

RECORD OF PROCEEDINGS

Minutes of

COUNCIL OF THE CITY OF NORTH CANTON

REGULAR

Meeting

DAYTON LEGAL BLANK, INC., FORM NO. 10148

Held Monday, December 9, 7:00 p.m. 2002
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CALL TO ORDER:

1. The meeting was called to order at 7:00 p.m. by President of Council Jon Snyder.
2. The opening prayer was delivered by Rev. Eli Klingensmith, Zion United Church of Christ.

Mr. Snyder: Thank you Reverend.

3. All present recited the Pledge of Allegiance.

Mr. Snyder: Madam Clerk, please call the roll.

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 Held, Director of Law Batista, Director of Finance Herr, City Engineer Benekos and Clerk of Council Bittle.

5. Consideration

Consideration of Financial Statement: November, 2002

Mr. McLaughlin moved and Mrs. Kiesling seconded to accept the financial statement as presented. All members present voting:

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

No: 0

6. Committee Reports

Finance & Property Committee: Refer to the minutes on file in the Council Office of the Finance & Property Committee meeting held December 2, 2002.

Water, Sewer & Rubbish Committee: Refer to the minutes on file in the Council Office of the Water, Sewer & Rubbish Committee meeting held December 2, 2002.

Mr. Osborne moved and Mrs. Kiesling seconded to approve the committee report minutes as presented. All members present voting:

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

No: 0

Mr. Snyder: Prior to the recognition of visitors, Mr. Mayor who have some guests here tonight.

Mayor Rice: Yes, thank you Jon. As council's aware or maybe not aware of all of this, but since going back I think to about 1998, Chief Juersivich can vouch for that, the EMS Department and the City has discussed the idea of creating the position of captains at the EMS Department. It's just been talked about for years and with the persistence of Chief Juersivich finally in the past year - those - as council's aware, a position of EMS captain was created. We've went through the testing procedure. We've went through the selection process. And what I want to do tonight is publicly introduce our first three - we did create three captains positions, of the first three people that will serve as captains in the North Canton EMS Department. And this is very important and very significant because we haven't had captains before - number one, in this department. But also as everyone's aware, with the change we've made to bring fire and EMS together these captains will serve as really the leaders in the new EMS, Fire Department as far as representing the EMS side of the equation. With the pending retirement of Chief Juersivich, these are the three people that will really be the leaders now in that department in reporting to whoever the new full time fire chief is. So they're very important roles and we've got three outstanding people to fill that role. So for the record and for public tonight I would like to introduce our first captain appointed was Pete Calder - Pete would you please stand up so everybody knows who you are, Dean McDonald and Bunny Lawrence. These are our three captains of the EMS Department. They're all outstanding EMS servants to the City of North Canton, have many many years, great qualifications and great leadership skills and are respected by all of their peers both in the EMS and Fire Department. And we're very excited to have these three fine individuals leading our EMS Department and I wanted to officially announce them tonight and make council aware of who these people are that are going to be leading that department. So thank you and congratulations. The only other thing Jon, if I may at this time, also as I mentioned, obviously this could be - may be our last meeting of the year - but our outstanding long serving and dedicated EMS Chief and he didn't know I was going to say anything tonight, but since he's here...

Chief Juersivich: So don't...

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Mayor Rice: I'm going to throw it in on him. I'll keep it short Chief. He's never at a loss for words. But Greg Juersivich, you know there's been a lot written, we did an article on him in our latest newsletter, there - the Our Town has written about Greg and everybody's very familiar with him so I won't go down his resume cause we could be here for a long time. But Greg, suffice it to say, has given his life to serving the citizens of North Canton. And I just in my little over a year, get untold numbers of public comment from people that Greg has served in his duties in the EMS Department and chief. And he is going to be greatly missed in our EMS Department. He's dedicated, very knowledgeable, very talented and has done a lot of wonderful things over the year for the City of North Canton and our EMS Department. Really has been there since the beginning. So Chief, publicly I want to express my great appreciation for everything you've done for the City and I know everyone else feels the same way. We're going to miss you. But we certainly wish you the best in your retirement - you deserve it. And behalf of all the residents of the City of North Canton thank you so much for everything you've done for the city. That's all Jon. Thank you.

Mr. Snyder: Thank you Mr. Mayor. And behalf of the Council, Chief Juersivich, we wish you only the best. You're a great individual. And thank you for your past service. And to the three new captains, it's an honor to have you in the service with EMS in the City of North Canton. Because without people such as yourself we would not have the fine EMS service that we have. Thank you very much.

Mrs. Magel: Jon, may I say something?

Mr. Snyder: Please.

Mrs. Magel: From a very personal note, I would like to thank Chief Juersivich for saving my husband's life. And for all of EMS and how you ran the EMS and how it all worked together. I know he wouldn't of made it if you weren't there that fast. From the very bottom of my heart, I will miss you. Thank you.

7. Recognition of Visitors

Mr. Snyder: Thank you. At this time is there anyone in the audience wishing to speak to the council this evening? If so please step forward and state your name and address for the record. Okay, first thing on the agenda is Ordinance 116-02, third reading...

OLD BUSINESS:

8. Mr. McLaughlin moved and Mrs. Kiesling seconded to **read by title only, third reading** of Ordinance No. 116-02. All members present voting:
Yes: Magel, McLaughlin, Osborne, Snyder, Foltz, Kiesling and Lindower.
No: 0

Ordinance No. 116-02 - Third Reading

An ordinance amending Ordinance No. 2940, Zoning Ordinance of the City of North Canton, to change the zoning district of premises situated on the west side of Pittsburg Avenue NW and known as Lot No. 5019 and house number 719 Pittsburg Avenue NW in the City of North Canton from OB, Office Building district, to R-50, One Family Residential district.

Mr. Snyder: Chairman Kiesling.

Mrs. Kiesling: Yep, this is the third reading of a zone change up off of Pittsburg. As it stated the Dahlers own a piece of property that they wanted to build a home on and realized it was zoned the incorrect way for them to build a home. So we rezoned it OB. It's all contiguous with other or rezoned it R-50, got rid of the OB and there's no spot zoning. We've had no complaints, no problems.

Mr. Snyder: Any comments from the council? If not...

Mr. McLaughlin moved and Mr. Osborne seconded to **adopt the third reading** of Ordinance No. 116-02. All members present voting:
Yes: McLaughlin, Osborne, Snyder, Foltz, Kiesling, Lindower and Magel.
No: 0

9. Mr. McLaughlin moved and Mr. Osborne seconded to **read by title only, third reading** of Ordinance No. 118-02. All members present voting:
Yes: Osborne, Snyder, Foltz, Kiesling, Lindower, Magel and McLaughlin.
No: 0

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Ordinance No. 118-02 - Third Reading

Ordinance No. 118-02 amending Section 1107.03(b) OUTLINE OF PROCEDURE. of TITLE ONE - Subdivision Control, CHAPTER 1107 Subdivision Regulations of the Codified Ordinances of the City of North Canton to authorize the North Canton City Engineer to approve splits by plat.

Mr. Snyder: Chairman Osborne.

Mr. Osborne: Yes, this is the third reading of a change to our ordinance procedures thereby allowing the City Engineer to approve property splits - splits by plat. In doing this he will track the number of splits on a parcel which is regulated to a maximum of five I believe it is. Jim, is that correct?

Mr. Benekos: That's correct.

Mr. Osborne: And this happens over a many many years - maybe many decades. So this will streamline the process and kind of a housekeeping chore to make things - the process a little smoother for the city. That's all I have.

Mr. Snyder: Councilman, thank you sir. Council have anything? If not...

Mr. McLaughlin moved and Mr. Osborne seconded to **adopt the third reading** of Ordinance No. 118-02. All members present voting:

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

No: 0

10. Mr. McLaughlin moved and Mrs. Kiesling seconded to **read by title only, second reading** of Ordinance No. 123-02. All members present voting:

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

No: Osborne.

Ordinance No. 123-02 - Second Reading

Ordinance No. 123-02 repealing Ordinance No. 99-02 which authorized the sale of real property owned by the City of North Canton and adopted by the Council of the City of North Canton on October 14, 2002.

Mr. Snyder: This is what...

Mrs. Kiesling: I have a quick question.

Mr. Snyder: Oh pardon me.

Mrs. Kiesling: Is it Ordinance 123-02 or 123-03?

Mr. Snyder: 123-02.

Mrs. Kiesling: Alright, because right below it says Ordinance No. 123-03.

Mr. Osborne: Yea, there is a difference there. It should be 02 I guess.

Mr. Snyder: Oh I just - yea, that should be 02.

Mrs. Kiesling: 02 - making sure. I didn't know which one...

Mr. Snyder: This is...

Mr. Osborne: It isn't...

Mrs. Magel: Those computers have a mind of their own.

Mr. Osborne: I missed the new year.

Mrs. Kiesling: Yea...

Mr. Snyder: This has finally become known as the Oster property what - was the original name - owners. Perspective buyer of the property has changed their mind. Consequently there's no reason to leave the ordinance there. There is nothing to be done with it so we're removing it. And that's that. Any questions on that? If not...

Mr. McLaughlin moved and Mrs. Magel seconded to **adopt the second reading** of Ordinance No. 123-02. All members present voting:

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

No: Osborne.

NEW BUSINESS:

11. Mr. McLaughlin moved and Mrs. Kiesling seconded to **read by title only, first reading** of Ordinance No. 124-02. All members present voting:

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

No: 0

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Ordinance No. 124-02 - 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, 2003 and ending December 31, 2003; and, declaring the same to be an emergency.

Mr. Snyder: A couple things. Since we debated this last Monday evening, there's been a change. Not in the request of the councilman of the 1st Ward -- we moved from one street Lois to Janet. But the difference in appropriation will be absorbed into the actual money probably not if it's - it's actually appropriated but not spent. So the figure did not change. However, the bottom line figure did change. The original appropriation was 44,016,801.48 and the new number is 44,014,326 - I'm sorry it goes the other way...

Mr. Foltz: Yes, definitely.

Mr. Snyder: 326.48, I apologize. The difference of \$2,475.00. There was money given in the trust fund for new flags on Main Street and part of the D.A.R.E. program. So there was an actual increase in the appropriation of \$2,475.00. Any questions to that? You've all - we debated this thoroughly last Monday evening. Some eleven million dollars of the appropriation will be borrowed funds for the Water Treatment Plant. The first portion of it, which will be the actual upgrade of the plant, will begin - the bids will be opened Thursday for that. The other 3.4 million for the expansion. Possibly could be - possibly could not be done 2003. As we spoke, these will all be returned to council individually under ordinance form to be considered individually should they exceed the statutory limit of \$15,000.00. Is this an appropriations budget. It is not an expenditure budget. So I think I've answered those questions that came last week as well as - historically, between five and ten percent of the budget of the appropriations budget, is not spent. The Director of Finance is comfortable with number, she's able to certify the funds, the money is here. The actual income of the city will cover this less the \$11,000,000.00 borrowing and \$500,000.00 transfer from the revenue that is in - which we call the rainy day fund. So again I'm very proud of the fact of the amount of our capital improvements. I'm very proud of the fact of the amount of equipment we can buy. And we're still - this city is very solvent, one of the few in the State of Ohio, as well as probably one of the few I know in this county anyway. So you should be proud as council people. We have a very very good finance director and we have a very good administration put this - put together. So I'm very proud of the budget. Any other questions?

Mr. McLaughlin: Just one question I have for Jim. Jim, on the ... streets and I know we're coming on the spring - or spring break - Christmas break here, I'd like to get - make sure we're getting started on the projects. So we get an early jump on some of these projects so we can save a few dollars. I think if we bid them out earlier I'd like to get some of those done as quick as we can. And I think - I know of one project I'd love to get done because we've got one gentleman who's been here for five or six and I think it's - well eight years...

Mayor Rice: Mississippi.

Mr. McLaughlin: that I know that he's been - I'd like to see that project done A.S.A.P.

Mr. Benekos: I think we canceled that one.

Mayor Rice: Rick, we've a - Jim and I actually just had that discussion for about the third time earlier this evening.

Mr. McLaughlin: Good.

Mayor Rice: I've already given him a deadline that all ... projects we're shooting to have them all done by the end of September.

Mr. Held: We're not laughing.

Mr. McLaughlin: That's good. I'm glad.

Mr. Held: No.

Mr. McLaughlin: Just remember Jim, you can take Christmas later on. No, just kidding.

Mayor Rice: Just remember that because you're going to get the request for the paving budget hopefully in the first quarter next year. Because we do want to get - there's some projects out there right now that aren't finished. One in Doug's ward...

Mr. Foltz: Browning - right.

Mayor Rice: they have been able to top it because of the early start of winter this year.

Mr. Foltz: Right.

Mayor Rice: So we've got a very aggressive construction plan as Jon noted. We've got a lot of capital projects we want to get done next year.

Mr. Foltz: Right.

Mayor Rice: We're committing a lot of funds to getting a lot of road work done, a lot of waterlines done and our intention is to get going and get these things out early next year.

Mr. McLaughlin: Appreciate it.

Mayor Rice: And if we don't we'll never get them all done.

Mr. McLaughlin: Yea.

Mayor Rice: It's going to be tough enough to get them all done next year cause it's a - they've got a very very long list of we - I told him if this passes tonight he's starting tonight.

Mr. McLaughlin: Good. I appreciate that.

Mayor Rice: Getting these ready to go out.

Mr. McLaughlin: I'm very happy with the list. I mean it's a great list I think that we need to get it done.

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Mr. Snyder: Super. Mr. Foltz.

Mr. Foltz: Yea, Jon a few things. One I wanted to congratulate everybody here. There was not a lot of infighting on the ward projects. I think that's a compliment that we should all take and acknowledge and be thankful for. I mean usually it was roll your sleeves up, get it done. I mean I think we all care about our constituents. Especially I do like I would say favor Ward 1 residents, but I'm here to represent the entire city also. And as Jon knows he's worked hard here lately for some of his residents in Middlesworth and he will need that influx of capital down there as far as curb and gutter. So I'm quite please that that's going to get done. Second thing is, Browning I know winter came early, but I want to applaud Jim you and your staff because I've been here other years where I've had projects awarded in the fiscal year and they weren't done till the following year. And I attest that to you, your fine staff and yourself pushing the contractors and just getting the bid work together for specs, getting it out and done. Because you know I think our residents are very appreciative of anything we do for capital improvements. But the quicker we can get it done the better it is for everybody. And I think they showed up on timely fashion and really did a good job of expediting the projects. So I just want to thank you on that.

Mr. Snyder: Anyone else?

Mr. Osborne: Mr. President...

Mr. Snyder: Sir.

Mr. Osborne: I'd like to just address a few things.

Mr. Snyder: Sure.

Mr. Osborne: I know it's not going to change the outcome. I just - food for thought here. I just done some initial analysis of Judy - a Judy - Julie provided some fund information on the estimated revenues for this year. And so I've calculated out the percent increases or decreases. And it looks like in our general fund we're going to have a 25 percent decrease this year over last year. And then our income tax fund is down 5 percent this year over last year. And our overall revenues this year over last year have only increased 14 percent. I'll pass these down if anybody wants to look at this. Just...

Mrs. Kiesling: I guess Kathy doesn't.

Mr. Osborne: just a different prospective.

Mrs. Kiesling: Need copies?

Mr. Osborne: Also, I did an analysis on a few of the key line items. Storm sewer is increasing 150 percent over what we appropriated in 2002 street improvements. I'm sorry Mr. President.

Mr. Snyder: Thank you.

Mr. Osborne: Anybody else who is - I'm missing somebody?

Mrs. Kiesling: Inaudible...

Mr. Osborne: The totals in the street improvements between storm, sewer and street improvements increased 60 percent over 2002.

Unidentified: There you go.

Mr. Osborne: And please speak up if you have any comments Julie.

Mr. Snyder: Inaudible...oh excuse me. I thought you meant for somebody else to speak up. I'm always ready to speak you know that.

Mr. Osborne: Waterlines and plant expenditures and they're broken out 70 percent increase over last year. If you take out the water plant improvements, our water expenditures have increased 158 percent over last year. Sewer line expenditures have decreased 7 percent from last year. Total appropriations between this year and last year have increased 20 percent. And if you take out the water expenditures they've increased 13 percent. Just food for thought. I mean I'm sure there's a lot of thoughts with this. Julie, you concur with that general fund decreasing 25 percent?

Mrs. Herr: Well basically what - the way I look at it as is that I estimated those 2002 revenues and I estimated conservatively compared to what we collected before. And as you can see, year to date 2002 we've already exceeded not even counting December, what I estimated for 2002. We've collected 5.8 million...

Mr. Osborne: Yea, we did talk about that.

Mrs. Herr: And that doesn't even include \$675,000.00 in transfers that have not been made yet. So if you add that on top of that you know we're well over 6 million. So again, I just - I came up with those estimates based upon last year's figures...

Mr. Osborne: Right.

Mrs. Herr: but I was conservative. So to me I think the thing to look at is what we actually collected versus from year to year rather than what's estimated. Because I always tend to estimate conservatively. So that a - cause we...

Mr. Osborne: Right. So you estimate 6 million?

Mrs. Herr: can only budget up to what we estimate to receive.

Mr. Osborne: So you estimate 6 percent for this year for the general fund? So I - still we'll be probably at a 20 percent decrease from last year. Anyway just food for thought. Just different ways you can look at the data.

Mr. Snyder: You know if I may say two things. That's very comprehensive what you've given us. But relative to the storm sewer the last two fiscal years I believe that 2001 and the majority - 2000 and 2001 and the majority of 2 most of our money has been spent to water related items because that is the second largest income the city has. The city has two income levels be it income tax or water. And again,

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when a city has in excess of 18 million dollars in the bank and we have streets that have not been touched since 1950 and it's done the majority of it with income tax money, I don't know how you could possibly sit here as an elected official and say to the people of the city well we're collecting all your money and don't worry about it by the end of next year 22 million dollars in the bank, but you'll have a pot hole on your street. And they pay taxes for purpose of services. And that is incumbent on the administration and the elected officials of council to provide services whether it be a fine EMS service, whether it be repair of your streets, or police department. When people pick up the phone they're not interested in how much the budget was. They call 911 they know in less a minute that they have some type of response. And I realize, I'm not trying to be argumentative, but you can't compare that. As again, these are all considered individually to come back. The state law requires that we do provide an appropriations budget. But the people would want you to spend the money that they've put in there. It's actually becomes a certain point in the law where it become illegal to collect money. And it's not our job to get the people's money and put it in the bank. It is our job to provide services, goods - whether it be safety or just basic roads. But I do appreciate your work you did on that.

Mr. Osborne: Well Mr...

Mr. Snyder: But again I think you'll find 2002 budget the majority of that increase was also for water treatment plant that we did not do. I think the budget - actual budget was around 26 or 27 million and we're on target to spend about 28 million less the borrowing. So we're really only about a million dollars increase over what we've spent historically. And fortunately I look at it from the standpoint we do have the money to spend it. So I would think that they would rather us spend the money than to arbitrage it and put it in the bank. I don't know. But I yield to you at that point. So...

Mr. Osborne: Well the information does reflect what you just said, 99 to 2001 you - what you spent for storm sewers was negligible. And yes, I want to spend tax money for infrastructure improvements. It's just the rate of growth seems abrupt here. And I have no problem with spending the money and improving streets, sewers, sidewalks, all of this. It's just food for thought. I would also like to thank the president last week for offering to hold additional meetings on the budgets. The council member stated that as general rule we always pass budgets you know with one reading on emergency. And just for the sake of the public, they may want to have some input, I would really think we'd at least like to have at least more than one reading. And also I think it's kind of sad that we're - we pass these year after year on emergency. I would like to see us get started on this budget process long about September, October rather than a last minute rush.

Mrs. Herr: Chuck, we do start this process in September.

Mr. Osborne: I know you do, but council doesn't get involved and the legislative process doesn't get involved. So...

Mr. McLaughlin: But there's one thing you've keep remember Mr. Osborne, that each of these projects come before council, they stand on their own merit. Each councilman then can decide whether they want to go through with the project or not go through with the project. That's the purpose of trying to form a budget. That's why they come back, we have the final say. Second of all...

Mr. Osborne: I understand.

Mr. McLaughlin: Second of all is we could of been 1.6 million dollars richer had we sold a piece property and added it to the bottom line. So that's all I'm going to say on the subject.

Mr. Osborne: Well I understand. We will definitely be looking at each individual expenditure here and that will give us a chance for further review. As far as additional funding I guess we could maybe look at selling off Price Park or whatever assets in the city. But anyway given that we're passing this on emergency, I'm going to vote no on this although it will have no impact. I just hope it will maybe food for thought that we start this process a little sooner in the year and maybe allow public input and a little more public oversight.

Mr. Snyder: I would only caution you one thing Mr. Osborne. I do respect your no vote. However, the majority of the budget sir and you're looking at the people who benefit the budget, that's how they provide for their family. They do get an income. And by saying no you don't approve of the Mayor's budget you're saying to these people - you've jeopardized the possibility of those people January 1 to get a paycheck. I appreciate what you want to say. It's a vote in as much as the way the process works. However, the budget belongs to the mayor. That's charged to him by the charter. The process he has control or she has whoever it would be along with the law director or excuse me the finance director is our representative. So historically to pare it - to pare it down I'm sure the Mayor would probably tell us, I'm sure it was a great wish list when it arrived at your office. And to go through that...

Mayor Rice: Julie...inaudible...

Mr. Snyder: and end up at the bottom is quite an accomplishment. But again, I do respect, but I would say to you that you serve the electorate. And you know sometimes we have as a council no matter what only control over capital funds. We have no control over the wages or the - as I pointed out to you and you're a participant, the medical insurance alone for employees \$10,000.00. And I mean you - now you're going to - you're basically saying to these people what they do is inconsequential to us. I'm sorry I can't let that pass. I don't understand your thinking along those lines.

Mr. Osborne: Well I don't know if I...

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Mr. Snyder: And a - I mean you're basically saying to these people that what they do for us in this city isn't really important. I mean I see six, seven city employees out there. I mean people expect to get their paycheck for the type of work they do. You expect your paycheck for the work you're doing here. As - and to do that I mean I understand not passing on emergency, that's - but just to say...

Mr. Osborne: Well that's the purpose of my no vote.

Mr. Snyder: Well I would ask you sir...

Mr. Osborne: We should not routinely year after year...

Mr. Snyder: I would ask you in the spirit of the city vote - please vote for the budget. If you don't want to pass it on emergency do that. But don't say to these people that what they do is inconsequential or the projects of the Mayor, the Engineer or the Director Finance are not important. If you don't want to vote for the emergency I can understand that. But I'm asking you that just for the fact that does bother me and I have to make that publicly known. As your colleagues would say. But I would ask you to reconsider that vote and vote yes for the budget - no for the emergency. I respect that. That's a personal thing and...

Mr. Osborne: That's my intent Mr. President.

Mr. Snyder: Well I appreciate that. Thank you for - and again...

Mr. Osborne: That's my sole purpose for voting no against it this...inaudible...

Mr. Snyder: Thank you, I appreciate that. Mr. Lindower.

Mr. Lindower: Thank you Mr. President. Chuck, I think what we need to do here is I think you're over emphasizing the word emergency on this thing. It's getting distorted by saying that everything's passed on an emergency. I think to expedite things so that the Finance Director has got some sort of starting line to work on the budget, we've got to pass this on what we call an emergency or let's say immediately pass it. I would have to think that in your mind you probably feel like you don't have the opportunity to debate any of the issues that are on there, which is not true. In view of the fact that each one of the items that come up later on in the year to be discussed by council and approved or disapproved, can still be discussed. So I think to give the Finance Director and the Finance Department a place to start we need to get this done immediately. And that's the reason why it's done let's call it emergency or right now or whatever you want to call it. So I don't feel that there's any underhanded dealing at all by passing something like this on an emergency. But I think that as we go along through the year we're going scrutinize each item that we go through.

Mr. Osborne: Well nobody's saying what city employees do is inconsequential. Like I said I just don't think it's a good municipal practice to year after year pass an appropriations budget on - routinely on emergency. And that's - enough said...

Mr. Snyder: Well I appreciate that. And that will be noted. At that point may I have a motion to adopt...

Mrs. Magel: Well I'd like to...

Mr. Snyder: Oh, excuse me.

Mrs. Magel: say something.

Mr. Snyder: Excuse me, I'm sorry.

Mrs. Magel: First of all this - to bring up with Dave on an emergency. We have something that will come to us item by item. We have council of the whole that it's presented in the paper and the public has the opportunity to come the following Monday and speak with us. Second of all as far as the public input, I think there's some gentlemen in this audience who loud and clear gave their public input. That they let us know when they want their roads fixed and then we take a look and we do what we can. Third of all I am very proud to serve on this council and to give as many people new waterlines as I could, give as many people new sewer lines as I could, give many - as many people new curb and gutters as I could. We were and you taking the direction of the administration and the Director of Finance and we're doing the best we can to serve our residents. Thank you.

Mr. Snyder: Thank you. Okay, Mr. Foltz.

Mr. Foltz: I might as well put my two cents in.

Mrs. Magel: Put a quarter in.

Mr. Foltz: We're kind of redundant here from last week. Anybody that stayed till about 10:15 when it was over. But it was a good rally. I think we're all here for our residents, our neighborhoods, our infrastructure. That's what keeps our city strong. And I'm for putting every last cent we can into our infrastructure no matter where it is. Second thing is too, I think that's what we hired Julie for as a council body. I mean she looks at this fiscally and says yea, we can do this. And by nature finance directors, auditors, they're very conservative and we need that obviously. Cause we can't do every project that everybody wants done in one year. So when Julie says there's money to do this that's what we pay her to tell us. And that's what - you know we'll hold her to that standard. I'm sure she's comfortable with that - that's her job. You know so I don't feel that we're overspending our budget at all. I think we're in an enviable position as Mayor Rice indicated with some facts and figures he gave from a lot of the cities in this area. And thank god we can do these things for our residents. And also I wanted to note if you look at the general fund this isn't something we can count on. But estate tax it brought in 1.16 million dollars in estate tax. That's something obviously we can't count on - someone passed away, had some money. And I think in good conscience we should take that money and do positive things with it and that means

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infrastructure or serving our public even more efficiency - efficiently I should say. And you're right Rick, it's a shame we don't have another 1.6 million that we could do three or four more streets. But we'll see how that goes later in the year I guess. That's all I have to say. Thanks Jon.

Mr. Snyder: Thank you sir. Anyone else wishing - Mrs. Kiesling anything?

Mrs. Kiesling: Nope, I'm...

Mr. Snyder: You're not - you're just going to go along.

Mrs. Kiesling: I agree.

Mr. Snyder: Thank you. Is there any other comment? If not...

Mr. McLaughlin moved and Mr. Foltz seconded to **adopt the first reading** of Ordinance No. 124-02. All members present voting:

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

No: 0

Mr. Snyder: Thank you Mr. Osborne.

Mr. McLaughlin moved and Mr. Foltz seconded to **suspend the rules** for Ordinance No. 124-02. All members present voting:

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

No: Osborne.

Mr. McLaughlin moved and Mr. Foltz seconded to **adopt under suspension of the rules** Ordinance No. 124-02. All members present voting:

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

No: Osborne.

Mr. Snyder: Thank you. One thing before we reports. Again, it is my high honor as both the President of the Council and Chairman of Finance & Property, I received a letter from the Government Finance Offices. I think this is very pertinent at this time I read this, it says: "Dear Mr. Snyder. We are pleased to notify you that your Comprehensive Annual Finance Report for the fiscal year ending December 31, 2001, qualifies for Certificate of Achievement for excellence in financial reporting. The Certificate of Achievement is the highest form of recognitions in governmental accounting and financial reporting and its attainment represents a significant accomplishment by a government and its management. This Certificate of Achievement will be awarded to Mrs. Julie A. Herr, Director of Finance, City of North Canton. Julie, congratulations. Mrs. Herr: Thank you.

Mr. Snyder: I think that speaks volumes to our budget. So that in itself says it.

REPORTS:

Mr. Snyder: Any report Director of Law?

Mr. Batista: No report.

Mr. Snyder: Director of Finance.

Mrs. Herr: No report.

Mr. Snyder: Director of Administration.

Mr. Held: No report.

Mr. Snyder: Mr. Mayor.

Mayor Rice: No report.

Mr. Snyder: Mr. Engineer.

Mr. Benekos: I just wanted to thank Mr. Foltz for his kind words earlier. We do have a great staff in the Engineering Department and great cooperation with the other department heads of this city to enable us to get these projects done. Thank you.

Mr. Snyder: I would - will introduce you there to Dick, he'll be following that... If you haven't sent an inspector there you might want to consider him. He'll know all the gravel and everything. He'll be the second one to know because I'll be the first.

Mr. Foltz: He'll be the resident liaison. Right?

Mrs. Kiesling: Oh yea.

Mr. Foltz: Okay.

Mr. Snyder: Thank you. Madam Clerk.

Mrs. Bittle: No report.

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Mr. Snyder: Mr. Foltz.
Mr. Foltz: No, no report Jon.

Mr. Snyder: Mr. Lindower.
Mr. Lindower: No report.

Mr. Snyder: Mr. McLaughlin.

Mr. McLaughlin: Two things real quick. We have a sidewalk on the - on Everhard about the 300 block we discussed before that a resident replaced a waterline and never replaced the cement itself. I was walking around there the other day and still it hasn't been done in over a year. I want to bring that somebody's attention again to say hey. Maybe we can send them another letter saying that we would appreciate their...

Mr. Held: That was the 300 block of where Rick?

Mayor Rice: Everhard.

Mr. McLaughlin: 300 block of Everhard - it's on the east side of the street.

Mayor Rice: On the what side?

Mr. Snyder: You mean...inaudible...

Unidentified: East side?

Mayor Rice: You mean the south side or north side?

Mr. Foltz: North side?

Mr. Lindower: North or south?

Mr. McLaughlin: North side?

Mr. Snyder: South side - it's on the south side.

Mr. McLaughlin: South side. Excuse me - it's on the south side.

Mayor Rice: East? You got me confused there.

Mr. McLaughlin: Oh I was walking the wrong direction, sorry.

Mrs. Magel: The other north side.

Mr. McLaughlin: Getting lost already.

Mayor Rice: You'd be walking a long time trying to find the east side of Everhard Road.

Mr. McLaughlin: Yea, it's on the south side.

Mr. Foltz: See, that's what happens when you're not in your ward.

Mayor Rice: Okay.

Mr. McLaughlin: That's true. Also walking down the end of the street there's a tree that's in the creek along the bridge on Main Street. It's overhanging into sidewalk area and everything else like that - it's ready to come down.

Mr. Held: That's Main Street and...

Mr. McLaughlin: Main Street right over right where the bridge is.

Mr. Snyder: Oh that's the property that belongs ...

Mr. McLaughlin: On the west side.

Mr. Snyder: that allotment there. That's a...

Mr. Lindower: You been walking or running?

Mr. McLaughlin: I walk the dog man.

Mr. Snyder: Magnolias...

Mr. Osborne: Who's walking who?

Mr. Snyder: That's George Zablo's...

Mr. McLaughlin: The dog was walking me all over the place.

Mr. Snyder: I think Paul lives in the Magnolias. He'll probably tell you if there's a tree - you don't know. Is there a tree hanging over the bridge there on Main?

Unidentified (from the audience): I think that's outside of Auburn Knolls.

Mr. Snyder: Oh is it. That - oh it's up there yea.

Mr. McLaughlin: Is it? Okay.

Mr. Snyder: Yea, it's still George Zablo...

Mayor Rice: Yea.

Mr. McLaughlin: Just want to bring that up. I know it's - make sure. But again, I - the last comment I want to make real quick after that is I'm very happy with the three captains. Very proud with the people we have on our EMS and fire and police. And also I'm going to miss Greg. I know Greg through the years has - I've had a lot of discussions with him on new stuff that they'd like to do and stuff like that. But he's going to be sorely missed. But I think the three captains will fill his shoes just fine.

Mr. Snyder: Okay. Mrs. Kiesling.

Mrs. Kiesling: No report.

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Mr. Snyder: Mrs. Magel.

Mrs. Magel: Yes, two things. I knew Greg would sneak out that's why I said that prior.

Mrs. Kiesling: Inaudible...

Mrs. Magel: But I also would like to congratulate the three captains. But now I need to address something that happened in Planning Commission. I'll read this to you. "Attached is a copy of the Planning Commission recommendation regarding the above", which is the vacation of a portion of Grassmere SE. Roy indicated that the vacation of Grassmere should be advertised for six weeks. If we consider establishing a public hearing the date and time at the council meeting the earliest would be January 27, 2003 and I would like to do that at the earliest time. And council any problem?

Mr. McLaughlin: No problem.

Mrs. Magel: I - 6:45? Do you think we'll need more than 15 minutes?

Mrs. Kiesling: Inaudible...15 minutes...

Mr. McLaughlin: I'll tell you what - Kathy, can I make a comment?

Mrs. Kiesling: All those residents will be here...inaudible... might a little early.

Mrs. Magel: Sure.

Mr. McLaughlin: I was at the Planning Commission....

Mrs. Kiesling: So was I.

Mr. McLaughlin: That's my ward down there...

Mrs. Magel: Yes.

Mrs. Magel: and I know that there's quite a few people that come up here. And I think that you're going to probably get - probably get about 40 people in that night. So...

Mrs. Magel: Well let's give them an opportunity to all speak.

Mr. McLaughlin: Yea, I'd like to make the meeting at 6:30. But I'd also like to limit it that we don't start repeating ourselves like we did in the Planning Commission. But I think 6:30 would be plenty of time to have the input and to publicize it. And also if the - if Mary Louise would be so kind of notify Mr. Raderchak and the people up in Grassmere that that's what we're planning on doing, I'd appreciate it.

Mr. Batista: I might indicate too, I think probably give some thought to mirroring this Brian Weber vacation as well. With the vacated street being deeded back to the city so that we have control over that strip.

Mr. McLaughlin: We've talked about that. One of the things we've also talked about a breakaway unit there rather than do - making it into a cul-de-sac. So you know they're receptive to anything they - you know that we can do up there they would appreciate it.

Mr. Snyder: Is there any property owners signature to that petition?

Mr. Batista: The problem was that the Monticello...

Mr. Snyder: Yea.

Mr. McLaughlin: Yea, Monticello signed it.

Mr. Batista: Well they sent a letter in indicating that they were not in opposition. They did not sign the petition.

Mr. McLaughlin: They sent their own letter in saying they have not problems with it. So...

Mr. Snyder: Don't we need a - I mean that won't hold up on ...inaudible... will it?

Mr. Batista: That's why I recommended that you have it advertised.

Mr. Snyder: Oh I follow you, that's why you're having the public hearing.

Mr. McLaughlin: Right.

Mr. Snyder: But does - you notify that Mr. Caticchio that we're having a hearing because of the adjoining property owner?

Mr. McLaughlin: We should notify him too.

Mr. Snyder: Yea.

Mr. McLaughlin: Definitely so.

Mrs. Bittle: They'll all be notified - all the property owners.

Mr. McLaughlin: Everybody involved I'd like to see so that everybody's here that night to have a say.

Mr. Snyder: That's fine.

Mrs. Magel: This doesn't change anything on Briar or Weber. You were just going to mirror the...

Mr. Batista: No, no when I said mirror it ...inaudible... the city ...inaudible...

Mr. Snyder: Inaudible...you won't get out that door there if you ... that street up.

Mr. Batista: The city controls the vacated portion of the street.

Mrs. Magel: I understand. Alright so then a public meeting January 27, 2003 regarding vacation of a portion of Grassmere SE at 6:30. Thank you.

Mr. Snyder: Thank you very much. Mr. Osborne.

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Mr. Osborne: Yes, I have several things I guess. First of all, there will a meeting in this chamber Wednesday the 18, I believe it is, at 7:00 to discuss the city's new proposed zoning. We will have the firm of D.B. Hartt from Cleveland, who did the studies and drafted the proposed zoning. I also hope to have several members of the Planning Commission. Specifically I believe Mr. Flechtner said he could make that meeting and I - I'm assuming Gene Hemminger will be able to make it as well. So we - all of Council's invited, all the Planning Commission's invited, those individuals I mentioned and we certainly would like to have the public come in and speak. If you have certain issues that are hot button issues with you whether it'd be fencing, home businesses, RV's, whatever's of a concern of your particular property or in your neighborhood, please come in voice your thoughts in the proposed new zoning. Also have a couple things. There was an article in the Repository this week that talked about the city's recycling. I think they reported ...inaudible... my glasses here, 80 tons of leaves collected. If you round it up to 100 tons and factor in the cost of the leaf recycling program at \$25,000.00 that works out to be a \$250.00 per ton of leaves collected. I think the program had good intentions, but I don't think it was cost effective and simply turned out to be a nice Christmas present for the city's waste hauler. I believe the waste hauler benefitted most from this expenditure of city and the solid waste district grant money. Also in the Our Town magazine this week, the Mayor seemed to imply there was a connection between the fact that the city did not have to implement a watering ban this year due to the emergency hookup to the City of Canton's water system. And I - as I recall we had fairly wet spring and we had periodic rains early in the summer and the aquifers maintained fairly highly levels well into the summer. Second, I think it should be noted that our connection to the Canton water system is not complete. For many months I think a lot of us thought it was. I have a picture here showing the termination of the city's 24 inch pipeline if anybody wants to look at it. The pipeline terminates several hundred yards from the water treatment plant. If we were required to use this connection in an emergency the city would have to hook up two six inch fire hoses to bring water into the plant. And this temporary hookup dumps the water into the plant as opposed to brining the water up into a tank and in the process it generates a lot of air in the raw water coming into the plant. I have learned earlier this summer and that was my remarks earlier this summer that - and it's been confirmed by the EPA that if we did need a - replace a well that was out of service or we had a severe drought, although there seems to be an argument whether these two six inch water - fire hoses could bring in the water, due to the fact that they have to minimize the flow in these waterlines these fire hoses to minimize the creation of air bubbles in the water, we could not replace or supply enough water, is my understanding from the EPA. So I'll still stand on my comments that I made I guess back in August, somewhere along in there that these fire hoses are inadequate and this completion of this line will not be completed until the, I'm not sure if it's the upgrade or the expansion of the water treatment plant, which is what 18 months away. Also, the acquisition of the Oster property, I've done some additional research and I was kind of stunned to find out that the city just didn't arbitrarily just approach a property owner and purchase this property. It was - the city was in a mist of litigation. They had a petition before the courts to appropriate this property from a private land owner and in the mist of those negotiations the landowner did relent and agree to sell. Throughout a lot of the news reports back in '68 in the Sun and they had excellent coverage of North Canton, and they have the original papers - I'd like to see some funds generated from somewhere, I don't know where, they have the original papers, they need to be microfilmed, they're very delicate - but at any rate in the - repeatedly all through '68, city officials state that there wasn't - was not any attempt or intention to use this property for 25, maybe even 50 years and that they were going to in the meantime use it for a park. Given that this property was taken under threat of eminent domain proceedings, I just do not think it's right to turn around, I don't care how many years it is later and sell this property at all. I really think there should be efforts to capitalize on this jewel - is really what we have here. I don't know where in the city we have this sizable amount of acreage. I'd like to see maybe a CEDA worked out with Plain Township and maybe rezone a small portion of it and develop a small portion of it right near the interstate and use the rest for a protected well field. But to turn around and sell this property I think is a unethical and immoral given that the city went to such drastic procedures to acquire this property. I have reports. Here's one May of '68 where the city asked to acquire the land for the disposal plant - it was a first reading, May 15th of '68. Council has been unable to come to an agreement with property owners on price. An owner of adjacent land who attended the meeting said he was against the city's action because he had plans for developing an allotment on his property. Anyway it goes on to say that in several articles through the year they had no intentions of using that property for as much as 50 years. And when a - when a municipality uses a procedure such as a appropriation of property I don't think you should ever sell that property. It's like taking it away from one private owner and selling it to another private owner. This property was bought for the benefit of the city and the city somewhere in all these years should of found some - someway to make this property beneficial to the city. Talk about community and economic development, this would be a good issue to focus on. So that pretty well raps up everything I wanted to say. Also, I did do a quick analysis on the figures on the dollar amounts that were used to purchase that property, the five payments made over five years, and if you do a cost of living analysis on those payments it comes up to be \$752,000.00 almost. That indicates to me that that appraisal is either way off the mark coming in at 621,000 or the city bought a pig in a poke because they could of done money - better by investing that money.

Mr. Snyder: I've been telling you that for six weeks, but that's alright.

Mr. Osborne: I missed your comment there.

Mr. Snyder: Well about what it's worth. Number one, I'd be remiss if I didn't address part - part of what you say is true, most of it is not. Number one, Ray Oster owned the property Sonny Fete, his son-in-law, stills owns the five acres that adjoin it. And the city did offer to take it by imminent domain to put a sewer treatment plant. However, they could not put a sewer treatment plant there for two reasons. Number

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one, the people who live in West Avondale wouldn't - going to permit it. Number two, there's not enough water flow that comes off that creek or out of the ground to sufficiently what the EPA required in 1968, to operate a sewer treatment plant. It was purchased as a hedge against the City Canton against the high rate of sewer rates. So consequently it was transferred I believe in sometime in mid to late 70's to the water treatment fund and water fund and the City of North Canton paid 430,000 - paid the fund off and the balance was used to pay off water fund - the water bonds. And as far as what it's worth, that's what I was trying to explain to you, for a private entity to hold that would be owned by stockholders, to own an asset that doesn't produce a return, I mean the stockholders would be screaming. I think that's what the people of North Canton expect. You're sitting on an asset worth \$621,000.00, which by your figures aren't even real dollars in today's economy, you're talking about cost of living dollars with minimal increases of one to three percent per year over the last 23 years. But they would say to you why would you hold a property worth \$700,000.00 if someone wants to give you a million six for it and not sell it. But that's - but the city did not take it by eminent domain he gave in. He was paid five payments of some sixty some thousand and his son-in-law I forget the exact number. But you might want to call Judge Mylett who was the law director at the time. I think he'll bring you up to speed on the actual rationale and the mental thoughts of council when they did produce that. Because - am I correct on that Roy, wasn't he the law director at that time?

Mr. Batista: Mylett was the law director and ...inaudible...

Mr. Snyder: And he orchestrated and directed that when it came before the Common Pleas Court. And...

Mr. Osborne: Yea, he's quote in here - he was law director.

Mr. Snyder: Right. And then in talking about city owned property, you might talk to the people that live there. Number one, there's been people with a lot more money than the people that have approached us and the people that did not give us bids to try to buy property along that West Avondale. They successfully defended I think nine attempts to rezone that. I don't think that the people in Plain Township, especially the Board of Township Trustees, would be too favorable to turn that into commercial development. First of all you have no means of egress or ingress. And to take your theory, after the State of Ohio took 23 acres of our land to put an expressway ramp in there. So maybe we'd better call them up tomorrow and take our expressway ramp back since they used the same procedure that we used as taking our expressway ramp. But that's basically the analogy that you're trying to tell us. We had no choice when we gave up the 23 acres that we had to give it ...inaudible... they just take it.

Mr. Batista: I don't know what procedure...

Mr. Snyder: But I mean that's basically it. But I mean that's neither here nor there. It's really kind of a moot point...

Mr. Lindower: Jon...

Mr. Snyder: because we're not selling the property now anyway. Yes sir.

Mr. Lindower: I would just like to say Chuck quoted here several times that the administer or the administration at the time said this or said that. The administration back in the 60's said a lot of things that didn't happen. And we can't hardly use any kind of value on what was said in the 1960's and the 1970's today. If it's documented legally and legal documents are in the court system, no problem with that. But just because you say somebody said something because of an old newspaper article you found somewhere has no value at all.

Mr. Osborne: Well I'll address what Mr. - the President of Council said. This was the priority piece of property out of four properties that the city wanted. They wanted it badly. They did file in courts litigation for this property. They said right up front it could be 25 to 50 years before we'd ever do anything with the property, in the meantime they would put in a park. Mayor Strausser at time said if we don't obtain the land today the cost could be out of our reach in future years. And the city also bought much more than it needed. They only needed 30 acres for the sewage treatment plant. The rest was going to be a buffer and park land. Again, it goes back you don't use a process that's reserved for a municipality and take private property and then turn around and sell it. And it's just not ethically and morally, morally right.

Mr. Lindower: It's not that simple.

Mr. Osborne: So anyway I just wanted to bring that out that it was taken under - in the process of litigation. And these just aren't some newspapers, this was the North Canton Sun. They did a very nice job of covering city business.

Mr. Lindower: What was the date on it?

Mr. Osborne: They're all through 1968.

Mr. Lindower: Oh.

Mr. Snyder: We have all the files here.

Mr. Osborne: They all are over here at the library.

Mr. Snyder: We have them here. We have all the filings. If anybody wants to see them it's a public...

Mrs. Magel: Thank you for the history lesson. Could the rest of us go on progressively in the year 2003?

Unidentified: Excuse me...

Mr. Osborne: Well also I'd like to say in 1968 that's when this city hall was built. So I have a lot of faith in our...

Mr. Lindower: 1970...

Mr. Osborne: forefathers who made decisions...

Mr. Lindower: I was here.

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Mr. Osborne: for the betterment of this city. And the purchase of...

Mr. Batista: Mr. Osborne, I want to tell that in 1968 I went into practice Eugene Andrews who happened to represent the Oster's.

Mr. Snyder: Inaudible...

Mr. Batista: So I saw both sides of this thing. I've talked to Mylett about it, I've talked to Gene Andrews about it. When Gene's back here this summer we'll invite them and we'll let you have a history lesson, that Mr. Oster negotiated a settlement to which he was pleased. So this business about it being taken by imminent domain is bologna. He was paid a fair price, a negotiated price and I listened to the negotiations because I was Gene Andrews law partner at the time. So you're totally misinformed.

Mr. Osborne: There was a petition to appropriate this property.

Mr. Batista: There was a petition to appropriate, but it ended up as friendly appropriation. Inaudible...

Mr. Osborne: Because they saw - they saw the writing on the wall. How many people win against a litigation for imminent domain?

Mr. Batista: No you don't win - you win dollars.

Mr. Osborne: Correct.

Mr. Batista: And they got a fair price. They got the price they negotiated.

Mr. Osborne: But the city had file to force them into that ...

Mr. Batista: Well that's possible, but they got wanted in dollars.

Mrs. Magel: This is the third time in a row.

Mr. Osborne: Well that may be true...

Mr. Batista: I mean no jury awarded - this was not a jury award.

Mrs. Magel: Inaudible...

Mr. Osborne: I understand that. That's true.

Mr. Batista: It was a negotiated settlement.

Mr. Osborne: That's what I said earlier, they settled after the city had filed a petition.

Mr. Batista: Well somehow I failed to follow the logic...

Unidentified: Inaudible...he was talking...

Mr. Batista: that for some reason that land becomes sacred because it happened to start by appropriation rather than start by negotiation. The sellers got the price they wanted.

Mr. Osborne: After the city filed in court a petition to appropriate.

Mr. Batista: Well I'm going to...

Mr. Osborne: I have the court records.

Mr. McLaughlin: Can we end this thing?

Mr. Osborne: It'd be interesting to know how many pieces of property that are litigated or taken by imminent domain or subsequently sold and disposed of by municipalities and I would say it's negligible if any.

Mrs. Magel: Well...inaudible...

Mr. Osborne: Inaudible...that's enough.

Mr. McLaughlin: At the rate we're going I'd like to see my wife and dog before this ends.

Mr. Snyder: This will be the last meeting of this year. The next scheduled meeting will be the 6th of January, 03. So we'll miss everybody next week - next couple of weeks.

FINAL CALL FOR NEW BUSINESS:

Mr. Snyder: Is there anybody else in the audience wishing to speak? Sam.

Sam Brenton: I'm coming.

Mr. Lindower: Way to go Jon.

Mr. Brenton: It's harder and harder to do this, you know that. First of all the group up here, my name's Sam Brenton in case you want to know. But I can go down through the line at the people on the street will say hi to you, which never happened before - all these guys up here. And I appreciate that. And as far as I'm concerned Tom, I'm satisfied with what you did. And I'm going to put a stamp of approval on. And the second thing is I reserve the right to come back up here the first of the year. Thank you guys.

Mr. Snyder: You're welcome.

Mayor Rice: Happy holidays.

Mr. Brenton: You guys have a good holiday.

Mr. Foltz: Thanks.

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Mr. Brenton: And I'm still trying to talk this woman into taking a ride with me. She never went in a vehicle a 100 miles an hour in her life - I volunteered. But these guys back here, I'm the one - the voice on 911 Thanksgiving morning. That guy in front my house ...inaudible... after 20 years...

Mr. Snyder: Thanks Sam.

Mr. Foltz: Thanks Sam.

Mr. McLaughlin: Thanks Sam.

Mrs. Magel: The guy died.

Mr. Snyder: Anyone - Denny, please.

Denny Grooms: I'd just like to thank you all for getting Phase 1 done in the Middlesworth Allotment. It's been a long time coming, but it was worth the effort. Rick, I think you said I've been here for eight years. Well I don't know if it's been quite that long, but I came my hair wasn't gray and I did have some. Wow. But Doug, nobody works harder than you do in your ward. And I thank you for your support. You told me you didn't - it didn't matter to you who got in Ward 4's position, whether it was the opponent of Jon Snyder or himself and you kept your word and I appreciate that. The rest of you, I thank you all so much. The people have waited a long time. We have bad waterlines, no storm sewers and road that was done in 1981 and it was chip and seal. Mayor, if wasn't for you setting the agenda it might not get on there this time but I sure appreciate it.

Mayor Rice: You're welcome Denny.

Mr. Grooms: And I thank you all. And there's no better number cruncher than Julie.

Mr. Snyder: That's right.

Mr. Grooms: Remember that.

Mr. Snyder: Alright. Thank you.

Mayor Rice: Thanks.

Mr. Snyder: Anyone else wishing to speak? If not again congratulations to the captains - tickled to death to have you. And if nothing else to come before the council, I wish everybody a very happy and joyous holiday season. See you on Friday the 20th at the city's dinner. If not may I have a motion to adjourn?

ADJOURN:

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

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

No: 0

The meeting ended at 8:06 p.m.

PRESIDENT OF COUNCIL

ATTEST:

CLERK OF COUNCIL