

RECORD OF PROCEEDINGS

0137

Minutes of

COUNCIL OF THE CITY OF NORTH CANTON

REGULAR

Meeting

DAYTON LEGAL BLANK, INC., FORM NO. 10148

Held Monday, January 29 7:00 p.m. 07
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CALL TO ORDER

1. The meeting was called to order at 7:00 p.m. by President of Council Doug Foltz.
2. The opening prayer was delivered by Rev. Don Rice, St. Luke Lutheran Community.
3. All present recited the Pledge of Allegiance.

ROLL CALL:

4. The following members of Council responded to roll call: DeOrio, Foltz, Hines, Lane, Magel, Repace, and Snyder. Also present were: Mayor Held, Director of Administration Wise, Director of Law McFarren, Director of Finance Herr, City Engineer Jim Benekos, Economic Development Director Bowles, and Clerk of Council Kalpac.

5. Consideration

Council Meeting: January 16, 2007
Financial Statement: December, 2006
Public Hearing: January 22, 2007

Mr. Foltz: Ask Council for consideration of Council Meeting ...

Mr. Lane: This is not on.

Mr. Snyder: This is not on.

Mr. Lane: Hey Gail, Gail, Gail, Gail.

Mr. Held: Is this your pen?

Mr. Lane: I shut those off.

Mrs. Kalpac: Oh.

Mr. Lane: After the meeting.

Mr. Foltz: Thank you. Ask Council for consideration of the Council Meeting minutes of January 16, 2007; Financial Statement of December, 2006; and the Public Hearing Minutes of January 22, 2007.

Mr. Wise: ...inaudible...

Mr. Foltz: Consideration for approval of?

Mr. Snyder moved and Mr. Lane seconded to approve the minutes as presented. All members present voting.

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

No: 0

6. Committee Minutes

Finance & Property Committee: Refer to the minutes on file in the Council Office of the Finance & Property Committee meetings held January 8, 2007.

Ordinance, Rules & Claims Committee: Refer to the minutes on file in the Council Office of the Ordinance, Rules & Claims meeting held January 8, 2007.

Personnel & Safety: Refer to the minutes on file in the Council Office of the Personnel & Safety Committee meetings held January 8, 2007.

Water, Sewer & Rubbish Committee: Refer to the minutes on file in the Council Office of the Water, Sewer & Rubbish meeting held January 8, 2007.

Mr. Foltz: I also ask Council for approval of Committee Report Minutes for Finance & Property, January 8, 2007; Ordinance Rules & Claims, January 8, 2007; Personnel & Safety, January 8, 2007; and...

Mrs. Herr: Can I have a sticky?

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Mr. Foltz: Water, Sewer & Rubbish, January 8, 2007. Is there a motion of approval of the Committee Report Minutes?

Mrs. Magel motioned and Mr. DeOrio seconded to approve the committee minutes as presented. All members present voting.

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

No: 0

7. Recognition of Visitors

Mr. Foltz: Recognition of Visitors. Anyone like to...come to speak before Council, please come up, state your name and address.

Mr. Feller: Chris Feller, 1291 Lipton Avenue...Good evening, I'd like to thank members of the Administration and Council first off for letting the residents of Lipton come up this evening and say their piece. I'd also like to thank Mayor Held, Mr. DeOrio, Mr. Snyder for spending last evening with us and several nights throughout the week to look at a series of drainage problems and water runoff problems we've been having on Lipton Avenue. As many of the residents in the room will contest, this has been an ongoing issue. Compliments of some hard work from some neighbors on the road, we were able to pull some previous budgets and projected plans that show the Lipton project on schedule to be completed since 1997. That was ten years ago. Since that time, it's certainly evident that no work has been done on Lipton Avenue...and certainly the road conditions did not increase. However, other projects that weren't previously noted had somehow made it on their way to the budgets and been completed. I'd like to thank Mr. DeOrio for explaining the budget process to the residents here over the past couple days, and -- however, I might add that the budget is only a guideline, only a set a rules that have to be loosely followed through the year. We need to look at a couple of the projects that are on there, and while I fully support this evening's budget, I think it's key to not only have a balanced budget but one in which looks long term into the City's future. I think we have to...look at a couple of projects on there. Without singling any projects out individually, I would bring to everybody's attention that there are some projects on there that did not go to the Street & Alley subcommittee, were not evaluated by Administration, were not looked at by the City Engineers. I think it's also key, if -- if I could note here, Mr. Foltz, a comment you made in the December, 2005 meeting. And I quote, "but the Zimber Ditch, for God's sakes, you know, people's basements get flooded. That's wrong, that's unacceptable, it's wrong, it needs to be done, it needs to be taken care of." That was a comment made almost two years, about a year and half ago, and I might add, that on Lipton Avenue right now, we have people's basements that are flooding. We have people that can't seem to keep the mold out of their basements. If you look at the neighbors on the north side of the road, across - or I'm sorry, on the west side of the road, they've had a porch collapse because of water runoff deteriorating their porch columns and deteriorating their porch foundation...I'm not sure where we start here. You know, I would like to think that there's been some contingency built into other projects which might help the budget out here in the future. I do know that we've got a state tax coming due in April. I also know that the City maintains a contingency fund or a reserve fund, for projects that might need to come up, such as the Bonnett water project...But as I sat here through the first part of the budget meeting, I'm in agreement, and I could certainly see where everybody up here is -- that every one of our ward councilmen has their own agenda as they should. It is their primary responsibility to take care of the constituents of their ward. But, if I might quote...if I might quote the Mayor here several weeks ago, he made the comment that worst comes first...that we typically look at a set of risk criteria for our roads, you know, beginning with waterlines, the four inch, the six inch, and then the eight inch. Looking at water runoff issues...looking at aesthetics finally being last. We have to look at the City's infrastructure, and I think it's key here to realize that there are projects that are being completed this year that have newer and larger waterlines than Lipton Avenue...I've knocked on the doors of the residents of several of these projects that are on issues budget, to ask "do you have leaky basements? Do you have standing water in your yards?" The resounding answer I got was no. But I've got neighbors behind me such as Amy, who's got a foundation ready to collapse, who's spent twice what she paid on her home in repairs and in maintenance trying to upkeep that property. I've got neighbors across from her with porches that are collapsing. I've got my neighbor Tom, who by April has baby ducks in his yard. You know, I - I think it's important to keep in mind that we need to look worst comes first, and as a city taxpayer, I would like to think that's how you're spending my money...I understand that we are divided up into four wards, and this money needs to be distributed evenly, but I think we also need to look long term, as Mr. DeOrio said today. We don't know the situation of the Hoover Company in the next year, in the next six months, so I think if we are going to spend money, let's spend this money to improve our infrastructure within the City. You know, let's not spend \$15,000 for a sign on - South Main, or \$50,000 for a public restroom at a park. While I understand the importance of these things, I also understand the importance of the safety of

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our neighborhoods...with adequate water pressure for firefighting. I understand that we've got taxpayers here with...significant problems, and I would just request that, you know, the City Administration and City Council take that into account this spring when we get additional monies due, when contingencies come in under where they need to be. Thank you.

Mr. Foltz: Okay, thank you sir. Anyone else like to address Council this evening?

Mr. Hohenberger: Good evening. My name's Nick Hohenberger, 1428 Lipton Avenue. Currently my wife's going around handing out pictures that ...

Mr. Wise: ...inaudible...

Mr. Hohenberger: we have shot of our basement and the foundation for those who have not yet had the chance to view it. Just to kind of explain what some of those images are, there's an image in there that you'll see the back end of my wife's vehicle sitting in the driveway with the water built up on the outside after a significant amount of rain had fallen one evening. And then you also see another picture, taken during the day that shows that road normally. You can see in - clearly in the picture that there is an obvious holding of water right in front of our driveway which has no place to go other than downhill. We've taken measurements of the street compared to our house. Our house sits approximately 2 to 4 inches below the street, and as logic tells anyone, water flows downhill, so where's the water going to go? You'll see other pictures in there that show images of our basement, different images showing the water on the floor, other images showing the water coming in, actually from the foundation wall, you'll see an image in there of a pail that's being used to catch some of the water coming out, and to - mind you - that is a 5 liter bucket that we use and within 10 minutes, that bucket was completely filled up. Part of this problem came from a waterline that was installed in - do not know the exact date, but my guess mid - somewhere between 2000, 2001, that the City came in and replaced. In the process of this, approximately about 3 to 4 inch hole was blown in the foundation wall to run the water line in, of which the City or the contracting company that did it, not sure who it was, but they patched the inside, but left the outside underneath the porch completely open. With the ceramic tile, it does not look like a cylinder or a ceramic - a concrete block, where your holes are horizontal, they go vertical, so what happens, obviously, is that water gets in that one hole and travels around the entire foundation and eventually it's going to find a spot, and it's going to start to penetrate in. This ongoing water damage through that and other cracks and damage in the foundation just lead to the ongoing problem that we've gotten to now. At least twice a year I'm going down into the basement to scrub the walls with bleach to get rid of the black mold that's built up in the basement, just for a health standpoint. Got a foundation wall as you can see in some of those pictures, that is literally crumbled and from two separate foundation companies that have come out to give us estimates on repairs, have both said the only thing that they can attribute to causing that damage would be salt water, which can only be coming from one location, which is off the street during the winter months. To replace this whole found - to at least just do excavation of this entire foundation of our house, the cost I believe, was somewhere around \$15,000, and that's just to re-dig up the foundation and reseal it. My personal opinion is I'm going to invest that kind of money, I'm going to probably go ahead and just have the entire foundation replaced, 'cause it doesn't make sense to just have a broken foundation fixed. The only problem with that is, I can't even do that because I've got nowhere to take the water to, so why am I going to repair my foundation if I still can't get rid of the problem? A storm sewer down our street is pretty much a must in order for us to continue doing any continual improvement to our house. I am, we're at the point now, we maybe don't want to view it as our fault, but, we've lived there now for approximately 4 years, coming up on 5 years and may not have directly addressed this to the appropriate people in the City or the Council, because we were reassured from past owners of the house, and from talking to other residents that we are being continually told that our street was going to be taken care of that year, and then the next year would come and we would receive the same comments, you know, it didn't make it in last year, we're going to do it this year. Hoping that government would prevail in this case, and actually come along and fix our problem, we kept holding out and hoping the City would do the right thing. We're at the point now, where we just can't sit around and wait any longer. We're sitting in a house that we just redid the back half of our house, put in an entirely new kitchen and within the past year, due to the foundation damage, some of the cabinetwork and countertops have already started pulling away from the walls because the house is sinking down. At this point, we're on our last straw, don't know what where to turn to, as I said, we can't fix problem and if nothing is done in the near future, as in this year, we don't know where we're going to stand and if the house is even going to be standing. Whether it's through this Council or other means, one way or another, we're going to find a way to get our house and the street fixed. So all we're asking is this Council to think about it, do the right thing and hopefully help an area that's in desperate need. It's been stated that no one was entirely aware of this problem, and I can pull out through previous notes from January 23rd of last year where Mr. Feller got up and made the following statement. "We've got terrible potholes on the south end of our road. We certainly have our fair share of drainage problems not having curbs in the neighborhoods on all the streets." And as I stated, that was a year ago, so we can say for certain even last year maybe it was not directly addressed, but it was brought up with

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drainage problems down in Lipton. There was also a neighborhood meeting here on October 30th of last year in which we also addressed these issues and stated our problems personally, which would have been from, I believe, the first time my wife brought up the actual problems of our house and formally made people on this Council aware of the problem. So I do feel, it has been brought up in the past, and it needs to be addressed. So as I said before, I'm hoping that this Council and the Administration will take a along hard look at that as money becomes available and give serious consideration to coming down our street and helping us fix our problems, so that we can continue to improve our house and bring it back up to a good standard and improve that neighborhood. Thank you.

Mr. Foltz: Okay, thank you. Anyone else like to address Council this evening?

Mr. Osborne: My name is Chuck Osborne, 307 Fairview Street S.E. North Canton, Ohio. Last week, in this chamber, I sat through the Council of the Whole committee meetings and observed what the results of what reckless spending will do to future budgets of a municipality. North Canton City Council is now trying to cope with its financial crunch by cutting capital projects, employing fewer city employees and doing less street maintenance. Finance Chairman Pat DeOrio wonders how the city got to this point financially. The sad fact in this scenario is that ill-advised spending decisions, over the last few years are, in large part, responsible for the budget cuts now required. Despite declining revenue collections, councils before you continued to outspend revenues. To use the vernacular, the chickens have come home to roost. I have a list of ill-advised spending decisions made by city officials over the last few years that have robbed this city of its financial vitality and its financial cushion. I will limit my comments to the expenditure at the top of that list and at the top of this list is the purchase of the former Arrowhead Country Club property in 2003. Four years ago...despite declining revenues, the City of North Canton purchased the former Arrowhead Country Club golf course, now called The Fairways for \$4.2 million. Today, there should be no doubt in anyone's mind that the exorbitant price paid for that property has diminished the city's reserves and added to the city's current indebtedness. The purchase of the golf course four years ago took 2 million from the city's cash reserves and increased the city's debt by an additional 2.2 million. That outstanding debt on the purchase of the golf course is now approximately 1.6 million. The purchase of the Arrowhead Country Club property by the city in 2003 was followed by an equally poor financial decision that also impacts the city's finances today. I am referring to the sweetheart leasing arrangement given to the operator who now leases the golf course property from the city. The lease terms for the golf course are an insult to the taxpayers of North Canton. The lease, signed with the present operator of the golf course soon after the City of North Canton purchased the property, provides for lease payments that are a fraction of the costs that a bank would charge for extending a commercial mortgage on a property costing \$4.2 million. I have polled four lending institutions located in North Canton for rates on a commercial mortgage in the last week. They were Wayne Savings, Ohio Legacy, Key Bank and Stoffer Mortgage. The average lending rate charged by these four lenders for a commercial real estate mortgage was 8.13 percent. Using the average interest rate charged by these four institutions of 8.13 percent, simple math calculations show that interest rate charges alone on a commercial real estate mortgage would result in annual interest charges of \$341,250, annually. Yet, the lease payments made to the City of North Canton for the exclusive use of the 105 acre, eighteen-hole golf course with clubhouse and pool and all the other amenities that go with the property are less than half that amount. The operator of the golf course did not have to secure a loan at commercial mortgage loan rates and pay \$4.2 million for the property. The operator of the Fairways golf course let taxpayers do it for him. The City of North Canton purchased the golf course with taxpayer funds and a private business benefits at taxpayer expense. Lease payments made to the City of North Canton by the operator of The Fairways, formerly Arrow - Arrowhead Country Club, have averaged \$152,250 per year. And of that amount, the City of North Canton is required to expend \$50,000 per year for capital improvements...

Mayor Held: ...inaudible...

Mr. Benekos: at least six years.

Mr. Osborne: to the clubhouse. Using the annual interest rate costs of \$341,250 per year for a commercial real estate loan, the City of North Canton is under...charging the operator of The Fairways golf course \$189,000 per year. By the end of 2007, the fourth year of the five-year lease for the golf course, North Canton will have lost \$756,000 in revenue as a result of the lease arrangements made with this operator. The \$152,250 annual cost to the present operator to lease the 4.2 million golf course property...

Mr. Benekos: ...inaudible...

Mayor Held: ...inaudible...

Mr. Osborne: is the equivalent of getting a \$4.2 million commercial mortgage loan for an interest rate of 3.63 percent. This is substantially less than what North Canton taxpayers have to pay for residential mortgage. Residential mortgage rates are presently around six and a

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half percent. Why have city officials allowed private enterprise to profit itself on the backs of North Canton taxpayers under this lease? As I noted earlier, the lease also requires the city to spend \$50,000 annually on capital infrastructure improvements for the clubhouse and pool all for the exclusive use of the golf course operator. So effectively, the city only receives a little over \$100,000 annually in lease payments.

Mr. Snyder: No, that's not true.

Mrs. Herr: Chuck, you're wrong on that.

Mr. Snyder: That's – that's false.

Mrs. Herr: Excuse me, I have to interrupt you ...

Mr. Snyder: The – the operator pays the \$50,000.

Mrs. Herr: You're wrong. The operator pays the capital expense...

Mr. Snyder: That's right. You're wrong on that,

Mrs. Herr: the 50,000. The city does not pay...

Mr. Osborne: I've got all the records.

Mrs. Herr: No.

Mr. Snyder: No.

Mr. Osborne: And I've got the lease.

Mrs. Herr: No, I gave you those records, Chuck.

Mr. Foltz: Mr. Osborne, I – we'll have our Finance Director...

Mr. Osborne: I'd like to finish.

Mr. Foltz: address your concerns.

Mr. Osborne: I have the floor and I'm speaking here.

Mr. Foltz: Well, I'm running the meeting, so what I say goes. She has the floor.

Mrs. Herr: You are incorrect. In the lease, it states that the operator has to pay \$50,000 in capital expenditures over a year, if over that year he does not put in that much money, then that money reverts to the city. The city does not pay any...amounts for capital, it's the operator that does. Now the city paid for the retention basins study out there, but then he reimbursed us for that as part of his \$50,000.

Mr. Osborne: It doesn't make any difference in which direction the monies flow. At the end of the year, \$50,000 of that 152 thou – 159 – 152,000, goes back into the clubhouse for improvements. This is substantially, okay – does fiscal irresponsibility ring loud and clear here? As I noted earlier, the lease also requires the city to spend – that's where I left off. The lease of the golf course property under these terms is a complete sellout of the taxpayers of the City of North Canton, plain and simple. The citizens of North Canton get no enjoyment or benefit from the use of the facility. On the other hand, the operator of the golf course benefits quite handsomely financially under the terms of the current lease. In terms of the average annual loss of \$189,000 to the city under the golf course lease, do you think that council could find a worthy use for that sum of money? From what I hear, coming from the people on Lipton, that would take care of their problem. It would have taken care of it four years ago, the first year of the lease. At last week's council meeting, Finance Chairman stated that he has spent hundreds of hours looking for additional funds to plug a few of the budget shortfalls. Mr. DeOrio, I have found a sizable amount of additional funds for you. Could this council find a worthy use for the average annual use - average annual loss of \$189,000 that the city loses under the golf course lease? Could that money be used to fill a patrolman's position on the police force that has gone unfilled? Could that money be used to pave streets in the city? The annual loss to the city of a hundred eighty-nine thousand, thousand dollars, under the present golf course lease is three-quarters of the city's annual paving budget of \$250,000. The lease for the golf course is renewable at the end of 2008. At the end of this first five-year term of the lease, the taxpayers of City of North Canton will have subsidized the private operation of The Fairways by nearly one million dollars. Mr. DeOrio, I think you must realize that it does not take too many unsound financial decisions

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such I - as I have just described to put a community on the path of budget cuts that ultimately lead to reduced services and increased taxes. Mr. Foltz, last week you said that it would be fiscally irresponsible not to prepare for the loss of revenue should the Hoover Company cease operations here in North Canton. Mr. Foltz, you were on this council at the time these decisions were made and you voted for each of these actions. Every single person in this room is looking for additional funds that are desperately needed to maintain city services. I would propose that the City of North Canton attempt to recover the bulk of it's investment when it purchased the golf course property by selling the property but retaining the development rights to the property. The sale of the golf course while...retaining the development rights to the property will save the green space from development while at the same time allow the city to recoup previously expended funds that are desperately needed now. By selling the golf course, the city could recoup, upwards, I hope, of three million dollars of the 4.2 million paid for the property. The present lease arrangement is patently unfair to taxpayers and should be ended. Taxpayers should not be subsidizing a private golf course operator. Selling the property when the lease expires next year would put an end to a lease that is fiscally irresponsible and unfair to the city and its taxpayers. The sale of the property would help relieve the strain on the city's budget by providing an infusion of perhaps \$3 million. This course of action would go a long way in showing taxpayers that this council is indeed fiscally responsible and that city council can act as fiduciaries on behalf of the taxpayers as they should. I will provide you with a copy of this, I have a spreadsheet on the back that shows all my calculations and Miss Herr, I do have the lease, I've looked at it closely, the net to the city of the entire annual payments made, which are tremendously low to begin with, are compounded by, like I said, the fact that in the lease the city is required, or somebody's required to take upwards of \$50,000 of those payments and put them back into maintenance and upkeep of the facility. Well, I have the lease right here, and I was sitting on this council when this all went through.

Mrs. Herr: Chuck, that \$50,000 for capital is in addition to the lease payments. Okay? It was structured to have the capital payments in there so that there was general improvements made to the facility while the lease operator was there. But that's in addition to the lease payments. And again, if 50,000 is not spent within that year, then that money comes back to the city as a lease payment. It's in addition to the lease payments.

Mr. Osborne: That's not the way I read the lease.

Mrs. Herr: It's in there, trust me.

Mr. Foltz: Mr. - Mr. Osborne, are you finished?

Mr. Osborne: And this doesn't absolve...

Mrs. Herr: Calm down.

Mr. Foltz: We're not having a debate here.

Mr. Osborne: this doesn't absolve you that this was a tremendously unfair and fiscally irresponsible deal. The city could not afford to cut the grass and they desperately found somebody who would take it for them, and you basically gave it to him, for cutting the grass. And he's profiting off the taxpayers. And the taxpayers can't even use it. Thank you.

Mr. Foltz: Okay thank you....any other comments from Council? Member Snyder?

Mr. Snyder: I appreciate it, Mr. President, not to - to get into debate, but you know you and I were very much involved, and the problem is it was not only from an aesthetic point that we bought it, but it was a proactive point. Mr. Osborne brings a point to sell it without the - without - less the development rights. It takes the property down to less than 2 million dollars, I mean, the value of the property's in the ability to develop it into housing stock.

Mr. Osborne (from audience): Well then you obviously overpaid....

Mr. Foltz: Mr. Osborne, you're out of order.

Mr. Snyder: The problem being, is you know, Mr. Foltz, when we looked at that, it would have cost the city, I think the engineer had a good faith estimate in excess of 5 million dollars, to just to put the infrastructure that we'd be required from the city's standpoint to put in, if that became developable. But, you know, it's - you know, there's couple ways to argue, it is 105 acres of pristine park. It's only appreciates in value...it, you know, 'cause we have...philosophically we differ, you and I agree, he differs, but - and it's one of those things. But - it - I don't think the City and I would defer to Mr. Chairman DeOrto, I don't think we're in such a strait right now we have to start selling our assets to - to pay for future things - I - but it'll be there if we need to do it.

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Mr. Foltz: Member Snyder, I remember we looked at that as an investment as well as an opportunity to keep...green space in tact. Our residents can use that, they can just play golf there at a discount. I mean, I've played there a few times myself, every year. If you look at what we paid for it, 4.2 million 2003, and I - I'm very proud of...our infrastructure and our upgrading our neighborhoods and our departments - police force, the fire department, so forth, it's not - I would say - it's not out of bounds to say that we could earn 5% on our investment per year. I think anybody's house will appreciate 5%...inaudible...state on the record. So looking at that, last - last four years, that's over \$800,000 itself, so, that's just one small argument here. As far as selling the golf course and keeping the development rights, I thought we had a pretty good deal with the Oster property to do that, and that was seemed to be turned away by members in the audience that just recently spoke, so, and that would have been pretty lucrative to this city...

Mr. Snyder: About a million and a half dollars.

Mr. Foltz: as you remember, Member Snyder, so if our Finance Director has any other comments on that, that's fine, if not we'll...

Mrs. Herr: No, I'm done.

Mr. Foltz: we'll go forward with public speaks. Alright...

Mr. DeOrio: Well, I was going to ask Julie...

Mr. Osborne: Mr. Foltz, I have the lease right here...

Mr. Foltz: Mr. - Mr. Osborne, you've had your time, sit down.

Mr. Osborne: I have the lease right here.

Mr. Foltz: Sit down.

Mr. Osborne: And I'd like to read directly from...

Mr. Foltz: Sit down or I'll have you removed.

Mr. Osborne: the lease.

Mr. Foltz: Sit down.

Mr. Osborne: I have the lease right here.

Mr. Foltz: I expect a professional meeting here. That's fine, I have it too. This isn't a debate. You've...

Mr. Osborne: You have a copy of the lease right there?

Mr. Foltz: had you're turn at public speak - you've had your turn. Anyone else like to...

Mr. Osborne: But you've rebutted it with erroneous information.

Mr. Foltz: address Council? You're done. Sit down please. Please have some professionalism here.

Mr. Osborne: I'd like to see some up here.

Mr. DeOrio: Julie.

Mr. Foltz: Please. Starts with people in the audience.

Mr. Osborne: No, it should start with you.

Ms. Goldthorpe: Okay, my name is Debbie Goldthorpe...

Mr. DeOrio: Before - I'm sorry Debbie, I didn't - I just wanted to ask Julie, what is the interest rate that we - the - what is the leasing rate that the - the operator pays?

Mrs. Herr: It's...

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Mr. Osborne (from audience): I have the payment schedule right here Mr. DeOrio.

Mr. DeOrio: I didn't ask – I didn't ask you, I'm sorry, but I'll talk to you later.

Mrs. Herr: It's 60,000 in January and then it splits it up to...I believe it's sixteen five for the January - June, July and August.

Mr. DeOrio: I mean, is there – is there like a computed interest rate built into it or...how...

Mrs. Herr: the – there is an increase...I don't have it in front of me...

Mr. DeOrio: Okay.

Mrs. Herr: so I can give you that information.

Mr. DeOrio: Okay, thank you.

Mrs. Herr: No, thank you, Chuck. No, thank you.

Mayor Held: Chuck...

Mr. Foltz: Someone else like to address Council?

Mrs. Magel: Well, I would just like to say I have full confidence in Julie...

Mr. Foltz: Thank you.

Mrs. Magel: our Finance Director.

Mrs. Herr: Thank you.

Mayor Held: ...inaudible...a second over there.

Mr. Foltz: Debbie?

Ms. Goldthorpe: My name's Debbie Goldthorpe, I'm...what is my address? 287 Orion Road N.E., speaking tonight for the YMCA, but I actually was – came to speak and then was not going to speak, but after just listening to the last few minutes, maybe it's important that you hear this, and I sent all of you a letter today relating to the July 4th race at the North Canton YMCA. For awhile, I kept thinking that what I was going to say was too trite, especially in light of what the people on Lipton are facing and – and other problems in the City. But there's a lot of, as you know, disgruntlement in the City a lot of people are leaving here and I just would like to encourage Council to find some way to keep those activities which are positive for this City, to keep them intact – it would involve the race, it would involve the Main Street Festival, and it would involve the Equestrian Parade. Those are important to the people who live here, as the streets and the roads and everything else is, and I understand we have severe budget issues. I think everybody is aware of that. I would urge Council and Administration to please find a way so that the positive events which are continuing in this town can keep happening. That's all.

Mr. Foltz: Thank you.

Mrs. Magel: Debbie, I – I'd like to address this. If I recall...in the write up from last year's July 4th race, don't we have people coming from all over? Family members that come together and...

Ms. Goldthorpe: Yeah, you have – there are a lot of families that – whose family members come back here for July 4th specifically for the race, yeah.

Mrs. Magel: And – and it's...as I recall the write ups, I mean, it's...

Ms. Goldthorpe: Yeah. It's the largest race in Stark County. This year it's the thirtieth year, and hopefully we will have well over 2,000 runners this year.

Mr. Foltz: Alright. Thank you.

Mr. Repace: Debbie. Debbie, before you sit down, I – I want to address something that you said. I – with everything that's going on across the street, you know, I – I'm so involved in – in a lot of things right now. Part of what you're saying – some of the events that we have during the holidays, our Main Street Festival, and – and different things, that – that go on. I'm – I'm currently trying to address some of these issues and in – I – I can't give you particulars and details to – tonight, but those that – believe me, those are some things that are on my mind and I'm – and I'm...currently addressing. Just so you know that, and – and you'll hear more about it.

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Ms. Goldthorpe: Thank you.
Mr. Foltz: Thank you.

Mr. Repace: You're welcome. Thank you.
Mr. Foltz: Anyone else like to address Council this evening?

Mr. Fleischman: Scott Fleischman, 1409 Lipton Avenue. I mainly came tonight to support my neighbors on the opposite side of the street that have the flooding basement problem. I live...about two or three houses north of them on the opposite side of the street. And my comment is that they've taken a relatively neglected looking home and turned it into a beautiful home on our road, and we don't have the size homes that, you know, they have Chatham or someplace like that, but what we do have we're proud of in the neighborhood. We would like to see more people like them in the area improve their homes, that raises all of our property values, makes the entire city look better. If the city does not choose to fix the road, and people continually have problems like that, if we're going to lose good neighbors like that, and then the homes are going to become more and more delinquent and – and run down and the whole neighborhood's going to collapse into what some of the worser sections of Canton look like. I don't want to see that happen, especially since I'm in that neighborhood. I don't want to see Chatham being neglected either, but I've been by Chatham many times, and I can't help but think that their street could wait another year or two if there's a – a serious problem with homes that are in trouble because of watershed on their street. Also, my problems are relatively minimal on the street, but, when the water project happened several years ago...we still have the patch job where they patched across the road where they ran the waterlines, it's never been resurfaced since then and on the side where my property is, there's a little divot that has developed because the ground has sunk there, it continually holds water and when people park on the sides of the road, that you know, they – they don't feel a curb so they get a little bit into the grass, I understand that happens, that's not a big deal expect that we now have erosion starting to run in front of my property where the ground is actually about 2 inches below the surface of the road at the edge because of that...erosion. Part of it's my fault, because I have to park my vehicle there until my kids get all their vehicles in so I can be the first one out in the morning. However, I just want to support my neighbors, I want the City to know that we do care in our neighborhood, we'd like to see our street fixed, and I would hate to...have the neighborhood lose good people who put money into their homes because of a water problem. Thank you.

Mr. Foltz: Okay, thank you sir.

Mayor Held: Thank you.

Mr. Foltz: Anyone else like to address Council this evening? Seeing none, we'll go to....

Mr. Repace: There is one.
Mr. Foltz: I'm sorry.

Mrs. Herr: Saved the best for last.
Mr. Foltz: I'm sorry.

Unidentified: Okay.

Ms. Burnett (identified by Clerk): I want to thank you for your kindness to people who come here, agitated and distressed. I suggest that perhaps there be a time limit on the amount of time that any individual speaker speaks. If we have a point to make we should be about to make whatever that point is within, I would say, 3 minutes. Thank you.

Mr. Foltz: Thank you for your comments. Okay, anyone else like to address Council?

Ms. Brand: Good evening. My name's Vicki Brand. I am Amy and Nick's neighbor. We have had...more water than I care to think about. It runs down the side of our house...into my backyard. I usually have to wait a few days even to mow, because it's just unbelievable. It just pillows right down and in between our homes. I don't have the water per se in my basement, I – I do have some mold, but...you know, they have just been wonderful neighbors, and I'm here to support them.

Mr. Foltz: Okay, thank you.

Mr. Wise: What's your address, ma'am?

Ms. Brand: 1422 Lipton.

Mr. Wise: Thank you.

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OLD BUSINESS

8. Mr. Foltz: Anyone else like to address Council this evening? Okay seeing none, we'll go to old business. Do we have a motion to read by title only, the second reading of Ordinance 3-07?

Mr. DeOrio moved and Mr. Lane seconded to **read by title only, the second reading of Ordinance No. 3-07.** All members present voting.

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

No: 0

Ordinance No. 3-07 - 2nd Reading – Water, Sewer & Rubbish

An ordinance amending Section 2 of Ordinance No. 26-06, for the construction and inspection services for the Backwash Holding Tank/Generator Project, as authorized per Ordinance No. 87-05, by increasing the amount authorized for the project, in an amount not to exceed \$86,100, and declaring the same to be an emergency.

Mr. Foltz: Chairperson Magel.

Mrs. Magel: Yes, as we had discussed previously, and this is our second reading...this is an addition...I – I believe \$9,100 to make it a total of 86,100 and...tonight I would ask Council to consider it...on the second reading on an emergency. However, I would like to...for the record, ask...Engineer Benekos, this is it, right?

Mr. Benekos: This is it.

Mrs. Magel: You won't be coming back.

Mr. Benekos: That's correct. That's why we waited this long.

Mrs. Magel: over – kaput.

Mr. Benekos: Finished.

Mrs. Magel: finis.

Mr. Benekos: Yes. Total.

Mr. Snyder: t – o on it, no? finito?

Mrs. Magel: Okay.

Mr. Foltz: Very good.

Mrs. Magel: Then – I think that's on the record. Okay, then seeing that it's – this will be the last time, and this will finish the increases, I would ask Council if...if you would indulge that we would put this...for the second reading as an emergency so that this – these gentlemen – this company can be paid.

Mr. Foltz: Very good. May I have a motion to adopt the second reading of Ordinance No. 3-07?

Mr. DeOrio moved and Mrs. Hines seconded to **adopt the second reading of Ordinance No. 3-07.** All members present voting.

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

No: 0

Mr. Foltz: May I have a motion to suspend the rules for Ordinance No. 3-07?

Mr. DeOrio moved and Mrs. Hines seconded to **suspend the rules for Ordinance No. 3-07.** All members present voting.

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

No: 0

Mr. Foltz: And may I have a motion to adopt under the suspension of the rules for Ordinance No. 3-07?

Mr. DeOrio moved and Mrs. Hines seconded to **adopt under the suspension of the rules for Ordinance No. 3-07.** All members present voting.

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

No: 0

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NEW BUSINESS:

9. Mr. Foltz: Next, may I have a motion to read by title only, the first reading of Ordinance No. 4-07?

Mr. DeOrio moved and Mrs. Magel seconded to read by title only, the first reading of Ordinance No. 4-07. All members present voting.

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

No: 0

Ordinance No. 4-07 – 1st Reading – Personnel & Safety

An ordinance authorizing the Director of Finance of the City of North Canton to enter into an Agreement by and between the City of North Canton and MHM Resources, Inc. to commence and administer a flexible benefit plan under Section 125 of the Internal Revenue Code, and declaring the same to be an emergency.

Mr. Foltz: Chairperson Hines.

Mrs. Hines: Well, it pretty much explains what it is...Julie will be the Plan Administrator and she needs to be this in order to get things set up for the – for the employees. Julie?

Mrs. Herr: I just wanted to make a mention that the...adoption agreement that is included in your packet...there is going to be a change to it. I have called the company and they're going to send me a revised...agreement but under the plan year – future plan years we'll be on a 12 month basis beginning January 1st and ending December 31st. They put the wrong months in there, so, just wanted to let you know that that's going to be changed.

Mrs. Magel: That's the only change?

Mrs. Herr: Yes.

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

Mr. Foltz: Sure, Member Snyder.

Mr. Snyder: Thank you. Director Herr, is there a yearly...similar to pension, like a 5500 has to be filed with Internal Revenue on that or, that just automatically – once you adopt that in the – in our health care benefit, employee pays without tax, is that how that works?

Mrs. Herr: That's correct. And there are...a few things that we have to...make sure that we do throughout this process including informing the employees, providing them a plan...a plan description...the enrollment forms, and then we also have to do a...discriminatory test each year...just to make sure that we fall within that. As long as we do those things then we're fine.

Mr. Snyder: But we – our – is it - my understanding it's only our intent...as it relates to health care, we're not going to...

Mrs. Herr: Correct.

Mr. Snyder: we're not going to...

Mrs. Herr: I mean, there are other things you can do a Section 125 Plan for, but we're only using it for the health insurance premiums that will soon be...you know, deducted from employees' pay.

Mr. Snyder: I appreciate it. Thank you Mr. President.

Mr. Repace: This – this is very common in today's environment, I can assure you that.

Mrs. Hines: Well, we ask that it be on emergency so that she can get the work done.

Mr. Foltz: Very good. May I have a motion to adopt the first reading of Ordinance No. 4-07?

Mr. DeOrio moved and Mrs. Magel seconded to adopt the first reading of Ordinance No. 4-07. All members present voting.

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

No: 0

Mr. Foltz: Next, may I have a motion to suspend the rules for Ordinance No. 4-07?

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Mr. DeOrio moved and Mrs. Magel seconded to **suspend the rules** for Ordinance No. 4-07.
All members present voting.
Yes: Hines, Lane, Magel, Repace, Snyder, DeOrio, Foltz.
No: 0

Mr. Foltz: May I have a motion to adopt under the suspension of the rules for Ordinance No. 4-07?

Mr. DeOrio moved and Mrs. Hines seconded to **adopt under suspension of the rules** for Ordinance No. 4-07. All members present voting.
Yes: Lane, Magel, Repace, Snyder, DeOrio, Foltz, Hines.
No: 0

10. Mr. Foltz: Next, may I have a motion to read by title only the first reading of Ordinance No. 5-07?

Unidentified: Are you still going to put...inaudible...
Mr. Wise: No, no

Mrs. Magel moved and Mr. DeOrio seconded to **read by title only the first reading** of Ordinance No. 5-07. All members present voting.
Yes: Magel, Repace, Snyder, DeOrio, Foltz, Hines, Lane.
No: 0

Mrs. Herr: No...
Mr. Wise: Get them...inaudible...information

Mayor Held: Should I have a report on...inaudible...

Ordinance No. 5-07 – 1st Reading – Finance & Property

An ordinance authorizing the retention of the overpayment of fines and court costs to the City of North Canton Mayor's Court where such overpayment is ten dollars (\$10.00) or less in excess of the obligation due.

Mr. Wise: ...inaudible...
Mrs. Herr: Okay
Mr. Wise: I have to take ...inaudible...I'll be in....

Mr. Benekos: yeah, I know.
Mayor Held: ...inaudible...just kept thinking about...inaudible...

Mr. Foltz: Chairman DeOrio.

Mr. DeOrio: Yes, as you recall last week, this is an effort to kinda streamline the - our recordkeeping and...allow for retention of these slight overpayments and...

Mr. Benekos: ...inaudible...money in the budget...inaudible...put that in...inaudible...

Mr. DeOrio: I would ask that Council consider and I so move for passage of Ordinance No. 5-07.

Mayor Held: Do you think she's going to?
Mr. Benekos: No.

Mr. DeOrio moved and Mrs. Magel seconded to **adopt the first reading** of Ordinance No. 5-07. All members present voting.
Yes: Repace, Snyder, DeOrio, Foltz, Hines, Lane, Magel.
No: 0

Mayor Held: Nothing?
Mr. Benekos: Nothing.

11. Mr. Foltz: Next, may I have a motion to read by title only the first reading of Ordinance No. 6-07?

Mr. Lane moved and Mr. DeOrio seconded to **read by title only the first reading** of Ordinance No. 6-07. All members present voting.
Yes: Snyder, DeOrio, Foltz, Hines, Lane, Magel, Repace.
No: 0

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Ordinance No. 6-07 – 1st Reading – Finance & Property

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) 1986 Pierce 105' Aerial Ladder Truck, for Sixty Thousand Dollars (\$60,000.00) to the Greentown Fire Department, and declaring the same to be an emergency.

Mr. Foltz: Chairman DeOrio.

Mr. DeOrio: Yes, as we heard last week from the Administration they would like to...be in a position to make this happen and – and time it...to coincide with receipt of our new fire truck. So I would ask for consideration and so move for passage of Ordinance No. 6-07.

Mr. DeOrio moved and Mrs. Magel **seconded to adopt the first reading** of Ordinance No. 6-07. All members present voting.

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

No: 0

Mr. Foltz: May I have a motion to suspend the rules for Ordinance No. 6-07?

Mr. DeOrio moved and Mr. Lane **seconded to suspend the rules** for Ordinance No. 6-07. All members present voting.

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

No: 0

Mr. Foltz: Next may I have a motion to adopt under the suspension of the rules for Ordinance No. 6-07?

Mr. DeOrio moved and Mrs. Hines **seconded to adopt under the suspension of the rules** for Ordinance No. 6-07. All members present voting.

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

No: 0

12. Mr. Foltz: Next, may I have a motion to read by title only the first reading of Ordinance No. 7-07?

Mr. DeOrio moved and Mrs. Magel **seconded to read by title only the first reading** of Ordinance No. 7-07. All members present voting.

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

No: 0

Ordinance No. 7-07 – 1st Reading – Finance & Property

An ordinance to make appropriations for current expenses and other expenditures of the City of North Canton, Ohio, for the period beginning January 1, 2007 and ending December 31, 2007, and declaring the same to be an emergency.

Mayor Held: Jim, I don't have to sign the budget

Mr. Benekos: No you don't.

Mr. Foltz: Chairman DeOrio.

Mayor Held: Ten days, then it becomes effective, right?

Mr. DeOrio: Yes, we've had a meeting...

Unidentified: Ten days, you have ten days to sign legislation...inaudible...

Mr. DeOrio: prior to this meeting and - and talked a little bit more about things, everybody's had a chance to weigh in, make their positions known.

Mr. Benekos: You might want to think about it.

Mr. DeOrio: At this time, I would...encourage my colleagues to make this...happen tonight by voting for this on an emergency so that we can get operations under way. I would ask for your consideration and so move for passage of Ordinance No. 7-07.

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Mr. DeOrio moved and Mrs. Magel seconded to **adopt the first reading** of Ordinance No. 7-07. All members present voting.

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

No: 0

Mr. Foltz: May I have a motion to suspend the rules for Ordinance No. 7-07?

Mr. DeOrio moved and Mrs. Magel seconded to **suspend the rules** for Ordinance No. 7-07. All members present voting.

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

No: 0

Mr. Foltz: Next, may I have a motion to adopt under suspension of the rules for Ordinance No. 7-07?

Unidentified: Probably not a good idea.

Mr. DeOrio moved and Mrs. Magel seconded to **adopt under suspension of the rules** for Ordinance No. 7-07.

Mr. Benekos: This'll make the papers.

Mayor Held: That's alright.

All members present voting.

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

No: 0

Mr. Benekos: Think hard

Mr. Foltz: Gail, before we go into reports, we did have a meeting scheduled for tomorrow at 7 p.m. Do we need to cancel that meeting on the record, do I – we have to have a motion to do so? Or...

Mrs. Kalpac: Randy? What do you think?

Mr. McFarren: Well...

Mr. Foltz: The reason for the meeting was the appropriation ordinance we just passed.

Mr. McFarren: It's a – it's an exercise in futility because you've already passed the ordinance, but it would keep it clean if you did, just in case.

Mr. Foltz: Do I have a motion to cancel tomorrow's meeting?

Mr. DeOrio moved and Mrs. Hines seconded to **cancel the meeting scheduled for Tuesday, January 30, 2007**. All members present voting.

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

No: 0

REPORTS:

Mr. Foltz: I want to thank Council for their diligence on this and...passing this Ordinance so the Administration can move ahead with...proper funding their – in their departments, and I'd like to applaud this Council. We've been proactive. Administration, Mayor sent us over a - a budget and we refined it and...I think we –we've done our citizens well and proud so, with that I'll ask for reports. Director of Law?

Mr. McFarren: Nothing.

Mr. Foltz: Finance Director Julie?

Mrs. Herr: I just wanted to give an update...we have our preliminary official statement for the bonds that we are issuing. They are to be priced...sometime this week and so...things are definitely...in progress. And I wanted to pass along information that was given to me by our underwriter, who...wanted to make sure that Council was aware that the - the rate structure that was implemented a couple years ago for the automatic rate increases, that that really...worked favorably in our position for our – our - our bonds that we're issuing and he wanted to let you know that...it – it really helped as far as getting insurance for these bonds and – and that it really was a – a definite plus for us.

Mrs. Magel: Great news.

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Mr. DeOrio: Thank you, that's great.

Mr. Foltz: Okay, thank you.

Mrs. Herr: That's all.

Mr. Foltz: Director of Administration.

Mr. Wise: No report, nothing additional.

Mr. Foltz: Mayor Held?

Mayor Held: Yes, I'd like to thank Earle Wise and Julie Herr and the department heads, all the department heads...

Mr. Wise: ...inaudible...bond.

Mrs. Herr: ...inaudible...

Mayor Held: Jim Benekos, for all their hard work on the budget. I'd like to thank Council members for their – for their hard work on the budget also. It's – it's nice to see that's passed right now and...I would also...like to encourage Council to consider...any additional monies that do come through that that money is appropriated for the Lipton Street project...it's pretty apparent that the residents on that street are...are certainly unified and the challenges that they face and when you have flooding in a basement, clearly that takes a - takes a priority as far as the projects that - that we do in the City. And that's all I have, thank you.

Mr. Foltz: Okay, thank you. City Engineer, Jim Benekos.

Mr. Benekos: No report.

Mr. Foltz: No report? Gail, any comments?

Mrs. Kalpac: No report.

REPORTS – COUNCIL:

Mr. Foltz: Member Lane?

Mr. Lane: No report.

Mr. Foltz: Member Snyder?

Mr. Snyder: I thank Mr. President – the only thing I would like to say is – I'd like to thank my residents of that Lipton area that came here. Please do not get discouraged. We're moving ahead and I do thank my colleagues and the Administration for you're at least listening to me and your thought process and I know...if push comes to shove we'll do the right thing for these people, and I do appreciate that and...that's all I have, Mr. President, thank you.

Mr. Foltz: Thank you.

Mr. DeOrio: No report.

Mr. Foltz: Okay.

Mrs. Hines: I'd just like to say that the Charter Review Commission, their organizational meeting was Thursday at 7. There will be – the next one is this Thursday at 7, here. I want to thank Gail Kalpac, our...Council Clerk for helping with the refreshments, for baking at home, taking her extra time for serving that night and...it gave it the extra pomp and circumstance that I think the...event needed.

Mr. Foltz: It was very...it was very nice event, nice to see some of our area residents, professionals, and community people get involved in taking an important task, to review our charter, which we do every 10 years, and I'd also like to thank Gail and yourself for providing the cookies and the punch and making them feel at home here in the Council chambers, and looking forward to a lot of productive meetings with that Charter Commission.

Mr. Snyder: Where are those extra cookies at?

Mr. Foltz: Well, Jon, you snooze...

Mr. Snyder: I didn't see none on this table.

Mr. Foltz: Jon, you snooze you lose. I took some home. I was – I was here.

Mrs. Hines: some...

Mr. Snyder: I was looking around here, I thought...

Mrs. Hines: some were taken home...

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Mr. Snyder: I thought maybe you put them in my box and I missed them.

Mrs. Hines: some went to the city workers that...

Mrs. Magel: It's in the mail.

Mrs. Hines: were here, and some went to the Police Department.

Mr. McFarren: Yeah, the checks in the mail.

Mr. Snyder: oh, well, that's alright.

Mrs. Hines: So we shared them. You can make them next time.

Mr. Snyder: I like little girls selling cookies, that's...

Mr. Foltz: They were very good. Member Repace, any...

Mr. Repace: The only thing I -- I'd like to say is we do have a critical situation on Lipton with...Amy and Nick's home and if money comes available, I'd like Council to -- to take a real strong look at what we can do, which in my eyes is doing the right thing, and to take care of that situation on Lipton.

Mr. Snyder: Thank you Jim.

Mr. Foltz: Okay, thank you. Member Magel?

Mrs. Magel: Yeah, I would also like to thank Gail and Susie...

Mrs. Herr: inaudible

Mr. McFarren: Yeah, I'll just -- I'll justinaudible...

Mrs. Magel: and...and Gail for the letters you had written and I...

Mrs. Herr: That's ready to go, but...

Mrs. Magel: This is one person, this Clerk of Council, who does this Council well.

Mrs. Herr: one last push...

Mrs. Magel: She works very hard, supports us, and...keeps us on straight and just -- thanks Gail, for everything.

Mr. McFarren: inaudible...

Mr. Foltz: Okay, thank you.

Mrs. Herr: Okay.

Mr. Foltz: One -- one last...thing....

Mrs. Herr: went through and highlighted...

Mr. Foltz: I'd like to discuss. I got a letter from Bernhard Berger who is a --a doctor that lives...

Mrs. Herr: Yeah,

Mr. Foltz: on I guess 2923 Chalford Circle N.W.

Mrs. Herr: Yeah I got it...

Mr. Foltz: and talking to our Finance Director earlier, Julie, that that residence is not in the city...

Mr. Snyder: That's a Saint James.

Mr. Foltz: He -- he wrote a letter about...

Mr. Lane: What street?

Mr. Snyder: Chalford

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Mr. Foltz: he doesn't want – he doesn't consume 3,000 gallons of water a month, and yet he has to pay for it. He doesn't feel it's appropriate, in light of that we need to conserve water rather than waste it, 'cause it's paid for. I remember when we looked at the water rate structure, the one thing I was very much in favor, in fact I proposed it to Council, was that our residents that didn't use 3,000 gallons didn't pay for it. I think if you live in a city, if it's 1,000 or 2,000 gallons...

Mrs. Herr: No, actually the minimum is 2,000.

Mr. Foltz: 2,000.

Mrs. Magel: Yeah, minimum's 2.

Mr. Foltz: If – if you're a single, if you're single family, head of...household, so to speak, and you're only using 2,000, that's what you're charged. Now if you're outside of the city, ... those residents are on our - our infrastructure for our residents...primarily is our goals and they still pay 3,000, so that's the way it was written in the rate structure. So I don't have a problem with – the way it is now for the – for our - for our rate structure. But our city residents do get a break on that just to – to confirm that with Julie and everybody here on Council, so...with that, any final call for new business from Council, Administration?

ADJOURN:

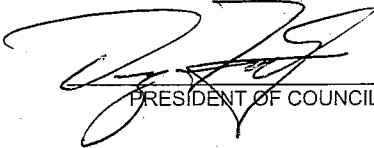
Mr. Foltz: Seeing none, is there a motion to adjourn?

Mr. DeOrio moved and Mrs. Magel seconded to **adjourn the meeting**. All members present voting:

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

No: 0

Meeting adjourned at 8:00 p.m.


PRESIDENT OF COUNCIL

ATTEST:


CLERK OF COUNCIL

2/6/07 ev