

DAYTON LEGAL BLANK, INC., FORM NO. 10148

Held Monday, February 9, 7:00 p.m. 20 04

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. Gary Smith, Heather Ridge.
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: Kiesling, Lane, Lindower, Peters, Sarbach Snyder and Foltz. Also present were: Mayor Rice, Director of Administration Miller, Director of Law Pusateri, Director of Finance Herr, City Engineer Benekos and Clerk of Council Bittle.
5. Consideration

Minutes of Council Meeting: 1/26/04

Mr. Lane moved and Mr. Peters seconded to approve the minutes of the council meeting as presented. All members present voting:

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

No: 0

6. Committee Reports

Executive Session (Finance & Property): Refer to the minutes on file in the Council Office of the Executive Session (Finance & Property Committee) meetings held January 26, 2004 and February 2, 2004.

Finance & Property: Refer to the minutes on file in the Council Office of the Finance & Property Committee meeting held February 2, 2004.

Personnel & Safety: Refer to the minutes on file in the Council Office of the Personnel & Safety Committee meeting held February 2, 2004.

Water, Sewer & Rubbish: Refer to the minutes on file in the Council Office of the Water, Sewer & Rubbish Committee meeting held February 2, 2004.

Mr. Sarbach moved and Mr. Peters seconded to approve the committee report minutes as presented.

Mr. Miller: Mr. President.

Mr. Snyder: Sir.

Mr. Miller: The minutes from the executive session for the Finance & Property Committee indicate that I was present and it adjourned at 6:55. You folks didn't vote on my confirmation until after 6:55. So I think that might be an error that needs to be corrected.

Mr. Snyder: I appreciate that. We'll make that change. Probably did it in anticipation.

Mr. Sarbach: Just in case - just in case you didn't ...

Mr. Snyder: We knew we had the seven votes, there was no question, we just added your name.

Mr. Sarbach: Just in case you didn't work out Mike, we wanted an ace in the hole here.

Mr. Snyder: I appreciate this. May I have a motion to accept them as amended?

Mr. Lane moved and Mr. Sarbach seconded to approve the committee report minutes, as amended. All members present voting:

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

No: 0

7. Recognition of Visitors

Mr. Snyder: Thank you. At this time is there anyone in the audience wishing to speak to the council? If so, please step forward, state your name and address for the record.

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Carolyn Mross: Good evening. My name is Carolyn Mross. I live at 301 Mississippi Street SE, Apt 1W in North Canton. I have three items that I would like to ask questions about. One is, I would like an explanation of why there isn't a minimum amount that you can make before you have to pay city tax when the state and federal has them.

Mr. Snyder: Inaudible... I believe the ordinance reads any ordinary income that is made no matter if it's zero forward, is taxable at the rate of one and one half percent. Is that not right?

Mrs. Herr: That's correct. And the municipal income tax is not anyway connected to federal and state taxes. It's a separate tax based on wages and earnings.

Ms. Mross: What does ordinary mean sir?

Mr. Snyder: Ordinary would be employment, money made from investment of real estate property, investments in your bank accounts, anything that would be an ordinary course of income. And I think extra ordinary would be such as lottery and so forth. That's not taxable in the city at this present time I don't think, is it?

Mrs. Herr: No, it's not.

Mr. Snyder: So it would be anything ordinary that a person would normally - that you would list on your 1040.

Mrs. Herr: Anything that would come through on your W - anything that comes through on a W2 is...

Mr. Pusateri: Or 1099.

Mr. Snyder: Or 1099.

Mrs. Herr: Or 1099 would be taxable to the city. But we don't tax retirement, we don't tax disability, we don't tax interest and investments, capital gains type things. So, but again it's not connected to the federal or state tax. So...

Ms. Mross: Then why do you tax the paltry amount that I make two days a year for sitting at - from the Board of Elections?

Mr. Snyder: Because they issue...

Ms. Mross: That's not ordinary.

Mr. Snyder: Well they send you a 1099 and at which time, by our ordinance it's specified that you have to tell us that. I realize that probably seems a little bit harsh from your standpoint. I realize what you're saying, you have a fixed income, but you make it. But unfortunately those decisions were made and we just kind of have to live with them. Unless there's any interest in at looking at them. And if there would be any interest, unfortunately it would be contrary to what you'd like. I think the interest would lean more towards increasing it, than decreasing it. So that's why we generally don't talk about it. I say that respectfully.

Ms. Mross: No, it wouldn't be necessarily an increase. It's on your - on the state and federal tax there's a certain amount for which you do not have to pay tax, from zero to - I don't know what the number is.

Mr. Snyder: \$599.00 or \$600.00 I think is the threshold, isn't it?

Mrs. Herr: For 1099's...

Mr. Snyder: Yea.

Mrs. Herr: Anything under \$600.00 you don't have to ...

Ms. Mross: That's why they don't take it out. So therefore, we have to pay it. I don't have to do that for the state or for the federal government.

Mrs. Herr: Well again, the city income tax is not based upon state or federal. It's its own tax that is allowed to us by the state, but it has no way - connection to the state or to the federal as far as how their procedures go or what their you know as far as what's taxable to them.

Mr. Snyder: As a resident of the city you're required to report income, unless the income is earned in a municipality with a greater income tax rate than what the city has, at which time they allow you reciprocity. So if you made that money in Canton, technically you owe the City of Canton two percent. But since it's the amount that you're saying, it's under a small amount, you're paying one and a half percent of the gross to the City of North Canton. Massillon I think is two percent and each municipality is different.

Ms. Mross: Also, my daughter said since I was coming tonight that she would rather have me ask this question, because she said she doesn't play well with others. She's wanting to know, since for the last

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seven years Bonnett has been on the list to have road improvements done and 55th Street gets them regularly, there's been a couple during that seven years, she was wondering when North Canton is going to do Bonnett. And I'd like to know too why it isn't done for the simple reason there's buses that goes up there. That's heavy equipment going up there many times a day for our children.

Mr. Snyder: Well mam, I don't know if I can give you a reason ...

Ms. Mross: And the ones that go to that school lose enough teeth on their own without getting them knocked out on a school bus.

Mr. Snyder: As the councilman that represents that particular street, this last year the administration has changed. We used to have what we call a five year plan. It was placed on there and it was moved - every street was moved to a different time. Now we have a plan. Every street is on, that needs attention in the City of North Canton, is on there. Depending on the need of the street, be it waterlines, sewer lines, infrastructure repair, they're assessed by the engineering and sent to the administration and then they're ranked in order of both income - both money that we have for capital improvements and what we have - rather than we feel it's in the best interest to you as a tax payer, rather than just pave the street to give you a smooth surface to drive across, we would not do the work unless we could complete the full infrastructure - putting new waterlines, which that street needs and some type of storm drainage. So consequently, as money becomes available - we're doing less and less and projects because we don't have the money that we once had, but as it's ranked accordingly and unfortunately it takes some time. But I can assure of two things, myself, I'm very aware of it, Member Kiesling lives on that street, she's extremely ...

Ms. Mross: I grew up on that street.

Mr. Snyder: And she's extremely aware of the problem...

Ms. Mross: I can count how many times it's been paved.

Mr. Snyder: And if there is - the extra money comes available, I'm sure the administration would listen to us and begin some type of process.

Ms. Mross: Well if there is a plan where are we in that plan?

Mr. Snyder: Where is that plan? We all have a copy...

Ms. Mross: No, where is - where is Bonnett?

Mr. Snyder: Where is it located on the plan?

Ms. Mross: Yes.

Mr. Snyder: I couldn't actually answer that. The only way I could answer that to you is next December, after the budgets are prepared. The budgets are prepared yearly. That is on the plan - every street that needs to be done is on the plan and it's listed on there what it needs. That particular street needs...

Mrs. Kiesling: Everything.

Mr. Snyder: waterlines, sewer lines, sanitary and storm and paving. So now next year when the Administration and the Finance Department prepares the budget, if that is a priority street, it would assigned at that year. It's worst first. We used to do it that way and then about seven or eight years ago it was changed and now we're back to where it's worst first. So as the money is available we do the worst street first. And this year we had about I think three million - three and a half million dollars and we did only - we were only able to do - complete a couple projects. Such as Everhard alone, that's \$589,000.00 just to pave Everhard. So that's a project in itself. So hopefully and I think its schedule has been talked about, somehow to do it in the next, what two years, Mrs. Kiesling. Is that - am I correct in that?

Mrs. Kiesling: We keep hoping.

Ms. Mross: Yes we do.

Mrs. Kiesling: I keep letting them know. That's all I can do.

Ms. Mross: Okay and the other thing is - and I noticed there's somebody in there - there was no moral claims to be paid? Nothing has ever been done on mine. All they did was came and did an emergency cleaning and left half of their crap there.

Mr. Snyder: And was there a claim submitted?

Ms. Mross: Everybody had it, including Mr. Bitzel and my landlord.

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Mrs. Kiesling: Inaudible... I thought - I thought Mr. Bitzel was taking care of it, but now I don't know.

Mr. Snyder: Yea, that's the way we understood that it was taken care. That he paid your landlord or something. I don't know.

Ms. Mross: No.

Mr. Snyder: Well we'll look into it.

Ms. Mross: And my landlord can never get ahold of him and he whines the other direction that he can't ever get ahold of my landlord. What's the difference, pay for the dang thing and put it in. I'm the one that has to have it. The landlord doesn't - isn't going to use it.

Mr. Snyder: Mam, I appreciate what you're saying. Unfortunately I don't...

Ms. Mross: And I did all the footwork.

Mr. Snyder: I don't have that claim in front of me. I don't have a large knowledge of it. I would ask Mr. Peters, as chairman of the committee, I'm sure he'll follow up on it for you and possibly he'll give you an answer.

Mr. Peters: Yea.

Mr. Snyder: Would that be fine?

Ms. Mross: Between the two of us it's about 17, 1750, between the bathroom repairs and the carpeting. It was given to Rick, it was given to Jim, it was given to, who else? Pusateri, you had it right as you came in. Don't put your hands up like that.

Mr. Pusateri: I had a bunch of them when I came in.

Ms. Mross: I beg your pardon.

Mr. Pusateri: I had a bunch of moral claims when I came in.

Ms. Mross: I know and that was before you voted not to pay any more. So mine was submitted before that.

Mr. Snyder: We'll get back to you on that and we'll try to find out where it's at.

Ms. Mross: It's in a dusty bin somewhere.

Mr. Snyder: We'll locate it for you.

Ms. Mross: Thank you.

Mr. Snyder: Yes mam, I appreciate your comments. Anybody else wish to speak to the council? Please step forward, state your name and address for the record.

Chuck Osborne: My name is Chuck Osborne. 307 Fairview Street SE, North Canton, Ohio. The recent discussions regarding economic development in North Canton and who will head the city's economic development efforts has been a very hot topic over the last few months. One of the most important reasons that a municipality works to foster economic growth is to create a revenue stream from the incomes taxes and property taxes that businesses generate and these are used to support city services. But long before any efforts are made toward economic development, a municipality should be making the most of its existing revenue collections and this is not being done in North Canton. Two items were discussed last week that have me wondering if anybody is minding the store here in North Canton. I am talking about the discussions regarding sewer rates and water rates. Sewer rates in this community have not been adjusted since 1997, in spite of the fact that the county has their rates, charged to North Canton, three times in that span of time - 4 percent in 2000, 8.74 percent in 2001 and a recently enacted 11.77 percent increase that I think will be effective in April. The statements last Monday night by the Director of Finance that this city has had to forego sewer projects this year because there are no funds to pay for these projects is about the saddest thing I have ever heard and I am sure even more disheartening to families who experienced flooding and sewer backups last year. I am estimating that North Canton has missed out on close to a half a million dollars on uncollected revenue, that had sewer rates kept pace with what the Metropolitan Sewer District is charging the City of North Canton. These are vitality needed funds, needed for sewer, infrastructure and improvements. I find it a little disheartening also that nobody knows that they weren't being kept in lockstep with the county's rate improvements. Who is in charge of leading this city? Mayor Rice, I think the chain of command leads to you, but I am sure you will use the excuse you have used in the past and say it is a function of council. Another missed opportunity for North Canton. Water rates were another issue that was - were discussed last week. I was so amused last week when Ward 1 Councilman, Mr. Foltz, said he might support a water rate increase, if the increase was kept to either a nickel or dime. I might point out to you that council unanimously voted to give each of the city's labor unions a 3.8 percent pay increase recently. And that if you adjust the city's water rates, at that same rate of 3.8 percent, that increase in water rates would be nearly 11 cents just to even start with the rate of inflation. So you're going to need, as a bare minimum, 11 cents. Has anyone ever calculated the revenue that was lost by this city over the 16 years

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that water rates remained unchanged? That was from 1984 to the year 2000. If anybody ever wondered why the city had to borrow the entire 11 million dollars for the upgrade and expansion of the city's water treatment plant, they now know that undercharging for city services does not benefit the citizens of the North Canton in the long run. Water and sewer rates must be set so that North Canton is not always fiscally playing catchup. This is what has been going on for a long time. Better setting of rates for city services will allow the city to forgo the need to drain funds from either the general fund or the rainy day fund and with some future planning, maybe allow North Canton to move closer to plans for a new safety center. But if you're robbing from Peter to pay Paul and juggling funds, you're never going to get to that day. Getting back to economic development that I mentioned earlier, I would just like to say that given the background North Canton City's new City Administrator, I believe that the City Administrator should also handle the role of the city's Economic Development Director. Given that Mr. Miller has headed up a city of 80,000 plus and now finds himself running a city that is a quarter of that size, I believe he is more than capable of handling that job as well. And finally I have to say that I am disappointed that council's efforts to get answers from Mayor Rice have continued to be brushed aside. With a unanimous vote by council last week to confirm Mr. Miller, it appears that Mayor Rice will not be accountable for his actions that have been described by Council Members Kiesling, Peters and Lindower in the press as reckless and impulsive. Mr. Rice, I would like an answer to Mr. Peters' questions that he has asked twice in this council: What direction were we headed for before and what direction are you proposing now? Thank you.

Mr. Snyder: Thank you sir. Anybody else in the audience wishing to speak to the council? Seeing none...

OLD BUSINESS:

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

Ordinance No. 2-04 - Third Reading

Ordinance No. 2-04 amending Sections 1151.04, 1151.13, 1151.15 and 1151.20 of Ordinance No. 50-03, Zoning Ordinance of the City of North Canton, to provide for the Superintendent of Permits and Inspection to be the final approving authority for sign permits.

Mr. Snyder: Chairman Peters.

Mr. Peters: Yes, this is the third reading of this ordinance. What this basically does is take Planning Commission out of the loop. Since the Superintendent of Permits was the one going and doing the site changes or I'm sorry the ...
 Unidentified: Inspections...

Mr. Peters: site inspections. Thank you. Just makes him the final approving authority. Anything you want to add to that?

Mr. Sarbach: Well he has guidelines. He's going with the guidelines that the Planning Commission goes by. So the results won't change, it will just shorten the process.

Mr. Snyder: Any other comment? If not...

- Mr. Peters moved and Mr. Sarbach seconded to **adopt the third reading** of Ordinance No. 2-04. All members present voting:
 Yes: Sarbach, Snyder, Foltz, Kiesling, Lane, Lindower and Peters.
 No: 0

Mr. Snyder: On Ordinance No. 6-04, talking about the EMS billing services, I would ask council for a little patience before we read this third reading. I would like to talk to the Chief of Fire and EMS and get a little more input from administration, as well as former Chief Juersivich - he was here a couple weeks ago. My apologizes to the council, I have not just had time to get ahold of him and do that. So if you would bear with me to allow me to do that. And possibly may have one more meeting on it next week, I can bring you up to speed. Even though we originally talked about going forward as the 15th of March. So if we can just leave that alone and possibly could even discuss what I find out by next week before we ...inaudible... that. But I would ask that someone make a motion that we table this third reading for at least - till the 23rd of February.

- 9. Mr. Sarbach moved and Mrs. Kiesling seconded to **table** Ordinance No. 6-04. All members present voting:
 Yes: Snyder, Foltz, Kiesling, Lane, Lindower, Peters and Sarbach.
 No: 0

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Mr. Snyder: Thank you.

- 10. Mr. Lane moved and Mr. Peters seconded to **read by title only, second reading** of Ordinance No. 8-04. All members present voting:
Yes: Foltz, Kiesling, Lane, Lindower, Peters, Sarbach and Snyder.
No: 0

Ordinance No. 8-04 - Second Reading

Ordinance No. 8-04 authorizing the Director of Finance of the City of North Canton to make payment of a moral claim to Mr. & Mrs. W.D. Wallick in th amount of \$184.50 for reimbursement for clearing a blockage which caused a sewer backup.

Mr. Snyder: Chairman Peters.

Mr. Peters: Yes, this was a moral claim submitted to us. What happened was a tree branch ...
Mr. Sarbach: Roots.

Mr. Peters: Or I'm sorry, roots (branch) broke through the clay piping on the lateral line. And in the letter that I got it states that they replaced the clay pipe with PVC pipe some years ago, but obviously they did not go all the way to the trunk line. And the reason I support this claim is that they made a good faith effort you know to basically avoid this and it happened anyways and that's why I support it. Greg..

Mr. Sarbach: I concur and I move that we pass the second reading of Ordinance No. 8-04.

Mr. Snyder: Any other comment?

Mr. Lane: I agree with my fellow members.

Mr. Snyder: Is there a second to that? Is that the motion Mr. Sarbach?

Mr. Sarbach: Yes it is.

Mr. Snyder: May I have a...

Mrs. Kiesling: Second.

Mr. Snyder: Okay.

Mrs. Kiesling: And we're hoping that the Mayor puts it in the newsletter, right? The new law that we passed last year.

Unidentified: Inaudible... as a reminder. Yea.

Mr. Snyder: Oh yes, that ordinance that we passed in February.

Mrs. Kiesling: Okay.

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

- 11. Mr. Sarbach moved and Mrs. Kiesling seconded to **read by title only, second reading** of Ordinance No. 13-04. All members present voting:
Yes: Lane, Lindower, Peters, Sarbach, Snyder, Foltz, and Kiesling.
No: 0

Ordinance No. 13-04 - Second Reading

An ordinance authorizing the Board of Control of the City of North Canton, through the Director of Administration, to advertise and receive bids according to specifications now on file in the office of the Director of Administration and the Mayor, through the Board of Control, to enter into a contract for the purchase of gasoline and diesel fuel for use by all city departments for a one year period commencing June 1, 2004 and terminating May 31, 2005.

Mr. Snyder: We got started a little early on this as we purchased this year. Inaudible... we bid a contract yearly. Rather than having to pass it on a very short window, we're reading it three times and still have plenty of time to do it. But it is a yearly bid for fuel and gas that operates the city vehicles. Is there any questions on that? If not...

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Mr. Sarbach moved and Mr. Foltz seconded to **adopt the second reading** of Ordinance No. 13-04. All members present voting:
 Yes: Lindower, Peters, Sarbach, Snyder, Foltz, Kiesling and Lane.
 No: 0

Mr. Snyder: Thank you.

12. Mrs. Kiesling moved and Mr. Sarbach seconded to **read by title only, second reading** of Ordinance No. 14-04. All members present voting:
 Yes: Peters, Sarbach, Snyder, Foltz, Kiesling, Lane and Lindower.
 No: 0

Ordinance No. 14-04 - Second Reading

An ordinance authorizing the Board of Control of the City of North Canton, through the Director of Administration, to advertise and receive bids according to specifications now on file in the office of the Director of Administration and the Mayor, through the Board of Control, to enter into a contract for Asphalt Mixes for use by the Street Department.

Mr. Snyder: This is the - another ordinance that we pass yearly. Asphalt is used by all the departments - the service departments. Basically we'll be using, from the looks of the streets, a lot of it this spring for the little holes that are popping up due to all the salt and the bad winter. So again we're trying to get that out, have it in place so that we can get a favorable bid. Are there any questions on that? If not...

Mrs. Kiesling moved and Mr. Foltz seconded to **adopt the second reading** of Ordinance No. 14-04. All members present voting:
 Yes: Sarbach, Snyder, Foltz, Kiesling, Lane, Lindower and Peters.
 No: 0

13. Mr. Sarbach moved and Mrs. Kiesling seconded to **read by title only, second reading** of Ordinance No. 16-04. All members present voting:
 Yes: Snyder, Foltz, Kiesling, Lane, Lindower, Peters and Sarbach.
 No: 0

Ordinance No. 16-04 - Second Reading

An ordinance authorizing the Board of Control of the City of North Canton, through the Director of Administration, to advertise and receive bids according to specifications now on file in the office of the Director of Administration and the Mayor to enter into a contract for the purchase of fire hydrants for use by the City of North Canton.

Mr. Snyder: We try to keep a supply of hydrants. We lose some of them by simply people hitting them or they're going bad. So they do keep a supply of them there at the Service Department and this is to replenish that. And there being no questions on that...

Mr. Sarbach moved and Mrs. Kiesling seconded to **adopt the second reading** of Ordinance No. 16-04. All members present voting:
 Yes: Foltz, Kiesling, Lane, Lindower, Peters, Sarbach and Snyder.
 No: 0

14. Mr. Lindower moved and Mrs. Kiesling seconded to **read by title only, second reading** of Ordinance No. 17-04. All members present voting:
 Yes: Kiesling, Lane, Lindower, Peters, Sarbach, Snyder and Foltz.
 No: 0

Ordinance No. 17-04 - Second Reading

Ordinance No. 17-04 authorizing the Mayor of the City of North Canton, through the Board of Control, to enter into an amended agreement (change order), in an amount not to exceed \$148,833.00 for the construction of the water treatment plant expansion (phase 2), said contract authorized by Ordinance No. 126-03.

Mr. Snyder: Again, that is an amount - percentage of the original ... contract that we made, rather - in the old - on the actual upgrade we did come back and ask for separate contracts. This gives them an amount of money to make change orders should they need it. And that's basically that. Is there any question on that? If not...

Mrs. Kiesling moved and Mr. Lane seconded to **adopt the second reading** of Ordinance No. 17-04. All members present voting:
 Yes: Lane, Lindower, Peters, Sarbach, Snyder, Foltz and Kiesling.
 No: 0

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- 15. Mr. Sarbach moved and Mrs. Kiesling seconded to **read by title only, second reading** of Ordinance No. 18-04. All members present voting:
 Yes: Lindower, Peters, Sarbach, Snyder, Foltz, Kiesling and Lane.
 No: 0

Ordinance No. 18-04 - Second Reading

Ordinance No. 18-04 amending Section 1. and Section 2. of Ordinance No. 53-84, as amended, providing for change order on public contracts.

Mr. Snyder: As you know the statutory limit has been raised to \$25,000.00. The present ordinance only permits 15,000. So we're asking to bring that ordinance in the line with the state Ohio Revised Code allowing the Mayor to sign the \$25,000.00. Any questions on that? If not...

Mrs. Kiesling moved and Mr. Lane seconded to **adopt the second reading** of Ordinance No. 18-04. All members present voting:
 Yes: Peters, Sarbach, Snyder, Foltz, Kiesling, Lane and Lindower.
 No: 0

NEW BUSINESS:

- 16. Mr. Sarbach moved and Mr. Peters seconded to **read by title only, first reading** of Ordinance No. 19-04. All members present voting:
 Yes: Sarbach, Snyder, Foltz, Kiesling, Lane, Lindower and Peters.
 No: 0

Ordinance No. 19-04 - First Reading

Ordinance No. 19-04 amending ARTICLE XXVI, WAGES of Ordinance No. 150-03, Collective Bargaining Agreement between the City of North Canton and the North Canton Service & Clerical Employees (NCS&CE) to provide for a hourly wage correction to the Non-Certified Operator classification and declaring the same to be an emergency.

Mr. Snyder: Chairman Lindower.

Mr. Lindower: Yes, this is a clerical error for an hourly wage which was written as \$18.27 cents, should read \$18.22. I'd like to have that passed on an emergency so that we can get the Finance Department payroll records back in line. Any questions on anything?

Mr. Lane moved and Mrs. Kiesling seconded to **adopt the first reading** of Ordinance No. 19-04. All members present voting:
 Yes: Snyder, Foltz, Kiesling, Lane, Lindower, Peters and Sarbach.
 No: 0

Mr. Sarbach moved and Mr. Peters seconded to **suspend the rules** for Ordinance No. 19-04. All members present voting:
 Yes: Snyder, Foltz, Kiesling, Lane, Lindower, Peters and Sarbach.
 No: 0

Mr. Sarbach moved and Mrs. Kiesling seconded to **adopt under suspension of the rules** Ordinance No. 19-04. All members present voting:
 Yes: Foltz, Kiesling, Lane, Lindower, Peters, Sarbach and Snyder.
 No: 0

- 17. Mr. Lindower moved and Mr. Peters seconded to **read by title only, first reading** of Ordinance No. 20-04. All members present voting:
 Yes: Foltz, Kiesling, Lane, Lindower, Peters, Sarbach and Snyder.
 No: 0

Ordinance No. 20-04 - First Reading

An ordinance authorizing the Frank Ave/Applegrove Street Waterline Extension and authorizing the Mayor to enter into a professional service agreement for the design of the project and declaring the same to be an emergency.

Mr. Snyder: Chairman Sarbach.

Mr. Sarbach: Yes, this extension will loop a service that we have, which will better service our customers in that area and hopefully attract new customers, which will be outside customers to that area. And it will also coincide with an engineering project going on in Jackson Township.

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And it will better coordinate that whole project if we could have this done at the same time, that's why there is an emergency clause in it. And ...inaudible... Therefore, I move that we pass the first reading of Ordinance No. 20-04.

Mr. Snyder: Is there a second?

Mr. Peters: Second.

All members present voting:

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

No: 0

Mr. Snyder: Prior to the ...

Mr. Sarbach: We need ...inaudible... I think we need to do that on an emergency don't we?

Mr. Snyder: Oh yes, I beg your pardon.

Mr. Sarbach moved and Mrs. Kiesling seconded to **suspend the rules** for Ordinance No. 20-04.

All members present voting:

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

No: 0

Mr. Sarbach moved and Mr. Peters seconded to **adopt under suspension of the rules** Ordinance No. 20-04. All members present voting:

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

No: 0

Mr. Snyder: Before we get to the reports section, next Monday is President's Day, it's a legal holiday, the building is closed and since the rules of council - it does not meet anytime the building is closed. So I would like to have a motion to move the meeting to the 17th, which is Tuesday, same time 7:00 p.m.

Mr. Sarbach moved and Mr. Foltz seconded to move the Council of the Whole meeting to Tuesday, February 17, 2004 at 7:00 p.m. All members present voting:

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

No: 0

REPORTS:

Mr. Snyder: Director of Law.

Mr. Pusateri: I have no report. Thank you.

Mr. Snyder: Director of Finance.

Mrs. Herr: No report.

Mr. Snyder: Director of Administration.

Mr. Miller: Just briefly, it was brought up again tonight about the Economic Development Director. And I've been here in North Canton for a little over a week and I think I'm in a position now where I have a little bit better judgement on whether one's needed or not. Based upon my first week, it's my opinion that, at this point, it's important for North Canton to have both an Administrator and an Economic Development Director. I'm certainly in favor of saving our citizens money where ever possible and certainly combining the positions would save some salary. But in saving that money, I believe the efforts of economic development would take a backseat to the day to day operations of the city. Obviously council felt it was important to have a concentrated effort made for economic development when it created the position of Director of Economic Development just two months ago, approximately. In that - in my initial meeting with the North Canton Chamber of Commerce, it was obvious to me then that they also feel a concentrated effort is needed to be made on economic development. From the standpoint of the best option for North Canton at this time, it is much easier to recover from concentrating too much effort on the economic development in the next six months than it would be to now do away with the position and try to recover six months down the line. Rather than trying to pay catch up at that point and trying to catch up to what neighboring communities may or may not do in the next six months. The end result in doing away with it now is that you would have a part time administrator and/or part time economic development director depending on whether you want to look at the glass half full or half empty. I intend to take a much more active role in labor relations functions in negotiations of contracts. Especially based on some of the things that I've seen on the bills in the negotiations that happened last Fall. That role in negotiations and then labor relations, while saving North Canton money, also would require me to pay more attention to that function and would take away again from economic

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development functions, at least in the short term. I will be concentrating obviously, any free time I have available from day to day operational functions, to economic development and will remain very deeply involved in it. But again, I feel that it's important to have somebody there day to day every day concentrating solely on economic development in the near term. In the meantime, I've opened up the hiring process for council involvement, as outlined in my memo to each council person last week. Each council person still has the opportunity to review all the applications that are sitting in my office and to recommend three to five names to me to be interviewed. Once those names have been submitted by council, then we can discuss, amongst ourselves, what the next appropriate step is, depending on whether or not any new names appear from council that haven't been interviewed and also depending on what the inclination of council is, whether we want to have a second interviewing process or not. I will continue to keep that transparent, I will continue to keep council involved and your input is welcome in that process. But I think we need to move forward with economic development at this point in time. And a - you know this last week has been very busy. Obviously, well hopefully, it's an exception to the rule, but I've had a meeting with the chamber, with Lemmon and DeHoff, with Walsh University, with all the department heads, with Plain Township, with various individual council members. I've also got to deal with some of the council complaints that come up time to time that would obviously take time away from economic development. I met Mr. Viscounte, it was a pleasure talking to him twice this week for approximately a two-hour period of time. I've also met with the Hoover Company and been reviewing projects. So there's definitely a lot of things for the administrator to do. And everything that the administrator is doing day to day takes away from what can be done for economic development for the City of North Canton and I believe that that's very important at this juncture. We have neighboring communities that are in competition with us for jobs and we need to get out there and make sure that we're competing on an equal or getting even ahead of them on that curve. And that's my opinion and my report for this week.

Mr. Snyder: Thank you sir. Mr. Mayor.

Mayor Rice: I would just echo Mike's comments, without going - hopefully everybody on council knows I feel about it. I've been preaching this since prior to the election, as have many of you as you ran for your position. Economic development was one of the absolute number one issues in this town. I'm still committed to that and putting a concentrated effort. Certainly some people have asked the question, couldn't you do it with the Administrator? Yea, that's the way the city has always done it. But that's exactly why I proposed on December 1st, at the first meeting, to have a one person, full time, to push the activity of economic development in the city, because times have changed. Our water system many years ago, we used to have a monopoly. We could require people to sign an outside water agreement and force them to annex. We got two competitors now we have to deal with. The market place has changed. Hoover Company is in a situation it's never been in over the last 95 years. We have a window of opportunity. We need to move forward and we need to put a full effort into the economic develop activities in this city. So Mike and I have talked about it and ... my position hasn't changed from my request to City Council back last year. And we certainly plan on moving forward this year and seeing what kind of results we can get. I quite honestly think we'll be able to get some very strong results by putting a full time effort. I'm a great believer in you get out of it what you put into it. So if we put a part time effort into it, we're going to get part time results. If we put a full time effort behind it, I think we'll get full time results. So I agree wholeheartedly with Mike - Mike's comments. That's all.

Mr. Snyder: Thank you sir. Mr. Engineer.

Mr. Benekos: Yes, I all have is the Water Treatment Plant instruction status report.

Mr. Snyder: Thank you sir. Madam Clerk.
Mrs. Bittle: No report.

REPORTS - COUNCIL:

Mr. Snyder: Mr. Foltz.

Mr. Foltz: Yea, not to be redundant, but I agree with Director Miller and Mayor Rice. I've said this before, our last attempt at this was the JGroup and that unfortunately didn't work out. And I was very supportive of that at that time. I think we need somebody and we need to be proactive. We talk and talk and talk and now's the time for action. We can't afford to talk anymore in this city. So I'm very much in favor of hiring somebody to fill that position which we authorized last year.

Mr. Snyder: Thank you sir. Mr. Lindower.

Mr. Lindower: I'd like to just mention that I've gotten a couple of calls today from individuals who were concerned about the land that the Hoover Company has turned over to the Walsh University. I passed the names of individuals of these people you can contact in regards to the proposed usage of that property out there. They were concerned and unfortunately I had to tell them I really

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didn't know any more about it than they did. I would just ask Mr. Benekos or the Administration that as information becomes available on their intentions out there, if in fact it's going to be an issue that we need to deal with before it actually gets out of hand, just to let us know. Thank you.

Mr. Snyder: You're welcome sir. Mr. Lane.

Mr. Lane: I want to thank Mr. Miller for taking the time to talk with me and deal with two or three of the things that I've been dealing with since December the 1st. He took the time and the effort to - obviously the major one took a good deal of your time and the ones were more of a cursory review as we move forward to Spring and some of the flooding problems that are out there that I've been dealing with and stop signs and things like that. So thank you very much. I don't want to belabor the point either, but being in sales I look at that economic development director job as being a sales person for the city. And I know from sales what it takes and it's an awful lot of what you call "schmooze time", which is just hanging around chamber events, going to breakfasts, going to lunches, going to dinners, going out of town, going to meetings, dealing with people. And when somebody like the Hoover Company decides to make a move, we might have to put somebody on an airplane to get them to Iowa as soon as possible. I can't see doing that with a part time situation. I just don't think it works. It would be like me in my business being on the air and in sales at the same time. Telling all my clients they can't talk to me between 10 and 3 because I'm on the radio at that time. And they want to change copy, they want add scheduling or whatever, it just doesn't work that way. So I would be in favor of bringing somebody on full time onboard, working with Mike and then reviewing it again toward the end of the year. And if we feel that that individual has done their job, then we remove it. And if we don't, then we look and by that time Mike's got his feet a little bit further down the calendar and has a chance to really understand what his work load is. And at that point in time we might want to take a look at as a combination or a full time, half time situation. But I think right now we've authorized the money, we've authorized the position, I think we ought to move ahead with this.

Mr. Snyder: Thank you sir. Mrs. Kiesling.

Mrs. Kiesling: Yes, just I appreciate your comments in regards to my memo that I sent last week. I do have one question for the Mayor though. I just want to squelch some rumors that I've heard this past week that are starting to bother me a little bit. Pretty direct - in what way has Pat DeOrio assisted with the information that you gave us in the big booklet regarding the Economic Development Director as far as you know the duties, the qualifications. For some reason his name keeps popping up in circles telling me that he assisted you in the process and he was one of the candidates and one of the top four in the end. So I just want to make sure that the whole process wasn't compromised by any way or means.

Mayor Rice: As I told you at the time, the vast majority of that information actually was pulled off - many - most of it was pulled off the internet by Kim, right in my office. And the rest we gathered that ourselves, between Kim and myself actually I think pulled up and put all that together.

Mrs. Kiesling: Okay, so Pat DeOrio had nothing to do with any of it.

Mayor Rice: Nope.

Mrs. Kiesling: Thank you for that, I appreciate it.

Mr. Snyder: Mr. Peters.

Mr. Peters: Yea, I just - I have one question in regards to that memo. As far - are we looking at developing any sort of advisory committee with a cross section of business people?

Mr. Miller: I think that needs to be done in addition to the Director of Economic Development.

Mr. Peters: Well that's what I was saying, to help him out.

Mr. Miller: I think that while he's doing ground work, while I'm working on it, while council people are working on it, that we need to have input from the business community as well and to develop and I need to talk to Councilperson Kiesling about this, to get some names from the community to talk about what direction we need to go and that is, when I talk about direction, do we want to pull in another large manufacturing company? Do we want to concentrate on service oriented type businesses? What type of business do we want to attract in North Canton? And I think that that's something that we need to get the Chamber, businessmen in the community, council people, a number of folks involved. So that's something that I will be looking into and consulting with councilman or Councilperson Kiesling about and trying to get more input. Because the more heads we have involved in this I think the better off the end result will turn out.

Mr. Peters: Okay.

Mr. Snyder: Mr. Sarbach.

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Mr. Sarbach: Yea, I'm for a dedicated Economic Development Director. And we've got time to do it, I think we should do it. If it doesn't work out we've got time to adjust it or make it part time at a latter date if that'd be the case. I don't think that will be the case. I think it will pay for itself, plus huge dividends, if the process is transparent and we have all these minds working on it to get the right person and then to assist that person once he's here. So I would still be in favor of the ordinance and of a full time economic development director.

Mr. Pusateri: He or she.

Mr. Sarbach: He or she.

Mr. Snyder: Yea, it's gender neutral.

Mr. Foltz: Jon...

Mr. Lindower: Mr. President...

Mr. Snyder: Mr. Lindower.

Mr. Lindower: I forgot to ask you one question, I'd like to run it past if I could. Where are we and how much progress are we making with updating the city's web page on the computer system? That's something that I've been pretty adamant about for the last couple years, to get more information out there for people to be able to access at their will at home or whatever.

Mr. Miller: In my preparation for, in my one day as Director of Economic Development, and subsequent as Administrator, that was the first thing or one of the priorities on my list as well. You and I are on the same page. There are communities out there that have a much better presentation on the web page than we do at the City of North Canton. We have so many things going for us that doesn't get communicated in that way because so many people use the internet and surf it to find out information. And if you hit our web page it's just not as friendly as it should be, it doesn't present us in a positive enough light. I've been talking to a number of folks. I talked to Walsh College today about their web page and who does it. I've talked to some other communities and who does their web page. I'm going to be talking, in the near future, with Karcher, who does our's now. Because we do need to update that web page and have it more user friendly, have more links to the various departments so that we present ourselves in a much better light.

Mr. Lindower: Okay, that's in progress then?

Mr. Miller: Yes, definitely.

Mr. Lindower: Okay.

Mrs. Kiesling: Dave, ... to add to that I've been in contact with somebody too who's very willing to do the web site also and we're hoping to talk to her in more length so maybe I'll send her your way.

Mr. Miller: Very good.

Mr. Lane: Plus we have CMH right down the street too that does that off of Hillcrest. So I'm sure they'd be interested if we're putting anything out for bid. Present any kind of a presentation...

Mr. Miller: Okay.

Mr. Snyder: Inaudible... may want to say one thing, you might not of realized or if I lack to tell you my apologizes, but as the chairman of finance when I met with both the Finance Director and the Mayor on the 2004 budget, and Mr. Miller you might of not had an opportunity to review all of those, there was \$35,000.00 in the economic development budget. I asked the Mayor to remove that to transfer it to general government funds for the development of a web page. So there's money, it's earmarked, for that purpose. And then take the onus of having it done by the Economic Development Director. He or she, is not necessarily an expert at that particular thing, but to work with the administration, both from Finance, the Mayor, the Administrator's Office, the Council, to develop that web page. But there is money that has been budgeted, it's assigned to that purpose. And my only criticism and it's not ...inaudible..., I think there's other people that have a little more sophistication in the development of a web than what we've probably been talking to in the past. And I'm sure - I'm pretty technology challenged, so I wouldn't offer any - first of all if I can get it on I'm alright, but that's about it. So you wouldn't have to have much to please me. So I would stay out of that. But there is money available ... Unidentified: Okay.

Mr. Snyder: for that. And since everybody has taken a little chip on it, I may say it's - I'm encouraged by the comments of the Administrator that this process is open, it's above reproach, it's above - it's involving the economic development chairman, it's involving council, the administration and I think as long as you keep it along that process there should be no criticism of - we will get the best person. Ultimately these people that sit in the audience, the people in North Canton who are - we work for, they'll be the winners all the way around. Because that is the process that we like to see and I'm encouraged by that. I thank you both for that. I thank Mrs. Kiesling for her input and the continued council input into that.

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FINAL CALL FOR NEW BUSINESS:

Mr. Snyder: Is there any business of the council or the administration? Seeing none, I'll entertain a motion to adjourn.

Mr. Osborne (speaking from audience): Mr. President, may I make one comment?

Mr. Snyder: No sir. Unfortunately the rules of council only allow for public speaks at the beginning of the meeting. And you'll have to...

Mr. Osborne: For several years we did it both before and at the end of the meeting...

Mr. Snyder: I ... I realize that, but unfortunately it was brought to my attention and I have to abide by the rules, unless there are four members of council that would request that I suspend them.

Mr. Sarbach: I would suggest Mr. Osborne could to speak to any one of us or all of us after the meeting if he would so desire.

Mr. Osborne: I want to do this publicly.

Mr. Snyder: Pardon me.

Mr. Osborne: I would like to do this publicly...

Mrs. Kiesling: Somebody else wants to speak too.

Mr. Osborne: And if somebody makes a report you'd like to ask a question or make a comment.

Mr. Foltz: Do we have a motion on the floor to adjourn?

Unidentified: Not yet.

Mrs. Kiesling: No.

Unidentified (speaking from audience): You ran an ordinance through, first reading, ran it through, no comments.

Mrs. Kiesling: Which one?

Unidentified: Inaudible... didn't say we - you know we ...inaudible... had an opportunity to make a comment about 20-04.

Mr. Sarbach: If you'd like to speak to the chairman of that committee, you'd be welcome to do so after the meeting. We've got two more readings - excuse me...

Mrs. Kiesling: No we don't.

Mr. Sarbach: we do not have two more readings, that's passed.

Mrs. Kiesling: Right.

Mr. Peters: Yea, that was an emergency.

Unidentified: No, you ran it through all in one night.

Mr. Sarbach: No we didn't. We spoke about it last week on Council of the Whole...

Mrs. Kiesling: Committee.

Mr. Sarbach: we discussed it in committee and ...

Unidentified: Inaudible... Council of the Whole means there's no public comment. Is there?

Mrs. Kiesling: I'll motion to let them speak so he can come to the microphone and be ...

Mr. Snyder: Is there a second?

Mr. Peters: I'll second.

Mr. Snyder: Please call the roll.

All members present voting:

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

No: 0

Mr. Snyder: Please step forward, state your name and address for the record.

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Ken Schilstra: 601 Linwood, North Canton. Only question I have on 20-04 is what exactly, where they extending this to? Where's it start? Where's it end? The waterline...

Mr. Benekos: The waterline starts on Freedom near Sunset, will extend to Frank Road and then north Frank on - or Frank Avenue, north on Frank Avenue to the existing waterline.

Mr. Schilstra: Okay, is this in the Zimber Ditch basin then that we're looking to have more development the runoff, which we all got flooded with last year? Is this in the Zimber Ditch drainage basin?

Mr. Snyder: No, that's not in the...

Mr. Schilstra: It starts at the airport.

Mr. Snyder: Yea, but this is - I think this serves Frank Road over by Stark Tech or by Kent State.

Mr. Benekos: It's at Applegrove and Strausser and on Frank at that intersection.

Mr. Schilstra: So my question is now are we encouraging more hard surface development in the Zimber Ditch runoff when we haven't acknowledged and so resolved the problems that were there last year?

Mr. Sarbach: My answer to that would be no sir. This is to loop a system. We have a line there that's serving customers. And to better serve those customers you need that loop system so you just don't have water going one way and staying in the line that you're circulating water.

Mr. Schilstra: But I heard you talk about more development, more people...

Mr. Sarbach: The potential...

Mr. Schilstra: more customers, which means more service, more runoff. Now the question is, is that in the Zimber Ditch runoff?

Mr. Sarbach: I don't think that's ...inaudible...

Mr. Schilstra: You don't think. Do we know?

Mr. Sarbach: Well I'll let you finish your questions and then I'll try and answer them.

Mr. Schilstra: Okay.

Mr. Sarbach: Go ahead.

Mr. Schilstra: I'm just saying, do we know? Because Jim would be the guy who would know.

Mr. Benekos: Right here, right now, no.

Mr. Schilstra: You don't know?

Mr. Benekos: Come to my office I can let you know.

Mr. Schilstra: You'd have - I didn't know if you knew the charts that well. That's my concern. You good folks ... would get hit by that too.

Mr. Sarbach: Well sir I can guarantee - well I could ...

Mr. Schilstra: Okay ... guarantee...

Mr. Sarbach: rest - I would rest assured that the pipes will not leak and cause you flooding in the Zimber Ditch from our waterline.

Mr. Schilstra: The pipes aren't going to cause me flooding, no.

Mr. Sarbach: And we're going to loop that system and this is that to put the pipes in. So this is for the engineering to coincide with the project already in Jackson Township that will hopefully eliminate or minimize some flooding when they redo the streets out there. That's why this is done on emergency now so the engineering could be done to coincide with the Jackson Township project where this line will loop through. That's their only reason for the rush, was the only reason for the emergency, so we wouldn't have to undo something that was done later.

Mr. Schilstra: I don't have a problem with that. I don't have a problem with the fact that it was an emergency. But my concern is the enhancement of development in an area that may actually cause us problems that we haven't yet resolved from last year.

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Unidentified: Tell that to Jackson Township ...inaudible...

Mr. Schilstra: I think - do we have a - that's a different issue. I won't go there. But that's the concern. I like to voice it because I know - Mr. Lane, don't you have people down there in the Nimishillen who end up downstream from those too?

Mr. Lane: Sure.

Mr. Lindower: Have you talked to the individuals in Jackson Township, trustees and so forth about their plans for development in that area?

Mr. Schilstra: No sir.

Mr. Lindower: Well...

Mr. Schilstra: The Zimber Ditch is in North Canton.

Mr. Lindower: Yea.

Mr. Schilstra: And it ain't been dug out yet.

Mr. Lindower: Yea, but we don't know who is going to build on the Jackson Township side of that ditch. That's not ...

Mr. Schilstra: I don't - I won't argue that point.

Mr. Lindower: That's not under our control. The waterline...

Mr. Schilstra: That's not under your control, I'll agree.

Mr. Lindower: Right.

Mr. Schilstra: But part of this obviously is.

Mr. Lindower: But putting the waterline in isn't going to do anything as far as the flooding, building might.

Mr. Schilstra: Building would be the contest. Putting the pipe in isn't the issue. But the whole focus tonight I heard about economic development, we want to get more in, we got ...inaudible... economic develop. I don't have a problem with that. Let's not cut our nose to spite our face. Thank you.

Mr. Snyder: Thank you.

Mr. Osborne: I'd like to address Mr. Miller's comments that he had to involve himself in the...

Mr. Foltz: Chuck.

Mr. Osborne: labor negotiations.

Mr. Foltz: Do we need a separate motion here?

Mr. Osborne: The labor negotiations...

Mr. Foltz: I believe we do.

Mr. Osborne: were all over. In fact last fall the administration came back to council twice for additional funding, they spent in excess of \$50,000.00 and Mr. Lindower explained laboriously how they had to go back and rewrite the entire contracts. Which were I guess unenforceable, misleading and on and on and on. So I don't understand the demands on his time toward labor negotiations.

Mr. Miller: Sir, if you would of listened to my comments I said labor relations. And labor relations involves ongoing negotiations, it involves arbitration. There's an arbitration coming up over the existing contracts that were just negotiated and entered into last Fall. If we hire an outside attorney, that's \$220.00 an hour. If you use me, it's the hourly wage that you're already paying me. It doesn't cost any extra and that's the direction we're going with those type of issues. And that's what I was talking about was labor relations and dealing with the unions. And at this point in time my getting involved in that is going to save \$220.00 an hour for an arbitration that we don't know how long it will take and how much preparation it will take.

Mr. Osborne: We have a Law Director for that as well.

Mr. Miller: No sir, the Law Director is not involved directly in none of the negotiations, that's why they're contracted out. There's specific job duties for the Law Director and does not involve doing the arbitrations on labor issues nor does it involve, as I understand it, negotiating the contracts. That's why council hired outside counsel to do the negotiations last Fall because the expertise did not exist within the administration and it was not part of the Law Director's duties at that time. Inaudible...

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Mr. Osborne: And then your discussion about bring a manufacturing facility to town. Where we going to put that? We don't have any ...inaudible...

Mr. Miller: Sir, I didn't say we were bringing manufacturing. Again, if you were listening, I said we need to find out what direction we were going. Do we want to bring manufacturing jobs to town? Do we want to bring in service businesses, etc.? So I'm just saying, what do we want to do. You're correct, at this point in time, North Canton does not have the appropriate acreage for a manufacturing facility. But we're looking at expanding our boundaries as part of the economic development. So again, you're listening and focusing in on one piece of it and not listening to the whole story that I'm trying to outline here.

Mr. Osborne: Well, I feel if the city would concentrate on maximizing their revenue. As I pointed out earlier ... they've been lax on and improving the existing infrastructure to enhance the community for the residents, along with just some basic policy decisions, I don't think you need a full time Economic Development Director. There's some issues enhancing the web site. We have talked about that for years.

Mr. Snyder: Ladies and gentlemen, I'm going to have to ...
Mr. Osborne: That's just an issue that just needs to be...

Mr. Snyder: Mr. Osborne, you're now exceeding your - the graciousness of this council sir. If you have something...

Mr. Osborne: Mr. Snyder, you have let people come up here and just harangue and harangue ...

Mr. Snyder: Alright sir, I've given you the opportunity. Now I'm going to have to close it, because if you're going to sit here - if you want to see Mr. Miller in his office, he's there 8:30 to 4:30. And I'm sure he'd gladly entertain...

Mr. Miller: 8:00 to 4:30.

Mr. Snyder: I'm sorry, 8:00 to 4:00. But we've given you that courtesy and unfortunately sir, you've overextended your welcome. And now I'd like you to sit down please and we can call the meeting to a close.

Mr. Osborne: Public accountability. Also, by cutting back the speaking both before and after the meeting, people cannot come up here and talk for another two weeks.

Mr. Snyder: Well sir, I see most - we have open - it's open, you can speak as long as you want at the beginning of the meeting.

Mr. Osborne: There's a lot of issues that need to be discussed.

Mr. Snyder: That's why I call it public speaks. Sir, you were not elected by the people to sit up there and govern. The people, with a resounding effect told you what they thought. If you care to sit up here and you want to run a meeting, then run for office.

Mr. Osborne: Well you didn't let me speak up there either.

Mr. Snyder: Well sir, again, run for office. Take a petition and run for office. Is there a motion to adjourn?

ADJOURN:

Mr. Foltz: Motion to adjourn - motion to adjourn.

Mr. Snyder: Is there a second?

Mr. Osborne: Inaudible...residents to present ideas and ...inaudible...

Mr. Snyder: Please call the roll Mrs. ...

Mr. Foltz: Did we have a second?

Mr. Snyder: Yea we had a - did I hear a second?

Mr. Osborne: And the Mayor never did respond to my question earlier. In fact...

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Mr. Lindower: Second.

Mr. Osborne: the traditionally the whole two years I've been up here...

Mr. Foltz: Dave seconded it.

Mr. Osborne: people come up to speak and you listen to them and they - they never get a response.

Mr. Lindower: Call the roll.

Mr. Snyder: Please, call the roll.

Mr. Osborne: No accountability...inaudible...

All members present voting:

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

No: 0

The council meeting adjourned at 8:05 p.m.

PRESIDENT OF COUNCIL

ATTEST:

CLERK OF COUNCIL