

RECORD OF PROCEEDINGS

Minutes of

COUNCIL OF THE CITY OF NORTH CANTON

REGULAR

Meeting

DAYTON LEGAL BLANK, INC., FORM NO. 10148

Held Monday, January 12, 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 Councilman Greg Sarbach.
3. All present recited the Pledge of Allegiance.

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

ROLL CALL:

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

Consideration of Minutes of Council Meeting: 12/15/03
 Consideration of Minutes of Public Hearing: 1/5/04

Mrs. Kiesling moved and Mr. Lane seconded to approve the minutes of the council meeting and minutes of the public hearing as presented. All members present voting:
 Yes: Kiesling, Lane, Lindower, Peters, Sarbach, Snyder and Foltz.
 No: 0

6. Committee Reports

Community & Economic Development Committee: Refer to the minutes on file in the Council Office of the Community & Economic Development Committee meetings held December 15, 2003 and January 5, 2004.

Finance & Property Committee: Refer to the minutes on file in the Council Office of the Finance & Property Committee meetings held December 15, 2003 and January 5, 2004.

Ordinance, Rules & Claims Committee: Refer to the minutes on file in the Council Office of the Ordinance, Rules & Claims Committee meetings held December 15, 2003 and January 5, 2004.

Personnel & Safety Committee: Refer to the minutes on file in the Council Office of the Personnel & Safety Committee meetings held December 15, 2003 and January 5, 2004.

Street & Alley Committee: Refer to the minutes on file in the Council Office of the Street & Alley Committee meetings held December 15, 2003 and January 5, 2004.

Mr. Sarbach moved and Mrs. Kiesling seconded to approve the committee report minutes as presented. All members present voting:
 Yes: Lane, Lindower, Peters, Sarbach, Snyder, Foltz and Kiesling.
 No: 0

7. Recognition of Visitors

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

Chuck Osborne: My name is Chuck Osborne. 307 Fairview Street SE in North Canton. I was somewhat confused last week upon reading in the newspaper that North Canton was going to give tax abatements for the proposed Speedy Foods that is to be built on South Main Street. A number of thoughts come to mind when I hear about tax abatements that other communities offer to entice business to their community and the key word here is entice. Is this a project that required inducements to persuade Speedy Foods to come to Main Street in North Canton or were there marketing opportunities of this location in North Canton enough of an inducement? I think the latter. This is nearly an identical business that saw a commercial opportunity with the demise of the previous business. That alone was enough to entice this business owner to Main Street. Was this tax abatement truly needed - was this tax abatement truly needed to persuade this business to locate on Main Street? I think that the commercial location on Main Street was more than enough of an incentive to bring Speedy Foods to town. If tax abatements are routinely given for the asking, what further concessions would North Canton have to provide to the next business if there were truly a need to persuade that business to relocate to North Canton? Further, what does North Canton gain with these concessions? Does this new business bring a number of high paying jobs to offset the abatement of property taxes? The

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application states there are two jobs paying less than 30,000 and five clerk positions paying 12,000, totaling \$110,000.00. What about the homeowner who buys a home in Monticello for \$450,000.00 and who probably makes more than \$110,000.00 alone? Do you think that individual should qualify for tax abatement as well? What about other businesses in town who have added employees at salaries greater than those proposed for this enterprise? I spoke to a business on Main Street this week that has more than doubled the number of employees on this owner's payroll since he started business - he now has 15 employees. Isn't Speedy Foods being given a financial advantage over similar businesses already in town? The tax abatement being given does not involve historic preservation, similar to the abatement given to improve the historic North Canton Sun building or the Bakers Dozen building that now houses a law firm with many employees with the jobs at much higher salaries. The tax abatement being given does not add any aesthetic value to Main Street, such as the abatement given to construction of Abbott's Bridal Shop, which by the way only received a 3-year abatement. As I understand it the abatement being given Speedy Foods is 10 years. This is a gas station that is co-located with a convenience store. It needs no incentive to locate on Main Street. Maybe North Canton should start buying available property along Main Street and then the city would have more control over the appearance of its Main Street and not let it turn into quick stops for gas and beer. That will probably be the next thing that Ward 4 citizens see on the ballot, a request for sale of beer and alcohol. Thank you.

Mr. Snyder: Anyone else in the audience wishing to speak to the council this evening? Please step forward and state your name and address for the record.

Miriam Baughman: 320 Weber Avenue. I just wanted to make a comment about charging residents for ambulance services. I did some research over the weekend and Medicare pays the ambulance services through the Medicare Part B, which means that a resident with Medicare Part B would have to pay 20 percent. So if the charge would be \$450.00 they would have to pay 90, which could be a lot of money for someone on a fixed income.

Mr. Snyder: Thank you mam. Anyone else wishing to speak to the audience this - or the council this evening? Inaudible... thank you.

OLD BUSINESS: None

NEW BUSINESS:

8. Mrs. Kiesling moved and Mr. Sarbach seconded to **read by title only, first reading of Ordinance No. 1-04.** All members present voting:
 Yes: Lindower, Peters, Sarbach, Snyder, Foltz, Kiesling and Lane.
 No: 0

Ordinance No. 1-04 - First Reading

An ordinance authorizing an agreement with Cordelia-Main Ltd. providing for a project and real property tax exemption pursuant to the Ohio Community Reinvestment Area program, and declaring the same to be an emergency.

Mr. Snyder: Chairman Kiesling.

Mrs. Kiesling: Yes, this is the abatement that Mr. Osborne was speaking of, the Speedy Foods on South Main. In my eyes, being on the CRA committee, you questioned historic preservation, you questioned adding an aesthetic value, you questioned did we need to entice them. As far as my part on the CRA committee is, are they increasing the value of their property and are they increasing their employees? And by increasing their employees they are increasing our revenue. By increasing their property taxes, even though we're abating or increasing the value of their building or property, they're increasing the possible taxation on that also. Even though some of it will be abated, the other part will go to the school system. I think this is a win win situation. I think turning people away because it's a gas station is not the way to look at abatements. I believe that they're going to make it look better aesthetically. And I believe they're - and I know they're going to increase their employees or their abatement will not last. The abatement only applies to the \$300,000.00 for the new building. It is 50 percent for 10 years, which would save the ... developer \$2600.00 a year and the effect to the city is \$260.00 a year. The new jobs that are generated, hopefully will be generated, approximately will give us \$1,650.00 per year in income tax - 1,650 minus or compared to the 260 that we're going to lose we are making up for the abatement and hopefully we are enticing them if not other owners in the city to do things to their buildings because they see us helping other people. So I have no trouble passing this on an emergency, I think it's fully justified and this is what we've done in the past, at least the two years that I've been on the committee. Any questions Dave, Doug?

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Mr. Lindower: No, I'll tell you I agree with you Marcia, you've done a lot of research on this. That area again is likened a little bit to me to the situation at East Maple and Woodside that we had so much controversy over as far as the aesthetics for the city. I think something needs to be done down there. I went by there a couple of times this week and looked and that building down there is extremely small. That's going to continue to be a service station and I see no reason why we shouldn't upgrade it. As far as blowing a bunch of smoke about selling beer out of a place like that, that isn't going to happen unless that is approved by the city itself. So that's just a tendency to muddy the waters. I am in full agreement with the abatement on it.

Mrs. Kiesling: Doug...

Mr. Foltz: I agree with Dave.

Mrs. Kiesling: Anybody else?

Mr. Sarbach: Yes, is this agreement in compliance with the CRA agreement that's available to everybody in the city since the inception of the CRA about what six or eight years ago?

Mrs. Kiesling: 99.

Mrs. Herr: 99.

Mr. Sarbach: 99, I mean...

Mrs. Herr: There's only certain areas in the city that are ...inaudible...

Mr. Sarbach: Right. There's defined geographical areas...

Mr. Snyder: Yes.

Mrs. Kiesling: Right.

Mr. Sarbach: that qualify for that. And the guidelines are there, available for anybody. If somebody wants to expand their business, a planned expansion, they can apply for it by the guidelines that this...

Mr. Snyder: Right.

Mrs. Herr: And the purpose of the CRA, and this is straight from the state, it's for areas of land in which property owners can receive tax incentives for investing in real property improvements. The economic development part of it is kind of a side bar to it, but it's - the main purpose of it is to invest in real property improvements. And to me this is a perfect example of an area that is going to be improved by putting a new convenience center, convenience store and replacing that existing structure that's there.

Mr. Snyder: Chairman Kiesling, one thing. Consequent to my conversation with you and those figures, which were a very nice job done, at present the tax duplicate on that property is \$2,220.64 paid to the county. On the 2004 reevaluation they will receive a tax bill for \$2,485.44. However - and that's still almost \$150.00 less than what they'll be paying because the new building will be reappraised. They'll be in effect paying \$2600.00 a year or actually \$115.00 more than the schools are receiving at this present time. So it's actually not costing any money to the school nor to the city. So it is a very good abatement and a...

Mr. Sarbach: Well that was the purpose of this CRA when it was ... conception was for that and residences in those - in that geographical area.

Mr. Lane: I would like to add too that I was on planning when this came through and we worked very hard with the neighbors to make sure this would be a quality project that everybody could agree upon. And the Cordelia-Main people made a lot of adjustments to their plan to make sure that this would come through and be a good neighbor as well.

Mr. Snyder: Okay.

Mr. Osborne (speaking from audience): May I make some comments?

Mr. Sarbach: No.

Mr. Snyder: No, unfortunately not. I'm sorry. Thank you. Is there anything else? If not...

Mr. Sarbach moved and Mrs. Kiesling seconded to **adopt the first reading** of Ordinance No. 1-04. All members present voting:

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

No: 0

Mrs. Kiesling moved and Mr. Sarbach seconded to **suspend the rules** for Ordinance No. 1-04. All members present voting:

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

No: 0

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Mrs. Kiesling moved and Mr. Sarbach seconded to **adopt under suspension of the rules** Ordinance No. 1-04. All members present voting:
 Yes: Snyder, Foltz, Kiesling, Lane, Lindower, Peters and Sarbach.
 No: 0

Mr. Snyder: Alright. Thank you Chairman Kiesling for that.
 Mrs. Kiesling: Thank you.

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

Ordinance No. 2-04 - First Reading

Ordinance No. 2-04 amending Section 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: Well this just basically takes the Planning Commission out of the mix and puts Gene Hemminger, the Superintendent of Permits, to be the first and final approving authority. So ...

Mr. Snyder: Okay.

Mr. Sarbach: And he has guidelines in place for that decision.

Mr. Peters: Oh yea. And he can actually - and I spoke with Doug about this. When he was on Planning Commission they talked about it. These guys don't have the time to go out and measure signs and you know and check to see if everything is in accord - in compliance, Gene does and that's his job. So...

Mr. Sarbach: Yes.

Mr. Snyder: Any other comment?

Mr. Peters: Inaudible...

Mr. Pusateri: He also has a permitted right, if he wants to he could take it to Planning Commission though - he has that discretion. So if it's a sign that's kind of controversial or questionable he can take it to Planning Commission for their review.

Mr. Lane: Yea, it does give him that freedom for the aesthetic standpoint. He's also the one that can keep an eye on the five-year or whatever the phase out is for those big signs too...

Mr. Snyder: It's five years.

Mrs. Kiesling: Inaudible... years.

Mr. Lane: And that's something that Planning Commission on a monthly basis these things could come up almost every week and that's - Gene's going to keep an eye on that as well.

Mr. Snyder: Good. Alright...

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

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

Ordinance No. 3-04 - First Reading

An ordinance authorizing the Mayor of the City of North Canton, Ohio, through the Board of Control, to enter into an agreement by and between the City of North Canton and the City of Canton for the purpose of providing legal representation by the City of Canton through its Law Department and Prosecutor's Office with regard to the prosecution of criminal cases and other related matters as provided for therein in the Canton Municipal Court and declaring the same to be an emergency.

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Mr. Snyder: We talked about this last week. We - actually the contract began as is designated, the first part of the year. So it's 12,000 a year. They do handle all our prosecution of criminal cases through the Law Director of Canton City. And it's pretty - other than that pretty - this is a renewal that we have every year or two years I believe. There ...inaudible... any questions...

Mrs. Kiesling moved and Mr. Foltz seconded to **adopt the first reading** of Ordinance No. 3-04. All members present voting:
Yes: Lindower, Peters, Sarbach, Snyder, Foltz, Kiesling and Lane.
No: 0

Mr. Foltz moved and Mr. Sarbach seconded to **suspend the rules** for Ordinance No. 3-04. All members present voting:
Yes: Peters, Sarbach, Snyder, Foltz, Kiesling, Lane and Lindower.
No: 0

Mrs. Kiesling moved and Mr. Foltz seconded to **adopt under suspension of the rules** Ordinance No. 3-04. All members present voting:
Yes: Sarbach, Snyder, Foltz, Kiesling, Lane, Lindower and Peters.
No: 0

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

Ordinance No. 4-04 - First 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 a new fire truck for use by the Department of Fire and Emergency Medical Services and declaring the same to be an emergency.

Mr. Snyder: This is a budgetary item in the capital budget of 2004. It's sorely needed. The pumps that the present truck are not - are too costly to repair. The present vehicle will be traded and or sold and money returned to the general fund. We've asked for an emergency. The Chief of Fire Service says that it has to be specially built to his specifications they'll submit and there will be some time lag so we want to get started. And even with the emergency he would hope, at the very best case scenario, sometime early October to November that it would be put into service. Is there any question? Yes sir...

Mr. Sarbach: I believe that truck is still serviceable, just the pump is not - has to have some work on it to have it certified.

Mr. Snyder: That's correct - right that's...

Mr. Sarbach: But it is serviceable and can be used.

Mr. Snyder: Inaudible... yea, it will be in operation in the department until the new one is put into service. I think this is the first major piece of equipment we've bought as first line fire equipment for several years. So again, it's time that we begin, as we do with all our equipment, to become very proactive and replace it before it's really necessary or we get into a bind. So I would ask again that that be passed on an emergency basis. So I would now entertain a motion to adopt the first reading of Ordinance No. 5-05.

Mr. Foltz: So moved...
Mr. Peters: Second.

Mr. Snyder: Or 4...
Mr. Foltz: 4-04.
Mr. Snyder: 4-05, excuse me. I'm buying the police cars to escort the fire car...

Mr. Foltz moved and Mr. Peters seconded to **adopt the first reading** of Ordinance No. 4-04. All members present voting:
Yes: Foltz, Kiesling, Lane, Lindower, Peters, Sarbach and Snyder.
No: 0

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Mr. Foltz moved and Mr. Sarbach seconded to **suspend the rules** for Ordinance No. 4-04. All members present voting:

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

No: 0

Mr. Sarbach: Mr. Chairman, I move we adopt, under the suspended rules, Ordinance No. 4-04.

Mr. Snyder: Alright, that's where we're going...

Mr. Sarbach moved and Mr. Foltz seconded to **adopt under suspension of the rules** Ordinance No. 4-04. All members present voting:

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

No: 0

Mr. Sarbach: Just trying to help you out.

Mr. Snyder: That's no problem. I even have an redacted copy here I should of ...inaudible...

May I have a motion to adopt under suspension of the rules Ordinance No. 4-04?

Mr. Sarbach: I think that's 5-04. Isn't it?

Mrs. Bittle: We just did that. We're...

Mr. Sarbach: We just did 4...

Mr. Snyder: Oh did we?

Mr. Sarbach: It's 5-04.

Mr. Snyder: Oh, I'm sorry.

Mr. Sarbach: Item No. 12.

Mr. Snyder: 04 - Let's have the first reading of 5-04.

12. Mr. Sarbach moved and Mr. Peters seconded to **read by title only, first reading** of Ordinance No. 5-04. All members present voting:

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

No: 0

Ordinance No. 5-04 - First Reading

An ordinance authorizing the Mayor of the City of North Canton, through the Board of Control, to enter into an agreement for the purchase of three (3) marked cruisers, for use by the Police Department, within the purview of the Ohio Cooperative Purchase Act, or, in the alternative, authorizing the Board of Control, 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 three (3) marked cruisers for use by the Police Department and declaring the same to be an emergency.

Mr. Snyder: Again, this is part of the 04 budget and the capital budget which we passed in mid December. We're now buying three cruisers every year instead of six or seven every two years. The impact on the city is - on the budget portion of it is a little less than doing it that way and - So we're in line for three to purchase this year then again next year we'll purchase ... the others. There any questions on that? If not...

Mr. Sarbach moved and Mr. Peters seconded to **adopt the first reading** of Ordinance No. 5-04.

All members present voting:

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

No: 0

Mrs. Kiesling moved and Mr. Sarbach seconded to **suspend the rules** for Ordinance No. 5-04.

All members present voting:

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

No: 0

Mr. Sarbach moved and Mr. Peters seconded to **adopt under suspension of the rules** Ordinance No. 5-04. All members present voting:

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

No: 0

Mr. Snyder: May I have a motion to read by title only, first reading of Ordinance No. 6-06?

Mr. Sarbach: So moved.

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Unidentified: 6-04.
Mr. Foltz: -04
Mrs. Kiesling: -04

Mr. Snyder: Well how'd we go from the year 04 from 5 to 6? Oh, that's my - can you - gees, I missed two new years and I didn't realize it.

Mr. Foltz: President Snyder, there was an addendum that clarified...

Mr. Snyder: I missed an elect...

Mr. Foltz: that whole situation - that you must not have part of your packet.

Mr. Snyder: I must of missed - I missed the whole election cycle...

Mr. Foltz: Yes.

Mr. Snyder: how easy that was.

Mr. Sarbach: If you don't have competition that's easy to do.

Mr. Foltz: You're in the wrong book or the wrong page or something. So let's straighten ...

Mr. Snyder: I must be in the wrong municipality.

Unidentified: Do we move for impeachment or ...

Mr. Snyder: Do I have a certificate of reelection? Pardon me ...inaudible...

13. Mr. Sarbach moved and Mrs. Kiesling seconded to read by title only, first reading of Ordinance No. 6-04. All members present voting.
Yes: Foltz, Kiesling, Lane, Lindower, Peters, Sarbach and Snyder.
No: 0

Mr. Snyder: You know normally at 7:20 we're still in the prayer. Inaudible... what happened to me here.

Ordinance No. 6-04 - First Reading

An ordinance authorizing the Mayor of the City of North Canton, through the Board of Control, to enter into a professional service agreement with Millcreek Professional Billing for the purpose of charging residents and non-residents of the City of North Canton for transport by the Department of Fire & Emergency Medical Services, in accordance with Medicare approved rates.

Mr. Snyder: We talked about this last week. Mrs. Baughman brings up the point and if we did not put that in there my apologies, there is part B, there is a copay. However, we do have and the word is probably not the proper word to use, but we have an ... indigence board or whatever it's called, to review people who are unable at the point to pay any money and that would be done and there's a three-part board. However, as we talked about last week, at present it's in excess of \$612.00 to transport a person to the hospital with our services. Our present rate of levy will - only covers approximately a hundred and some thousand dollars. Our cost to the city is about a million three. We cannot continue to subsidize from the general fund when approximately 10 percent of the residents use EMS. We made about 1800 calls in 2002 and I'm sure soon the Chief will be giving us the present numbers for 2003, of which only approximately 1200 of those we transported - that's 2002 numbers. So actually that's what we're asking for. We will charge inside and outside to transport only. Normal emergency response calls will not - that are not transported will not be charged upon. So that's basically it. Is there any questions on that? We will go through three readings of this to let the people - again to encourage the public, if there's any questions.

Mrs. Kiesling: I have one thing. I would just hope that the press would make it very clear that it is transport only. You know trying not to scare the elderly as to not calling the ambulance if they feel - if they're not quite sure that - dial 911 when they feel the need, but transport only will we bill them. And we will still treat them at the scene even if we don't bill them or even if we don't transport them, they will be treated regardless.

Mr. Snyder: Okay.

Mr. Lindower: That's one of the things I was concerned about. As Marcia addressed there, we don't want to discourage people who may feel that they have the need for the ambulance not to call in view of the fact that it's going to cost them something. I don't know whether there's been any statistics done on that or any opinions that have been issued by the emergency medical services, but I think that's one of the issues we need to look at. In view of the fact that it's going to cost somebody something whether they have insurance or not, many people tend to not want to spend that money if they don't have to. So I think that's one of the issues that should be taken into consideration in here.

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Mr. Snyder: I believe there's a protocol on transport; is there not? You work under the direct orders of the emergency room physician? There's a protocol to follow and unless the patient would sign off, they will be transported at the discretion of the site commander and the emergency room physician. So they won't have the discretion to say well it's going to cost me money I don't want you to transport me.

Mr. Lindower: Well the ...

Mr. Snyder: But there's a definite protocol to follow there.

Mr. Lindower: Yea, I guess to clarify that Jon, what I'm saying is I don't want someone to feel like even though the EMS, and I'm familiar with their situation and their operation, to suggest that the ER doctor told us that we need to transport you to the hospital, they can still refuse.

Mrs. Kiesling: Yes, they can.

Mr. Lindower: And of course that takes the liability off the city. That's not what I was concerned about...

Mr. Snyder: Inaudible...I see...

Mr. Lindower: It's the psychological effect that it might have on that patient themselves to say yes, take me to the hospital or don't take me to the hospital. So I think as long as that's been taken into consideration and weighed, I don't think I have a problem with that. Financially I can understand it.

Mr. Snyder: That's a good point Mr. Lindower. And the other thing, as I said, you have to understand and that would be what we will hope the press will do as well as the next couple meetings reading this, that the citizens of North Canton realize we will still transport you whether you have the ability to pay or not to pay. I mean...

Mr. Lindower: That needs to be decided at a later time.

Mr. Snyder: Right...

Mr. Foltz: Right.

Mr. Snyder: and that - you know actually what we're trying to do is close the financial gap and be proactive so that we do not have to continue to raise taxes to the point where the people are paying for services that they really aren't enjoying. But a - and that's that. Any other questions?

Mr. Lane moved and Mr. Lindower seconded to **adopt the first reading** of Ordinance No. 6-04.

All members present voting:

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

No: 0

Mr. Snyder: Chairman Lindower, do you want to make a motion to...

Mr. Lindower: Yes, if I could, I'd like to amend the agenda to include legislation in regards to the Police Lieutenants' Collective Bargaining Agreement, Ordinance No. 7-04 without committee minutes if I could.

Mr. Snyder: Okay. Is there a second?

Mr. Foltz: Second.

All members present voting:

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

No: 0

Mr. Snyder: May I have a motion to read by title only, first reading of Ordinance No. 7-04 --- amended under the suspension of the council rules?

14. Mr. Foltz moved and Mr. Lane seconded to **read by title only, first reading** of Ordinance No. 7-04. All members present voting:

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

No: 0

Ordinance No. 7-04 - First Reading

An ordinance authorizing the Mayor, Director of Administration and Personnel & Safety Committee of North Canton City Council to enter into a Collective Bargaining Agreement between the City of North Canton and The Fraternal Order of Police, Ohio Labor Council, Inc. (FOP-OLC) and declaring the same to be an emergency.

Mr. Snyder: Mr. Lindower.

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Mr. Lindower: Yes, once again I'll just reiterate what I stated prior to this meeting that we're under the understanding that the police lieutenants, being six individuals, are in full agreement with the City the way the Collective Bargaining Agreement is written, along with their FOP representative, even though they did - they refused to sign the contract. I want to make that on record that the fact that the refusal was there. However, we're assuming the fact that they do accept the agreement. And I would like to ask that that be passed on an emergency tonight if we could. Jeff, did you have anything else on that?

Mr. Peters: No, ...inaudible...

Mr. Lindower: Marcia ...

Mrs. Kiesling: Fine.

Mr. Lindower: Thank you.

Mr. Snyder: Okay...

Mr. Foltz moved and Mrs. Kiesling seconded to **adopt the first reading** of Ordinance No. 7-04.

All members present voting:

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

No: 0

Mr. Foltz moved and Mrs. Kiesling seconded to **suspend the rules** for Ordinance No. 7-04. All members present voting:

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

No: 0

Mr. Foltz moved and Mrs. Kiesling seconded to **adopt under suspension of the rules** Ordinance No. 7-04. All members present voting:

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

No: 0

Mr. Snyder: One thing before - next Monday is the 19th which is Martin Luther King's Day. Historically I believe the rules of council say we do not meet if the building is closed and it is a negotiated holiday ... the building we're closed. So I'd like to have a motion to move our regular meeting from Monday the 19th to Tuesday the 20th at 7:00 p.m.

Mr. Foltz moved and Mr. Peters seconded to move the regular council meeting from Monday, January 19, 2004 to Tuesday, January 20, 2004 at 7:00 p.m.

Mr. Sarbach: Mr. Chairman, that's also the night we have the photographer here.

Mr. Snyder: Thank you.

Mr. Sarbach: At 6:15.

Mr. Snyder: at 6:15, a your note indicated.

All members present voting:

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

No: 0

REPORTS:

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

Mr. Pusateri: I do not have any comments.

Mr. Snyder: Director of finance.

Mrs. Herr: No report.

Mr. Snyder: Director of Administration.

Mr. Held: No report.

Mr. Snyder: Mr. Mayor.

Mayor Rice: Just real quickly. It a - I appreciate everyone's comments about the CRA. I think everybody on council realizes the valuable tool that is. And it leads right into - I asked Jim actually last week - we are going to ask City Council to move forward to amend that to extend the boundaries of the CRA. There are some other areas of the city that really should be included in. We've amended it once - I think just once. ...

Mr. Snyder: Yes sir..

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Held Monday, January 12,20 04

Mr. Sarbach: Yea.

Mayor Rice: previously. And there's some other areas of interest that people have in the city that that would be a great benefit if we could do that. So I've got Jim currently working on a new map in areas that we'd like to extend the CRA. So actually if anybody on council has any ideas on what areas you'd like to see added to the CRA, we'd certainly love to hear that and include those areas. Yea, there was some discussion, I forget a few years back, about possibly just putting the whole city in the CRA, but that might be a little excessive at this time. But there are some other areas that I would love to see it extended to. So we'd like to get that done soon actually - sooner than later because we've got some other opportunities out there.

Mr. Snyder: Mr. Mayor, one thing if you would sir, is you possibly look at our housing stock in certain areas...

Mayor Rice: Yea.

Mr. Snyder: because that does apply to people...

Mayor Rice: Right.

Mr. Snyder: in their individual home. If you wouldn't mind considering that...

Mayor Rice: Right, yea, it does include residential, it's not just commercial properties. So if we go in - which I know the last time we extended it we added some...

Unidentified: Right.

Mayor Rice: some more residential on the inner part of the city to encourage people to ...

Mrs. Herr: And we do have to do it...

Mayor Rice: invest in those properties.

Mrs. Herr: We do have to do a housing survey for any area that we want to have in the CRA.

Mayor Rice: Yea.

Mrs. Herr: So we will have to have someone conduct a survey for us.

Mayor Rice: Yea.

Mrs. Herr: And that's one of the things that they look at is the housing and...

Mayor Rice: Right...

Mrs. Herr: so forth. So...

Mr. Sarbach: That was...

Mayor Rice: So just so you know that's coming down the road.

Mrs. Kiesling: That would be great ...inaudible... to my home. I would of loved to have gotten an abatement.

Mayor Rice: If anybody has got any additional input you want to give to me that's fine, we'll look at it and include it in those areas. Yea, Greg.

Mr. Sarbach: My question was on the same line. The proposed area that you're looking at that you haven't submitted yet, is any of that residential area?

Mayor Rice: There would be some residential area in it sure.

Mr. Sarbach: Involved in it.

Mayor Rice: Yea.

Mr. Sarbach: Alright, thank you.

Mr. Foltz: Maybe we could all be provided a map just as a refresher so we can all review it...

Mayor Rice: Yea, we'll bring maps in and show you.

Mr. Snyder: Sure.

Mr. Foltz: and know where this area is in the city.

Mr. Foltz: Thank you.

Mr. Snyder: Okay.

Mayor Rice: We're still mainly talking about major - more major thoroughfares through the city obviously.

Mr. Foltz: Right.

Mayor Rice: But there's also - a lot of those areas are residential as well as commercial properties. So that's all. Just that brought that to mind when we're talking about that tonight, is that's something working on and we'll be bringing that to the council down the road hopefully soon. Right Jim?

Mr. Benekos: Yes sir.

Mayor Rice: To amend that CRA to some areas. That's all.

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

Mr. Benekos: No report.

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

REPORTS - COUNCIL:

Mr. Snyder: Member Foltz.
Mr. Foltz: No report.

Mr. Snyder: Member Lindower.

Mr. Lindower: In regards to the Mayor's comments on the CRA update, I think that's probably a good issue to keep in the agenda here - at least discussion. Along with that, where are we standing as far as community and economic development director? What's the status on ...

Mayor Rice: We're in the middle of the process right now Dave. We'll be conducting some interviews - more interviews yet this week. So it's moving along and like I said we're still - our goal and objective is to have somebody onboard before the end of this month.

Mr. Lindower: Can you give us an idea within some ballpark numbers how many applicants you've got for that?

Mayor Rice: It's somewhere 40, 50...

Mr. Lindower: 40, 50.

Mayor Rice: some 40 some, it might of got to 50 I don't - or close to 50.

Mr. Lindower: Okay, thank you.

Mayor Rice: That ballpark, something like that.

Unidentified: Great.

Mr. Snyder: Member Lane.
Mr. Lane: No report.

Mr. Snyder: Member Kiesling.
Mrs. Kiesling: No report.

Mr. Snyder: Member Peters.
Mr. Peters: No report at this time.

Mr. Snyder: Member Sarbach.
Mr. Sarbach: No report.

Mr. Snyder: Thank you. I have nothing myself.

FINAL CALL FOR NEW BUSINESS:

Mr. Snyder: Anybody in the audience wishing to speak to the council? Last call for business. Mr. Osborne...

Mr. Osborne: I have some comments to the Mayor's suggestions. North Canton is a very desirable community. People want to come here, both businesses and home owners. I think you're tying your hands on your tax base if you're just going to make a blanket giveaway. I think the city would be better served if it started proactively buying up properties up and down the main corridors and controlling the kind of growth. North Canton is known its for shops. You want to entice people to come and browse and enjoy downtown. I don't believe this car wash ... this convenient stop does that. It just encourages people to run in buy cigarettes and pop or possibly beer and alcohol and ... down the streets. I think if we can buy property, combine some of these localities and start marketing them. Your economic development director is not going to have anything to do once you start doing that. Tax abatements should be the straw that finally encourages an employer or a business to come to the city. If you just begin the ground work and we're going to give you a giveaway no matter what, you're going to end up having to make further giveaways because they know ...inaudible... level we're going to abatement your taxes. And to do it for ten years I think it's an unfair advantage. I think you should stop and think what it does to your existing business. Has anybody ever talked to - Erik's Grocery Bag came to mind, the impact of that convenient store on his business? You're placing your existing businesses that have been with the community a long time I think at an unfair disadvantage. And again, where are you going to have to go for giveaways when right off the bat we're going to abate your taxes for ten years, if you're really competing with a Perry Township or a Plain Township or Canton trying to gain the upper hand to bring that business to town. Obviously they know they're going to get their taxes abated. Now what else are you going to do for us to get us to come? Control your destiny, maintain the nice cozy Main Street that we have with shops instead of just letting fast foods and drive throughs start populating the main business district or you're going to turn this town into a West Tusc. Thank you.

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Mr. Sarbach: Might I make a comment.
Mr. Snyder: Go ahead.

Mr. Sarbach: As I said before, this CRA has been in effect for five years and the guidelines are the same for people coming in as they are for existing businesses. So we're not giving someone from the outside any undue advantage over a business that's already here. Selective facts I don't like that. Let's look at the whole picture and I think this council has looked at the whole picture on this CRA. And I think thisinaudible... needs stop at the door and not bring it into this meeting. And I think that's kind of what we're getting.

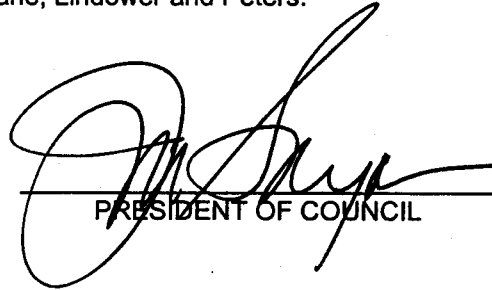
Mr. Snyder: Anyone else in the audience wishing to speak us? Seeing none, I'll entertain a motion to adjourn.

ADJOURN:

Mr. Sarbach moved and Mr. Peters seconded to adjourn the council meeting. All members present voting:

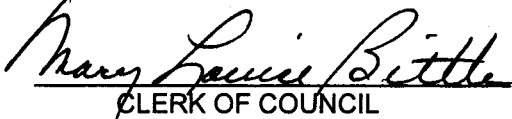
Yes: Sarbach, Snyder, Foltz, Kiesling, Lane, Lindower and Peters.

No: 0



PRESIDENT OF COUNCIL

ATTEST:



CLERK OF COUNCIL