

Held Monday, July 5, 20 05

CALL TO ORDER:

1. The meeting was called to order immediately following the Council of the Whole meeting by President of Council Jon Snyder.

ROLL CALL:

2. The following members of Council responded to roll call: Foltz, Kiesling, Lane, Lindower, Peters, Sarbach and Snyder. Also present were: Mayor Rice, Director of Administration Miller, Director of Law Pusateri, Director of Finance Herr and City Engineer Benekos.

3. Mr. Snyder: Alright, may I have a motion to suspend the rules of council in regards to Committee reports for Ordinances 145-05, 143-05, 144-05, 145-05 and 146-05.

Mr. Foltz: So moved.

Mr. Sarbach: Second.

Mr. Lane: Jon, don't you have to mention 142?

Mr. Peters: How about 142?

Mr. Snyder: 142-05.

Mr. Lane: Can you amend your amendment to add 142 on it?

Mr. Snyder: Yea, I'll amend it to, 142-05 also, yes.

Mr. Foltz moved and Mr. Sarbach seconded to **suspend the rules** requiring a Committee report for Ordinance Nos. 142-05, 143-05, 144-05, 145-05 and 146-05. All members present voting:

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

No: 0

Mr. Sarbach moved and Mrs. Kiesling seconded to **read by title only, first reading of** Ordinance No. 142-05. All members present voting:

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

No: 0

Ordinance No. 142-05 – First Reading

An ordinance amending Section 3. of the Ordinance No. 39-05, by an increase in the amount authorized for the 9th Street, Orchard Avenue, and Overland Avenue project by \$200,000.00, at a total project cost not to exceed \$725,000.00, and declaring the same to be an emergency.

Mr. Snyder: Chairman Lane?

Mr. Lane: We discussed this at length a little while ago and this gets everything up and running within about four to five weeks. We just need the extra \$200,000 to be authorized. Anybody have any questions? If not, I would move that we adopt first reading on this.

Mr. Lane moved and Mr. Foltz seconded to **adopt the first reading of** Ordinance No. 142-05. All members present voting:

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

No: 0

Mr. Sarbach moved and Mr. Lane seconded to **suspend the rules for** Ordinance No. 142-05. All members present voting:

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

No: 0

Mr. Sarbach moved and Mr. Peters seconded to **adopt under suspension of the rules** Ordinance No. 142-05. All members present voting:

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

No: 0

4. Mr. Sarbach moved and Mr. Peters seconded to **read by title only, first reading of** Ordinance No. 143-05. All members present voting:

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

No: 0

RECORD OF PROCEEDINGS

Minutes of

COUNCIL OF THE CITY OF NORTH CANTON

SPECIAL

Meeting

DAYTON LEGAL BLANK, INC., FORM NO. 10148

Held Monday, July 5,

20 05

Ordinance No. 143-05 – First Reading

An ordinance approving, confirming and accepting a perpetual storm sewer easement on North Main Street, Parcel No. 5607862, owned by Lee and Karen Thomas, located within the City of North Canton, Stark County, Ohio, necessary for the construction of the 9th Street/Orchard Avenue/Overland Avenue project and declaring the same to be an emergency.

Mr. Snyder: Chairman Sarbach?

Mr. Sarbach: We discussed this earlier for the easements for that whole project up there. There were no questions then. I move that we adopt the first reading of 143-05.

Mr. Sarbach moved and Mr. Peters seconded to **adopt the first reading** of Ordinance No. 143-05. All members present voting:

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

No: 0

Mr. Sarbach moved and Mr. Peters seconded to **suspend the rules** for Ordinance No. 143-05. All members present voting:

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

No: 0

Mr. Sarbach moved and Mr. Peters seconded to **adopt under suspension of the rules** Ordinance No. 143-05. All members present voting:

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

No: 0

5. Mr. Snyder: May I have a motion to adopt under, did we just do that?

Mr. Pusateri: Yea.

Mr. Snyder: Alright then, may I have a motion to read by title only, excuse me...

Mr. Pusateri: That's alright.

Mr. Snyder: ...Ordinance No. 144-05?

Mr. Sarbach moved and Mrs. Kiesling seconded to **read by title only, first reading** of Ordinance No. 144-05. All members present voting:

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

No: 0

Mr. Snyder: They all run together.

Mr. Pusateri: That's right.

Ordinance No. 144-05 – First Reading

An ordinance approving, confirming and accepting a perpetual storm sewer easement on Orchard Avenue N.E., Parcel No. 5608540, owned by the North Canton Masonic Temple Association, located within the City of North Canton, Stark County, Ohio, necessary for the construction of the 9th Street/Orchard Avenue/Overland project and declaring the same to be an emergency.

Mr. Snyder: Chairman Sarbach?

Mr. Sarbach: This was discussed and Mr. Peters, the question we determined is going to help the neighbors and some of their drainage also. So I move we adopt the first reading of Ordinance No. 144-05.

Mr. Sarbach moved and Mr. Peters seconded to **adopt the first reading** of Ordinance No. 144-05. All members present voting:

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

No: 0

Mr. Sarbach moved and Mr. Peters seconded to **suspend the rules** for Ordinance No. 144-05. All members present voting:

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

No: 0

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Mr. Sarbach moved and Mr. Peters seconded to **adopt under suspension of the rules** Ordinance No. 144-05. All members present voting:
Yes: Snyder, Foltz, Kiesling, Lane, Lindower, Peters and Sarbach.
No: 0

6. Mr. Sarbach moved and Mr. Peters seconded to **read by title only, first reading of** Ordinance No. 145-05. All members present voting:
Yes: Foltz, Kiesling, Lane, Lindower, Peters, Sarbach and Snyder.
No: 0

Ordinance No. 145-05 – First Reading

An ordinance approving, confirming and accepting a perpetual storm sewer easement on North Main Street, Parcel No. 5600372, owned by Dean E. and Joan M. LeBeau, Trustees, located within the City of North Canton, Stark County, Ohio, necessary for the construction of the 9th Street/Orchard Avenue/Overland project and declaring the same to be an emergency.

Mr. Snyder: Chairman Sarbach?

Mr. Sarbach: Inaudible...discussed this as necessary for the parallel construction of the 9th Street sewer project and I move we adopt the first reading of 145-05.

Mr. Sarbach moved and Mr. Peters seconded to **adopt the first reading of** Ordinance No. 145-05. All members present voting:
Yes: Kiesling, Lane, Lindower, Peters, Sarbach, Snyder and Foltz.
No: 0

Mr. Sarbach moved and Mr. Peters seconded to **suspend the rules for** Ordinance No. 145-05. All members present voting:
Yes: Lane, Lindower, Peters, Sarbach, Snyder, Foltz and Kiesling.
No: 0

Mrs. Kiesling moved and Mr. Peters seconded to **adopt under suspension of the rules** Ordinance No. 145-05. All members present voting:
Yes: Lindower, Peters, Sarbach, Snyder, Foltz, Kiesling and Lane.
No: 0

7. Mrs. Kiesling moved and Mr. Peters seconded to **read by title only, first reading of** Ordinance No. 146-05. All members present voting:
Yes: Peters, Sarbach, Snyder, Foltz, Kiesling, Lane and Lindower.
No: 0

Ordinance No. 146-05 – First Reading

An ordinance approving, confirming and accepting a perpetual storm sewer easement on North Main Street, Parcel No. 5606030, owned by Elizabeth B. Boebinger, Trustee, located within the City of North Canton, Stark County, Ohio, necessary for the construction of the 9th Street/Orchard Avenue/Overland Avenue project and declaring the same to be an emergency.

Mr. Snyder: Chairman Sarbach?

Mr. Sarbach: This easement is a parallel easement to an existing one that needs, is necessary for that 9th Street project. And I move that we adopt the first reading of Ordinance 146-05.

Mr. Sarbach moved and Mr. Peters seconded to **adopt the first reading of** Ordinance No. 146-05. All members present voting:
Yes: Sarbach, Snyder, Foltz, Kiesling, Lane, Lindower and Peters.
No: 0

Mr. Sarbach moved and Mr. Peters seconded to **suspend the rules for** Ordinance No. 146-05. All members present voting:
Yes: Snyder, Foltz, Kiesling, Lane, Lindower, Peters and Sarbach.
No: 0

Mr. Sarbach moved and Mr. Peters seconded to **adopt under suspension of the rules** Ordinance No. 146-05. All members present voting:
Yes: Foltz, Kiesling, Lane, Lindower, Peters, Sarbach and Snyder.
No: 0

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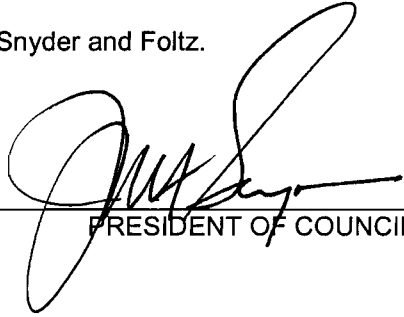
8. Mr. Snyder: There being no other business permitted under the special meeting, may I have a motion to adjourn this meeting?

Mr. Foltz moved and Mr. Lane seconded to adjourn the special council meeting.

All members present voting:

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

No: 0



PRESIDENT OF COUNCIL

ATTEST:



FINANCE DIRECTOR

07/06/05-ALG