

RECORD OF PROCEEDINGS

Minutes of

COUNCIL OF THE CITY OF NORTH CANTON

REGULAR Meeting

DAYTON LEGAL BLANK, INC., FORM NO. 10148

Held Monday, January 10 7:00 p.m. 20 05

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. John States, Congregational United Church of Christ.
3. All present recited the Pledge of Allegiance.

Mr. Snyder: May I have a motion to excuse Member Sarbach? He sends his regrets. He's in Munsey, Indiana with the power company trying to put those people back into power. Hopefully he'll be home Wednesday or Thursday of this week.

Mr. Lane moved and Mrs. Kiesling seconded to excuse the absence of Member Sarbach.

All members present voting:

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

No: 0

ROLL CALL:

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

Community & Economic Development Committee: Refer to the minutes on file in the Council Office of the Community & Economic Development Committee meeting held January 3, 2005.

Finance & Property Committee: Refer to the minutes on file in the Council Office of the Finance & Property Committee meeting held January 3, 2005.

Ordinance, Rules & Claims Committee: Refer to the minutes on file in the Council Office of the Ordinance, Rules & Claims Committee meeting held January 3, 2005.

Personnel & Safety Committee: Refer to the minutes on file in the Council Office of the Personnel & Safety Committee meeting held January 3, 2005.

Street & Alley Committee: Refer to the minutes on file in the Council Office of the Street & Alley Committee meeting held January 3, 2005.

Water, Sewer & Rubbish Committee: Refer to the minutes on file in the Council Office of the Water, Sewer & Rubbish Committee meeting held January 3, 2005.

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

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

No: 0

6. Consideration

Minutes of Council Meeting: 12/13/04

Minutes of Public Hearing: 01/03/05

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

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

No: 0

7. Recognition of Visitors

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

Mr. Osborne: My name is Chuck Osborne, 307 Fairview Street, SE, North Canton, Ohio. I would like to address my comments to this Council this evening regarding the recent expenditure of funds to place a sign at the Akron-Canton Airport and ask how anyone thinks this expenditure will generate any financial return on investment for the City of North Canton. Yes, North Canton is a nice place to live. That is why we all choose to live here. But so are

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thousands of other communities throughout the United States. When a business spends money for advertising, central to that expenditure is a product or a service that is being sold. And in the sale of that product or service, the advertiser will recoup the cost of the advertising expense when a product is sold or a service is provided. The Repository reported last Wednesday, January 5, 2005, that \$40,000 was being spent from the City's economic development budget for a sign and promotional materials at the airport. Mr. Miller I would like to thank you for the time you took to draft a letter to me detailing the various expenditures that have been made to date regarding this promotion. But for some reason, your figure of \$1,600 breaks down into \$900 deposit and \$700 for first quarters rent on the sign, does not accurately reflect the full sixty month costs to lease the sign location at the airport. I have talked to the advertising firm, INTERSPACE, that handles the advertising at the Akron-Canton Airport and learned that the contract for the airport sign is for sixty months at a monthly rate of \$300. This will, will result in a cost of \$18,000 just for rental space for the sign at the Akron-Canton Airport. How will North Canton recoup the expenditure of funds for this sign? What is it exactly that the City of North Canton is selling? Is it selling the fact that people could come to North Canton and have a burger at Swenson's on North Main Street or get their car washed at the Super Wash on East Maple Street? If this sign does result in increased retail activity such as this, will this generate enough income to the City of North Canton to offset the \$40,000 in advertising expenses that have been expended? If this expenditure of \$40,000 could increase the number of well paying jobs and commercial businesses for the City of North Canton, the next question is, where would you locate any new business that desires to be in North Canton? I am familiar with the loss of two North Canton businesses in the last year or so that left the City because there was nothing available in the City to accommodate their needs. One of the businesses was a small manufacturing facility that was lured away from North Canton because they had, had outgrown their facility and there was no suitable facility to move to in the City. An interesting aside when I talked with the owner of, last night, the owner told me he was unable to get anyone from City Hall to assist him when he called to inquire about relocating his business within the City. This business owner who had operated in the City since 1980 also said that North Canton was anti-business. This business has moved out of the City and along with it, nearly thirty jobs. More recently, North Canton lost another business that had operated in the City for the last six years and was forced out of its facility on North Main Street by the landlord. This facility was Stark Security, owned by former Canton Mayor, Richard Watkins. Although, former Canton Mayor Watkins wanted to remain in North Canton, no suitable facility could be found. Stark Security has now recently relocated its business out of the City. North Canton has no industrial park, no office park. There is no land for development that will bring substantial numbers of well-paying jobs to the City. So, I have to ask, how will the expenditure of tens of thousands of dollars for this sign at the Akron Airport pay for itself? In my conversation with INTERSPACE, regarding airport advertising, I discovered that the only other municipality that has signage at the Akron-Canton Airport is the City of Akron. Why does the City of Canton not have signs at the airport? Do you think the City of Canton is missing out on a great venue in which to present itself to the public or do you think Canton feels that funds expended in this manner are not cost effective? Everyone knows that Canton has plenty of facilities available for development, unlike North Canton. Many communities in Stark County have both land and/or facilities begging for new business but apparently they do not believe it is cost effective to place a sign at the airport. What will the expenditure of these funds bring to the City that has no acreage for development? It looks as though you are spending public monies for pie in the sky as you wish on a star that something miraculous will magically restore the thousands of jobs that have left North Canton along with the Hoover Company. All of this time and money spent for a lovely image when the businesses you already have in North Canton are being ignored. I visited with businesses when I was a councilman and the first thing they would tell me is that I was the first person from the City to ever meet with them. Mayor Rice, I would like to know what you do as Mayor to retain existing business and what you do to attract new business and jobs to North Canton. And, I do not mean more part-time car hops or part-time gas station clerks or part-time car wash attendants. Mr. Dick Fano, the owner of Aero Tech as well as Laura's, has been begging for relief from sanitary and storm sewer damage for years for his two businesses on North Main Street. As a councilman, I saw residents come to this Council begging for relief and asking for assistance from similar damage. I personally know of residents who have left this City because of flooding issues along the Zimber Ditch. The \$40,000 that you are literally throwing away would have gone a long way to shoring up Mr. Financial's economic ties to this City and shown him that this City does care about his business and what his business means to this City. If residents were provided timely assistance from flood relief when requested recently, they too, would feel that North Canton values their contribution to this City's tax base. North Canton has many infrastructure issues, inferior waterlines that affect water quality and fail to provide inadequate fire protection, flooding from major tributaries that have been ignored and sanitary and storm water problems that plague many areas of the City. Creating a lovely image, as the Repository calls this campaign, does nothing to correct any of these problems that affect residents and businesses alike. What makes this expenditure even more absurd is the fact that the money expended for the airport sign must come from the City's carryover which has declined precipitously in the last three years. The funds expended on the sign at the Akron-Canton Airport simply accelerate the depletion of North Canton's cushion against

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declining revenues and provide nothing tangible in return. Lastly, I would like to point out to everyone that the North Canton Chamber of Commerce already has promotional literature at the Akron-Canton Airport. This is their latest publication which is available to anybody passing through the airport. And I'd like to add you do not have to go through security to get it. To view our sign, you have to be a ticketed passenger, go through security and you see it at the very end of the concourse. I was able to see it the other day but I have to get a armed escort, go through security, take off my shoes and around the corner at the very end of the concourse is this little sign. This is also some additional literature put out by the Chamber. It would seem to me that the sign at the Akron-Canton Airport is a duplication of the Chamber's efforts. In addition, Walsh University also promotes North Canton with its presence in the community. This is one example of their literature that is passed out in their efforts to enroll new students. And they have very nice materials. Again, I think you're duplicating efforts that are already ongoing here in the City. Each of these organizations does an excellent job promoting community development. What North Canton needs is economic development and that will require more than a pretty sign. Thank you.

Mr. Snyder: Alright sir, thank you. Anybody else in the audience wishing to speak to the Council this evening? Mr. Taylor.

Mr. Taylor: My name is Larry Taylor, 1115 Knoll Street, SE. Try to keep it short. Want to thank the Council for budgeting for trying to solve our problem; however, maybe a little bit too little, too late but it's a goal I had anyways. We, I have water lapping up against the walls again. Our back yard's covered and I don't see any, any relief of the foreseeable future. So I hope we get it resolved at some time soon. Also would like to thank the Council and the Administration for the street cleaning that's done on snowy days. We had a problem this last go-around. It's amazing when you leave North Canton going to Canton the streets in Canton compared to North Canton. I think you do an outstanding job.

Mr. Snyder: Thank you Mr. Taylor. Anyone else wishing to speak to the Council this evening? Seeing none.

NEW BUSINESS:

8. Mr. Lane moved and Mr. Foltz seconded to **read by title only, first reading of Ordinance No. 01-05** All members present voting:
Yes: Peters, Snyder, Foltz, Kiesling, Lane and Lindower.
No: 0

Ordinance No. 01-05 – First Reading

An ordinance amending Ordinance No. 154-03, as amended, Collective Bargaining Agreement between the City of North Canton and The Ohio Patrolmen's Benevolent Association (OPBA) (Chief Dispatcher Unit) by the addition of ARTICLE XXXIX, DRUG TESTING.

Mr. Snyder: Chairman Lindower?

Mr. Lindower: Yes, as we spoke of before, Ordinance 154-03 is being amended to include Article XXXIX of the drug testing procedure setup. This particular ordinance deals with the chief dispatcher's position under the Ohio Peace, Police Officer's Benevolent Association.

Mr. Lindower moved and Mrs. Kiesling seconded to **adopt the first reading of Ordinance No. 01-05**. All members present voting:
Yes: Snyder, Foltz, Kiesling, Lane, Lindower and Peters.
No: 0

9. Mr. Lane moved and Mr. Foltz seconded to **read by title only, first reading of Ordinance No. 02-05**. All members present voting:
Yes: Foltz, Kiesling, Lane, Lindower, Peters and Snyder.
No: 0

Ordinance No. 02-05 – First Reading

An ordinance amending Ordinance No. 154-03, as amended, Collective Bargaining Agreement between the City of North Canton and the Ohio Patrolmen's Benevolent Association (OPBA) (Patrolmen) by the addition of ARTICLE XXXIX, DRUG TESTING.

Mr. Snyder: Chairman Lindower?

Mr. Lindower: Same as the above 154-03. This section deals with the OPBA representing the patrolmen of the Police Department to include Article XXXIX.

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Mr. Lindower moved and Mr. Peters seconded to **adopt the first reading of Ordinance No. 02-05**. All members present voting:
Yes: Kiesling, Lane, Lindower, Peters, Snyder and Foltz.
No: 0

10. Mr. Peters moved and Mrs. Kiesling seconded to **read by title only, first reading of Ordinance No. 03-05**. All members present voting:
Yes: Lane, Lindower, Peters, Snyder, Foltz and Kiesling.
No: 0

Ordinance No. 03-05 – First Reading

An ordinance amending Ordinance No. 154-03, as amended, Collective Bargaining Agreement between the City of North Canton and the Ohio Patrolmen's Benevolent Association (OPBA) (Dispatcher Unit) by the addition of ARTICLE XXXIX, DRUG TESTING.

Mr. Snyder: Chairman Lindower?

Mr. Lindower: This is amending Ordinance 154-03 as above. Again including the drug testing into the OPBA Dispatcher Unit Section.

Mr. Lindower moved and Mr. Peters seconded to **adopt the first reading of Ordinance No. 03-05**. All members present voting:
Yes: Lindower, Peters, Snyder, Foltz, Kiesling and Lane.
No: 0

11. Mr. Lane moved and Mr. Peters seconded to **read by title only, first reading of Ordinance No. 04-05**. All members present voting:
Yes: Peters, Snyder, Foltz, Kiesling, Lane and Lindower.
No: 0

Ordinance No. 04-05 – First Reading

An ordinance amending Ordinance No. 151-03, exempt personnel ordinance of the City of North Canton by the addition of a DRUG TESTING POLICY.

Mr. Snyder: Chairman Lindower?

Mr. Lindower: This amends Ordinance 151-03 which deals with exempt personnel to include the Drug Testing Policy.

Mr. Lindower moved Mr. Peters seconded to **adopt the first reading of Ordinance No. 04-05**. All members present voting:
Yes: Peters, Snyder, Foltz, Kiesling, Lane and Lindower.
No: 0

12. Mr. Peters moved and Mrs. Kiesling seconded to **read by title only, first reading of Ordinance No. 05-05**. All members present voting:
Yes: Snyder, Foltz, Kiesling, Lane, Lindower and Peters.
No: 0

Ordinance No. 05-05 – First Reading

An ordinance amending Ordinance No. 45-99, as amended, part-time, non-exempt classifications and part-time exempt classifications ordinance of the City of North Canton by the addition of a DRUG TESTING POLICY.

Mr. Snyder: Chairman Lindower?

Mr. Lindower: Ordinance 45-99 for, deals with part-time, non-exempt classifications and part-time exempt classifications of City employees to include the Drug Testing Policy.

Mr. Lindower moved and Mr. Peters seconded to **adopt the first reading of Ordinance No. 05-05**. All members present voting:
Yes: Foltz, Kiesling, Lane, Lindower, Peters and Snyder.
No: 0

13. Mrs. Kiesling moved and Mr. Peters seconded to **read by title only, first reading of Ordinance No. 06-05**. All members present voting:
Yes: Kiesling, Lane, Lindower, Peters, Snyder and Foltz.
No: 0

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Ordinance No. 06-05 – First Reading

An ordinance authorizing the Mayor of the City of North Canton, through the Board of Control, to enter into a contract with McKinley Development Company, Ltd., modifying the terms of the CEDA dated June 17, 2003.

Mr. Snyder: Chairman Kiesling?

Mrs. Kiesling: Yes, this is the, we've changed our CEDA Agreement with McKinley Development regarding the sanitary sewer in the new allotment of the Sanctuary. We're changing it to gravity sewer. We've just changed around how the money's going to be spent. We're spending our \$135,000 that we appropriated towards the gravity sewer. McKinley Development is going to pay us \$265,000 towards the design and construction and then we'll pay the additional at the end of \$265,000 to finish off the project. I think everybody's pretty happy with that.

Mr. Lane moved and Mrs. Kiesling seconded to **adopt the first reading** of Ordinance No. 06-05. All members present voting:
Yes: Lane, Lindower, Peters, Snyder, Foltz and Kiesling.
No: 0

14. Mr. Peters moved and Mrs. Kiesling seconded to **read by title only, first reading** of Ordinance No. 07-05. All members present voting:
Yes: Lindower, Peters, Snyder, Foltz, Kiesling and Lane.
No: 0

Ordinance No. 07-05 – First Reading

An ordinance amending Chapter 1507, specifically Section 1507.04, of the Codified Ordinances of the City of North Canton and repealing any and all legislation inconsistent herewith.

Mr. Snyder: Chairman Peters?

Mr. Peters: Yes, this is the open burning legislation. Basically what we're changing is the permit. Instead of being three months it will be for the calendar year. January 1 through December 31st and expire at the end of the calendar year. Any questions?

Mr. Peters moved and Mr. Lane seconded to **adopt the first reading** of Ordinance No. 07-05. All members present voting:
Yes: Lindower, Peters, Snyder, Foltz, Kiesling and Lane.
No: 0

15. Mr. Lane moved and Mrs. Kiesling seconded to **read by title only, first reading** of Ordinance No. 08-05. All members present voting:
Yes: Peters, Snyder, Foltz, Kiesling, Lane and Lindower.
No: 0

Ordinance No. 08-05 – 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 for the construction management for the South Main/Everhard Road Project, and declaring the same to be an emergency.

Mr. Snyder: Chairman Lane?

Mr. Lane: This is the first of five different elements we're talking about on Main Street and Jim standby in case I get this wrong. We got into a lot of conversation on this last week but this is basically \$185,000 expenditure which the majority is going to be reimbursed to the City. Am I correct on that?

Mr. Benekos: That's correct.

Mr. Lane: And, again, this is for the professional service agreement. The management of that construction project down at South Main and Everhard. Nobody has any questions I would move we pass.

Mr. Lane moved and Mrs. Kiesling seconded to **adopt the first reading** of Ordinance No. 08-05. All members present voting:
Yes: Peters, Snyder, Foltz, Kiesling, Lane and Lindower.
No: 0

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Mr. Lane moved and Mr. Foltz seconded to **suspend the rules** for Ordinance No. 08-05.
All members present voting:
Yes: Snyder, Foltz, Kiesling, Lane, Lindower and Peters.
No: 0

Mr. Snyder: There being an emergency existing for the health, welfare of the people of North Canton, may I have a motion to adopt on an emergency for Ordinance No. 08-05?

Mr. Lane moved and Mr. Foltz seconded to **adopt under suspension of the rules** Ordinance No. 08-05. All members present voting:
Yes: Foltz, Kiesling, Lane, Lindower, Peters and Snyder.
No: 0

16. Mr. Lane moved and Mr. Peters seconded to **read by title only, first reading** of Ordinance No. 09-05. All members present voting:
Yes: Kiesling, Lane, Lindower, Peters, Snyder and Foltz.
No: 0

Ordinance No. 09-05 – First Reading

An ordinance directing the appropriation of part of Out Lot 199, Parcel 1-WD1 and Parcel 1-WD2 (Auditor's parcel number 56-08385) in the City of North Canton to proceed and directing the Director of Law of the City of North Canton to make application to the Court of Common Pleas Probate Division of Stark County, Ohio and declaring the same to be an emergency.

Mr. Snyder: Chairman Lane?

Mr. Lane: This is the next step that we need to take in the acquisition of the right of way along Main Street. The one of two parcels or two, two different ordinances we're going to be doing. I would move we pass 9-05.

Mr. Lindower: Second.

Mr. Pusateri: Let me just tell Council too, I understand that we've reached an agreement with this particular property owner so if some of you could just move and not second this ordinance. We don't need this ordinance any longer.

Mr. Snyder: We'll let it die.

Mr. Pusateri: Because it's been resolved.

Mr. Foltz: It's been resolved is what you're saying?

Mr. Pusateri: Yes.

Mr. Foltz: So we don't have to vote on it?

Mr. Pusateri: That's right.

Mr. Foltz: Ok.

Mr. Snyder: So Mr. Lindower would you withdraw your second on that sir?

Mr. Lindower: I withdraw the second.

Mr. Snyder: Ok, that will show that dies is without second. Thank you.

17. Mr. Lane moved and Mrs. Kiesling seconded to **read by title only, first reading** of Ordinance No. 10-05. All members present voting:
Yes: Lane, Lindower, Peters, Snyder, Foltz and Kiesling.
No: 0

Ordinance No. 10-05 – First Reading

An ordinance directing the appropriation of part of Lot 5677, Parcel 5-WD (Auditor's parcel number 56-08893) in the City of North Canton to proceed and directing the Director of Law of the City of North Canton to make application to the Court of Common Pleas Probate Division of Stark County, Ohio and declaring the same to be an emergency.

Mr. Snyder: Chairman Lane?

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Mr. Lane: Before I proceed, are we lucky enough to have this one wrapped up?

Mr. Pusateri: No.

Mr. Lane: Ok.

Mr. Pusateri: And this one will most like, it looks as though we had a meeting last Friday and it looks like it's going to end up in litigation so.

Mr. Lane: This is the east side of Main Street, correct?

Mr. Pusateri: Yea, it's not going to get resolved.

Mr. Lane: Ok.

Mr. Pusateri: It's the last one and I think it's going to end up in litigation.

Mr. Lane: This is the next step we need to take in order to get to that litigation and pay the bills for it so I would recommend that we please adopt this.

Mr. Lane moved and Mrs. Kiesling seconded to **adopt the first reading of Ordinance No. 10-05**. All members present voting:
Yes: Lindower, Peters, Snyder, Foltz, Kiesling and Lane.
No: 0

Mr. Lane moved and Mr. Foltz seconded to **suspend the rules** for Ordinance No. 10-05. All members present voting:
Yes: Peters, Snyder, Foltz, Kiesling, Lane and Lindower.
No: 0

Mr. Snyder: Since an emergency exists, as time is of the essence to have this filed prior to the government dispensing the funds if everything's not set, I would request that this Ordinance 10-05 be adopted, first reading, on an emergency basis.

Mr. Foltz moved and Mr. Lane seconded to **adopt under suspension of the rules** Ordinance No. 10-05. All members present voting:
Yes: Snyder, Foltz, Kiesling, Lane, Lindower and Peters.
No: 0

18. Mr. Lane moved and Mr. Peters seconded to **read by title only, first reading of Ordinance No. 11-05**. All members present voting:
Yes: Foltz, Kiesling, Lane, Lindower, Peters and Snyder.
No: 0

Ordinance No. 11-05 – First Reading

An ordinance authorizing the Mayor of the City of North Canton, through the Board of Control, to enter into an amended LPA FEDERAL PROJECT AGREEMENT by and between the State of Ohio, acting by and through the Director of Transportation, hereinafter referred to as ODOT, and the City of North Canton, hereinafter referred to as the LPA, for the South Main/Everhard Improvement Project (STA-CR-66-Main St) and declaring the same to be an emergency.

Mr. Snyder: Chairman Lane?

Mr. Lane: This is yet another hurdle we have to go through on the South Main/Everhard Project. This is necessary because of an increase in costs and increase in federal funding amounts of the dollar figures have changed so we need to put this into, this into place prior to the construction to begin down there. So I would recommend we approve.

Mr. Lane moved and Mrs. Kiesling seconded to **adopt the first reading of Ordinance No. 11-05**. All members present voting:
Yes: Kiesling, Lane, Lindower, Peters, Snyder and Foltz.
No: 0

Mr. Lane moved and Mr. Peters seconded to **suspend the rules** for Ordinance No. 11-05. All members present voting:
Yes: Lane, Lindower, Peters, Snyder, Foltz and Kiesling.
No: 0

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Mr. Snyder: Since time is of the essence and an emergency does exist, may I have a motion to adopt the first reading of Ordinance No. 11-05 on an emergency basis.

Mr. Foltz moved and Mr. Lane seconded to **adopt under suspension of the rules** Ordinance No. 11-05. All members present voting:
Yes: Lindower, Peters, Snyder, Foltz, Kiesling and Lane.
No: 0

- 19. Mr. Lane moved and Mrs. Kiesling seconded to **read by title only, first reading of** Ordinance No. 12-05. All members present voting:
Yes: Peters, Snyder, Foltz, Kiesling, Lane and Lindower.
No: 0

Ordinance No. 12-05 – 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 for the preliminary design of the North Main Street Widening, Applegrove to Orion Project and declaring the same to be an emergency.

Mr. Snyder: Chairman Lane?

Mr. Lane: This is a \$35,000 expense. It's a feasibility study on the look of widening Main Street. Possibly putting a, a turn lane up between Applegrove and Orion. So now we're up on the North Main Street area and we're also going to look at the possibility of looking at the streetscape and expanding it up there. There's going to be nothing spent beyond this professional service agreement to see what the feasibility is. So that being the case I would recommend that we pass.

Mr. Lane moved and Mrs. Kiesling seconded to **adopt the first reading of** Ordinance No. 12-05. All members present voting:
Yes: Peters, Snyder, Foltz, Kiesling, Lane and Lindower.
No: 0

Mr. Lane moved and Mr. Peters seconded to **suspend the rules** for Ordinance No. 12-05. All members present voting:
Yes: Snyder, Foltz, Kiesling, Lane, Lindower and Peters.
No: 0

Mr. Snyder: Again, since time is of the essence, we would ask that this be adopted on an emergency basis the first reading of Ordinance No. 12-05.

Mr. Foltz moved and Mrs. Kiesling seconded to **adopt under suspension of the rules** Ordinance No. 12-05. All members present voting:
Yes: Foltz, Kiesling, Lane, Lindower, Peters and Snyder.
No: 0

- 20. Mrs. Kiesling moved and Mr. Lane seconded to **read by title only, first reading of** Ordinance No. 13-05. All members present voting:
Yes: Kiesling, Lane, Lindower, Peters, Snyder and Foltz.
No: 0

Ordinance No. 13-05 – 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 for the design of the Mount Pleasant Area Waterline Extension Project and declaring the same to be an emergency.

Mr. Snyder: This is a request by a developer to extend water service beyond the existing extension areas to in to the Mount Pleasant area which are all outside water users by our request.

Mr. Miller: This is us.

Mr. Snyder: We're extending this.

Mr. Miller: This would be us to do a loop to make sure that we have adequate pressure.

Mr. Snyder: And the purpose of that is, as you will see, it's a companion piece coming up, request by Administration to do this and we're going to ask this be done on an emergency basis.

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Mr. Lane moved and Mr. Peters seconded to **adopt the first reading** of Ordinance No. 13-05.
All members present voting:
Yes: Lane, Lindower, Peters, Snyder, Foltz and Kiesling.
No: 0

Mr. Peters moved and Mr. Foltz seconded to **suspend the rules** for Ordinance No. 13-05.
All members present voting:
Yes: Lindower, Peters, Snyder, Foltz, Kiesling and Lane.
No: 0

Mr. Snyder: Again as time is of the essence, and to properly adopt the second ordinance, I would ask that Ordinance 13-05 adopt on an emergency basis the first reading.

Mr. Foltz moved and Mr. Peters seconded to **adopt under suspension of the rules** Ordinance No. 13-05. All members present voting:
Yes: Lindower, Peters, Snyder, Foltz, Kiesling and Lane.
No: 0

21. Mr. Peters moved and Mr. Foltz seconded to **read by title only, first reading of** Ordinance No. 14-05. All members present voting:
Yes: Peters, Snyder, Foltz, Kiesling, Lane and Lindower.
No: 0

Ordinance No. 14-05 – 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 for the design of the Airport Waterline Loop Project and declaring the same to be an emergency.

Mr. Snyder: This is actually a move that's going to float for some time again it's part of, to speak of economic development, these will all be outside users. The City has two ways to which to create revenue and selling water is one of them. I believe, what is the, 50,000 gallon.

Mr. Miller: Estimate about 50,000 gallons a day is what we estimate.

Mr. Snyder: Which is a significant revenue to the water fund. Is there any questions on that?

Mr. Peters moved and Mrs. Kiesling seconded to **adopt the first reading of** Ordinance No. 14-05. All members present voting:
Yes: Peters, Snyder, Foltz, Kiesling, Lane and Lindower.
No: 0

Mr. Lane moved and Mr. Peters seconded to **suspend the rules** for Ordinance No. 14-05.
All members present voting:
Yes: Snyder, Foltz, Kiesling, Lane, Lindower and Peters.
No: 0

Mr. Snyder: Since the welfare of those in particular and users is at stake, may I adopt on an emergency basis Ordinance No. 14-05, the first reading?

Mr. Foltz moved and Mr. Peters seconded to **adopt under suspension of the rules** Ordinance No. 14-05. All members present voting:
Yes: Snyder, Foltz, Kiesling, Lane, Lindower and Peters.
No: 0

Mr. Snyder: I feel the City's gone to hell in a hand bag. Everything is coming apart.

22. Mrs. Kiesling moved and Mr. Peters seconded to **read by title only, first reading of** Ordinance No. 15-05. All members present voting:
Yes: Foltz, Kiesling, Lane, Lindower, Peters and Snyder.
No: 0

Ordinance No. 15-05 – First Reading

An ordinance declaring that certain Fire Department equipment owned by the City of North Canton, Ohio, is no longer required for municipal purposes and authorizing the Mayor of the City of North Canton, through the Board of Control, to sell said Fire Department equipment; namely, one (1) 1981 Chevrolet 4-Wheel Drive Mini-Pumper Truck (Engine 9), for Ten Thousand Dollars (\$10,000.00) to the Taylor Township Volunteer Fire Department located in West Pittsburg, Pennsylvania and declaring the same to be an emergency.

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Mr. Snyder: We spoke about this. The new equipment is here. There's truly an emergency exists and as much as that equipment can not set outside due to the elements it would destroy the pumper. We are a charter form of government that permits the Council should it choose to sell without competitive bid it is higher than the actual trade in value that was offered for the equipment and we deferred to the fire expression that they said it was an actually good buy so if there's no question may I have a motion to adopt the first reading of Ordinance 15-05.

Mrs. Kiesling moved and Mr. Foltz seconded to **adopt the first reading of Ordinance No. 15-05**. All members present voting:
Yes: Foltz, Kiesling, Lane, Lindower, Peters and Snyder.
No: 0

Mr. Peters moved and Mr. Foltz seconded to **suspend the rules** for Ordinance No. 15-05. All members present voting:
Yes: Kiesling, Lane, Lindower, Peters, Snyder and Foltz.
No: 0

Mr. Peters moved and Mrs. Kiesling seconded to **adopt under suspension of the rules Ordinance No. 15-05**. All members present voting:
Yes: Lane, Lindower, Peters, Snyder, Foltz and Kiesling.
No: 0

23. Mrs. Kiesling moved and Mr. Lane seconded to **read by title only, first reading of Ordinance No. 16-05**. All members present voting:
Yes: Lindower, Peters, Snyder, Foltz, Kiesling and Lane
No: 0

Ordinance No. 16-05 – 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 gasoline and diesel fuel for use by all city department, for a one (1) year period commencing June 1, 2005 and terminating May 31, 2006.

Mr. Snyder: Again this is a proactive move. The present one does not expire, I believe, until the end of May however they want to get started to see if they can get the best price, see if they can get something close we can all use. Is there any questions on that?

Mrs. Kiesling moved and Mr. Peters seconded to **adopt the first reading of Ordinance No. 16-05**. All members present voting:
Yes: Lindower, Peters, Snyder, Foltz, Kiesling and Lane.
No: 0

24. Mrs. Kiesling moved and Mr. Peters seconded to **read by title only, first reading of Ordinance No. 17-05**. All members present voting:
Yes: Peters, Snyder, Foltz, Kiesling, Lane and Lindower.
No: 0

Ordinance No. 17-05 – 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 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: Again our contract is not up however we're getting ready, we keep a minimum amount of hydrants in inventory. Should some of them either malfunction or possibly be destroyed by car accidents and so forth. So that's what the purpose of that is. That's to get ready to re-bid that because that becomes due I believe again the end of May. Any questions on that?

Mr. Pusateri: Excuse me.

Mr. Snyder: Thought maybe you were whistling for somebody.

Mr. Pusateri: No, no. I blew through my pen to wake everybody up a little bit.

Mr. Lane: Get yourself a little poly grip pen.

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Mr. Pusateri: It's a whistle. Excuse me.

Mrs. Kiesling: I motion.

Mr. Peters: I'll second.

Mrs. Kalpac: Peters, Snyder, Foltz....I'm sorry.

Mr. Snyder: We're all here.

Mr. Pusateri: See now he's happy. See he's laughing. It worked.

Mrs. Kiesling moved and Mr. Peters seconded to **adopt the first reading of Ordinance No. 17-05**. All members present voting:
Yes: Peters, Snyder, Foltz, Kiesling, Lane and Lindower.
No: 0

Mr. Snyder: Were you in a hurry to get home?

25. Mr. Lane moved and Mrs. Kiesling seconded to **read by title only, first reading** of Ordinance No. 18-05. All members present voting:
Yes: Snyder, Foltz, Kiesling, Lane, Lindower and Peters.
No: 0

Ordinance No. 18-05 – First Reading

An ordinance authorizing the Mayor of the City of North Canton, through the Board of Control, to enter into an amended Settlement Agreement by and between Maytag Corporation, FEIN 42-0401785, and the City of North Canton, and repealing any and all legislation passed previously and inconsistent with this ordinance and declaring the same to be an emergency.

Mr. Snyder: Again this was the best structured payment that we could get. It's for \$2,053,000 dollars which is a consolidated refund on corporate income tax. It will be paid at \$500,000 on the 15th of this month, \$500,000 the 15th of April, \$500,000 the 15th of July and the balance January 15th, 2006. There's no interest on that however there is a late penalty should we miss one of those payments of \$968,000. So I don't think, vacations suspended now through January to make sure these payments get in.

Mr. Foltz: Make sure Julie's at work those days.

Mr. Snyder: But that's basically it and that's structured.

Mr. Lane: This wraps it up right? We're all done.

Mr. Pusateri: Excuse me.

Mr. Lane: This wraps everything up after this right?

Mr. Pusateri: Yea.

Mr. Snyder: For that filing. As of the '03 filing.

Mr. Lane: That's what I mean. We're done with this.

Mr. Snyder: Now when they file '04 should there be a refund depending again that will be a consolidated return and depending on that could change again. That'll be due as of April 30th, I believe. But this is through a December 31st, '03 filings.

Mr. Pusateri: We're having a Board of Control meeting tomorrow at 3:30 p.m., 3:00 p.m. something like that.

Mr. Miller: 3:30 p.m.

Mr. Pusateri: 3:30 p.m., alright.

Mr. Snyder: To execute that...and it truly is again, there's time of the essence and that's the reason that we must articulate into the record an emergency situation exists.

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Mrs. Kiesling moved and Mr. Lane seconded to **adopt the first reading of Ordinance No. 18-05**. All members present voting:
Yes: Foltz, Kiesling, Lane, Lindower, Peters and Snyder.
No: 0

Mrs. Kiesling moved and Mr. Peters seconded to **suspend the rules** for Ordinance No. 18-05. All members present voting:
Yes: Kiesling, Lane, Lindower, Peters, Snyder and Foltz.
No: 0

Mr. Peters moved and Mrs. Kiesling seconded to **adopt under suspension of the rules Ordinance No. 18-05**. All members present voting:
Yes: Lane, Lindower, Peters, Snyder, Foltz and Kiesling.
No: 0

REPORTS:

Mr. Snyder: Since the rules of council state that we do not meet when the building is closed, next Monday evening the 18th is Martin Luther King's...

Unidentified: 17th.

Mr. Snyder: 17th, excuse me, yea the 17th, will be, the building will be closed so I would ask for a motion to move the meeting to Tuesday the 18th at 7:00 p.m. It will be a Council of the Whole.

Mrs. Kiesling: Motion.

Mr. Foltz: Tuesday? Somebody motion that?

Mrs. Kiesling: Yep.

Mr. Foltz: Second.

Mr. Snyder: Any questions? If not we'll call the roll.

Mrs. Kiesling moved and Mr. Foltz seconded to move the Council of the Whole meeting to Tuesday, January 18, 2005. All members present voting:
Yes: Lane, Lindower, Peters, Snyder, Foltz and Kiesling.
No: 0

Mr. Snyder: Director of Law any report?

Mr. Pusateri: I do not have a report, thank you Mr. President.

Mr. Snyder: Director of Finance?

Mrs. Herr: No report.

Mr. Snyder: Director of Administration?

Mr. Miller: I'd like to respond, briefly, try to keep it brief, to the comments that were made at the opening of the meeting. The Imagine North Canton process began in August with Council all being individually consulted by Walsh University as to how the process was going to work and when we met and continued to meet it was everybody's intention to accentuate the positive and build on the positive not try to continue to tear down North Canton's image. To try to build and build something positive. The Communications Committee has met, or continued to meet and believes that it is trying to build something positive and trying to help promote North Canton's strengths to both homeowners, potentially, and to businesses potentially. At the beginning of this year and the beginning of last year there was \$40,000 dollars that was appropriated for professional services, another \$20,000 appropriated by this Council for printing and publication of different materials. We encumbered some money out of both of those, \$40,000 dollars out of last year's funds in order to get the process started and get something out there from the Communications Committee. It kind of began because Walsh's president spoke at our initial meeting if everybody recall and indicated it's the third largest employer in North Canton when an employee, a new employee came to Walsh a professor or somebody else and wanted to know where to locate or where to live, he had absolutely nothing to give them to promote North Canton as a place to live or to do anything else in. So that's what our mission was. We sat down, we developed a mission as a group, as a committee we brought it back to the whole group. It was examined by the whole group in those three meetings that followed and we feel we came up with a very good mission and we

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came up with a list of priorities and what we wanted to approach it with. We came up with a logo, we came up with a theme, we came up with, and if you look at my bulletin board, it's been there for some time, a number of things that we're going to do in addition to the airport sign, promotion material, a economic development pamphlet, some other things that need to be done. We have basically committed \$3,600 a year or less than 10 percent of the money that Council appropriates for professional services in the economic development budget for the airport sign. One of the things that we noted and everybody agreed on is that if you get off a airplane at the Akron-Canton Airport, there's really nothing from North Canton there to greet you. You got quite a bit from Akron and Summit County. You got a little bit from Stark County but you had nothing there to really promote North Canton. So we felt that a sign was important. The locations that we had to chose from one of them was back in the area where you get off a plane and you can see it as oppose to catching it in the hallway or right beside security or somewhere else. We wanted to make sure that we caught people as they got off the planes. It sets next to the Cutler and to the Glenmore Properties signs. So we're in good company. We're trying again to promote our strengths for both the homeowners and businesses. As far as the two businesses that Mr. Osborne mentioned. The first one, I don't have a clue as to what he's talking about because nobody, to my knowledge, has contacted us to try to get help to stay in North Canton that we haven't gotten back to and tried to help. As far as the second one, I got a short list, and I'm not sure that I got all of them, but we took Stark Security out to look at Orion Road property, Blair Cleaners, Credit Union property here on South Main, at a property on Portage, at a property on South Main behind your store Mr. Snyder, underneath there's 11,000 square feet there, we looked at a couple strip malls on South Main. We looked at, or discussed the Schneider Property which was available at the time. The Karlo Funeral Home. We also discussed building a brand new building on Portage because the CRA was just in effect at that point in time and we also showed him Mr. Bourlas's property up on North Main that has some space available to rent. Bottom line, Mr. Watkins, put an offer in on a North Canton property, unfortunately, the owner can not be located by the realtor, a North Canton realtor by the way, and because time was of the essence and he had to get out of his present facility he ended up going to another facility. We're still talking with him about when that lease is up coming back to North Canton. And that's an active conversation as of Saturday, in fact. As far as nothing being available in North Canton, I think that that is definitely wrong. We have at least two properties available on North Main, three properties on South Main, one on Orion Road. We have rental properties available underneath your store on South Main, a couple of them in the strip malls on South Main, one on the North Main strip mall. We have availability on Portage. We have properties that we need to fill in addition we have Washington Square with some vacant properties that we're working on now to try to get additional businesses in out there. This is not pie in the sky. Pie in the sky is not, would be to feel like we're going to bring in another Hoover Company. And that's not what we're looking to do. We're looking to build on our strengths and bring in professional, middle businesses, smaller businesses to try to build on our strengths and get things that fit into the community. The infrastructure items that he's talked about are being addressed. They were addressed in this year's budget. Council knows full well they're in the budget including Mr. Fano's store. So we are addressing those. We're not duplicating what the Chamber is doing. We're trying to augment not only what the Chamber is doing but everybody else. What we talked about in the Communications Committee repeatedly out there is to have a multi media campaign that pulls everybody together. This is not just the City of North Canton. This is going to be Walsh University. This is going to be the Chamber of Commerce. This is going to be the library. This is going to be the schools. It's going to be everybody putting in what we have to offer into a package that we can present to a business or a homeowner to say this is where you want to locate. Not just because you've heard we're good. This is all the reasons why that we're a place to locate. Bottom line is everybody that's looked at this whole program, including committee members that are in, there are a number of committee members here, Walsh University, Chamber of Economic Development Committee, the TAP Committee, council members that have looked at it personally with me have all approved of what we're doing at this point. We're trying to do something positive. I'm trying to, and the Committee's trying to, and as far as I can tell, Council and everybody else is trying to look at the glass half full and trying to figure out how to fill it. We're not looking at half empty or half empty and contaminated to where you can't do anything with it. Obviously, this community has a lot going for it. It has a lot to offer and that's what we're trying to do as far as economic development and promoting the community. With that said, there are people from Walsh, there's people from the committee, there are other people here from the Chamber that if they want to speak to it as well their more than welcome to but again if, if things were as bad as Mr. Osborne outlines for this community, we all ought to sell our houses and move. And I don't see anybody putting their houses on the market at this point. This is a community that we want to stay in and promote and continue to grow.

Mr. Snyder: They are appreciated value though. The ones that are selling...inaudible.

Mr. Miller: Yes.

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Mr. Snyder: I didn't want to get into this but I will state for the record so that there is no misunderstanding. The money was appropriated, it's well within the powers of Administration to spend that money as well as I was informed as the President of Council through the Chairman of Economic Development, Mrs. Kiesling who's been in constant touch with Mr. Miller on that I think from the beginning. Am I correct in that Mrs. Kiesling?

Mrs. Kiesling: Definitely.

Mr. Snyder: And I have personally been informed through the office of the Mayor and Administrator what has been taking place so there is no secretiveness in that but I want that, and one other thing Mr. Miller, I would like, you know yourself sir, we've talked and we've had meetings, we do have the ability of eight, eight and a half acres of commerce park on the main streets. So we are not precluded from building a state of the art office complex. And we'll, fortunately, maybe when the economy turns and we can get that first tenant that we will have the waterside that we're proud of. Which is designed for professional people, high paying jobs that the City is not an industrial mecca and never will be and short of turning the Hoover Company into a casino, I don't know what we're possibly do to replace fifteen hundred jobs in swoop but we're moving along. And it is a great community to live in and it's not as if dismal as some people would want it to think. But we're making some progress. But I appreciate your comment sir. Appreciate your good work.

Mr. Snyder: Mr. Mayor?

Mayor Rice: Nothing in addition. I think Mike covered it pretty well. No use to continue to rehash it but that's all.

Mr. Snyder: Alright sir. Mr. Engineer?

Mr. Benekos: No report.

REPORTS – COUNCIL:

Mr. Snyder: Madam Clerk?

Mrs. Kalpac: No report.

Mr. Snyder: Mr. Foltz?

Mr. Foltz: No, just I agree with Administrator Miller's comments and I thought we put a lot of this behind us here this past year. I see cooperation with everybody up here, including Administration. And the Mayor and Administrator have been the leader in this, in this regard towards our community and I applaud their efforts here. I think it's money well spent. I look forward to the return on it cause we do have a great city here. Great services. I don't have to tell anybody here we're preaching to the choir for the most part so we'll just gutter people involved and I applaud the efforts. Jim or Mike, Werstler are we going to bid that out again.

Mr. Benekos: Yes, the Legislation Request will be coming to you next week.

Mr. Foltz: Ok, thank you.

Mr. Snyder: Mr. Lindower?

Mr. Lindower: I just wanted to comment also on Mr. Miller's remarks. I feel that he's, the Administration is doing an excellent job right now with trying to put something together. Several months ago this statement was made up here, "what direction are we going?" and I think it's pretty obvious to all of us on the Council right now which direction we're going. And I feel, personally, that it's the right direction. I attended a meeting also, Walsh College when the president spoke of positive reactions to happenings in the community and so forth rather than negative. I would just like to suggest that with all the energy that Mr. Osborne's got that it would really be great if he can get out there and try to promote a little bit of community economic development rather than so much negativity. So, once again, I think that we're headed the right direction right now and I applaud you for the work that you've done so far and that Mr. Miller. That's all I have.

Mr. Snyder: Thank you sir. Mr. Lane?

Mr. Lane: Just a couple of comments and one question. I've been in communications and advertising and marketing for almost thirty-five years and I think we're on the right track. You got to remind people sometimes about what a good thing you got and that's just a constant that you have to keep doing and we're stuck at the airport for anywhere from two hours to, my family's case a few weeks ago, twelve and a half hours that constant reminder of what a nice

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place North Canton is kind of a nice thing to see. So I'm in another media and I prefer to have that money somewhere else but I can understand having it spent there. Because I don't think it's ill spent money, I'll put it that way. And I think we're on the right track and we've got a nice overall theme that we're going to be incorporating it to a lot of different elements. Also, the Stark Security building is not going to go unused. There's going to be a bank moving in there. That's something that didn't get brought up so there's going to be jobs and economic development there. So we did lose, unfortunately, the ex-Mayor's business but at the same time we're replacing that with a business. My question was, the Nimishillen study with all the rain the water, the question's do we have a return date yet on that? I think the last time I talked with you, Jim, it was going to be towards the end of December that they we're going to have to revise something and then, do we have any kind of an update?

Mr. Benekos: FEMA was updating their maps and their study. That has not been provided to us yet. We are expecting that this month but right now we're at their mercy.

Mr. Lane: And once those are done, then this study will address those new figures. Is that what we're waiting on?

Mr. Benekos: Well their developing a hydraulic model and we will use that model then to do our studies based on that.

Mr. Lane: Ok.

Mr. Benekos: So until they get that model done we can't proceed.

Mr. Lane: So we could be another four or five weeks you think?

Mr. Benekos: Correct.

Mr. Lane: Ok. Just need something to return calls with. Thank you.

Mr. Snyder: Member Kiesling?

Mrs. Kiesling: Yes. Just one quick comment I'd like to thank the Administration and fellow council members for our continued support with D.A.R.E. My fifth grade daughter graduated today and it's a pretty neat program. I'm thrilled that we continue to support it and I know quite a few programs are going down around the community and I think it was pretty important for her to be in it. So I want to thank you.

Mr. Snyder: Member Peters?

Mr. Peters: Yea, just a quick comment. I'd like to also applaud the administration. I think we're headed in the right direction with the right attitude. It's about time. So, that's it.

Mr. Snyder: Thank you. My only question, it's ironic, I did receive one phone call from a constituent and now I've suddenly have left the letter they mailed me here. I don't know where they've had problems as you know we've had with all this rain and ice and snow people have had tree limbs falling on power lines. And I don't know that we have any enforcement onto private property for tree limbs and so forth.

Mr. Miller: On private property, no. If it's threatening the right of way we do and we have taken out a couple trees and moved trees out of the right of the way that are impeding the right away. But as far as private property, backyards, that type of thing, we really don't have any enforcement. That's a private property situation.

Mr. Snyder: Because in this one seems to be the house has been vacant for several years and the tree limbs are falling on the person's home. Obviously that must be a civil action, or is that a....

Mr. Pusateri: Oh, yea, for sure.

Mr. Snyder: That would not be a...

Mr. Pusateri: Or it may be an act of God.

Mr. Miller: Although, if you give me the address we'll have Gene take a look at it to see if there's anything else, since it's a vacant house.

Mr. Snyder: As Mr. Lane said, answer the phone calls yesterday, I've given that to the proper departmental authority.

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Mr. Miller: Thank you.

Mr. Snyder: I appreciate that, thank you.

FINAL CALL FOR NEW BUSINESS:

Mr. Snyder: Is there any comment from the, for new business, from the audience?

Mr. Osborne: I'd like to just follow up some of the comments Mr. Miller made. As far as perspective residents moving into the City or professors from Walsh, you do have your Chamber of Commerce. Brokers do have packets. The City has a rich history that's well documented. You're duplicating the efforts of your Chamber. The people that would be moving to North Canton for the most part are going to be small mom and pop businesses. People that are already generally in the area. You're not going to be finding a market from somebody surviving a trip after going through all this security at the airport. You are, there is no way to quantify what you're doing now so everybody can just continue to applaud and say this is great. You'll, I made my points in my presentation. Thank you.

Mr. Snyder: Ya know, I'm sorry, I have to say this because I cannot help but say when it continues to bash the City that I'm elected to represent and I've spent twenty-nine years of my life, I've had a very successful business, I continue, I do pay taxes to the City but last week and the last sever or eight months we've worked very diligently as a Council and as Administration collaboratively with the residents in the area to create the Sanctuary. We've just created two hundred and five homes. Which at the very minimum will generate in excess of \$175,000 in income tax. I don't think that many bodies or there's many municipalities within the state of Ohio that can boast the fact that they just now put in two hundred and five new homes and at a minimum it would be \$185,000 worth of income tax. We've just passed tonight a piece of legislation that will generate 50,000 gallons of water per day on a seven day which is 350,000 gallons at two and a half times our rate. So again, I don't think there's many in our sister municipality to the South our competitors to the West would love to have that business. I don't think anybody in this Administration or this Council is sitting on their laurels applauding the fact that we do have a sign. The sign is not designed to bring people who want to buy an ice cream cone to Swenson's or Handel's or whatever it is. The sign is image. And I've successfully operated a business for over thirty-five years and paid income tax at high rates and I do know what image is. And I will assure you Mr. Osborne when you've done that sir, or when you're ready to go do that, and I appreciate where you're coming from but unfortunately you're in the minority in this one. And I do appreciate your comments but I will say on behalf of my colleagues and I will speak for the Administration, sir, I think you're in the minority. But I do appreciate your comments.

Mr. Osborne: Well Mr. Snyder it kind of alarms me that you continue to build waterlines outside the City when we have water problems, quality problems inside the City for residents that are wide spread. You have fire protections problems throughout the City and you just rapidly just continue to put in waterlines.

Mr. Snyder: Well Mr. Osborne...

Mr. Osborne: And when you can sit here, we meet privately and you tell me things and then you get up here and show me something different.

Mr. Snyder: I don't change, I don't, Mr. Osborne I'm only going to say this here, I'm not in here to get in an argument with you, if this....

Mr. Osborne: Well, I'm not either.

Mr. Snyder: If this, if this town...

Mr. Osborne: Just be sincere...

Mr. Snyder: ...we have a representative of a realtor here, sir, if you're unhappy in North Canton, I'm sure by tomorrow morning you can list your property and move out.

Mr. Osborne: But if you feel one way...

Mr. Snyder: That's that simple. Thank you. I don't want to engage anymore.

Mr. Osborne: ...in a private conversation I don't know it's different when we come up here publicly.

Mr. Snyder: It's not any different, but thank you.

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Mr. Osborne: Thank you.

Mr. Snyder: Anybody else, Mr. Dansizen?

Mr. Dansizen: Thank you Mr. President. Jim Dansizen, 3645 Dauphin Drive, NE. I have set in a lot of meetings with Mr. Miller, Mayor Rice, Marcia Kiesling and a lot of the other members of this City Council. As the chairman of the board of the North Canton Chamber of Commerce, we thank you. You're doing the right thing. Thank you Mr. Mayor, Mr. Miller and Marcia. Along with the Walsh University, President Jusseaume. You're heading our City in the right direction and again you have the support of myself, the Chamber President Cathy Dunlap, and you have the support of the North Canton Board of Directors of the Chamber. Thank you again.

Mr. Snyder: Thank you Mr. Dansizen. Anyone else wishing to speak? If not may I have a motion to adjourn?

ADJOURN:

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

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

No: 0

The meeting adjourned at 8:09 p.m.

PRESIDENT OF COUNCIL

ATTEST:

CLERK OF COUNCIL

01/14/05-ALG