the actual ordinance?

Mr. Batista: Yea.

Mayor Rice: Yea.

Mrs. Magel: Yea.

Mr. Osborne: Yes, it's in there.

Mr. McLaughlin: I didn't know if you wanted to put it in the title or not.

Mr. Lindower: Yea, that's what I thought too.

RECORD OF PROCEEDINGS

Minutes of

COUNCIL OF THE CITY OF NORTH CANTON

REGULAR

Meeting

DAYTON LEGAL BLANK, INC., FORM NO. 10148

Held

Monday, December 10, 7:00 p.m.

2001

(YEAR)

Mr. Snyder: You want to amend the title?
 Mayor Rice: I think they're lumped in there under safety forces aren't they?
 Mrs. Kiesling: Safety forces...inaudible...
 Mr. McLaughlin: Okay. I just thought - okay.
 Mr. Snyder: Okay, okay.
 Mayor Rice: It's part of the safety forces.
 Mr. McLaughlin: Okay, sure, it's fine. It is part of the ordinance, I just wanted to make sure.
 Mayor Rice: Yea.

Mr. Snyder: Alright...

Mr. Osborne moved and Mr. McLaughlin seconded to **adopt the first reading** of Ordinance No. 144-01. All members present voting:
 Yes: Foltz, Kiesling, Lindower, Magel, McLaughlin, Osborne and Snyder.
 No: 0

Mr. McLaughlin moved and Mrs. Kiesling seconded to **suspend the rules** for Ordinance No. 144-01. All members present voting:
 Yes: Kiesling, Lindower, Magel, McLaughlin, Osborne, Snyder and Foltz.
 No: 0

Mr. McLaughlin moved and Mrs. Kiesling seconded to **adopt under suspension of the rules** Ordinance No. 144-01. All members present voting:
 Yes: Lindower, Magel, McLaughlin, Osborne, Snyder, Foltz and Kiesling.
 No: 0

Mr. Snyder: May I have a motion to adopt under -- did we do that one yet or no? Under suspension of the rules Ordinance No. 144-01.
 Mrs. Bittle: No we just did that one.
 Mr. Snyder: Oh did we do that one?
 Mr. McLaughlin: We just did that.
 Mr. Snyder: I apologize.
 Mr. McLaughlin: Yea.
 Mr. Snyder: I'm just not used to reading all of these and doing them all.

15. Mr. Osborne moved and Mr. McLaughlin seconded to **read by title only, first reading** of Ordinance No. 145-01. All members present voting:
 Yes: Magel, McLaughlin, Osborne, Snyder, Foltz, Kiesling and Lindower.
 No: 0

Ordinance No. 145-01 - First Reading

An ordinance to make appropriations for current expenses and other expenditures of the City of North Canton, Ohio, for the period beginning January 1, 2002 and ending December 31, 2002; and, declaring the same to be an emergency.

Mr. Snyder: Last week we spent a two and half hour period going through the budget. We did amend it. You all received a copy of the amended appropriations. And if there's no further discussion...

Mr. McLaughlin moved and Mr. Osborne seconded to **adopt the first reading** of Ordinance No. 145-01. All members present voting:
 Yes: McLaughlin, Osborne, Snyder, Foltz, Kiesling, Lindower and Magel.
 No: 0

Mr. McLaughlin moved and Mrs. Magel seconded to **suspend the rules** for Ordinance No. 145-01. All members present voting:
 Yes: Osborne, Snyder, Foltz, Kiesling, Lindower, Magel and McLaughlin.
 No: 0

Mr. McLaughlin moved and Mr. Osborne seconded to **adopt under suspension of the rules** Ordinance No. 145-01. All members present voting:
 Yes: Snyder, Foltz, Kiesling, Lindower, Magel, McLaughlin and Osborne.
 No: 0

REPORTS:

Mr. Snyder: Thank you. Director of Law, any report?

Mr. Batista: I'm as bad as the President, did we adopt 143-01?
 Mr. Snyder: Yes. We're both a couple of wackos here Roy.

RECORD OF PROCEEDINGS

Minutes of COUNCIL OF THE CITY OF NORTH CANTON REGULAR

Meeting

DAYTON LEGAL BLANK, INC., FORM NO. 10148

Held Monday, December 10, 7:00 p.m., 2001
(YEAR)

Mr. Batista: Yea.

Mr. Snyder: Maybe we had too much eggnog before we came on.

Mr. Batista: I had mine yesterday. When did you have your's?

Mr. Snyder: I haven't had any. I have no excuse.

Mr. Batista: No, I have no report.

Mr. Snyder: Director of Finance.

Mrs. Herr: No report.

Mr. Snyder: Director of Administration.

Mr. Boyajian: No report.

Mr. Snyder: Mr. Mayor.

Mayor Rice: Just a couple things. Number one - you should of got your water reports today.

Mr. McLaughlin: Thank you.

Mr. Osborne: Thank you.

Mr. McLaughlin: Thank you.

Mayor Rice: Thank you to Rich for getting them to you.

Mr. McLaughlin: Thank you Rich.

Mrs. Kiesling: Thank you Rich.

Mayor Rice: So he'll continue to get those to you so you've got them. Anything else you need just holler.

Mr. McLaughlin: Just a glass of warm milk while I read it.

Mayor Rice: Okay. The other thing is a...

Mrs. Kiesling: Oh good lord.

Mayor Rice: People may or may not realize, unless there's a special meeting, this is...

Mr. Foltz: It's not my beverage of choice.

Mayor Rice: John Boyajian's last...

Mr. Lindower: New Year's.

Mayor Rice: council meeting as director of administration most likely. And at this time I, you know, I could sit up here and go on and on. But suffice it to say John has meant an awful lot to this city - has contributed unselfishly an awful lot to this city for many, many years on council, as a ward councilman, as a council president, as a director of administration. And I've had the pleasure of working with John since 1983. And all I remember when I first came on to council in 1983 people told me watch out for that Boyajian guy, he's a tough s.o.b. But I found the rumors and things that people tried to feed to me before I came on to council as a rookie councilman could not be accurate. And I'm glad I came into it with an open mind and had a chance to get to know John and work with him. He was always very professional, always had the city's best interest at heart, always represented every or respected everybody's opinion, whether you agreed with him or not. And lord knows John and I had our battles, but every time we ever disagreed on an issue we always, when the meeting was over, shook hands and left as friends and always stayed friends over those years. And I certainly value John's friendship. I know he is - I can tell you firsthand he has been invaluable to me walking into this position with little notice. And he has certainly been a wealth of information to me and help to me and I know he's doing the same for David on his way out. But certainly want to recognize and I think everybody here understands and would agree with me, the great asset John has been to the City of North Canton. And we owe him a debt of gratitude for his service to this city. Wish him the best in his retirement, again. And he knows he's always welcome back up here and I'm sure he'll still be coming up and visiting and helping Dave and I out as he leaves. But I certainly want to acknowledge the great service John Boyajian has given to this city. So thank you John.

Mr. Osborne: Speech, speech.

Mayor Rice: The only other thing, again, wish everybody a happy holiday season, a joyous new year and look forward to getting back to work the 1st of January. That's all I got.

Mr. Snyder: Thank you Mayor. Mr. Engineer.

Mr. Benekos: No report.

RECORD OF PROCEEDINGS

Minutes of

COUNCIL OF THE CITY OF NORTH CANTON

REGULAR

Meeting

DAYTON LEGAL BLANK, INC., FORM NO. 10148

Held

Monday, December 10,

7:00 p.m.

2001

(YEAR)

Mr. Snyder: Madam Clerk.
Mrs. Bittle: No report.

REPORTS - COUNCIL:

Mr. Snyder: Member Foltz.

Mr. Foltz: Mayor Rice, well said about Mr. Boyajian. I think you were right on the money when you said John, you and I haven't always agreed either, but, you know, once the issue was settled we moved on and I always appreciated that. You judge things on the merit of the issue, not so much the personality. So thank you for all your years of service and all the help along way in Ward 1 and to the rest of the residents here in the city. Thank you John.

Mr. Boyajian: Thank you.

Mr. Foltz: Alright.

Mr. Snyder: Member Lindower.

Mr. Lindower: Yea I'd like to say the same thing. I worked with John for quite a few years. And while we had several disagreements, we always came to a conclusion that was a better - made the city better off for the decisions we both made. John has always been fair with people and he likes animals, which makes him a good guy as far as I'm concerned. And good luck John.

Mr. Boyajian: Thank you.

Mr. Snyder: Member McLaughlin.

Mr. McLaughlin: Well I'd like to say congratulations on your second retirement John. I went through the first and you're going to be sorely missed, I know that. I'm glad they brought you back the second time because you were an asset to get the street's program back on - the Main Street program and do a lot of things that couldn't get done. You're going to be sorely missed in this city. I hope that they give you a cell phone so that they can call every once in awhile and say hey we need some advice. Because I know John you always had some great advice and you always got things done in a timely manner. I really do appreciate that. Second of all is - one thing I do want to ask is did Jim - Jim, did you ever get a chance to check on that Meadowlane, that memo I got on a guy's driveway he's lost two mufflers on? That when we did Meadowlane out there that we were going to go back and revisit that and see what we can come up with.

Mr. Benekos: No I have not.

Mr. McLaughlin: Okay. I know I gave John a copy of it and Meadowlane. I just want to see because a guy called me and asked me where we're at with it.

Mr. Snyder: Inaudible...Midas Muffler.

Mr. McLaughlin: And I want to make sure to see if, you know, to what we can do and everything else like that, because that's been over two years. I know he's been having problems with it ever since we put that - the new driveway in. So appreciate that. See if you can get out there. And the last thing I have is I'd like to wish everybody a Merry Christmas and Happy Hanukkah. And I still say we ought to hire John just part time, bring him back.

Mr. Boyajian: My wife said I'm not allowed to come back.

Mr. McLaughlin: I know. When I was walking the dog she said this is it, he ain't coming back.

Mayor Rice: I don't know with that raise - with the raise that was just passed, rumor has it he wants to be a crossing guard.

Mr. Foltz: Down by Erik's.

Mayor Rice: So keep an eye - yea, right next to Erik's. That's right.

Mr. Foltz: He's going to be there anyway every morning, might as pay him, right.

Mr. Lindower: That's just because they got the raise.

Mayor Rice: That's right. That's why he pushed for it.

Mr. McLaughlin: The good news is I pass his house every night when I walk the dog. If I got a problem I'm still going to go up and knock on his door and say I got...

Mayor Rice: Yea.

Mr. McLaughlin: could you do this for me?

Mrs. Kiesling: Oh dear...

Mr. Snyder: Member Kiesling.

Mrs. Kiesling: I was just going to say thank you for all your words of encouragement since I've been on. We haven't had a chance to disagree so we've had a good few months.

Mr. Boyajian: We won't.

Mrs. Kiesling: Exactly, exactly. I just want to wish you good luck and stay healthy.

Mr. Boyajian: Thank you.

RECORD OF PROCEEDINGS

121

Minutes of COUNCIL OF THE CITY OF NORTH CANTON REGULAR

Meeting

DAYTON LEGAL BLANK, INC., FORM NO. 10148

Held Monday, December 10, 7:00 p.m., 2001 (YEAR)

Mr. Snyder: Member Magel.

Mrs. Magel: Yea well, it won't be near Erik's because Mary has that. I think she's been there at least 30 years.

Mr. Foltz: Yea.

Mrs. Magel: So, hey John you snookered me into saying goodbye to you one other time on a retirement and I'm not going to do it this time. I'm just going to say see you later, best of luck, thanks for everything.

Mr. Boyajian: Thank you.

Mrs. Magel: Everyone else, happy holidays.

Mr. Snyder: Member Osborne.

Mr. Osborne: I first met John Boyajian about 10 years ago as a resident and had a chance to talk with him off and on over the years. And I'll probably never forget this summer sitting on his porch while I was campaigning and his fatherly advice, his counsel. And I wish you some warm winters in Arizona. And don't forget us back here. And you and your family, good luck.

Mr. Snyder: Thank you. John, best of luck. You know, I've had a great time working with you the last 5 years and before when I was on the Planning Commission and you were the president of council. Indeed it's a different day every day over at your place. But you'll be sorely missed and we hope you come back and visit us periodically. But best of luck to you. A couple things, the Council will be off now until the 7th day of January. There will be no meeting unless there is an emergency and the Mayor or myself call a meeting. My apologies again to my colleagues, I have ready the chairmanships and I'll have Miss Bittle type them and get them to you. As we had a Council of the Whole last week with all of us, so that's why I took the liberty of reading that, that was not a deliberate snub to anybody. And that's about it. I hope everybody has a joyous holiday, a safe one. Mr. McLaughlin...

Mr. McLaughlin: May I make one more comment?

Mr. Snyder: Sure.

Mr. McLaughlin: And I forgot to do it. Can we end this meeting by having a moment of silence? We lost a great statesman in the City of North Canton, Mr. Jim Maag. And Maag served on this Council for 20 years. I had the privilege of being on there with him, along with a few other people. And I would be so kind to ask that we have one moment of silence for Jim Maag.

Mr. Snyder: Thank you.

FINAL CALL FOR NEW BUSINESS:

Mr. Snyder: Is there any final business before the Council? Anyone wishing to speak? If not, thank the audience for their endearment and endurance of staying through the night. And may I have a motion to adjourn.

ADJOURN:

Mr. McLaughlin moved and Mrs. Magel seconded to adjourn the meeting. All members present voting:

Yes: Foltz, Kiesling, Lindower, Magel, McLaughlin, Osborne and Snyder.

No: 0

The meeting ended at 7:35 p.m.

PRESIDENT OF COUNCIL

ATTEST:

CLERK OF COUNCIL