

# RECORD OF PROCEEDINGS

Minutes of COUNCIL OF THE CITY OF NORTH CANTON

SPECIAL

Meeting

DAYTON LEGAL BLANK, INC., FORM NO. 10148

Held Monday, December 19, 2005 7:00 p.m. 20<sup>05</sup>

## CALL TO ORDER:

1. The Special Council Meeting was called to order at 7:00 p.m. by President of Council Doug Foltz.

## ROLL CALL:

2. The following members of Council responded to roll call: DeOrio, Foltz, Hines, Lane, Magel, Repace and Snyder. Also present were: Mayor Held, Director of Administration Wise, Director of Law Pusateri, Director of Finance Herr, City of Engineer Benekos, Economic Development Director Bowles and Clerk of Council Kalpac.
3. Mr. Foltz: Okay, at this time, if we could, I will defer to the Law Director. Could we skip Ordinance 217-05, which is the appropriation ordinance, and maybe get through some of the other ones?

Mr. Pusateri: Yeah. Go ahead.

Mr. Foltz: Because we'll have further discussion, I'm sure. Mr. Lane has to finish up on some of the street projects, so if Council concurs, we'll do that. We'll just skip to Ordinance No. 218-05. But first I need to have an amendment motion. There's been a change.

Mr. Pusateri: Yes, amendment.

Mr. Foltz: So, can we have an amendment motion on the floor for the second reading? Because it was changed in your packet. And we can go over that once we do this.

Mr. Lane moved and Mr. DeOrio seconded to **amend Ordinance No. 218-05** to reflect the changes recommended by Director of Law Pusateri. All members present voting:

Yes: Foltz, Hines, Lane, Magel, Repace, Snyder, DeOrio

No: 0

Mr. DeOrio moved and Mr. Lane seconded to **read by title only, second reading, as amended**, of Ordinance No. 218-05. All members present voting:

Yes: Hines, Lane, Magel, Repace, Snyder, DeOrio, Foltz

No: 0

## Ordinance No. 218-05 – Second Reading

Ordinance No. 218-05 establishes that all matters to be placed on the Council of Whole, Committee of the Whole agenda shall be reported to the Clerk of Council by 4:30 p.m. six (6) working days before the Committee of the Whole meeting and establishes that the Committee of the Whole agenda and supporting paperwork shall be available by 4:30 p.m. on Wednesday before the Committee of the Whole meeting.

Mr. Foltz: Chairman Snyder?

Mr. Snyder: Thank you. This is a change in the actual rules, as he's just pointed out. It's due in the Council office six (6) working days prior to the Council Committee of the Whole meeting. And if it's not there, barring an actual emergency, it will not be considered for that meeting. It would be postponed for an additional 13 days, so it would be 14 – it would be about 20 days before it could be considered. And at this time, I move for adoption of the second reading of Ordinance 218-05.

Mr. Snyder moved and Mrs. Hines seconded to **adopt the second reading, as amended**, Ordinance No. 218-05. All members present voting:

Yes: Lane, Hines, Magel, Repace, Snyder, DeOrio, Foltz

No: 0

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4. Next we need to amend Ordinance 219-05, Rules of Council, as we've discussed in previous committee meetings, so we can put this on the agenda. So, do I have that motion?

Mr. DeOrio moved and Mrs. Magel seconded to **amend Ordinance 219-05**.

Mr. Snyder: Mr. President, I have a privileged question, if I may.

Mr. Foltz: Sure.

Mr. Snyder: You'll have to suspend the rules. There are no minutes for that prior to the consideration of those ordinances.

Mr. Pusateri: Yeah (inaudible).

Mr. Foltz: Okay. So we need to suspend the rules. Is there a motion for that then?

Mr. Snyder moved and Mr. Lane seconded to **suspend the rules of Council requiring a committee report** for Ordinance No. 219-05. All members present voting:

Yes: Magel, Repace, Snyder, DeOrio, Foltz, Hines, Lane

No: 0

Mr. Foltz: Now we need a motion for the suspension of the rules, to read by title only Ordinance No. 219-05.

Mr. DeOrio moved and Mrs. Magel seconded to **read by title only, first reading of Ordinance No. 219-05**. All members present voting:

Yes: Repace, Snyder, DeOrio, Foltz, Hines, Lane, Magel

No: 0

#### **Ordinance No. 219-05 – First Reading**

An ordinance authorizing the supplemental appropriation of funds of the City of North Canton, Ohio, to be appropriated from the unappropriated balance of No. 101 General Fund to the Interfund Transfers account an aggregate amount of \$40,000.00, and authorizing the transfer of the same funds from the General Fund to the Street Construction, Maintenance & Repair Fund to the current expenses during the fiscal year ending December 31, 2005, and declaring the same to be an emergency.

Mr. Foltz: Chairman DeOrio.

Mr. DeOrio: This is the matter which we've just discussed, which is the \$40,000.00 for additional salt purchase through the end of this calendar year. We ask that it be done on an emergency.

Mr. Foltz: Okay, so we need a motion to read by –

Mr. Pusateri: No, a motion to adopt –

Mr. Foltz: Under an emergency.

Mr. Pusateri: Under emergency.

Mr. DeOrio moved and Mrs. Hines seconded to **adopt the first reading of Ordinance No. 219-05**. All members present voting:

Yes: Repace, Snyder, DeOrio, Foltz, Hines, Lane, Magel

No: 0

Mr. Foltz: Okay, next do we have a motion to amend the Rules of Council, also to waive a committee report (inaudible) for Ordinance No. 220-05?

Mr. Pusateri: Gail, what's that?

Mrs. Kalpac: We have to suspend the rules on 219-05, right?

Mr. Snyder: Yeah, you have to suspend the rules and adopt under the –

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Mr. Pusateri: Suspend the rules – that's by emergency. We did – we skipped that.

Mr. Foltz: We did that, didn't we?

Mr. Pusateri: No. We gotta go back up. We have to go back 219-05 and—

Mr. Snyder: Mr. President, I move that you suspend the Rules of Council pertaining to Ordinance 219-05, as time is of the essence.

Mr. Snyder moved and Mr. DeOrio seconded to **suspend the rules** for Ordinance No. 219-05. All members present voting:

Yes: Snyder, DeOrio, Foltz, Hines, Lane, Magel, Repace

No: 0

Mr. Pusateri: Now, pass.

Mr. Foltz: Now, do I have a motion to adopt under the suspension of the rules Ordinance No. 219-05?

Mr. DeOrio moved and Mr. Snyder seconded to **adopt under suspension of the rules** Ordinance No. 219-05. All members present voting:

Yes: DeOrio, Foltz, Hines, Lane, Magel, Repace, Snyder

No: 0

5. Mr. Snyder: Mr. President, I move that you suspend the Rules of Council pertaining to Ordinance No. 220-05, waiving the minutes of the committee.

Mr. Snyder moved and Mr. DeOrio seconded to **suspend the rules** of Council requiring a committee report for Ordinance No. 220-05. All members present voting:

Yes: Foltz, Hines, Lane, Magel, Repace, Snyder, DeOrio

No: 0

Mr. Foltz: Now, can I have a motion to read by title only the first reading of Ordinance No. 220-05.

Mrs. Hines moved and Mrs. Magel seconded to **read by title only, first reading** of Ordinance No. 220-05. All members present voting:

Yes: Hines, Lane, Magel, Repace, Snyder, DeOrio, Foltz

No: 0

#### **Ordinance No. 220-05 – First Reading**

An ordinance authorizing the supplemental appropriation of funds of the City of North Canton, Ohio, to be appropriated from the unappropriated balance of the No. 208 Street Construction, Maintenance & Repair Fund to the Road Salt account in the aggregate amount of \$40,000.00 for the current expenses during the fiscal year ending December 31, 2005, and declaring the same to be an emergency.

Mr. Foltz: Chairman DeOrio?

Mr. DeOrio: This particular part of this process designates where we are acquiring the funds from to purchase the additional salt. I'd ask that we adopt this and declare the same to be an emergency.

Mr. Foltz: Now I need a motion to suspend the rules for it.

Mr. Pusateri: That's right. That's right.

Mr. DeOrio moved to suspend the rules of Council.

Mr. Snyder: You have to adopt the first reading, then suspend the rules. So, you'll need a motion to adopt the first reading.

Mrs. Magel moved and Mr. DeOrio seconded to **adopt the first reading** of Ordinance No. 220-05. All members present voting:

Yes: Lane, Magel, Repace, Snyder, DeOrio, Foltz, Hines

No: 0

## RECORD OF PROCEEDINGS

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Mr. Foltz: Now, go ahead and have a motion to suspend the rules for Ordinance 220-05.

Mr. DeOrio: I'll try again.

Mr. Foltz: I'll get it one of these nights.

Mr. Lane: We'll use all that salt before we vote.

Mr. DeOrio moved and Mrs. Magel seconded to **suspend the rules** for Ordinance No. 220-05. All members present voting:

Yes: Magel, Repace, Snyder, DeOrio, Foltz, Hines, Lane

No: 0

Mr. Foltz: Now may I have a motion to adopt under the suspension of the rules Ordinance No. 220-05.

Mr. DeOrio moved and Mrs. Hines seconded to **adopt under the suspension of the rules** Ordinance No. 220-05. All members present voting:

Yes: Repace, Snyder, DeOrio, Foltz, Hines, Lane, Magel

No: 0

6. Mr. Foltz: Thank you, Council. Now we'll go back to ordinance – and have discussion on Ordinance No. 217-05. What do we need?

Mr. Pusateri: Let's have the first reading.

Mr. Foltz: A motion for a first reading.

Mr. Pusateri: Second reading.

Mr. Foltz: A Motion for second reading, title only, Ordinance No. 217-05.

Mr. Lane moved and Mr. DeOrio seconded to **read by title only, second reading** of Ordinance No. 220-05. All members present voting:

Yes: Snyder, DeOrio, Foltz, Hines, Lane, Magel, Repace

No: 0

Mr. Pusateri: Julie just informed me that – that it's true, the ordinance is officially amended for the second reading. We first moved to amend the Ordinance 217-05, because we have made changes to it since the last reading.

Mrs. Herr: Indicating yes.

Mr. DeOrio: So, you would like a motion to –

Mr. Pusateri: To amend.

Mr. DeOrio: To move as amended?

Mr. Pusateri: Sure.

Mr. DeOrio: I would like to move that we, for the purposes of a second reading, adopt Ordinance No. 217-05, as amended.

Mr. Pusateri: First you move to amend it, then a reading motion to amend -- you have to have two (2) motions.

Mr. DeOrio: Strike that.

Mr. Pusateri: Sorry.

Mr. DeOrio moved and Mr. Lane seconded to **amend Ordinance No. 217-05**. All members present voting:

Yes: DeOrio, Foltz, Hines, Lane, Magel, Repace, Snyder

No: 0

Mr. Pusateri: Now, a motion to adopt as amended.

Mr. Foltz: As amended.

Mr. DeOrio: I would move that we adopt Ordinance No. 217-05, as amended.

Mr. Pusateri: Read by title only. Sorry, by title only.

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Mr. Foltz: Let's rephrase it. We need a motion to read by title only, as amended, the second reading of Ordinance No. 217-05.

Mr. Pusateri: My fault.

Mrs. Magel: Are you new? (Inaudible)

Mr. DeOrio moved and Mrs. Hines seconded to **read by title only, second reading, as amended**, of Ordinance No. 217-05. All members present voting:

Yes: Foltz, Hines, Lane, Magel, Repace, Snyder, DeOrio

No: 0

### **Ordinance No. 217-05 – Second 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, 2006, and ending December 31, 2006.

Mr. Foltz: Okay, Chairman DeOrio, and come back and refer to Chairman Lane –

Mrs. Herr: Can we take a time out for one second? I just want to explain all of this confusion with the amendments. The – I've given everyone with their packets the new Attachment A, which I have one for Gail as well, as well as the Appendix A, which is incorporated into the appropriation ordinance. The other thing that's changed – and, again, these are changed based upon the discussions that I had with Councilmember DeOrio today. The other thing that's changed is the – within the ordinance, there is a list of the transfers from the Income Tax Fund, the General Fund and from the General Fund to the various funds. That number is going to change. The one for the transfer from the General Fund to the Street, Maintenance & Repair Fund is going to be increased from \$470,000.00 to \$520,000.00 to accommodate the additional salt request for the '06 budget. So, that's changed. The Attachment A has changed, and the Appendix A has changed. However, it's going to be changed again for the next reading tomorrow. So, I just wanted to make you understand why we went through that process of having it amended, because it is amended since the last reading. But it will be amended again.

Mr. Foltz: Thank you for that clarification. Chairman Lane.

Mr. Lane: Continuing where I left off in asking Jim about the soil analysis. And, again, based on the figures that I was given by my Finance Chairman DeOrio, tried to do something in each one of the wards, and based on our previous discussions all of us (inaudible)... first met, things were looking fine, and then the second draft came along, and things were kind of disappearing. And the third draft came along, and they were close to being gone. So, in taking all of the consideration from the comments and everything else we had, we tried to save as much as we could under Street & Storm. The water and sewer were basically untouched. That gives a number of projects primarily to the Water and Sewer. But I guess McKinley and Bonnett are counted, and they're the two (2) primary ones, but there's some other ones across ward 4. The big question is still if it's possible that we can do anything in Landsdowne. And I noticed on this one after my discussion with Chairman DeOrio, I suggested the possibility of being able to do something similar to what I was trying to do over on the Pineview, Override and Bachtel situation, where we had a major project that I basically took a third of and took the worst street that's in need of most repair and put it in here. I didn't know if there was still some room for that. I think the big problem with trying to do all of Landsdowne, and I know that Jon's gonna have something to say about this, and I wouldn't blame him, because I voted for it originally last year, is that \$800,000.00 price tag in the Street budget facing us to do it all, which it just isn't there based on the dollar figure that I was given to work off of. So, if it's possible for us to do the water in there, I think it will be ideal. Maybe carry over in some of the Storm or pick and choose a couple of different streets in there and be able to work those around. Summit got moved up. In some conversation that I had with Chairman DeOrio, it is a possibility from '07, I guess, up to '06, again, going back to our continuing conversations about trying to coordinate four-inch waterlines and get those fixed. And we also looked at the

## RECORD OF PROCEEDINGS

Minutes of

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possibility of doing some Furbee, Lucille and Glendale, which is a big ticket item as well. And between those two, it could be possible that the ward councilman might want to look some changes there. That's the only major – major change, based on our previous budgets. The (inaudible) concrete is off for the year, but we're at least gonna be able to see exactly what it would cost us to do each or any of those streets based on the soil analysis, which I think is very important to do. I just don't want to go in there and try to pave a street and find out that it's not gonna last 20 years that we expect it to. And I think everybody is in agreement that both McKinley and Bonnett should be done in their entirety – just finish them up and get it done, and get it done right. And that's what I gleaned out of last week's discussion. So, I mean – that's that's where I came up with some of these figures, and I open it up to discussion.

Mr. Snyder: Since it obviously affects my ward most stringently, I would like to comment. A couple of things I don't understand. Number one, as I was – as a couple of you members promised, along with Mayor Rice, that that project would be done. I consented to take half of it away and reduce it to 400 – from \$1,400,00.00 to \$875,000.00. The criteria of this administration presently under Mayor Held was worst first – water, and I notice that Pineview, Override is on there with just \$5,000.00 in water. The majority of it is the aesthetic street. That street has only been in the City less than four (4) years, and I think if we start looking at it, criteria two – storm – water first, storm second, street third, and then the actual value of income tax and property value to the City – one street in my Landsdowne will more than take care of those three (3) streets. I notice we're engineering a project in the second ward of Chatham, when the problem is not in the streets, it's in the Nimishillen Creek. With a \$1,400,000.00 project with no way to do it, we're gonna spend \$85,000.00 to put more plans on the shelf. That's not too fiscally responsible when we're cutting budgets out of everybody else, and we're designing projects that we have no way of doing – impossible to do next year without throwing the rest of the plans – in Landsdowne we just spent \$100 and some thousand dollars to do the engineering. We're doing Browning with no engineering plans. And, again, this is very political. It's not worst first, it's not fair. I appreciate the concurrence of doing Bonnett; but, again, you promised these people – we borrowed that money in good faith. Obviously, our word is no good here. So, I mean, it just – It's almost laughable. This is as political as you possibly can get. It simply doing nothing but trying to get reelected, because you've done something for the residents. The people of Landsdowne have deplorable streets. We've promised them – they have bad water, and now we're doing – we're doing aesthetic projects. You know, I mean, it doesn't serve any purpose for me to get angry about it, because it really is not going to make any difference. (Inaudible)...We're doing water projects – you say those are out of Water Funds. Those aren't out of General Funds. We're moving additional waterlines, and those streets come out of Water. They do not come out of the General Fund. To do a 35 – a \$25,000.00 study on Eastwoods, when, again, for the next six (6) years we're not gonna do a thing to that street, is strictly political for you to please those residents, because you promised them we would do their street, when the people of Heritage Estates have been coming here since 1986 to get their streets done. And they've been promised every year and still haven't had it done. So I think that is very political, sir, for you as a street chairman, to do those types of jobs. And then to take a street that was annexed four (4) years ago that has \$5,000.00 in water projects, that hasn't even paid for the original waterlines in income tax or real estate tax is very political; and it's not right. When you, sir, sat here and voted your conscience that you would do Landsdowne. Now, obviously, you're not a man of your word. That's the only thing I can say publicly – and Mr. Foltz, the same. For you to do Browning, sir, you're not a man of your word. You sat here when the Mayor of this City said you gentlemen and ladies understand that you're promising \$1,400,000.00 to those people. And you said "yes," and you said "yes, " and we can have the Clerk play the tape back. And now you've simply decided politically you would rather cut all the departmental budgets and then you want to do pie in the sky designs. Secondly, you cut his budget. How's he possibly gonna get all these jobs done? Where are you gonna get the contractors to do this work? It's physically impossible. We'll have the same thing happen that happened on Fair Oaks six (6) years ago. We get sub-contractual work because there's nobody there watching the job. Maybe that's what we should do. But maybe we should explain to these people it's much easier 21 months prior to

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Minutes of

COUNCIL OF THE CITY OF NORTH CANTON

SPECIAL Meeting

DAYTON LEGAL BLANK, INC., FORM NO. 10148

Held Monday, December 19, 2005 7:00 p.m. 20 05

election to go ahead and promise all these jobs rather than do something that's right that we give a conviction for. We borrowed that money to give it to the CIC. We didn't do it. So, that's all I have to say. Thank you.

Mr. Lane: (Inaudible) And, again, I appreciate your comments, and I understand you're –

Mr. Snyder: They're very true.

Mr. Lane: -- very upset.

Mr. Snyder: Yes, I am. Because innumerable when I give my word, I usually keep it. I don't politicize. I gave up half of it so that it could be done – so that you could get McKinley. But when I read this, sir, it doesn't seem to balance out. As you said, we made sure every ward – what would be the possibility of spreading the money around wards to be fair when people don't have the proper water pressure to fight a fire in this city. Maybe you want to explain that to them.

Mr. Lane: The water I have – I mean, and you just said – that's off the table. I would say let's do all of the waterlines.

Mr. Snyder: Well, why are we doing – why are we doing Pineview, Override at \$120,000.00 in the street when there's a \$5,000.00 water problem which simply means the connections that we're pulling up. We put brand new waterlines in there four (4) years ago.

Mr. Lane: Before you go further, look at the street and storm. If we did all of Landsdowne, that's roughly \$800 and some odd thousand dollars –

Mr. Snyder: Infrastructure, only.

Mr. Lane: -- that pretty much takes all of that \$1,600,000.00 or whatever it was I was told the deal was away, and that leaves absolutely nothing for the rest of the City.

Mr. Snyder: Well, I think we're asking for \$800,000.00. You take \$210,000.00 from Pineview; we take away the \$25,000.00 on Eastwood; we take away the \$85,000.00 of Chatham; and then we take the \$250,000.00 when we're fighting to pave streets that aren't even in the City, and you add that to it, I think that adds up close to \$800,000.00. And that would be very equitable – that's half of the job. That would be equitable.

Mr. Lane: Again, this is not – this is not in stone. This is what I was asked to come up with.

Mr. Snyder: Well I – but I'm asking you, how does it come up and it's not political?

Mr. Lane: I think it's a political body. This is the way it works in politics, but that doesn't mean that people of Override or McKinley or Sixth Street or Browning don't deserve some road structure –

Mr. Snyder: No, I'm not saying they don't, but they have to wait. I mean these people – people in Landsdowne have been waiting 27 years.

Mr. Lane: But I was handed the first budget – probably about \$1,600,000.00 – \$1,700,000.00 of projects that I have trimmed down to about \$700,000.00 in my ward. I know that Doug had a few things up there that he's trimmed down. And then we're just doing our best to try to accommodate as many people as we can. But I'm open to any suggestions. And if anybody up here feels we could move some of these numbers around, again, this is just – I was given a task, and I came up with what I thought was an equitable look across the City at various projects. But if it's possible, and, again, I'll put this back in your lap. If it's possible to take two (2) streets in Landsdowne as opposed to five (5) and put those numbers together similar to what I did with the three (3) in Pineview, Override and Bachtel, maybe we can get that part of things done. You're roughly looking at a \$1,500,000.00, so \$300,000.00 would be a street. And, again, that's gonna be a rough estimate; because some are small and some are long.



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Minutes of

COUNCIL OF THE CITY OF NORTH CANTON

SPECIAL Meeting

DAYTON LEGAL BLANK, INC., FORM NO. 10148

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Mr. Snyder: The problem is, it's not a problem of moving the money to do the street. It's physically impossible to ask the Engineering Department to take on this type of ambitious projects. We have Main Street, which almost has \$300,000.00 – where are we possibly gonna get the manpower? Where are you going to get the contractors that are at least standard ability, if not better than standard? We're gonna have the same problem that we have now. We're gonna end up in lawsuits because we use sub-standard contractors to get the jobs done. And all's we get done, then, is fighting with them to get the work done. And Mr. Benekos, am I correct in my assumption, sir?

Mr. Benekos: It'll be a busy year for us.

Mr. Snyder: Am I correct that there are not enough contractors to go around to do those types of projects?

Mr. Benekos: We find that late in the year, if we have lot of projects, to get quality contractors, it can be difficult.

Mr. Snyder: I appreciate it. And to do jobs that are engineered, or to engineer jobs that we have no ability or no way to pay for is not fiscally responsible. It just doesn't make sense. Why would we spend money on engineering when we're taking what we can – we can't even afford salt for the street? I mean that doesn't make sense to me. I mean, this thing is so highly political – this was the Mayor's budget, I thought. The Mayor was to submit the budget. Obviously, it didn't make any difference. It got all chopped up. If I read the Charter correctly, and the Mayor said that it's water, storm, street infrastructure and then the length of people in the City. And those projects – three or four of them do not even meet one-tenth of that – versus Landsdowne and versus Bonnett. And I appreciate Bonnett, because – and Mr. DeOrio would attest to that. That lady's been drinking brown water since she moved in there 15 years ago. And she pleaded and begged for it. But I'm not saying, you know, at this point, it's ludicrous. I can't add another project. I would sooner just let it alone and take those other projects that we have no ability to do, and they're not even engineered to put the money in an account and say that at least we'll be able to pay the salaries.

Mr. Foltz: Can you tell us what is feasible to get done? Can you, can you tell us through this what's feasible? Bonnett absolutely and Lynhurst absolutely is a must. I think that's a given that that job is gonna be done in its entirety. You agree with that, Jon?

Mr. Snyder: I do sir, thank you.

Mr. Foltz: Okay. And I think I mentioned that last –

Mr. Snyder: And I appreciate that.

Mr. Foltz: -- last week's meeting that –

Mr. Snyder: And Mrs. Hines and Mr. Repace and Mr. DeOrio. I appreciate that very much. And that won't go unforgotten, because those people need that. And that is a must, and I thank everybody at Council that has supported that.

Mr. Repace: There's no question about it. So, we can get off Bonnett, because that's a job – I know Susie and Pat all –

Mr. Snyder: And I appreciate that very much. So do the residents.

Mr. Repace: -- all agree with that. Okay. Tell me a little bit, you know, being a rookie here – up – sittin up here. Tell me a little bit about this Landsdowne. What – are there bad waterlines there; is that what you're sayin?

Mr. Snyder: There's bad waterlines. There's flooding problems. The problem is, the way it sits – it sits high in the area and it takes the (inaudible) in certain areas, then it sits low in other areas. It comes off Glenwood, and it is commonly referred to as "Pill Hill."

Mr. Repace: All right. I'm familiar with that.



## RECORD OF PROCEEDINGS

Minutes of

COUNCIL OF THE CITY OF NORTH CANTON

SPECIAL Meeting

DAYTON LEGAL BLANK, INC., FORM NO. 10148

Held Monday, December 19, 2005 7:00 p.m. 20 05

Mr. Snyder: And, yeah, the problem is it takes all the water flows down there, and the road actually flows – most of the road is picked up after every rain in Mr. Lemmon's driveway, because it washes down in there. So, originally, the Mayor wanted to do a CIC project, which, at the time, I was Chairman of the Finance and felt, and still feel today, the City was not financially stable enough to transfer that money from the General Fund. So we did what is commonly known as a pocket switch. We borrowed the \$1,500,000.00 for a road project which was assigned to do Landsdowne in its entirety. And the money we use -- were to use the capital funds was to be transferred to the CIC. But, again, and to be fair to the Council before – you were not here, but the seven members that sat here, it was completely explained to them. Please understand. Don't come back next year and ask for additional projects when you're giving your good faith word right now that we'll do Landsdowne.

Mr. Lane: And what came out of this – in fact, in the original draft –

Mr. Snyder: Was half of Landsdowne.

Mr. Lane: Was half of Landsdowne.

Mr. Snyder: And that's right. Mr. Miller called me.

Mr. Lane: So things were somewhat violated from the beginning, and I apologize for putting it that way, but --

Mr. Snyder: Mr. Miller called me and said the Mayor's budget did not include all of Landsdowne. And I said, well, that's not fair. And at that point, I conceded half of Landsdowne to do the water and sewer in Landsdowne if they would do all of Bonnett, and that other people could have some money. But the thing what I am saying right now is Bonnett, McKinley and some of the other water projects is really all the City can handle. That's – why do projects we don't have designs on the shelf for?

Mr. Repace: That – that's why I asked Jim Benekos – what can we handle in water projects? I don't want to get into something we're gonna get shoddy workmanship out of and just hire contractors and get ourselves in trouble. I want to tell you something I don't like, is robbing from Peter to pay Paul. You guys got yourselves in trouble doin that. That's not gonna happen again. We can't do that. That's not a good thing to get – to get in a habit of doing. What can – what water projects can we do and stay out of trouble? Because if you're saying that this is just gonna be too much to handle in one year, you know, we don't want to create more problems than we're already facing right now.

Mr. Lane: Yeah. We do need to hear that if you think we're overextending ourselves.

Mr. Foltz: Yeah.

Mrs. Herr: Poor Jim.

Mr. Foltz: I see him now. This ball's gonna go back and forth, and it's late. I'm gonna have my turn, too. So, go ahead, Jim.

Mr. Benekos: Well, I was going back through my notes, you know, and when we start this process, you know, we start out, basically, with a wish list of all the projects that everybody's thought of throughout the year and that we've been carrying. And I was looking at – there was like a \$15,000,000.00 price tag which we obviously can't do, but I put those in the matrix, give them to the administrator and to Julie, and we started whittling away from there. A lot of the projects – in fact, all of the projects that have been mandated out this evening, have been on that list – that original list. So, you know, I listen to the projects that some want to do and the others want to do, and it goes back and forth, and I'm looking – I'm just waiting to see, you know, where it's gonna fall out and how busy I'm gonna be. So, when you ask, you know, can I do all of these? I don't know which "all of these" we're talking about yet. I know if we do all that we've been talking about, it will be a very busy year. You know, we always try to do our best, as everybody in the City does – very good workers here. But, you know, when you – if you give me a list, then I can comment on that, but –

## RECORD OF PROCEEDINGS

Minutes of

COUNCIL OF THE CITY OF NORTH CANTON

SPECIAL Meeting

DAYTON LEGAL BLANK, INC., FORM NO. 10148

Held

Monday, December 19, 2005

7:00 p.m.

20 05

Mr. Repace: Don't you have those?

Mr. Benekos: Well, I have this – what – and I just got it this evening. You know, we've been adding and subtracting. You know, there are a few projects on this list that are – that are new that we don't have design. Those will end up being delayed in the year, because we'll have to design them and get them constructed – bid them out and construct it. And those are the projects that'll end up coming in at a higher cost, because when the contractors are busy, they bid a little higher. The ones that we have done and ready to bid out early in the year, we usually get better costs on, because they're looking for work for the year.

Mr. Foltz: A couple of points, Jim. What – do you know the – what size waterline there is in Landsdowne?

Mr. Benekos: I believe they're six-inch lines.

Mr. Foltz: They're six-inch lines. So, they're not four inches; okay. And there might be a water problem there; we don't know?

Mr. Benekos: There is – there is a water problem. They've been identified. They're the old six-inch cast lines. They have breaks in them. So, if you go down the street, you see a lot of patches indicating the breaks in the line.

Mr. Foltz: But there's also other six-inch lines in the City that need replaced also; correct?

Mr. Benekos: Correct.

Mr. Foltz: Okay.

Mayor Held: Mr. Chair – Mr. President, Mr. Benekos, if you can recognize or identify the difference between the six-inch cast lines and the six inch -- is it the six-inch ductile iron.

Mr. Benekos: Right.

Mayor Held: And which one is more prone to breakage and problems?

Mr. Benekos: Well, the cast iron – they're the older. I believe it was in the 80's when they made the switch over to ductile iron. The ductile iron is also a line – it has a cement lining on the inside so you don't get that buildup in there as you do with the old cast iron lines.

Mayor Held: So, Landsdowne, then, has the cast iron.

Mr. Benekos: Correct.

Mayor Held: Without the cement lining.

Mr. Benekos: Correct.

Mayor Held: So, when we're looking at waterlines, the first priority was two-inch waterlines – I believe they're all replaced now in the City.

Mr. Benekos: Inside the City.

Mayor Held: Inside the City, and then the four-inch waterlines would be the next priority. Then, after that would be the six-inch waterlines. (At this point, recording equipment did not automatically transfer from Tape 1 to Tape 2. Therefore, part of Mayor Held's dialogue is not included).

Mrs. Herr: Jim, could you also mention which ones the designs would be ready to go --

Mr. Benekos: Sure.

Mrs. Herr: -- at the beginning of next year?

## RECORD OF PROCEEDINGS

Minutes of COUNCIL OF THE CITY OF NORTH CANTON

SPECIAL Meeting

DAYTON LEGAL BLANK, INC., FORM NO. 10148

Held Monday, December 19, 2005 7:00 p.m. 20<sup>05</sup>

Mrs. Magel: Well, one of things this particular Council is interested in is the waterlines of – where the water – how shall I say this? The quality of the water, not the waterline. The water, itself. And that's where, I think, a lot of us have been concentrating. And if you'll take a look at through – through here, you know, where we were concentrating, to try to relieve some of the areas, and as we had discussed, it was five (5) major projects, I think of which three or four are gonna be taken care of here. So, it's not just the waterlines, we're also concerned with the actual water quality.

Mayor Held: And Mrs. Magel, when we're looking at the quality of the water. That really is contingent upon the waterlines that are in the street, because when you have that sediment buildup in the waterlines, like in a four-inch waterline, that sediment buildup is what causes the rust. When you have a power surge at a water treatment plant, it causes the flow direction to change. So, clearly four-inch waterlines, two-inch waterlines and the six-inch cast waterlines have a higher degree of rust in the water to the residents.

Mr. DeOrio: And before Mr. Benekos begins, let me just say that, you know, I – I have met with Mr. Benekos and spent some considerable time with him reviewing every project that is currently on your packet list tonight, in addition to every project that they had out through 2010. And we looked at every project, and the focus should be what project can we start this year – '06 – and we can finish in '06. The idea that we're gonna start a project and it's gonna be in a situation where we're gonna continue on until next – in '08 – is a fool's paradise, because the money ain't there. The money's just not there. We only have so much money to work with. We can't do every single project that's out there at any one given time. We do have to prioritize. There's no question about that. And I'm gonna pick somebody's project with orange water before I pick any other projects, period. It's not acceptable that people drink orange water in this City. And there are three (3) streets that weren't even in the lexicon of anybody's dialogue – Furbee, Lucille and Glendale. Thank goodness Mr. Benekos, in my meeting with him, was kind enough to forward over a rough estimate on what it would take – what he might think it might take to fix that problem down there with the waterlines. It's not acceptable that we're working on any other project before we have suitable drinking water for the people of this – this community. So, we can sit here and we can get into all this, but the bottom line is the money is not just tight this year; it's more tight next year. We've just spent the beginning of this conversation tonight on what's happening with The Hoover Company, and I don't see where what I heard tonight is going to alleviate any of my concerns for next year. There's only so much money available. And it isn't as much as we had this year, and this year isn't as much as we've had before, and before and before and before. So, we're gonna have to pick and choose.

Mr. Foltz: That's correct. And just so I may discuss this further. Jon, I understand you – Landsdowne wasn't even in the budget this year for any street improvements; it was just utility work on one of the phases. One of our – and Mr. Lane, your right. You know, we've seen three or four different, different project lists as far as where we're coming from. So, not to steal Councilwoman Magel's thunder, but that was brought up to me, and that's correct. I mean, Landsdowne wasn't even part of the equation for street improvements. That \$1,500,000.00 was basically told to me by the Finance Director last week. Just to – it was just gonna go into the street. We're not even gonna get to it this year, even if we start it.

Mr. Snyder: Well, that's – my argument is not – and I said, I concede that. But why would those people have to suffer bad water and infrastructure problems when last week they had it in there. Now it's gone at the bewitch of your project, Mr. Lane and Mrs. Magel's projects. I was there last week.

Mr. Foltz: But the problem is –

Mr. Lane: I'm still in favor of doing the water in Landsdowne. I always have been. I didn't take it out of here, and I think I expressed that to Mr. DeOrio, too, that if it's a water project that can come within our budget, and I think we can with that, I'm not 100% sure, but I would think we ought to do the water in Landsdowne.

## RECORD OF PROCEEDINGS

Minutes of COUNCIL OF THE CITY OF NORTH CANTON SPECIAL Meeting

DAYTON LEGAL BLANK, INC., FORM NO. 10148

Held Monday, December 19, 2005 7:00 p.m. 20 05

Mr. Foltz: Well, the problem is, though, looking over all this. And we should do the water. And I was always for doing the entire project on Bonnett, not just the water. But we have to pick and choose. We went over this last week. Jon, when you add this up, and we move Summit, it looks like, from '07 into '06, and we also put Lucille down; is that correct?

Mr. Benekos: That's correct.

Mr. Foltz: I mean, you're looking at a million and a half in your ward, there.

Mr. Snyder: You can't look at it as dollars and cents –

Mr. Foltz: And – I – yes you – but you have to. They represent their wards. We have three other members, and there's other needs. So, you want a million and a half plus Landsdowne. I, I just think that –

Mr. Snyder: I want the water project in Landsdowne.

Mr. Foltz: That's just not fair to the rest of Council here. I mean, I think this is a workable plan. Let me –

Mr. Snyder: There's a City map there, sir. There's the fourth ward.

Mr. Foltz: Let me finish, Member Snyder, if I can. Let me finish. You've got 790 in Ward 3; you've got 432 in Ward 2, and I'm looking at 200,000, because I've got residents there that have some storm water problems. They may need a waterline replaced, but it's probably not bad water – 200,000. I mean, you have to – you have to look clearly at this. We can't spend all the money in Ward 4 in the next two or three years. It's just not feasible to the rest of the ward representatives here on Council. I'm not just speaking for Lane and – Councilman Lane, but that's the way I feel about it. I'm willing to get these other things done, but there has to be a compromise here. There has to be.

Mr. Foltz: I'm not saying Landsdowne will never get done, but I don't see how you start it and finish it as Member DeOrio said. We just don't have the money in place to do all this.

Mr. Snyder: Well, my statement is how are we taking on additional projects, such as Browning that was not even designed, won't be designed, if we're lucky, until August. We're bidding it out. We can't start and finish it in the construction season. You're designing Chatham, which is \$1,400,000.00 today that won't get done, if it's lucky, in 2010. So, where do you spend the money to design for? I mean, what, what possible reason are you designing them on? And you're going to do – you're doing the streets up there in his ward that have just been brought in and have no water problem. Now, fine. Let's knock all those projects back out. If Landsdowne goes, so do those projects go. There's no reason to do them. You're just – you're strictly doing aesthetic work.

Mr. DeOrio: Well, let me just – just let me interject, here. Now, even if you, you know, the – even if you eliminated, if you took back out Browning and Chatham and Eastwood – the 25,000 soil sample, it doesn't solve the problem.

Mr. Snyder: I know, but why—

Mr. DeOrio: That's money that's been alloc – that is funded into the Streets section of it. The project for Landsdowne that was going forward, as I can see for '06, doesn't involve any money on the street. So, even if we eliminate Browning, it doesn't – it doesn't make it possible to do Landsdowne still. You've got different subcomponents of this, you know, sanitary sewer, \$150,000.00 for all these projects, \$1.2 million something for water, \$600 and some thousand for storm; \$700 and some thousand -- \$765,000.00 for street. You know, that was the draft budget that had all of that in there. But when you take it apart and you look at those line items, we just can't take out Browning and say, well, there's \$100,000.00 from the street, where we could just go plug that into the water – Can't. It's gonna be spent on the street, but there isn't no street in '06 in Landsdowne.

## RECORD OF PROCEEDINGS

Minutes of

COUNCIL OF THE CITY OF NORTH CANTON

SPECIAL Meeting

DAYTON LEGAL BLANK, INC., FORM NO. 10148

Held Monday, December 19, 2005 7:00 p.m. 20<sup>05</sup>

Mr. Snyder: Fine. Then why are we spending money just to spend money? Why do Browning when it's not – it's not even on the shelf to be done?

Mr. DeOrio: I'm not gonna take issue with whether we're spending money to spend money. The councilman from that ward feels, and the residents of that ward, and we've seen a –

Mr. Foltz: We've seen a signed petition.

Mr. DeOrio: -- signed petition regarding what they would like. But in, again, meeting with Mr. Benekos and talking about Browning, he said that is something that, you're correct, was presently not engineered but could be engineered and could be completed this year.

Mr. Snyder: And, then, answer me – why are we doing the \$25,000.00 study on Eastwoods when we know we're not gonna do the street, nor Chatham, either one? That's a 100 – that, right there, is – the figure is up to \$110,000.00.

Mr. Foltz: Member Snyder, you're saying we're not doing the street. There's other Council people involved that want those projects. I mean, just as, as you are –

Mr. Snyder: At what point are gonna do that? Are you gonna let –

Mr. Foltz: As you strongly represent your ward, you're gonna have three other members do the same thing in theirs. And that's – and you understand that.

Mr. Snyder: At what point are going to let the people in Landsdowne – what are gonna let them sit for the next 20 years again with bad water and storm?

Mr. Foltz: Well, Jon, we replace –

Mr. Lane: Can I interrupt you? And maybe I'm looking at this wrong, here, as, when I talked to Mr. DeOrio, but we have \$1.2 million in water; correct? And, again, I might be off by a little bit.

Mr. DeOrio: We – originally, we had \$1.2, and after all these are added up, based on what we're looking at tonight, it's still \$1.2.

Mr. Lane: Okay. But, again, and deferring to a ward councilman, if we look at Furbee, Lucille, Glendale and Summit. And I understand the reasons for moving them up, but I also understand giving a little leeway to a council person that represents a ward. And all of the water at Landsdowne comes in at around four and a half, and hopefully it will come in just a little bit below that. You're pretty close to being able to do that at the expense of Summit and moving it back to next year. And, again, I realize that's not maybe the consensus feeling, but it was my feeling on things that if we could get the water done, if it's a problem and it's a priority, I understand moving that. I don't have a problem. My big concern on doing it that way is once you open up that street, there's about \$300,000.00 in storm to be done. I don't know how many times you can open up that street. And that's my concern with it, Jon.

Mr. Snyder: Well, that would be ludicrous to do Landsdowne –

Mr. Lane: Exactly.

Mr. Snyder: -- the water only and leave the storm, and leave it – I mean, at that point, that, that's fiscally irresponsible.

Mr. Lane: But I don't know if we can come up – I know (inaudible) ... account for the \$300,000.00.

Mr. Snyder: But the problem is, if you're gonna do Landsdowne as a band-aid – just the water – save your money. That's a joke. I mean, when you – when you all – when I bring the people from Landsdowne next Monday, and you look at them,

## RECORD OF PROCEEDINGS

Minutes of

COUNCIL OF THE CITY OF NORTH CANTON

SPECIAL Meeting

DAYTON LEGAL BLANK, INC., FORM NO. 10148

Held Monday, December 19, 2005 7:00 p.m. 20 05

when you promised them to vote – you look at them in the eye and tell them you promised them. And why you're not doing it to what sake. That's as simple as that.

Mr. Foltz: Member Snyder, we've seen the members of Bonnett here, and there's a concurrence just to do the whole entire project. But there –

Mr. Snyder: Sir, I remember, also, when I did –

Mr. Foltz: But there has to be give and take here.

Mr. Snyder: -- Browning – when we did Browning, and it wasn't that big a problem, we spent \$900,000.00 – not Browning, but Bel Air. That's what we did on an emergency for you when you brought the people up. That was \$900,000.00, I think, totally, which we did the whole street – Valley and – but, you know, I mean, it becomes a thing. If you, you know, at this point, it's – we're gonna sit here and argue and the only thing we're going to do is call each other names. What's right is right, and what's wrong is wrong.

Mr. Foltz: Member Snyder, we're not gonna do that. This is a different Council. So, we're not going to do that. We appreciate a good debate. I understand where you're sending – you're coming from as a ward councilman, and you'll have to – you understand that, too.

Mr. Snyder: But if I take from 1990 to present, and show you how much money was spent in one, two and three versus four, and the map doesn't lie, I mean there's a lot of orange on this street. Then you're sitting here saying well, we can't put it all in the fourth ward. But for ten years you've been here, you've been voting for projects in your ward and other wards and letting Ward 4 alone. And those people are drinking rusty water who pay more money than anybody else. And the funny thing is, they all sent a letter – Mr. Lemmon lives on that street – at election time requesting donations for their reelection campaign. I'm sure he will appreciate that next year when he gives you the money to run for election. And you ask him when he's got to drink brown water. But that's neither – I rest my case.

Mr. DeOrio: Are you directing that comment to anyone in particular?

Mr. Snyder: No, sir. That was just a comment. That was not personal; it was just a comment.

Mr. DeOrio: Were you – are you trying to say that –

Mr. Snyder: No, I didn't mean anything –

Mr. DeOrio: Or do you want to go – if you want to go that direction with me?

Mr. Snyder: No, no.

Mr. Repace: Have we identified where the worst water problems are? Where the bad water is – the rusty water?

Mr. Benekos: Yes, we have a list of that – the Water Department does have that. We've been working off that list for the last three to four years. It was after we did the water model for the City and identified those areas, and we've been making good progress on that. If we continue on, I believe, hopefully by the end of next year, 2007, next fiscal year –

Mr. Repace: Does this budget identify some of the water – the worst water problems in the City?

Mr. Benekos: Yes, it does.

Mr. Repace: Okay. Is it feasible to get these projects done in the year's time? That's what this is narrowing down to.

Mr. Benekos: What's presented here, I just went through. There's 17 projects that, that would be bid out to contractors, and it's aggressive. But, if that's what Council passes, that's what we'll do.



## RECORD OF PROCEEDINGS

Minutes of COUNCIL OF THE CITY OF NORTH CANTON

SPECIAL Meeting

DAYTON LEGAL BLANK, INC., FORM NO. 10148

Held Monday, December 19, 2005 7:00 p.m. 20 05

Mr. Repace: Well, I think that Council wants your recommendation along with that. I mean, is it – if it's aggressive and feasible, you know, that's terrific. Then it can be done. If it's aggressive and it's not going to be feasible, and it's gonna leave us in a bad way, you know, I think we need to take a second look at something. But, you know, it's intolerable for people to have bad water.

Mayor Held: Mr. President, if I may interject here for a moment. We can take a look at these – we can take a look at the combination projects, and if you'd like, we can run through real quickly and identify what the waterlines are – the condition of the waterlines for each one of the combination projects. If you look at the first project, Sixth Street, that's a park domain – that's a four-inch waterline. The Applegrove project, I don't believe that we have any waterline issues there. Well, there's not. And, then, Bonnett and Lynhurst, that's a six-inch cast – Bonnett and Lynhurst. We look at Browning in eleventh. We do not have water problems.

Mr. Foltz: There's storm issues there.

Mayor Held: There's storm issues. There is money allocated for water, but that's for like tie-ins for the project – waterline tie-ins. You look at Cordelia – that is a four-inch waterline. Chatham, I believe, is an eight-inch waterline. That's a newer waterline. Eastwood Circle – we do not have a waterline problem there. Then we go on to McKinley. That's a four-inch waterline. Pineview, Override, Bachtel – there are no waterline problems there, because that's a new line.

Mr. Lane: That's a – that's a drainage issue on Override. Pineview and Bachtel are more aesthetic –

Mayor Held: Okay.

Mr. Lane: -- because there's a minor problem on Bachtel, but Override has some flooding problem.

Mayor Held: Then we have Summit – that's a four-inch waterline. Then if you go down to the water projects – Furbee, Lucille, Glendale – that is a six-inch cast waterline. And the other project, which is not on the list, is Landsdowne. And I believe that that's a six-inch cast waterline; is that correct?

Mr. Benekos: Correct.

Mayor Held: And also, Mr. Benekos, when you look at the list of projects that are there before you, is there a possibility that all of these projects would not be completed by the end of 2006? Realistically.

Mr. Benekos: I, I think we can do them. You know, some might be late in the year, like we had this year where you don't get the top surface of asphalt on there because of weather concerns. This is the first time I saw this list with a few added projects.

Mayor Held: Now, also, that's – that's considering, too, the weather. I mean, if we have – obviously, if we have challenging weather where there's a lot of rain throughout the year, then that obviously puts delays on the projects also. So, if we're looking at the best case scenario where the weather cooperates, it still would be an aggressive plan; is that correct? I just want Council to be real clear here that I know that our City Engineer is trying to aim to please all of Council and the administration. He's put in a real tough spot, but I just would like to record to show that this clearly is an aggressive plan, and I want our expectations to match what is – match with reality.

Mr. Repace: I don't think Jim needs to aim to please. I just want his expertise. I, you know, value that. And all what we – what we need to know is what's feasible and what isn't feasible. So, I don't need anybody to patronize me. I just need facts. And that's why I go to his – for him for his expertise.



## RECORD OF PROCEEDINGS

Minutes of

COUNCIL OF THE CITY OF NORTH CANTON

SPECIAL Meeting

DAYTON LEGAL BLANK, INC., FORM NO. 10148

Held Monday, December 19, 2005 7:00 p.m. 20 05

Mr. Snyder: Realistically, Landsdowne is out of the question relative to the cost. But to add these additional projects when we're trying to save money, again, is not intelligent. Those projects should not be started. That – that job is more ambitious than I would think, and what's going to happen is they're not gonna get done properly. We don't – without doing more overtime, without hiring additional inspectors, and not only that, there are not that many qualified, that I know of, and Mr. Benekos will tell you that, contractors, that we don't get into a problem. And there's nothing wrong with letting that money sit in the treasury. It's not going anywhere. It's, it – and then, possibly, next year at this particular stage, maybe the people of Landsdowne can have their water project done. But just to do – to do jobs just to do them, I don't think that's fair either. If they have to suffer, then the whole – everybody should have to tighten their belt. And I appreciate the support of Council in every waterline, because those waterlines are atrocious in the fourth ward. And I'm not – you know, I have to give up the Landsdowne project. That's not fair to do projects that are aesthetic in nature.

Mr. Foltz: Jon, I don't think these projects are just to spend money.  
Mr. Snyder: No.

Mr. Foltz: I think there are projects that need to be done, and I think what the goal is – is to let's fix all the waterlines and then get caught up on some of these things that probably should have been done in the past.

Mr. Snyder: I agree.

Mr. Foltz: And, you know, so we can more or less keep up – there's a lot of projects.

Mr. Snyder: But some of these projects are not water.

Mr. Foltz: I understand that. But there's projects that we're behind on. You know, I don't want to shift gears on anybody, because we're not into that. But the Zimber Ditch, for God's sakes. You know, people's basements get flooded. That's wrong. That's – that's unacceptable. It's wrong. It needs to be done. It needs to be taken care of. We talked about Bonnett. Bonnett needs to be taken care of. Other people that have the water problems and some of the problems that we can – that we can just get done this year that aren't high dollar items – I think that is what our goal is trying to be. That's what we're trying to accomplish here. Landsdowne is a high dollar item. I know it needs to be done, and I – and I can see your – you're very passionate about that, obviously. Healthy debate is good. I like it. But – but if it's not feasible this year, then, then we need to look at when it can be feasible and get the job done.

Mr. Snyder: And that's fine, and I appreciate it, and I respect your Council there. But what I'm saying at the same time, it is not fair to the Engineering Department. And, again, it's not fair to me, who represents Landsdowne, or the residents of Landsdowne, to do Bachtel, Pineridge and Over – to do that street when it doesn't meet any of the criteria. That money can sit there and, hopefully, next year we can at least address – possibly address another project in another ward that has a water problem.

Mr. Lane: Well, it does (inaudible)... storm situation. But I go back to my original point. And, again, maybe this is where we can either move on this evening and come back tomorrow or something, but is it possible at all to do one or two of those streets in Landsdowne within this parameter instead of trying to do all of them for a million or whatever. And, and to do the water and to do some of the street on a couple of the streets up there this year.

Mr. Snyder: First of all, to do one – to be very honest with you, to take that project on that way is fiscally irresponsible. To open that street and fix the waterline. The street – first of all, you won't get the street.

Mr. Lane: We're talking about water, storm and street and get it done on one or two of those streets, that's what –

## RECORD OF PROCEEDINGS

Minutes of COUNCIL OF THE CITY OF NORTH CANTON SPECIAL Meeting

DAYTON LEGAL BLANK, INC., FORM NO. 10148

Held Monday, December 19, 2005 7:00 p.m. 20 05

Mr. Foltz: Member Lane, you're talking about taking Hillcrest and doing something with that.

Mr. Lane: Exactly. Find one of those five streets or four streets, whatever –

Mr. Foltz: Or Sunset or Deerfield – I don't know all the streets, but –

Mr. Lane: And, and decide which one this year we're gonna do and do it all, just like we would on Bonnett.

Mayor Held: Mr. President, if we could – maybe we can find the projects that we do agree on that would be a high priority. And I've identified four (4) projects that would be considered a high priority based upon the condition of the waterline. If I could run through those real quick. The first high priority project, based upon the waterlines, would be Sixth Street, NE, park domain. That's a four-inch waterline. The second project, which would be considered a high priority because that's a four-inch waterline, is Cordelia Street. The third project would be McKinley, because that is also a four-inch waterline. And the fourth project would be Summit, because that's also a four-inch waterline.

Mr. Snyder: Did I not hear Bonnett?

Mr. Foltz: You left Bonnett off.

Mayor Held: And then we'll go through – now we'll go through the second – (Inaudible) Hold on a second.

Mr. DeOrio: While we're opening all – we've got a list here. Do we have enough support for it as it exists now?

Mr. Foltz: I'm supporting the list knowing – and Jon, you see, we're taking care of Glenwood, Bonnett, Cordelia, Summit, and starting Lucille and those waterlines. I mean, that is a very aggressive waterline replacement project spent, you know, in your ward. I mean –

Mr. Snyder: Well, Glenwood is a – is a sewer line. That's –

Mr. Foltz: I know that's a sewer.

Mr. Snyder: That's an EPA problem.

Mr. Foltz: Right, and it needs done. And I said that. And we're all in favor of that. There has to be some give and take here. I'm – I'm happy with the projects the way they are. If our Engineer says he can do them, for the most part, and, you know, we understand if they're 95% done, he runs into some kind of contingency problem, that's understandable. That happens sometimes. I'm happy with it. We all have to get – I think we have to move from this point and let's progress with and look and see what we're getting done in the wards.

Mr. Snyder: Let me – just answer me one question. Why are we doing work that is not even designed or why are we designing work that we have no ability, fiscally, to fund, for the next eight, ten – can you answer me that question? Just answer me why we're doing design work on something –

Mr. Foltz: Member Snyder, who says they're eight, ten years down the road?

Mr. Snyder: Where are we gonna get the money to do it?

Mr. Foltz: That's what we have to figure out in the future. But you can't do everything in Ward 4 this year.

Mr. Snyder: Well, we have designs on the shelf that are done – that we paid for already.

Mr. Foltz: I've got a design started at Stratavon. We're not even talking about that. I'm not talking about my four-inch waterline on West Park. I'm – giving – I'm giving here, too. I mean, we have to look at this here, as an entire Council body.

## RECORD OF PROCEEDINGS

Minutes of COUNCIL OF THE CITY OF NORTH CANTON SPECIAL Meeting

DAYTON LEGAL BLANK, INC., FORM NO. 10148

Held Monday, December 19, 2005 7:00 p.m. 20 05

Mrs. Hines: We also have Furbee, Lucille and Glendale. They have rusty water.

Mr. Foltz: That's in Ward 4, correct?

Mrs. Hines: They have flooding, and they have no storm sewer. So – and those aren't, you know – that isn't one that is seriously being considered.

Mr. DeOrio: And we're not, Member Hines, we're talking about there is defending these people relief on their water. I'm not, you know, contemplating the situation with looking at the storm sewer there. And, you know, the thing that you have – and I appreciate what Member Snyder is saying about, you know, taking the project apart street-by-street type of thing. But, you know, I'll tell you what, I bet if we had the residents from Furbee and Lucille up here, and I'm gonna – you know, they've got a choice between getting their water fixed or waiting for it to be fiscally responsible to do the entire project at one time, they could be waiting a while. They need to get their water done. This should have been done on Bonnett years ago. Shouldn't – the people shouldn't have had to wait like they had. So, you know, we are focusing on the water issues, and, you know, perhaps that is a bit aggressive; but I'd rather err on the side of aggressive to get relief to these people. You know, we're sitting here drinking pitchers of clear water, and there's people out there that are drinking orange water. I've really had about as much as I can stomach on that, because it's not fair to those people. So, we've got these projects identified. You know, I'm sensing a consensus among at least a majority of people here, so I think that this has been talked about enough. I think it's time to move on to the next part of this.

Mr. Repace: I have two questions before we do that, Pat. One – why would you run a design on something – spend the money to run a design on something and leave it sit on a shelf for years? Why, why would anybody do that? That's number one. Number two – when can Landsdowne be done? And I'm not saying in its entirety. Well, let's say in its entirety. When can it be done? Obviously, it's not gonna get done, here. When can it be done?

Mr. DeOrio: Well, Member Repace, when we can – when we can answer, you know, the question of what's, what's happening at your place of employment, I think that could give us a better answer as to what we can do --

Mr. Repace: You want to throw that back on me, huh?

Mr. DeOrio: -- to Landsdowne, but, and, you know, now wait a minute.

Mr. Repace: In other words, you want me to change my hat again – put the union hat on and we'll begin some real good, healthy debate.

Mr. DeOrio: I like healthy debate, too. But in – I've had an opportunity to, you know, meet with Member Snyder. He's been gracious enough to do that with me, and he's had some great ideas on, you know, perhaps some other things that we may have to take a look at in the future as to be able to take care of some projects.

Mr. Repace: But understand, if the people in this Landsdowne area are having a water problem, have cast iron lines, if they're having a flooding problem, if their streets are eroding, then sooner or later, that job has to be done. I understand that that's – it's – I'm okay with what you got here. But understand, we can't keep putting his project off. It's already been put off. The same as Bonnett was put off for years, some day there'll be another Council sitting up here saying how come Landsdowne never got done the same as Bonnett never got done?

Mr. Lane: Then there's gonna be four (4) other streets that have deteriorated during that time that need to be done.

Mr. Snyder: Yeah.

Mr. Lane: I mean it's just an ongoing thing. I'm lucky enough that Monticello is there. Well, ten years from now, whoever is sitting in this seat representing

## RECORD OF PROCEEDINGS

Minutes of COUNCIL OF THE CITY OF NORTH CANTON

SPECIAL Meeting

DAYTON LEGAL BLANK, INC., FORM NO. 10148

Held Monday, December 19, 2005 7:00 p.m. 20 05

Monticello is going to be looking at rebuilding those – some of those roads. Not all of them, obviously. But there's gonna be pockets in the City that we don't even think about right now, and are probably aren't even on a ten-year plan. But they're gonna start poppin up.

(Inaudible)

Mr. DeOrio: To answer you on that – we have been looking at someone trying to get a little more – just maybe a sneak peak, if you will – at where things might be in the future, you know, based on some early projections, and, of course, you know, it's all subject to change. But Julie helped run some numbers on this, and, you know, you're looking at, like maybe around a million dollars available in '07. And part of that's, you know, goes towards equipment as well. I mean, that's far less than what we're talking about here. And if we're facing a scenario in 2008 where we don't have the benefit of The Hoover Company, then you're down to like 600,000. So, unless we – you know, unless there's some other funding mechanism, then we're gonna have to look at – look at projects differently.

Mr. Repace: You're talking about The Hoover Company. In the next two (2) years, you know you're gonna get tax revenue out of The Hoover Company. That's – that's a given. Maybe not as much as what we've enjoyed through the years when Hoovers carried the City, but we know we've got, you know, we're gonna have revenue from at least 800 people for the next two (2) years coming out of there. If possible – well, I better not put my foot in my mouth here. But –

Mr. DeOrio: But based on current employment levels at The Hoover Company –  
Mr. Repace: We know there'll be 800 people for two years.

Mr. DeOrio: And you're saying what we looked at, based on current employment levels at The Hoover Company, then we're looking at, you know, a million dollars for these projects for next – for in '07 – it includes commitments for equipment. So, I mean, there's just not going to be enough to go around unless we look at different avenues of funding mechanisms to do some of these more complex projects. Now, I happened to attend the meeting of the Bonnett Street residents. Mr. Snyder was there and was gracious enough to be invited and have an opportunity to meet and speak with those folks. And, you know, they understand. You know, I think the people in the community understand that, that times are tough and the decisions are tough with limited resources. And they expressed a great spirit of this – in this community and how they were even willing to pitch in more than they're already being asked to, and they, you know, offered great words of encouragement and hope that we would get from other members of the community that they want to look at how we can better do this – how we can better take into account some of these major projects.

Mr. Snyder: Chairman DeOrio, may I – you know, to probably answer your question, Mr. Repace and everybody else's, we can jump around this all we want, but we're facing a situation, as you can see, 20% of our income is assigned by Charter to the capital projects. And when we had full employment at The Hoover Company – 2,400 some jobs – we were taking in 1-1/2% income tax, which was about three quarters of a percent more than what we needed, and we were able to accumulate \$21,000,000.00. And we're very fast approaching the fact where we're gonna have to look for a 2% income tax just to fund the City. And it's not too far off. And in order to continue to do unassessed projects such as we've done for the last 15 years, that's the only way we're gonna do it. The only other alternative is go to the people and say, well the project's \$1,900,000.00, and we're gonna assess your property tax for the \$1,900,000.00. It either or, because no matter what happens across the street, the money – we – the pressure on the General Fund is not all – is not all capital project. It's 80%, which was about 78% salaries. And that –

Mr. Foltz: Jon, you're answering – you're answering your own questions.

Mr. Snyder: Well, I know that. I know that, and we can scoot all you want around that answer, but that's why we gotta save as much as we can and prolong it as long

## RECORD OF PROCEEDINGS

Minutes of

COUNCIL OF THE CITY OF NORTH CANTON

SPECIAL Meeting

DAYTON LEGAL BLANK, INC., FORM NO. 10148

Held

Monday, December 19, 2005

7:00 p.m.

20 05

as we can, because we're fast approaching that. I think that bus left the garage already, and we just failed to get on it.

Mr. Repace: Well, what we have to do – and, again, I'm gonna switch hats on you – what we have to do is we don't know what Whirlpool's intentions are at this point. We won't know for at least two (2) more months what their intentions are. Hopefully, their intentions will be good and maybe fix some of these problems that we're facing as far as job loss. That's number one. Number two – economic development. We need to – we need to look at other avenues. And, you know, we'll be getting into that. You know, of course, when we have the CIC, you know, we'll be getting into some things here down the road. Are we gonna be able to make up the 22, 2,400 jobs that we've enjoyed through the years? No. That's not gonna happen. But, you know, there's other avenues that need to be explored, and we just need a little bit of time. This stuff doesn't happen overnight. But, still, nobody's answered my question about Landsdowne. You can't keep putting it off year after year, after year, after year. When can that project at least be started where, I think what Doug Lane said, is maybe do it in its entirety, a couple streets at a time, until the project is done.

Mr. Snyder: May I offer a slight bit of humor, if I may. Indulge me. I have the answer; it's very simple. I think that the CIC should fund the Landsdowne project. They have \$1,500,000.00 in the CIC. They can fund the Landsdowne project. And that's the end of my problem – and your problem.

Mrs. Magel: Having said that, let's get back onto the 2006 budget.

Mr. Snyder: And we're all on our way. That's the end of it. That's great economic development. I apologize.

(Inaudible)

Mr. Foltz: You represent your ward pretty well, there.

Mr. Lane: Can I at least end where I started? Which is that I'm fully supportive of doing the water in Landsdowne. And, apparently, we're about \$300,000.00 for the storm, and I know that would leave the streets with a big gaping hole down that's been asphalted. But those streets are not in that good a shape to start with.

Mr. Snyder: No, they would – that would be (inaudible).

Mr. Lane: So, if I could get some consensus, or at least the understanding that we could look at some point and time in first quarter, at coming up with an additional \$300,000.00, then we could possibly do the underground this year, as was originally proposed, and then look at doing those streets at some other time. Just like that.

Mr. Foltz: Here's – here's my suggestion. And this will be – we spent over \$16,000,000.00 in four (4) wards since 1999, the last seven (7) years. That's a very aggressive assessment, so, Member Snyder, you're absolutely right. We've done a good job with our infrastructure. There still needs to be some additional work, but I'm proud of that. I've been on Council all those years, and we've done a lot of nice projects to the neighborhoods, took care of not just water problems, but storm problems, street problems overall. You can't all – can't lump everything into just the water. So this year we're taking an aggressive look at water overall. I think next – for budget '07, we need to sit down to start discussing these projects in August or September so we can have some healthy debate at that point, with actual engineering costs, and get through it. But at this point, I think Member DeOrio has worked very hard on this. I don't know how many hours you put into this budget. You're never gonna make every happy here. You're just not gonna do it.

Mr. DeOrio: Well, I figured it out with my Council pay –

Mr. Foltz: So, I'm willing to take a look at this right now –

Mr. DeOrio: -- I make about .47 cents an hour.

## RECORD OF PROCEEDINGS

Minutes of

COUNCIL OF THE CITY OF NORTH CANTON

SPECIAL

Meeting

DAYTON LEGAL BLANK, INC., FORM NO. 10148

Held Monday, December 19, 2005 7:00 p.m. 20<sup>05</sup>

Mr. Foltz: -- and see where we are individually at that point and move this forward. So, Member Lane, would you vote for this project as it is now?

Mr. Lane: Yeah, with the understanding that we could come back and revisit it in mid-first quarter and look at the possibility of trying to do something else.

Mr. Foltz: We're still gonna bring these projects back to Council in ordinance format, you, know, because we're over \$25,000.00.

Mr. Lane: Absolutely. And I think we'll get a better reading of the first quarter of what's going on across the street and some other things that could free up some of that.

Mr. Foltz: Member Snyder, I know your concerns. But, you would say no?  
Mr. Snyder: Well, no, sir I would not vote for that.

Mr. Foltz: Okay. Member DeOrio?  
Mr. DeOrio: Yes, I would.

Mr. Foltz: Member Hines? Member Repace?  
Mr. Repace: Yes.

Mr. Foltz: Member Magel?  
Mrs. Magel: Yes.

Mr. Foltz: And I would say yes also. So, without a formal motion, we'll do that next -- yes, Engineer.

Mr. Benekos: Mr. Repace brought up a good point about what are you going to do with Landsdowne. Since I've been here for five (5) years, the residents up there have asked about resurfacing, you know, just paving it. And we've always told them, no, we're gonna do the waterlines, rebuild it. They are the worst streets in the City, and every year we keep putting off from resurfacing it, because we're gonna rebuild it. That's gonna come up again this year. And I think you need to come up with a plan, or we need to resurface it and say, okay, you know, we're gonna leave it like that for five to eight years, which I don't know if that's a good thing, either. Just, you know -- but I think you need to do something with that.

Mr. Foltz: What could you do short term surface-wise. Say, it would be three (3) years? You know...I don't know. I don't when know we're gonna come back to it if we do these other projects in the wards; I just don't know.

Mr. Benekos: We can, you know, put a top coat on it. Make it look black. Make it look good. You know, it may last a couple years, because the base is in poor condition. We've let it deteriorate so much that the base is poor right now. So, it does need rebuilding at this point. But we can make it look good for three to five years.

Mr. Foltz: What would you estimate it cost wise?  
Mr. Benekos: Oh, boy.  
Mr. Foltz: You'd have the entire asphalt resurfacing money?  
Mr. Benekos: It would take a pretty big chunk out of it.  
Mr. Foltz: That's what? About \$150,000.00 right now?

Mr. Benekos: Well, it's \$250,000.00, and if you wanted to do that, I would ask to double that and -- with the understanding that we would take that additional money and do what we can to make the Landsdowne subdivision look good for the next couple years.

Mr. Lane: Could you do their water prior to that?

Mr. Benekos: Well, if you give me the money, yeah, we could do that.



## RECORD OF PROCEEDINGS

Minutes of

COUNCIL OF THE CITY OF NORTH CANTON

SPECIAL Meeting

DAYTON LEGAL BLANK, INC., FORM NO. 10148

Held Monday, December 19, 2005 7:00 p.m. 20 05

Mr. Lane: The money is in the water.

Mr. Benekos: See, that's the question, you know.

Mr. Lane: I thought that was part of that \$1.2 million.

Mr. Benekos: That was taken out. In this budget, it's – it's out.

Mr. Lane: Okay. I thought we were running below what we had originally talked about. I apologize.

Mr. Foltz: Any other discussion on this appropriation ordinance, other than the capital projects, which –

Mr. DeOrio: Would you entertain a motion to adjourn?

Mr. Foltz: We need to approve a second reading to add the budget; correct?

Mr. Pusateri: That's right.

Mr. Foltz: Do we need to amend it?

Mr. Pusateri: Move to adopt it as amended.

Mr. Foltz: Can we make a motion to adopt, as amended, Ordinance –

Mr. DeOrio: Didn't I do that?

Mr. Pusateri: Next time, let's do -- excuse me, no, you did not do that.

Mr. DeOrio: I swear I did.

Mr. Pusateri: The next time we need to do that before the discussion, but it's okay, then; it's fine.

Mrs. Magel: He did.

Mr. DeOrio: So, you want me to do that now? I thought I did make a –

Mrs. Magel: You did.

Mr. Pusateri: To adopt it?

Mrs. Magel: No, to amend it.

Mr. Pusateri: To adopt it – a second reading.

Mrs. Kalpac: No. We need a motion to adopt the second reading as amended.

Mr. Snyder: We need – first, you need to suspend the rules, because you had a committee meeting on it. You had a committee meeting, and we've got no minutes to the committee. It wasn't in possession 24 hours before.

Mr. Foltz: Gail, what do we need to do at this point?

Mr. Pusateri: Yeah, thank you.

Mrs. Kalpac: I think they can discuss it after they have a motion to read.

Mr. Pusateri: No, that's fine.

Mrs. Herr: Because it was already approved at their last Committee of the Whole meeting.

Mrs. Kalpac: Yeah. The last Committee of the Whole.

Mr. Snyder: We just had a meeting just tonight.

Mrs. Herr: But the first meeting – like when we had the first reading.

Mr. Foltz: This is a second reading, so we don't need to –

Mrs. Kalpac: I think you need a motion to adopt, as amended, the second reading.

Mr. Pusateri: That's exactly right. We did not do that. Yeah.

Mr. DeOrio: I would like to make a move – I'd like to move, but in lieu of that, I'll make a motion that we adopt, as amended.



RECORD OF PROCEEDINGS

Minutes of COUNCIL OF THE CITY OF NORTH CANTON SPECIAL Meeting

DAYTON LEGAL BLANK, INC., FORM NO. 10148

Held Monday, December 19, 2005 7:00 p.m. 20 05

Mr. DeOrio moved and Mrs. Magel seconded to adopt the second reading, as amended, of Ordinance No. 217-05. All members present voting:
Yes: Hines, Lane, Magel, Repace, DeOrio, Foltz
No: Snyder

ADJOURN:

Mr. Foltz: With that, I think we'll have a motion to adjourn.

Mr. DeOrio moved and Mrs. Magel seconded to adjourn the Special Council meeting.

All members present voting:

Yes: Lane, Magel, Repace, Snyder, DeOrio, Foltz, Hines

No: 0

Meeting adjourned at 8:21 p.m.

[Signature]
PRESIDENT OF COUNCIL

ATTEST:

[Signature]
CLERK OF COUNCIL

01-06-06:LC