

## RECORD OF PROCEEDINGS

Minutes of

COUNCIL OF THE CITY OF NORTH CANTON

REGULAR

Meeting

DAYTON LEGAL BLANK, INC., FORM NO. 10148

Held	Monday, June 11	7:00 p.m.	20	07
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## CALL TO ORDER

1. The meeting was called to order at 7:02 p.m. by President of Council Doug Foltz.
2. The opening prayer was delivered by Rev. David Warren, First Southern Baptist Church.
3. All present recited the Pledge of Allegiance.

## ROLL CALL:

4. The following members of Council responded to roll call: DeOrio, Foltz, Lane, Magel, Repace, and Snyder. Also present were: Mayor Held, Director of Administration Wise, Director of Law McFarren, Director of Finance Herr, Director of Economic Development Bowles, Clerk of Council Kalpac. City Engineer Benekos was not present for the meeting.

Mr. Foltz: Do I have a motion to excuse Council member Susan Hines?

Mr. DeOrio moved and Mrs. Magel seconded to excuse the absence of Council Member Hines. All members present voting.

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

No: 0

5. Consideration

Council Meeting: May 29, 2007

Public Hearing Minutes: June 4, 2007

Mr. Foltz: I ask Council as approve – to – to approve as presented the minutes of Council Meeting minutes of May 29, 2007 and the Public Hearing minutes of June 4, 2007.

Mr. DeOrio moved and Mrs. Magel seconded to **approve as presented minutes of the council meeting and public hearing**. All members present voting.

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

No: 0

Mr. Wise: ODNr is...inaudible...filling those voids from the coal mine...inaudible...they have a contract...subcontractor to do the work...inaudible...

6. Committee Minutes

**Finance & Property Committee:** Refer to the minutes on file in the Council Office of the Finance & Property Committee meeting held June 4, 2007.

**Ordinance, Rules & Claims Committee:** Refer to the minutes on file in the Council Office of the Ordinance, Rules & Claims meeting held June 4, 2007.

**Street & Alley Committee:** Refer to the minutes on file in the Council Office of the Street & Alley meetings held May 29, 2007 and June 4, 2007.

**Water, Sewer & Rubbish Committee:** Refer to the minutes on file in the Council Office of the Water, Sewer & Rubbish meetings held May 29, 2007 and June 4, 2007.

Mr. Foltz: Request approval as presented the following committee report minutes of Finance & Property, June 4, 2007; Ordinance, Rules & Claims, June 4, 2007; Street & Alley, May 29, 2007 and June 4, 2007, the Water, Sewer & Rubbish May 29, 2007 and June 4, 2007. Do I have a motion to do so?

Mr. Wise: ...sewer...this weekend...inaudible...I might go just to...inaudible...an additional appropriation to make on an emergency basis.

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

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

No: 0

Mrs. Herr: When are you going to pay ODNr? Inaudible....

Mr. Wise: Inaudible...ask me when...inaudible...

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## 7. Recognition of Visitors

Mr. Foltz: Recognition of visitors, anyone like to address Council and the Administration please come up, state your name and address and the floor is yours. Mrs. Burnett?

Mr. Wise: ...just going to pay part of it...inaudible...

Mrs. Burnett: I'm Suzanne Burnett and I live on Pierce Avenue in North Canton. I was at a meeting up here one night last week where a gentleman presented beautiful plans for the remodeling and expansion of Just Hair Salon and I - I can't find my copy of the Charter to see how Planning Commission fits in with the way the City runs. But that man has spent hours, he has an architect. They've worked hard, they want to improve the condition of North Main Street. You're looking to bring industry, business in here, and somebody...not all the Planning Commission members were here, and because I'm not really always sure that I'm speaking wisely, but my gut level feeling is that - that they - they shot bullets at that man when he's trying to help build some kind of business in this City. I was so distressed, so I just decided I'd tell you. Thank you.

Mr. Foltz: Alright, thank you.

Mayor Held: Thank you, Mrs. Burnett.

Mr. Foltz: Was any Council members at that...

Mr. Lane: Yeah, I was there. It...

Mr. Foltz: Do you have any comments Member Lane?

Mr. Lane: Yeah, they had three members of Planning here, two were absent and so was our City Engineer and his right hand person, so part of the problem got into the communication. Mr. Gelb was on Planning Commission, met with Mr. Benekos the day before the meeting and without having somebody here to directly answer those questions, it was a little confusing, so. I - they - they tabled it to bring it back, hopefully next month and - and they're aware of some of the questions that Jim had, but again, there wasn't anybody here to do a direct back and forth with them.

Mr. Foltz: I see, so....

Mr. Lane: It was a little confusing.

Mr. Foltz: So hopefully we'll get the questions answered in the next Planning Commission Meeting. Alright, thank you for your comments....

Mayor Held: Inaudible....

Mr. Foltz: Anyone else like to address Council?

Mr. Steigerwald: Good evening, I'm Jim Steigerwald. I live at 1437 Northfield Avenue S.E. and I guess I come with a few pleads from a lot of my neighbors and that is just trying to find some answers and some understanding to what a conditional use permit is; when the conditions aren't met yet and when that particular work can begin? And specifically I'm talking about project that's going to be happening off of Easthill...

Mr. Wise: Inaudible...Spencer...inaudible...

Mr. Steigerwald: The developer's Zablo and it's been a process for about four years. I'm sure, I mean, I think Mr. Repace came in about half way through that fight. Mr. Lane's been with it, Mr. Held knows all about it. And I just, I guess the frustration that I can vent with the rest of the residents that's there, it just seems like it's 300 people against 1 person, and the frustration of four years of finger pointing of we don't take care of that, we don't do this, and just not getting answers. Saturday it started at 9 in the morning, Mr. Zablo hired a company to come in and - and take care of all the brush that's in that area. The neighbors in the area called the - called the police because it was - well we understood that is - yes it is his property, and he can do whatever he'd like on that property, but it's - it doesn't take a genius to understand that he's prepping the site to start things that he doesn't even have approval for yet, and the biggest thing being a - an easement for a sewer which is huge and - and how the plans will or will not go through. So as I babble, I just - I'm looking for answers. I'm looking for someone to be able to - it just seems like there's no watchdog for anything that this gentleman does, and it just seems like he has a thumb to the nose - or his thumb in his nose at everybody saying this is what I can do and that it seems like he would rather beg for forgiveness than ask for

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permission. And that's really frustrating for the neighbors to see and the people that – that have come through it for the 3 ½ years of watching the Planning Commission be on the verge of denying him and the next time they come through, they unanimously decide to put it through. So if you can pick out those questions that are in there, it's just frustrating. It's 4 years, then you still just, you know, just do it, so. That's what I have.

Mr. Foltz: Okay, thank you sir. Member Lane...  
Mayor Held: Thank you.

Mr. Foltz: it's your ward, do you want any comments?

Mr. Lane: Yeah, I talked to Mr. Vitale who lives over in Auburn Knolls Saturday morning, right about 11 or so, 11:30 I guess it was, and I told him I was going to see both the Mayor and – and the Administrator at the Dog Walk, so I relayed the concerns there. Again, the police were relatively powerless to stop somebody from clearing their own land, but I talked to Mr. Steigerwald this evening and I'm expecting to talk to Mr. Covey here before it's all done. And – and they do have some legitimate questions. I know that Mr. Wise is looking into...inaudible...and also to find out what – what their plans are. 'Cause the best of our knowledge, and I might be speaking out of turn, and Earle stop me if I can, but I don't think anything's developed to the point where he can develop that land along Easthill, correct? I mean...

Mr. Wise: It's my understanding, and correct me if I'm – if you have a different recollection as it relates to the Planning Commission, but the – the thing that would prevent him from doing construction there or building, are these easements. There's – I believe there's the sanitary sewer easement and a water easement...

Mr. Lane: Right.

Mr. Wise: and I'm to this day unclear as to who he needs to get that from.

Mr. Lane: I think it's from...

Mr. Wise: I don't know if that's from the Auburn Knolls Association...

Mr. Lane: Right.

Mr. Wise: or not, and there might also then be a storm sewer easement. But as far as the Planning Commission, I don't think they have any restrictions on him other than having those easements which he does not have, it's my understanding. And in fact, he had a timeline from the Planning Commission to start one of the two projects which was clearly going to be South Main and then has a – a timeframe in – in which once starting construction on South Main, which has begun, then he has a timeframe to – to begin the other one, is my understanding.

Mr. Lane: That's relatively soon, if I remember right.

Mr. Wise: Yeah, I would – I would think.

Mr. Lane: Jim, do you remember when his...

Mr. Steigerwald (from audience): he had, I'm sorry...he had to....

Mr. Foltz: Please come up to the....

Mr. Steigerwald (from audience): I'm sorry.

Mr. Foltz: mike, and we'll get you on the record.

Mr. Lane: The – the second site, what was approved separately and had a different start date on it.

Mr. Steigerwald: Yeah, he – when they finally did get the okay, through the conditions, he had one year to start the first project, one of the projects and then he had two years...

Mr. Wise: Two years? Okay.

Mr. Steigerwald: total to start – to start the second. And I'm sorry, if I can, just interject the other portion of that is, I spoke with Mr. Zabro and asked him what his intentions were. And his intentions are to push the topsoil off, and borrow that – that dirt that's under there to facilitate the East Main, or the South Main project, which to me was very confusing, 'cause I work along with engineers in the – in the soil type of things and doing that, to me it's – it's construction, and I – so – I – I'm just confused.

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Mayor Held: Right.

Mr. Steigerwald: Where is, even though the Planning Commission says, yeah you can do that, but the conditions aren't met, so.

Mayor Held: Right, and if I can comment?

Mr. Foltz: Sure, Mayor.

Mayor Held: Mr. Steigerwald, we did, I did get your message here today. I did have Councilman Lane also talk with me on Saturday, and what we're asking our Law Director, of course, and he hasn't had the time to look into it at this point, it's just been today, but what we're asking for is clarification as far as what Mr. Zablo is permitted to do on that parcel of property and what he's not allowed to do.

Mr. Steigerwald: Sure.

Mayor Held: And so we'll be discussing that with our law department and – and we hope to have better clarification as far as what he's permitted to do and – and not do. But I appreciate the – the fact that you brought that to our attention, and – and we have had a number of people also contact their councilmembers and – and...

Mr. Steigerwald: Sure.

Mayor Held: my office because they're very concerned about it.

Mr. Steigerwald: Sure.

Mr. Foltz: Mayor, will you able with the Administrator, to look at that easement situation to...

Mayor Held: Yes.

Mr. Foltz: and see what criteria...

Mayor Held: Identify who's – right.

Mr. Foltz: has to be met for them, for him even to get a – an easement situation.

Mayor Held: That's right. We can do that.

Mr. Foltz: Appreciate that.

Mayor Held: Thank you, Jim.

Mr. Lane: Thanks, Jim.

Mr. Steigerwald: Thank you.

Mr. Foltz: Okay, hopefully someone will get back with you soon with some of those answers, sir. Thank you. Anyone else like to address Council this evening?

Mr. Osborne: My name's Chuck Osborne, 307 Fairview Street S.E., North Canton, Ohio. The trumpeted arrival of the Service and Support Administration of the Stark County Board of MRDD and its promised seventy jobs is not a windfall for the City of North Canton. All one has to do is simply crunch the numbers as supplied by North Canton Economic Development Director Eric Bowles in his presentation to the CIC Board of Trustees last Tuesday, June 5, 2007. I should have known that this was a done deal as the prospect of MRDD moving its offices to the City of North Canton had already been announced on WHBC radio days before this CIC meeting. At last week's CIC meeting, the CIC Board of Trustees agreed to purchase ½ acre of property from McKinley Development, the owner of property abutting Abbott's Bridal Shop on the north for \$75,000. Mr. Lemmon, the owner of McKinley Development, stated to the CIC Board that the property is valued at \$150,000 per acre. The valuation of the property was questioned in the meeting by a trustee. Why was there no independent appraisal on the valuation of the property? Most attorneys would be on safe ground in suggesting an independent appraisal of real estate before making an offer to purchase. The city's Law Director, who was in attendance at this meeting, made no such suggestion. While I watched the owner of Abbott's Bridal Shop, Mr. Randall McNurlin, present his request for assistance to the CIC Board of Trustees, the obvious question to me was why didn't the owner of Abbott's Bridal Shop sit down and work out a business deal with Mr. Bill Lemmon, owner of Mr. – owner of McKinley Development, who was actually in the room? The property that the CIC will own is landlocked and is of no value to anyone except Bill Lemmon, and, for the moment, Randall

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McNurlin, who is in need of additional parking to accommodate the prospective tenant noted above. The proposed development project that was presented to the CIC Board of Trustees was for the CIC to purchase the McKinley Development property for...\$75,000 and make improvements to the property, clearing trees, installing drainage and fill, and paving with asphalt, to create additional parking for the building containing Abbott's Bridal Shop. The cost to the CIC was said to be an estimated \$115,000, excluding engineering and other soft costs. Given that development costs of the property are only estimates and that they do not include engineering and other soft costs, the final costs to the CIC could reasonably total \$130,000. The owner of...Abbott's Bridal Shop will have use of this parking lot for \$1.00 per year for the entire term of the lease with no obligation to pay the CIC its costs. In the initial four-year term of the lease, Mr. McNurlin told the CIC Board that he will receive net revenue of \$7.79 per square foot on his 11,000 square feet of office space. This equates to \$342,760 over four years. The City of North Canton is expecting on average for 70 jobs, \$34,500 per year in income taxes for a total of \$138,000 over the four-year life of the lease with MRDD. The seventy jobs are only promised, not guaranteed. To calculate the true benefits of this deal, the - the benefit of the CIC leaving the \$130,000 in the bank must be factored into the financial analysis. In this case, if the CIC simply left the \$130,000 in the bank for four-years, simple interest alone would increase these funds to \$156,000. Does it make economic sense for the CIC to expend or forgo \$156,000 to generate 138,000 over a four-year period? In addition to the above financial analysis, there is the added risk at the end of the four-year lease, when the owner of Abbott's Bridal Shop may no longer need the added parking, that the CIC will own a non-marketable landlocked 1/2 acre parking lot and lose its entire investment in the property. The bottom line is that the CIC will be out \$156,000. This proposed development on behalf of the owner of Abbott's not only fails to recoup the original costs borne by the CIC, but leaves the CIC owing - owning a real estate asset with no resale value. Apart from the financial aspect of this giveaway of former taxpayer funds, there are the limitations of the property itself. This property was never designed to accommodate this volume and density of traffic into and out of the property. It will be a horrendous traffic nightmare and compromise safety in every way. The monies being used in this giveaway were removed from North Canton General Fund just two years ago by City Council. Now these former tax dollars are being handed out, with no demand for repayment, to benefit private business and with no real benefit to the taxpayers of North Canton. Former Mayor Tom Rice, a trustee on the CIC Board stated that he could not be Santa Claus and was the only trustee on the CIC board to vote no on the request for financial assistance. People with clearer minds need to rethink this deal. We all know this is an election year and we all know that politicians want to provide the illusion that under their leadership positive things are happening in North Canton, but at what price? This is all smoke and mirrors under the guise of jobs for the city with politics thrown in to spin a giveaway of tax dollars into an illusion of progress. As the old proverb says, "You cannot make a silk purse out of a sow's ear." Financially and economically, there is no gain to the city. This deal simply enriches private business at the expense of the public and creates safety issues and traffic headaches that the public will have to bear. Thank you. Do you have any questions?

Mr. Foltz: I think you're finished. Thank you.

Mr. Osborne: Did you...have any comments?

Mr. Foltz: Not, I guess not at this time, Mr. Osborne, you may take your seat.

Mr. Osborne: I'd like to have the opportunity to rebut...

Mr. Foltz: No, we're not going...

Mr. Osborne: just as you let the previous gentleman.

Mr. Foltz: to rebuttal unless someone asks you a question, so free to take your seat, I've already allowed you to talk longer than five minutes. Mayor, did you have any comments, since you were present at CIC?

Mayor Held: Yeah, I think that we've, you know, we've fully explored the opportunity to bring the MRDD jobs to the City of North Canton and I'm very pleased with the decision that the CIC board made. We're going to bring 70 plus jobs to the City of North Canton. The City is going to come out on the positive end of this with the - by the end of the lease, and...and certainly it's not a windfall, it's not going to replace the money that we've lost with the 2400 Hoover jobs that we've lost over the past 7 years, but it is a positive move, it's in the right direction. We're going to have not only additional income tax, as Mr. Osborne stated, approximately \$40,000 a year in income tax from these workers, but at the same time you have more individuals that are shopping in the city and making purchases and that's really what keeps our economy going. So, I stand by the decision, it was a good decision, and it was a near unanimous vote on the Board. We have very skilled, experienced people on the Board, our Finance Director, our City Administrator and some very strong business people, as well as Mr. Repace serve on the Board. I feel very confident in the vote that was cast and stand by it. But I appreciate your comments, Mr. Osborne. Thank you.

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Mr. Foltz: Okay, thank....

Mr. Osborne (from audience): Well the highest....

Mr. Foltz: thank you Mayor.

Mr. Osborne: estimate was thirty-seven five a year.

Mr. Foltz: Mr. Osborne, this isn't a debate, you had your chance to talk...

Mr. Repace: David, if I'm not mistaken, didn't I, at - at this meeting, mention about a payback to the CIC? And wasn't that agreed to? And furthermore, if - if - we talked about a payment if that lease is extended even prior to the expiration of the lease, we said that that payment back to the CIC would start at that time...

Mayor Held: Yes.

Mr. Repace: and I'm losing my voice again.

Mayor Held: No, you're - you're correct.

Mr. Repace: So to say that there's no payback, that's - that's not correct.

Mayor Held: That's - that's correct. You're absolutely right.

Mr. Repace: I thought I said that.

Mayor Held: Thank you for bringing that up:

Mr. Foltz: I think the payback's in our - our income tax fund versus our CIC fund, so 200,000 over 5 years...

Mayor Held: Right.

Mr. Foltz: is something you really can't turn down. Maybe it's not a perfect - perfect...

Mr. Repace: Inaudible...

Mr. Foltz: investment, but what is? We hopefully, we're going to do some positive things for our community.

Mayor Held: Right.

Mr. Foltz: Mr. Osborne, you're done. I'll...you'll be out of order and I'll ask you to leave the meeting.

Mr. Osborne: You let the previous gentleman speak.

Mr. Foltz: We had a question for him by Member Lane. You asked, there was no question for you, we made comments to your - your public speaks portion.

Mr. Osborne: There was no agreement for....

Mr. Foltz: You're out of order. Anyone else like to address Council this evening? Yes sir.

Mr. Daniluk: George Daniluk, 502 Werstler. I was going to cover the same subject as Mr. Osborne but I won't go over the same details again except to say I share his concerns. Instead I'll just ask - I'll just add a few comments of my own. I've come to the conclusion that any deals made with the CIC or tax abatements, is a game of chance. We can only hope those involved in the decision to dole out public funds are making good sound judgment decisions. If these deals fall through, the recipient of our generosity won't be the loser, the City will be. That being said, I believe the CIC's operating expenses should be funded from tax reviews that generates as a result of its decisions. That would tend to insure upping the odds of a return of our investment. We have to sort out those who merely solicit for funds because they can, from those who truly need some seed money to jumpstart their venture. If the CIC cannot operate in the black, then all we have done is create a position and another line item in the budget. Those who benefit from this seed money must be held accountable for their debt and show an honest, good faith effort to repay in full and in some form this should be written into any agreement accordingly.

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

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Mrs. Magel: May I just say for the record that whatever happened at the CIC has nothing to do with Council.

Mr. Daniluk( from audience): I understand that.

Mrs. Magel: Okay, I'm just saying it for the record.

## OLD BUSINESS

8. Mr. Foltz: Okay, very good. With that, we'll get into old business. Do I have a motion to read by title only the second reading of Ordinance No. 56-07?

Mr. DeOrio moved and Mr. Lane seconded to **read by title only the second reading of Ordinance No. 56-07**. All members present voting.

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

No: 0

**Ordinance No. 56-07 – 2<sup>nd</sup> Reading – Community & Economic Development**

An ordinance authorizing an agreement with LT Parker & Associates, Inc. dba APARCO Security Systems providing for a project and real property tax exemption pursuant to the Ohio Community Reinvestment Area program.

Mr. Foltz: Chairman Repace.

Mr. Repace: This is a tax exempt – exemption for APARCO to build a building and bring jobs into the community. And through our Community Reinvestment Area Program, we would like to have this go to a third reading in order to allow APARCO to build their building and – and bring their security systems into – into North Canton.

Mr. Foltz: Do I have a motion then to adopt the second reading of Ordinance No. 56-07?

Mr. DeOrio moved and Mrs. Magel seconded to **adopt the second reading of Ordinance No. 56-07**. All members present voting.

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

No: 0.

9. Mr. Foltz: Next, may I have a motion to read by title only the second reading of Ordinance No. 57-07?

Mr. DeOrio moved and Mrs. Magel seconded to **read by title only the second reading of Ordinance No. 57-07**. All members present voting.

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

No: 0

**Ordinance No. 57-07 – 2<sup>nd</sup> Reading – Water, Sewer & Rubbish**

Ordinance No. 57-07 accepting a Water Utility Easement ("Easement"), by and between The Board of Education of North Canton City School District ("Grantor") and the City of North Canton ("Grantee"), through the property known as the Northwood School Waterline Interconnection, Parcel No. 5680250, part of Out Lot 273, located within the City of North Canton, Stark County, Ohio, necessary for the School Avenue Waterline project, and declaring the same to be an emergency.

Mr. Foltz: Chairperson Magel.

Mrs. Magel: Yes, I notice our Engineer Jim Benekos is not here, but I'm – I know I can speak to this fully. This is for the North – for the...School Avenue for the Northwood School Waterline. It's for pressure. It's very much needed. We wanted to get this done through – through the summer months while school was off, and so it wouldn't impede the buses, or any school traffic. And – so I had told him that since I don't particularly like emergencies we would have a first reading and then had to give them the emergency on the second reading. And I believe this is just for a dollar for perpetual easement. And I – I would like it to go through tonight. Any questions?

Mr. Foltz: Seeing none, then do I have a motion to adopt the second reading of Ordinance No. 57-07?

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Mr. DeOrio moved and Mr. Lane seconded to **adopt the second reading** of Ordinance No. 57-07. All members present voting.  
Yes: Foltz, Lane, Magel, Repace, Snyder, DeOrio.  
No: 0.

Mr. Foltz: May I have a motion to suspend the rules for Ordinance No. 57-07?

Mr. DeOrio moved and Mrs. Magel seconded to **suspend the rules** for Ordinance No. 57-07. All members present voting.  
Yes: 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. 57-07?

Mr. DeOrio moved and Mr. Repace seconded to **adopt under suspension of the rules** for Ordinance No. 57-07. All members present voting.  
Yes: Magel, Repace, Snyder, DeOrio, Foltz, Lane.  
No: 0.

10. Mr. Foltz: Next, may I have a motion to read by title only the second reading of Ordinance No. 64-07?

Mr. DeOrio moved and Mr. Lane seconded to **read by title only the second reading** of Ordinance No. 64-07. All members present voting.  
Yes: Repace, Snyder, DeOrio, Foltz, Lane, Magel.  
No: 0.

## Ordinance No. 64-07 - 2<sup>nd</sup> Reading – Street & Alley

An ordinance authorizing the Director of Administration of the City of North Canton to advertise and receive bids according to specifications now on file in the office of the Director of Administration for the Lipton Avenue SW (Orchard Hill to Hallum) Storm Sewer and Street...Rehabilitation Project.

Mr. Foltz: Chairman Lane.

Mr. Lane: As a Council, we've indicated...commitment for lack of another word on trying to get this project done next year, pending funding, but the only way we can find out if we have the funds is to know how much it's going to cost, and that's what this bidding process is all about. We've talked about it for several months now so I think most people are - are up to speed on it, I would - I would recommend the approval of the second reading.

Mr. Foltz: Okay, do I have a motion to adopt then the second reading of Ordinance No. 64-07?

Mr. Lane: Yeah, that was mine.

Mr. Foltz: As...

Mr. Lane: in so many words.

Mr. Foltz: indicated....

Mr. Lane moved and Mr. Snyder seconded to **adopt the second reading** of Ordinance No. 64-07. All members present voting.  
Yes: Snyder, DeOrio, Foltz, Lane, Magel, Repace.  
No: 0.

## NEW BUSINESS:

11. Mr. Foltz: Okay, that takes care of old business. Next new business. May I have a motion to read by title only the first reading of Resolution No. 58-07?

Mrs. Kalpac: Wait.

Mr. DeOrio: So moved.

Mr. McFarren: Doug.

Mrs. Kalpac: Wait, we have to remove that from the table.

Mr. Foltz: We have to...motion to remove from table?



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Mr. McFarren: Yes.

Mr. Foltz: Okay, do I have a motion then to remove from the table...Resolution No. 58-07?

Mr. DeOrio moved and Mrs. Magel seconded to remove from the table Resolution No. 58-07. All members present voting.

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

No: 0

Mr. Foltz: Now may I have a motion to read by title only the first reading of Ordinance, excuse me, Resolution No. 58-07?

Mr. DeOrio moved and Mr. Repace seconded to read by title only the first reading of Resolution No. 58-07. All members present voting.

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

No: 0

#### Resolution No. 58-07 – 1<sup>st</sup> Reading – Water, Sewer & Rubbish

A Resolution establishing a Drinking Water Source Protection Committee for the City of North Canton ("City"), to develop and implement an effective drinking water source protection plan; and establishing the composition of the Committee.

Mr. Foltz: Chairperson Magel.

Mrs. Magel: Yes, this is what we talked about last week, and Jon had a very good suggestion that it was perhaps not written properly and so we took – took that into consideration and made sure it read smoothly. To...this is the Drinking Water Source Protection as we had originally we've already had the Resolution, and what this does then is to – to develop the composition of the committee.

Mr. Foltz: Read that in the record? Do you have that available to read into the records for the composition?

Mrs. Magel: Read the whole thing?

Mr. Foltz: No, just the composition. We had an audience member interested.

Mrs. Magel: Okay, the composition would be as written in Resolution 58-07. One representative from Administration, one representative from Council, and three City of North Canton residents to – to be approved by Council.

Mr. Foltz: Okay.

Mr. Lane: Madam Chairman, before we take the vote, I saw that Superintendent is in the back. Would you mind if I asked him a quick question? I know it's not a normal course of events but with him being here, as you know I've had some concerns with this, and I just – if I did vote no on it for this reading, I'd like to at least have a chance to chat with Rich between now and the second reading, but...have your feelings changed since the last time you were up here on this?

Mr. Steinhelbel (from audience): No way.

Mr. Lane: Okay, alright. That's just...I wanted to make that clear before I voted, so thank you.

Mrs. Magel: Okay.

Mr. Foltz: Any other questions or discussion?

Mr. Wise: Mr. President, if I may? I expressed some concerns before and I – I will express the same concerns this evening. I was looking for minutes from what I thought was a Committee Meeting, but it – it turned out the last or maybe the first full blown discussion we had on this was a Council Meeting on April 9<sup>th</sup> and there was a lot of discussion about this. There was some discussion how – how I thought it was left, and – and I still thought it was left this way, that there'd be members of the Administration on it, a member of Council. There was one suggestion by someone from Council to not have the Council on it at all, but have – have then the members of the Committee make an appointment of – of a citizen, one citizen to serve for a period of no definite time. I – I think this is a – a far cry from what those discussions were. This is one member of the Administration, one member of Council, and

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then three residents to be selected by Council. Mr. Steinhebel who is here can correct me if I'm wrong, I don't think he has any opposition to this if it's used for educational purposes, but he has expressed some concerns which – which I echo and then would ask the Council to reconsider the make-up of – of this Committee...

Mr. Foltz: Inaudible.

Mrs. Magel: Inaudible.

Mr. Wise: and I guess I'm still unclear as to what purpose they would serve, or what authority they would have. So those are – those are my comments.

Mr. Foltz: Okay, thank you. Any other comments from Administration or Council? Okay seeing none, do I have a motion to adopt the first reading of Resolution No. 58-07?

Mr. DeOrio moved and Mr. Repace seconded to **adopt the first reading** of Resolution No. 58-07. All members present voting.

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

No: Lane

12. Mr. Foltz: Next, may I have a motion to read by title only the first reading of Ordinance No. 68-07?

Mr. DeOrio moved and Mrs. Magel seconded to **read by title only the first reading** of Ordinance No. 68-07. All members present voting.

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

No: 0

## **Ordinance No. 68-07 – 1<sup>st</sup> Reading – Ordinance, Rules & Claims**

An ordinance to provide for an election on the adoption of proposed amendment to ARTICLE III, Section 3.01(5) of the Charter of the City of North Canton.

Mr. Foltz: Chairman Snyder.

Mr. Snyder: A little encore here before I get started. Thought that was...

Mr. Lane: Like Rudy Giuliani...inaudible...

Mr. Snyder: That was a weak drum.

Mr. Foltz: That was a...a sign.

Mr. Snyder: Section 3.01 as, and my apologies I'm reading from the minutes, deals with the mayor, it says the committee authorizes legislation for the election of the adoption of the proposed amendment, I – I don't have the exact amendment in front of me, or I would read it to you. We have that right there?

Mr. Lane: That's ...inaudible...

Mr. McFarren: That – that's the amendment that removes the mayor as the...

Mr. Snyder: as the...

Mr. McFarren: service of process.

Mr. Snyder: government...process and somebody else is the statutory agent for the city, but...

Mr. McFarren: It just – it just cleans it up to...

Mr. Snyder: Right.

Mr. McFarren: confirm with civil rules.

Mr. Snyder: I appreciate that correction, but that's what it is and if there's no questions as to that, I move that we adopt the first reading of Ordinance No. 68-07.

Mr. Snyder moved and Mr. Lane seconded to **adopt the first reading** of Ordinance No. 68-07. All members present voting.

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

No: 0

Mr. Foltz: Member Repace, can you pass that down to Member Snyder...

Mr. Snyder: Thank you very much.

Mr. Foltz: and he can have that more readily available...

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Mr. Foltz: if we have any other comments. That's fine.

Mr. Snyder: copy with me. Thank you...inaudible....

13. Mr. Foltz: Okay, next, may I have a motion to read by title only the first reading of Ordinance No. 69-07?

Mr. DeOrio moved and Mrs. Magel seconded to **read by title only the first reading of Ordinance No. 69-07.** All members present voting.

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

No: 0

**Ordinance No. 69-07- 1<sup>st</sup> Reading – Ordinance, Rules & Claims**

An ordinance to provide for an election on the adoption of proposed amendment to ARTICLE III, Section 3.04. of the Charter of the City of North Canton.

Mr. Foltz: Chairman Snyder.

Mr. Snyder: Thank you Mr. President. This changes – at present the Director of Law is appointed on a two year cycle as is with the election of the members of Council. This would change it to be that the Law Director would be appointed and would stay in that position unless we changed it, unless it was affirmative vote of the majority of council members to remove him or her for just cause. It didn't say just cause but that would be the reason. But that was...

Mr. Foltz: We – we changed to...

Mr. Snyder: to affirmative vote of ....

Mr. Foltz: vote from 5 Council members to 4 if I remember.

Mr. Snyder: Exactly.

Mr. Foltz: Okay.

Mrs. Magel: Yeah, I think it actually says 4.

Mr. Snyder: Yeah.

Mrs. Magel: Okay.

Mr. Snyder: It said 5 now it's 4...

Mrs. Magel: Right.

Mr. Snyder: And that's the genesis of that.

Mr. Foltz: Very good, do I have a motion to adopt the first reading of Ordinance No. 69-07?

Mr. DeOrio moved and Mrs. Magel seconded to **adopt the first reading of Ordinance No. 69-07.** All members present voting.

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

No: 0

14. Mr. Foltz: Next, may I have a motion to read by title only the first reading of Ordinance No. 70-07?

Mr. DeOrio moved and Mrs. Magel seconded to **read by title only the first reading of Ordinance No. 70-07.** All members present voting.

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

No: 0

**Ordinance No. 70-07- 1<sup>st</sup> Reading – Ordinance, Rules & Claims**

An ordinance to provide for an election on the adoption of proposed amendment to ARTICLE III, Section 3.05. of the Charter of the City of North Canton.

Mr. Foltz: Chairman Snyder.

Mr. Snyder: This is a mirrored section to the one above, however it deals with the Director of Finance, and that position again was appointed every two years, and now will read be it by appointment of the Council and removal by affirmative vote of Council. Majority affirmative vote of Council, excuse me.

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Mr. Foltz: Do I have a motion then to adopt the first reading of Ordinance No. 70-07?

Mr. DeOrio moved and Mr. Lane seconded to **adopt the first reading** of Ordinance No. 70-07.

All members present voting.

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

No: 0

15. Mr. Foltz: May I have a motion to read by title only the first reading of Ordinance No. 71-07?

Mr. DeOrio moved and Mrs. Magel seconded to **read by title only the first reading** of Ordinance No. 71-07. All members present voting.

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

No: 0

#### **Ordinance No. 71-07 -1<sup>st</sup> Reading – Ordinance, Rules & Claims**

An ordinance to provide for an election on the adoption of proposed amendment to ARTICLE V, Section 5.06. of the Charter of the City of North Canton.

Mr. Snyder: Mr. President, I think there is going to be a amendment to this or proposed amendment to this or - if I'm not mistaken.

Mr. Foltz: Member Snyder, if I may comment. I did meet with City Prosecutor Frank Forchione and he's willing to review this, he just – he was busy with a case at the time. Said he could probably get to it after the 20<sup>th</sup> of this month. Some of the ideas we discussed was reverting back to the Ohio Revised Code with their procedure and how to remove somebody from office, or look to more of a, I don't know, be guilty of a felony or something more turpitude so that if it came before Council, it'd more or less be just a procedure, not a hearing as we went through three years ago, so, if that's okay, I'll get more information from him. I think there's been other suggestions, too about the Ohio Revised Code which I'm comfortable with too, and I'd like to still commend our Charter Commission for reviewing this and changing it. I think it's better than what we have, but in my opinion, not exactly where we need to be, so. Council's comfortable with that, we can hopefully get this language together at a later date and...

Mr. Snyder: I would – we – sir, have enough, if we happen to ask them just to table this at the present time and amend it on – after the 20<sup>th</sup> that'd give us sufficient time to...

Mr. Foltz: Inaudible....

Mr. DeOrio: I think Jon, you want to give it...

Mrs. Kalpac: It wouldn't give us time.

Mrs. Magel: Yeah, you got to keep going.

Mr. DeOrio: You want to give it a first reading.

Mr. Snyder: We'll give it the first reading.

Mr. Foltz: We have to keep it going through readings.

Mr. Snyder: And then amend it towards the end.

Mrs. Magel: Yes.

Mr. Foltz: Yeah, we can – we can amend the – the language at the end.

Mr. Snyder: I'm comfortable with that.

Mrs. Magel: Due to having to put on the ballot.

Mr. Foltz: Inaudible...the timeframe.

Mr. McFarren: You don't want to pass, right. You don't want to pass any of this on an emergency.

Mr. Foltz: Right.

Mr. Snyder: So then, well Mr. President if it's comfortable then we'll pass it as it's written,

Mr. McFarren: Right.

Mr. Snyder: with the understanding that sometime in the next few weeks we'll have amendment to – to add some of the good – to the good work of the Charter Commission.

Mr. Foltz: I appreciate that Chairman Snyder.

Mr. Snyder: With that being said sir, I recommend that we adopt Ordinance – the first reading of Ordinance 71-07.

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Mr. Snyder moved and Mr. DeOrio seconded to **adopt the first reading** of Ordinance No. 71-07. All members present voting.

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

No: 0

16. Mr. Foltz: May I have a motion then to read by title only the first reading of Ordinance No. 72-07?

Mr. DeOrio moved and Mrs. Magel seconded to **read by title only the first reading** of Ordinance No. 72-07. All members present voting.

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

No: 0

**Ordinance No. 72-07 -1<sup>st</sup> Reading – Ordinance, Rules & Claims**

An ordinance to provide for an election on the adoption of proposed deletion of ARTICLE VII, of the Charter of the City of North Canton.

Mr. Foltz: Chairman Snyder.

Mr. Snyder: Thank you Mr. President. This simply will remove the Article VII, the transitional provisions, which indicate when the Charter will become effective, the fixing of the compensation of the employees in the employ of the municipality at the time, continuation of contracts, just things covering the day to day operations at the time the Charter was imposed and now at the recommendation of the Commission – the Charter Commission it's long served - it's been past its lifeline, so we're recommending that it be stricken totally from the Charter, as we concurred, and I recommend that we adopt Ordinance No. 72-07.

Mr. Lane: If I could – could I interject....

Mr. Snyder: Oh, I beg your pardon, excuse me.

Mr. Lane: No, just very quickly. I know one of the concerns we had was whether or not we had to print all of Section VII to tell people it had to be deleted, and I believe our Clerk has found otherwise.

Mr. Snyder: I believe you're right, sir.

Mr. Lane: So that's if – if anybody was worried about the cost involved with the – the – the legal printing of it, that it won't be the complete Section VII, so, thank you.

Mr. Snyder: Just in the case that we're striking that section and not listing this Section in its entirety.

Mr. Foltz: So we'll save some money.

Mr. Snyder: Right.

Mr. Lane: Exactly, that's why I said it, so.

Mr. Foltz: Is that what we're saying? And it'll be easier for our – our residents to vote on...inaudible...

Mr. Snyder: Less...inaudible...criticism.

Mrs. Magel: Yes.

Mr. Foltz: Okay, I think that's a key point also. Is there a motion on the floor, I believe? Is there a second?

Mr. DeOrio: Second.

Mr. Snyder moved and Mr. DeOrio seconded to **adopt the first reading** of Ordinance No. 72-07. All members present voting.

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

No: 0

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17. Mr. Foltz: Next do I have a motion to read by title only then the first reading of Ordinance No. 73-07?

Mr. DeOrio moved and Mr. Lane seconded to **read by title only the first reading of Ordinance No. 73-07**. All members present voting.

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

No: 0

## Ordinance No. 73-07- 1<sup>st</sup> Reading – Finance & Property

An ordinance amending Section 2. and Section 3. of Ordinance No. 145-04, as amended, passed November 15, 2004, in order to increase the rate of municipal income tax to two (2.0%) percent, and declaring the same to be an emergency.

Mr. Foltz: Chairman DeOrio.

Mr. DeOrio: Thank you Mr. President and I suppose we've all heard a lot of stuff to be said about this over the last three weeks or so that – that we've had public discussion about it. There's been a lot written in the newspapers, I'm not sure how much more we can add that would – doesn't border on being very redundant but, probably at least two things that I want – like to make sure that it's clear for the record. That you know, when we look at our income over the last seven years, you know, we need to be looking at the last seven completed fiscal years. You can't look at an estimate for 2007 and an estimate for 2008 and kind of include that as part of your rationale for wanting to increase the income tax. We don't know what the estimates will finally be, we can certainly take a look at estimates that have been in the past and they have come in usually higher than what's been estimated and that's a good thing. Part of the job of the – a good director of finance does is estimate your revenues low and your expenses high in order to try to bring some sort of fiscal discipline to the budgetary process. But as an example in 2002 we had a – we started off thinking it was going to be 5.2 million and it ended up 5.9 million. In 2003, we thought it would be 5.5 it ended up 5.8. In 2004, we thought it would be 5.3 we ended up at 6.0 and so on. In 2006, we thought it would be 5.8, it ended up 6.3. The process when we do look at the last seven fiscal years that have been completed, which would be 1999 through 2006 and that includes the heydays of Hoover. We look at what our revenue was then to what our revenue was at the end of 2006, we were down just 10%, not the 27% that was bandied about before. If you take a look at specifically from 2000 to 2001, the City had, at that time, its largest dollar hit in a drop from 2000 to 2001 of about a million dollars or maybe just a little bit more than a million dollars. That's roughly the same amount of money that we're looking at presently. But if you take a look then from 2001 through 2006...

Mrs. Magel: I think he's talking about here.

Mr. DeOrio: and you asked yourself, well how much did our revenue go down through 2 -from 2001 to 2006...

Mrs. Magel: Green.

Mr. DeOrio: and the answer is none. It didn't go down at all. It actually went up. In 2000 – 2001 when we went down a million dollars, we didn't put on the ballot request for additional income taxes. Second point that I wanted to go over is in regards to I think some confusion that went at the last Committee of the Whole, when we were talking about monies for the safety services; police, fire, EMS. It was discussed that - or it was illustrated in the presentation that the cost for safety services or the amount that we were presently allocating was approximately 4.3 million and that the additional revenue from the income tax, if it was increased, would be earmarked for the safety services. There was discussion that ensued and it became very clear that the 1.8 million is not being added on top of the 4.3 million. It's – it's being included in the 4.3 million. Now to me, that's just saying that we're - instead of paying for police, fire and EMS with money out of our left pocket, we're going to pay for police, fire and EMS with money out of our right pocket. It's still the 4.3 million. The fact of the matter is that the 1.8 million, if in fact that's the number that would come in, is going to go into the general fund. And from there, it's anybody's guess what might happen to it. It varies from council to council, administration to administration, as we've seen over the years. Further, when we – when we talk about earmarking something, you know, I think that we - we create a notion, certainly in the public's mind, this money is supposed to be going for them, it's going to somehow provide for more safety services and that therein lies the potential rub, in that at some point, our collective bargaining agreements are going to come up for discussion again in just two years and if this is being sold as that we're going to earmark all this money for safety services, they're certainly going to argue, at least I believe their representatives would, that the 1.8 million should be on top of the 4.3 million, that they should get it all. And we also say that when we're going to earmark the ½ % for them, we don't really know what the ½ % will be. It could be 2.1 million. It could be 2.4 million. In fact, it will likely it's going to go up if it were in effect, over time, as the city continues to grow. Certainly, negotiators could lay claim that

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they're entitled to all of the money, the 2.1 million, or the 2.4 million or whatever it is. I think it puts us in a hole, come the next negotiations, if in fact this was going to be marketed in – in this fashion. So I think that what we need to try to do is be, you know, consistent with – with the approach. I believe that the approach that Council has taken is one of – of prudence and caution. At a time when things were uncertain, Council moved very slowly. We adopted a budget that put us in a position, I think, where we have time to figure things out. There are, as we read, since our last meeting, ever more options in the newspaper. I read about what is potentially happening at the Hoover...Company. The destiny of those properties is uncertain, but it seems like there are more and more things are happening there. Recently the Mayor was at – at an event in – that involved the – the great-grandchildren I believe it was of – of – in the Hoover family line, to try to do something with the property. We've got cooperative agreements with our neighbors that are still under discussion. We already heard earlier this evening, although there's I suppose, there's not – there's not anything that can go through the city without some descent to it, but it was nice to see that there are some new jobs from the MRDD you know, coming into the city. And so these are things that I think doesn't solve all of our problems, but it certainly as the Mayor said, steps in the right direction and I think we have the time to further move in – in that direction and I would urge the...Council to not adopt this Ordinance to raise the income tax to 2% and I know the procedure here's a little bit awkward, typically something that doesn't get support in committee usually doesn't make it to the floor, but I believe the – the issue is of such importance that everybody should have the opportunity to vote on it, and hence that's why I recommended that it come to the floor.

Mr. Foltz: Okay, thank you Chairman. Member Magel, do you have any comment?

Mrs. Magel: No actually, Mr. DeOrio got into it – the area of which I – I was concerned. This was the presentation that we were given on the overhead. And the second to the last page it says "Request that City Council approve an Ordinance to place on the 5 – the ½% income tax issue on the ballot for police, fire and EMS for the November 2007 general election." I have, actually I have company coming so I've been going through a lot of my papers, and organizing and I came across the 1971 tax increase that went from 1 to 1 ½. If anybody would like to see it. That one was earmarked. It was earmarked as we had thought that this was earmarked. This one appears to be earmarked for the fire and EMS. This one was earmarked for real, and I will read it to you. It's – it's called Allocation of Funds which is necessary to be on the ballot. This wording has to be on the ballot. So you must say where this allocation's coming from. Alright, so our new ½ % so imposed, shall be allot – allocated for the Capital Improvements to the Waterworks System. This goes back, you're talking '71. How this city including debt service on bonds blah, blah, and any way, you get the fact it was earmarked for the bonds and issues for the water, and that – guess where that ½ % went? It went where it was supposed to go, and nowhere else. Further down the line, this would be '71, 13 years later, apparently it must have worked and we must have done some good work, and paid off a lot of the bonds for our water system, and what was decided was we don't want to increase our 1 ½ %, we'd like it to stay 1 ½ %. But we no longer want that ½ % earmarked for the water system. So you know what we had to do? We had to go back and put it on the ballot and say, okay, we're not raising your – your – your increase – your tax, but we are going to take, remember in '71 when we earmarked that for the water? Well now we would like to say that we could do this for the, that it could go to the General and Capital Improvement Fund. This is not a tax increase. It would simply allow money to be placed in the General and Capital Improvement Funds instead of going directly to the Water Treatment. Now that's what earmarked means. When you raise a tax and you say okay, I'm going to earmark it. That means, that money goes here and nowhere else. So when I read, as I had just read you, this ½ % is for - this was presented to me, to us, request that City Council will approve an Ordinance to place the ½ % on the ballot for police, fire, and EMS. And I have been having discussions and I thought it was earmarked, 'cause I was told it was earmarked for this. I stood up here on this desk and I said, so the new 1.8 million is going to the police, fire and EMS. Some of you were here last week. I don't think some were. I was lucky to get out of here with my head on. No, that's not where the money's going. And I sat quietly. It turns out the money's not really earmarked for the fire, EMS. It is earmarked for the General Fund. And I know we're going to say well, actually you can put the 1.8 million and put it in the General Fund and that leaves...another 1.8 million somewhere else, but that's – I don't know how you said it, right – right and left pocket or something, I – I – you know, perhaps that's the way to say it. I just say earmark me as the money is supposed to go here. And if I were to tell all of you let's put it on the ballot for the police, fire, and EMS like I was told, I would be misleading you. And I won't do that.

Mr. Foltz: Okay, thank you Member Magel. I'm going to address some issues now since I'm on the Finance Committee...

Mrs. Magel: Okay.

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Mr. Foltz: And other members might have things to say. And it's hard not to be redundant with Chairman DeOrio and – and Member Magel's comments, but I'll try to – try to bring some new light to this. I'm really against – the really – most rate increases. I've held the line on the water rates for years and I'm proud of my record. I mean our residents are taxed enough with gasoline and heating costs and property taxes and so forth. But I think we don't need this income tax increase. And I think if we put it on, we're endorsing it, we endorsing it for our residents. It's not let the residents decide, they look to us for leadership in this community, and if I decide to vote to put this on, then I'm more or less saying that we need this to operate in our city officially. And I don't believe that's the case. We have a 1 ½ % income tax right now, and Massillon has 1.8% and Canton has 2%. What Massillon and Canton does not have that we have had through the years that we have increased, is our fire and EMS levies and our storm sewer and street improvement levies. Now you have to add that in because they don't have separate levies for those departments. They don't have a separate fire levy or an EMS levy or storm sewer levy or street levy. So when I total all those levies up an estimated review – revenue excuse me, from 2007, I know these numbers are going to change depending on the revenue reports we get per month. In January we are going to receive an additional 1.4 million dollars through those levies. Now that almost – that puts us close to 2% with some earlier figures being thrown around here of 1.8 million, based on 5.2 income tax increase. So we can't really say that we are the lowest taxed city in the county, that's not true. We're closer to 2% now than – than Massillon is. And Massillon takes .3% of theirs and goes to the parks. So I just want to be fair and objective through this whole process. We are assisting our fire and EMS, we're not paying for it in its entirety. We're bringing in \$650,000 a year and we're probably spending 1.8 with those. But other cities it comes right out of the income tax. We're supplementing it. Same with storm, sewer, and street improvement levies. Close to \$800,000 we'll receive. You know when I total that, that's \$1.4 million, conservatively. That point has to be made. I'm for anything, I'm for user fees being increased. We need to look at every, every situation from the pool rates to permits and fees we charge to Dogwood Shelter charges. That way we can just slowly and methodically do the right thing when we're trying to address the Hoover loss of income. But I'm not going to sell what we have short because we haven't put our eggs in one basket as much as we relied on the Hoover Company, and how proud we are to have them as far as our history and heritage. Obviously Chairman DeOrio alluded to Saturday's comments in the paper and I'm thrilled about that. I think it's going to take the Hoover family with their foundations to really do some nice things over there on – on the Hoover property, and I'm...very excited about that 'cause they know the history they had here and I think they want to put North Canton in a good, positive tax flow base if they can. We – we survived recently – we're paying back Hoover over \$3 million through an adjustment of income tax through accounting principles, which I didn't agree with at the time, but we weren't going to sue the Hoover Company to not pay it. I mean, they meant too much to us as far as the community's concerned. And I think this has been on the record before, but you're not going to have new job creation, it's not going to be as likely to occur if you increase your income tax. We're fighting for jobs with Canton and Green and Akron and Louisville and everywhere else. We can talk about regionalization, but the bottom line is, it – it'll be more likely to come to our city with our great infrastructure, our services, if – if it's a comparison at 2% versus 1 ½ . I mean, that's the way I would look at it as a businessman. The other thing is, and you know we talk about our rainy day fund, we're probably somewhere between 11 and 12 million dollars in a consolidated fund balance. That includes all our enterprise funds, but what we also have to look at is our income tax fund has a carryover or balance of over \$2 million. How do I ask people to raise taxes, when I know we have money set aside for the so-called rainy day. If this isn't the rainy day, I don't know what it's going to be in the future. And I'm not looking to exhaust them funds and bankrupt the city. I think we can tighten our belts. I think we can persevere and not panic and say that we got to have ½ % increase. I'm very strong minded on this. I think we can get this done as other communities have. I've been through it in Canton, it's been alluded to. Canton didn't raise their income taxes when they had severe shortfalls in their funding. Severe. I don't think we're anywhere near that here. We have Walsh University, we have Aultman, Timken. We have Washington Square. We have houses to be developed at the Sanctuary. We have houses to be developed in Monticello. Those are going to create income tax revenue for this city. The MRDD situation, hopefully that'll hold true and create \$40,000 a year. That's the way you chip away at this. We have vacant store fronts that we all need to work for, the business owners here in town. I just don't think it's necessary. I'd like us to tighten our belts and work with the Administration, work with our departments. I'm not advocating lay-offs. If we provide a budget – that is not going to be from Council's standpoint is something that we should do. If it would come from the Administration if they so choose it. But I'm not in agreement with that, I don't think – I think we have money that we don't have to lay anybody off and still retain our services. So that said, I'll look for anybody else on Council that wants to address this issue. Member Repace?

Mr. Repace: What I'm going to say, I - I've said all along, is we're looking at a group of jobs, a big clump of jobs which we had at the Hoover Company. That's what's caused this mess. It's like an iceberg. Well what we got to do, is we got to keep chipping away at that iceberg to try and create new jobs. We've done that with 70 jobs at the MRDD. We're doing that with the jobs with APARCO. We're going to do that with what we're working on with Plain Township and Jackson Township. But it's going to take a long time to recoup what we're loosing at



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Hoover. At this point in time, I'm not advocating a tax increase. I don't think right now it's a good time. I think what we should do is -- is continue to try and do what we're doing with CEDA's, the JEDD's. Try and bring good businesses into this community. I would not like to see us raise like...inaudible...rates and so forth 'cause that hurts -- that hurts a lot of people that really rely on those lower costs, and I'm sorry about my voice, I don't know, it's something that comes and goes. But I don't think we've done enough just yet, that would constitute an income tax increase. I think what we have to do, you know we -- we're still going to have the revenue from several jobs at the Hoover Company through 2008 and then after that there won't be any jobs there 'cause they're going to be in Jackson Township and Canton. But there are things going on at the Hoover Company, some of what they've talked about with the Hoover's, and there's another potential, another opportunity which I'm not going to get into details of that ...inaudible...but there are other things that are going on hopefully, hopefully something good will happen at the Hoover Company and we can really make up for a lot of those jobs. I've heard that, well, we're not looking trying to make for 2,000 jobs and trying to make up for 800 jobs. Well, no, not in my eyes. I want to make up for 2,000 jobs. Because I want to put this city back where -- where we were before, when we didn't have to worry about Lipton, we could get that job done. We didn't have to worry about 6<sup>th</sup> Street. There's many jobs that -- that -- that need to be done in this city and right now, we don't have the revenue. But what I don't want to happen, you know, yes, we got a rainy day fund, but I don't want to wait until there is no rainy day fund either. What I would suggest, I'm not for this increase, I'm not going to vote for the increase, but what I would suggest is let's really watch the spending and please no -- no threats and I -- I mean this respectfully, David...

Mayor Held: Right.

Mr. Repace: but please, no threats of cutting the -- the city workers, the fire, police, the EMS. We don't have to do that. That's not the way you get an increase. I think Plain Township when they -- when they threaten to cut all the stuff with the schools. What did the residents tell Plain Township? Forget you, we didn't vote for it how many times. I think what needs to happen is we need to -- to continue on, we need to -- to watch the spending in this community. And maybe -- maybe next year revisit this whole situation find out where we're at. Are we -- are we bringing new revenues into this city? How did the Jackson Township Plain Township issues pan out? And then -- and just revisit, see where we're at. I think today would be premature.

Mr. Foltz: Member Snyder, any comments?

Mr. Snyder: I thank you, Mr. President. I would concur with Member Repace that possibly we'll wait here in the next month we'll have a...inaudible...budget of the Mayor. We still have some time to look at this situation. Obviously you can look at it, there's arguments on both sides of the equation. But let's wait and gather this information in a timely and judicious manner and see where we go. It's a little difficult to -- no one likes tax increases. They don't want to be taxed anymore than what they're taxed. They want to see what's going on. And as you say, it's difficult when you finance a status quo and let's just wait few weeks, see what happens over the next few weeks, I'm -- the Mayor's proposal's here, we have it. The numbers from the Finance Director we were given tonight on the projections and the Mayor's budget will come to us that he has to submit to his tax budget here and we'll see what's going on in there and we'll go from that. That's all I have to say at this time.

Mr. Foltz: Member Lane?

Mr. Lane: It's tough to go last, 'cause most everything's been said but as I mentioned a couple of weeks ago, I appreciate the Mayor putting all this into play. I think it's a good discussion to have, and I appreciate you, what they used to call stepping on the third rail and you did it, and you brought it forth and we've talked about a lot of things. And one of the things I really hit on a few weeks ago was education. And if there -- most of the people I've talked with have not really been in favor of this 'cept -- but -- but I think two things that stood out from having the Mayor bring this proposal to light, that I think we ought to be thinking about, not only as a Council but as citizens, is that as -- as I talked to Finance Director Herr a couple of weeks ago, that when you pay taxes to Canton, none of that comes back here...

Mayor Held: Right.

Mr. Lane: and some people I still think are under the misconception because we give the income tax credit, that there's a check that comes with that return. That's not the case. You pay 2% to Akron or Canton, that 2% is gone, there's not a...1.5 that comes back. The other that came out, is the fact that roughly 40% of the people in this town pay the income tax. There's 60% that don't. So at some point in time I -- I'm not really in favor of adding an additional tax burden of 40% of the population, I don't think it's fair. So we've got to look at either user fees or some -- to -- to keep that inequity at -- at the lowest possible end of the spectrum as opposed to increasing it, so I think from the standpoint of what you brought up Mayor, I think those two things that came out are going to be points for discussion among

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citizen groups and – and as we talk to the people and as we explain to them the financial situation the city is in. And – and going back to what's already been said tonight there's so much at play, hopefully some good news that's coming down the pike and if in – by November we decide that we need a million two, and that's exactly what we need, then perhaps we can make a recommendation to the next incoming Council or Administration to look at this, as I mentioned in March, with that figure in mind. We come out there and say we need a million eight right now, and according to Mr. DeOrio, some rosy things come in here and we end up making a million eight, we look like we robbed 600,000. If we end up we need 2 million two, we're in bigger trouble than we were in to start with. So I agree with most of you folks, let's take a look at this here come fall, let's have the discussion, let's – let's deal with the citizens, talk with them, find out what their thoughts are, they might have some really good ideas that we haven't solicited yet, before we put this on the ballot.

Mr. Foltz: Okay, thank you.

Mr. Lane: Thank you.

Mr. Foltz: Ask for comments from Administration, I'm sure you....

Mayor Held: Sure. What I'd like to do is clarify the proposal that I made to put the income tax issue on the ballot. When you look at where the City of North Canton is at, and the services that we provide the residents, I think that everybody in this room agrees that the City of North Canton and the service that we provide our residents is above and beyond what you see in other communities, and that's why I believe that most of us live here. We've got good schools, we've got good services, police, fire and EMS, and as I was looking through the budget, it certainly not something that any elected official is proud to do, stand up and say we need to consider ½ % income tax increase. But when you look at the budget, there's a couple of things that we know. We know that we've, this year, lost 1,000 jobs. Now the impact will be somewhat delayed because 800 of those jobs will be gone from a financial perspective in June of next year. And that...depends on how some of the union workers, fortunately Jim Repace negotiated a union contract that pays the union workers until June of 2008. But what is yet to be determined, is how those union workers will be paid. They're going to have an opportunity to be paid in a lump sum, which then would bring additional revenue in this year, or they could be paid on a monthly basis, which would then delay some of the income tax for next year.

Mr. Repace: Weekly, weekly basis.

Mayor Held: Or weekly basis, I'm sorry. And – and so with that in mind, and just as Councilman DeOrio brought up, we are going off of projections. Our projected income tax is a conservative estimate by our Finance Director at 5.3 million. Could be 5.4, could be 5.5, 5 - 6, could be 5.2, 5.1. I mean, those are the unknowns that we have. But again, to clarify a couple of things, we know that we are going to have a reduction in our income tax. We also know when we look at our rainy day fund, our income tax fund was upwards to \$10.2 million a number of years ago. Right now, it's just over 2 million. So we've seen a significant reduction in our income tax fund. And as I was making the assessment after having lengthy discussions with our Administrator and lengthy discussions with our Finance Director, I had to make a decision as to whether or not I would propose putting the ½ % income tax increase on the – the ballot for this year, or wait until after the election and put it on at that point. And I decided to propose to Council that we put it on this year. And it's apparent that it's not likely that we're going to have it on for this year, and I understand that, because I do believe that we have to have lengthy discussion and debate on our budget. I do agree with that. But at the same time, I want to be honest with the people of North Canton where we're at. It's not a matter of making any threats or – or trying to apply undue pressure on our residents. I just want to be as open and as honest as I can, and the fact is, is we've seen a serious cut, 1,000 jobs in this city. To give you an idea of what kind of impact that is, we just brought in, and I'm very proud to say that – that working with our CIC board members and – and Mr. Repace serves on that board, we brought in 70 jobs. I mean that is really a great progress for this city. But at the same time, there was expenditures that the city had to make. In the long run, we'll be out on the positive end. Seventy jobs, that's about \$40,000 a year to the city. That's a far cry from the \$750,000 that we're going to see in a reduction. That's in addition, as Mr. DeOrio pointed out, that will be in addition to the 12% reduction that we've already seen from the year 2000. So again, I don't want to belabor this point any further. I just want to clarify that based on the numbers that we're looking at, alright, these are estimated numbers and this is all we have to go on for our budget for next year, based on our estimated numbers, we're looking at a budget right now that does not allow for the purchase of equipment. This is based on the projected 5.3 million dollars, we're looking at no equipment purchases for any department, particularly in our General Fund Departments, and at a 4% reduction across the board. Why did I choose a 4% reduction? Because that's to balance the revenue and expenses. We do have a \$2 million plus reserve. The city can dip into the reserve in order to keep employees going, and there's no final answer that we can provide, from an administrative standpoint, at this point, but I do encourage Council to look at the budget and – and I will ask that we start working on that right away, so that we have a better idea, and again, I – I do appreciate City Council's

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consideration on this and – but I – I am opposed to laying off any workers because there is no doubt, we lay off workers, I've served as City Administrator, I understand how this City operates. There is no doubt that that will compromise service and for that reason, I'm opposed to it, but I am open to any other ideas – budgetary perspectives that Council may have, in order to keep all the workers, and also to continue with the – the much necessary infrastructure improvements that we've made over the years. And that's all I have to say, but thank you for your consideration.

Mr. Foltz: Thank you Mayor. Any other comments from anybody? Council or Administration?

Mr. Repace: I just think if the Administration and Council work together, and really watch expenditures, watch the budget, watch what - what's happening in the future, then next year revisit, make a decision of what needs to be done. We might be okay. Again, we may not.

Mayor Held: Right, that's right. Thank you.

Mr. Foltz: Okay, we have to read a motion here, don't we? Do I have a motion to adopt the first reading of Ordinance No. 73-07?

Mr. Snyder: Yeah, you have to go in the affirmative...

Mr. DeOrio: Right, yes, so moved.

Mr. DeOrio moved and Mr. Snyder seconded to **adopt the first reading** of Ordinance No. 73-07. All members present voting.

Mrs. Kalpac: Lane?

Mr. Lane: No.

Mrs. Kalpac: Magel?

Mr. Snyder: No.

Mr. Foltz: No.

Mrs. Magel: No.

Mr. Foltz: If you're not for the income tax, you'll say no.

Mrs. Magel: Okay.

Mrs. Kalpac: Repace?

Mr. Repace: No.

Mrs. Kalpac: Snyder?

Mr. Snyder: No.

Mrs. Kalpac: DeOrio?

Mr. DeOrio: No.

Mrs. Kalpac: Foltz?

Mr. Foltz: No.

18. Mr. Foltz: Next, I have a motion to read by title only the first reading of Resolution No. 74-07?

Mr. DeOrio: Mr. President, point of order? Point of information? Being that the previous motion was defeated, it seemed to me to be redundant to have to vote or discuss on 74-07.

Mr. Foltz: We still have to make a motion so...it just dies with a lack of a second, correct?

Mr. DeOrio: ...Inaudible...

Mrs. Kalpac: It dies due to lack of a motion.

**(Resolution 74-07 defeated due to lack of a motion).**

19. Mr. Foltz: Is that – is that fine with our Council Clerk? Law Director? We just let it...Okay, seeing **no motion** then we'll skip on to - may I have a motion to read by title only the first reading of Ordinance No. 75-07?

Mr. Lane: Is this yours?

Mr. DeOrio moved and Mrs. Magel seconded to **read by title only the first reading** of Ordinance No. 75-07. All members present voting.

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

No: 0

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Held

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## Ordinance No. 75-07- 1<sup>st</sup> Reading – Water, Sewer & Rubbish

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

Mr. Foltz: Chairperson DeOrio.

Mr. DeOrio: Yes, this was the...Ordinance that would establish or allow us to establish a unit price for chemicals we use at the Water Treatment Plant. And I have one question for Finance Director Herr. The previous Ordinance that we did for this very same thing is effective from when to when?

Mrs. Herr: This is for the calendar year 2008.

Mr. DeOrio: Okay, so we're currently operating under one that we did before...

Mrs. Herr: Yes.

Mr. DeOrio: probably in 2006 then, for 2007. Is that correct?

Mrs. Herr: Correct.

Mr. DeOrio: Okay. Very good. We're not doing an emergency on this, right?

Mr. Foltz: No.

Mr. DeOrio: Right, okay. Thank you.

Mr. DeOrio moved and Mrs. Magel seconded to **adopt the first reading** of Ordinance No. 75-07.

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

No: 0

Mrs. Herr: What?

Mr. Wise: This is what you mean, just...inaudible...

20. Mr. Foltz: May I have a motion to read by title only the first reading of Ordinance No. 76-07?

Mrs. Herr: No, this is just...inaudible...life insurance that we do for two years...

Mr. Wise: Okay.

Mrs. Herr: inaudible...health insurance every year.

Mrs. Magel moved and Mr. Snyder seconded to **read by title only the first reading** of Ordinance No. 76-07. All members present voting.

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

No: 0

Mr. Wise: Inaudible.

Mrs. Herr: Yeah, you guys...inaudible...

## Ordinance No. 76-07 – 1<sup>st</sup> Reading – Finance & Property

An ordinance authorizing the Director of Administration of the City of North Canton to seek quotes on life insurance for the period December 1, 2007, through November 30, 2009, for the City of North Canton and for the Mayor of the City of North Canton to be authorized, through the Board of Control, to enter into a contract for said life insurance, and declaring the same to be an emergency.

Mr. Foltz: Chairman DeOrio.

Mr. DeOrio: It seems pretty self explanatory, unless there's any comment I would move for adoption of Ordinance No. 76-07.

Mr. Foltz: May I have a motion to adopt the first reading of Ordinance No. 76-07?

Mr. DeOrio moved and Mr. Repace seconded to **adopt the first reading** of Ordinance No. 76-07. All members present voting.

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

No: 0

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21. Mr. Foltz: May I have a motion to read by title only the first reading of Ordinance No. 77-07?

Mr. DeOrio moved and Mrs. Magel seconded to read by title only the first reading of Ordinance No. 77-07. All members present voting.

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

No: 0

Mr. Foltz: 77-07.

**Ordinance No. 77-07- 1<sup>st</sup> Reading – Finance & Property**

An ordinance authorizing the Director of Administration of the City of North Canton to seek quotes for administering a self-insured health insurance program for the employees of the City of North Canton, and for the Mayor of the City of North Canton to be authorized, upon concurrence by Council, through the Board of Control, to enter into a contract for said health insurance, and declaring the same to be an emergency.

Mr. Foltz: Chairman DeOrio.

Mr. DeOrio: Yes, like its predecessor, this has to do with the – getting quotes for our health insurance. It – it would involve as you recall in the past, someone making a – a explanation presentation to Council regarding what the quotes were and that's why the language is in the Ordinance that "upon concurrence by Council" so we do have a chance to look at the health insurance before it's awarded.

Mrs. Magel: Question. Is there a...time period on this? Like the one previous 2007, 2009?

Mr. DeOrio: I notice the one previous for 2007 – 2009 coincided with our terms of office.

Mrs. Magel: Yes.

Mr. DeOrio: But – I don't believe there's such a thing for the health insurance because you do have the right, upon leaving the city's employ to convert your health insurance to a COBRA...

Mrs. Magel: Okay.

Mr. DeOrio: so that would probably explain to me why we don't have a date in there.

Mrs. Herr: Well the health – the health insurance is also for December 1<sup>st</sup>, effective to December 1, 2007, but it's only for one year.

Mr. DeOrio: oh...

Mrs. Here: so...

Mr. DeOrio: I stand corrected.

Mrs. Herr: Yeah, we can get life insurance quotes for two years, but health insurance quotes are very difficult so we just pretty much do it just for one year.

Mrs. Magel: December 1, 2007 for one year.

Mrs. Herr: For one year, correct.

Mrs. Magel: Thank you.

Mr. Foltz: Okay, do I have a motion to adopt the first reading of Ordinance No. 77-07?

Mr. DeOrio moved and Mrs. Magel seconded to adopt the first reading of Ordinance No. 77-07. All members present voting.

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

No:

22. Mr. Foltz: Do I have a motion to read by title only the first reading of Ordinance No. 78-07?

Mr. DeOrio moved and Mrs. Magel seconded to read by title only the first reading of Ordinance No. 78-07. All members present voting.

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

No:

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**Ordinance No. 78-07 – 1<sup>st</sup> Reading – Finance & Property**

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

Mr. Foltz: Chairman DeOrio.

Mr. DeOrio: Yes this is, as the title says, trying to establish a unit price for – for rock salt. This would also be for 2008.

Mrs. Herr: Yeah, actually this contract I believe starts like December 8<sup>th</sup> of this year. It's...

Mr. DeOrio: Okay. So this will coincide with the one we had from last year then.

Mrs. Herr: Correct.

Mr. DeOrio: So it's for a one year period?

Mrs. Herr: Yes.

Mr. DeOrio: Thank you.

Mrs. Magel: This is blasphemy using, discussing rock salt when it's such a beautiful day out finally.

Mr. Snyder: Well they use it to make ice cream, too.

Mrs. Magel: Oh, okay.

Mr. DeOrio: Why would you know that, Jon?

Mr. Snyder: I've made a few, trust me, look at me...inaudible...

Mr. Foltz: Go down to the salt dome, Jon and whip some up for us for the next meeting. May I have a motion to adopt the first reading of Ordinance No. 78-07?

Mr. Repace: Oh, Jon.

Mr. DeOrio moved and Mrs. Magel seconded to adopt the first reading of Ordinance No. 78-07. All members present voting.

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

No: 0

23. Mr. Foltz: Last but not least, may I have a motion to read by title only the first reading of Ordinance No. 79-07?

Mr. DeOrio moved and Mrs. Magel seconded to read by title only the first reading of Ordinance No. 79-07. All members present voting.

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

No: 0

Mr. Wise: This Wednesday?

**Ordinance No. 79-07 - 1<sup>st</sup> Reading – Finance & Property**

An ordinance authorizing the supplemental appropriation of funds of the City of North Canton, Ohio, to be appropriated from the unappropriated balance of the Income Tax Fund to the Refunds Account in the amount of \$120,000.00 for the current expenses during the fiscal year ending December 31, 2007, and declaring the same to be an emergency.

Mr. Foltz: Chairman DeOrio.

Mr. DeOrio: Yes, as you recall from our committee discussions this transfer was necessary because of a couple of large refunds that were due...

Unidentified: Inaudible....

Mr. DeOrio: as a result I would move for adoption of Ordinance No.79-07.

Mr. DeOrio moved and Mrs. Magel seconded to adopt the first reading of Ordinance No. 79-07. All members present voting.

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

No: 0

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Mr. Foltz: May I have a motion to suspend the rules for Ordinance No. 79-07?

Mr. DeOrio moved and Mrs. Magel seconded to **suspend the rules** for Ordinance No. 79-07. All members present voting.

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

No: 0

Mr. Foltz: May I have a motion to adopt under the suspension of the rules for Ordinance No. 79-07?

Mr. DeOrio moved and Mrs. Magel seconded to **adopt under the suspension of the rules** for Ordinance No. 79-07. All members present voting.

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

No: 0

Mr. Foltz: Request for motion to schedule a special Council meeting for Monday, June 18, 2007 at 6:45 p.m. The purpose of the meeting will be to consider giving Resolutions No. 58-07, Ordinance No. 68-07, 69-07, 70-07, 71-07, 72-07 a second reading.

Mr. DeOrio moved and Mrs. Magel seconded to **schedule a special meeting on Monday, June 18, 2007 at 6:45 p.m.** All members present voting.

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

No: 0

## REPORTS:

Mr. Foltz: Okay, thank you Council. With that, we'll go to reports. Director of Law?

Mr. McFarren: Nothing.

Mr. Foltz: Director of Finance?

Mrs. Herr: Just wanted to point out that I've given you the preliminary expenditures for 2008. That's – you're required to receive by June 15<sup>th</sup> so just want it in the record.

Mr. Foltz: Okay.

Mrs. Herr: That's all.

Mr. Foltz: Thank you Director of Finance. Director of Administration?

Mr. Wise: Yes, I have two items to pass along from Mr. Benekos who is on vacation this week. There was a street paving list, I – I think you all got a memo with regard to that, listing the streets. Is that correct?

Mr. Foltz: A couple weeks ago I think we got one.

Mr. Wise: Right, I – I have...and Jim would like to know if you have anything to – to add to that or any deletions or anything, just get those to me and I can get...get those to Mr. Benekos early next week I can get...get those to Mr. Benekos next week, take a look at that list. If you don't have it, I have a copy of it, we can provide that. Also, just so Mr. Benekos is clear with regard to 6<sup>th</sup> Street, the rebuild of curb and gutter will be just for 6<sup>th</sup> Street, not Orchard and not Park.

Mr. Lane: Correct.

Mr. Wise: That was my understanding and – and if anybody has something different, just let me know and I can let Mr. - Mr. Benekos know.

Mr. Foltz: Okay.

Mr. Wise: Alright, with regard to a number of other things, Lt. Scott Dennis, who's normally our afternoon shift lieutenant was involved in an off duty automobile accident. It was a pretty bad accident. He was in the hospital for a day. He is fine, but will be off, so if anyone knows him or – or has any contact with him or doesn't see him around, you'll – you'll know where he is. He's apparently going to be – be doing very well. He's very sore right now and is going to be off probably the rest of this week. Just wanted to pass those only, pass that along. The Jaycee Fair, well let me, I'm sorry, I skipped one here. We have a project going with the Ohio Department of Natural Resources and I guess it's not really our project. Ohio Department of Natural Resources has a subcontractor up on Applegrove. They are drilling into the voids, coal mines, this – the shallow slope mines up there, finding the voids and pumping the cement type grout into fill those voids. When they built the Girl Scout building up there, they found a lot of – of mines is my understanding. We marked the – have marked the waterline, we marked the sanitary sewer line, and all the laterals. They were drilling close to – well, within 5 feet of where the sanitary sewer line was marked and a lateral was coming in, they hit the

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COUNCIL OF THE CITY OF NORTH CANTON

REGULAR

Meeting

DAYTON LEGAL BLANK, INC., FORM NO. 10148

Held

Monday, June 11

7:00 p.m.

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sanitary sewer line and caused a – a bit of a back-up and a problem at one residence on Everhard. We had a company come in to dig that up and fix it, it was something that had to be fixed right away. When they dug it up, they found there was a sanitary sewer lateral which went to the south, towards Rotary Park. There's no – there are no lots there that are going to be built upon, but when they put that sanitary sewer line, they had - put a lateral in to the south that was not marked on any of our maps. ODNR I think, at least fair and probably more than fair, have indicated to us that...they - they are willing to split the cost of fixing that sanitary sewer lateral. That is something that we should have had marked but it wasn't on any of our maps. When that was put in, I don't have any idea. So I don't have an estimate for you as to what that would cost but that's something that we're going to have to address here pretty soon and how we'll pay for it, whether ODNR will pay for it and pay them half the costs, or the other way around. Just to let Council know that's what's going on up there and that's why there's a big backhoe in the middle of our street yesterday and today I think. On a lighter note, the Jaycee Fair is taking place this week, it begins tonight. I believe it goes through Saturday evening, that's on 7<sup>th</sup> Street in the football stadium parking lot. And one, I think, easy way to raise some funds, it won't be for the city but for a good cause, Wednesday night the Mayor will be in the dunking booth so if anyone on Council or anyone...

Mayor Held: You're welcome to come.

Mr. Wise: in the city, put it in the paper please, and as a footnote, I will probably be there too, but....

Mr. Lane: Can we get an emergency appropriation of some...some quarters?

Mr. Snyder: Show up with a...inaudible.

Mr. Wise: Funds for softballs to...and oh, I – I'm sorry, one other thing. The mast arms on the traffic lights at South Main and Everhard were being replaced today.

Mr. Foltz: Yeah.

Mr. Wise: I – they were still working on it when I came up. I hope – hopefully they'll be done here pretty quickly. But that was part of the project, those mast arms that we got were not manufactured at the right angle, and this is included in this contract that we've already paid for and they're replacing those. I didn't get a timeframe from somebody but I – I would hope they're done here pretty quick doing that.

Mr. Foltz: And they were out with traffic control today so they – they were doing a nice job, a nice job with that's, as we know, a very treacherous intersection, so.

Mr. Wise: Right.

Mr. Foltz: Nice to see them on the job and things were going smoothly when I drive through there.

Mr. Wise: Thank you.

Mr. Foltz: Thanks, E.J. Mayor?

Mayor Held: Yes, also on Wednesday evening, this coming Wednesday evening, we have a Concert in the Park, in Price Park, it's a wonderful concert, and if any of you are interested in – in some fine music I would encourage you to attend. We always have – hopefully we'll have some nice weather and some good music. That will be again this Wednesday at 7 p.m. And then of course, shortly after that if you want some inexpensive entertainment, I will be in the dunking booth as our Administrator stated, at 8:00. I did have Councilman DeOrio show up last year and I did discover that if I put my foot on that lever, that even if the ball hits the – the target, it doesn't drop, and so, Councilman DeOrio, I don't think he was aware of that last year, because I had my foot on that and I kept telling him, you can't dunk me, you can't dunk me, so he just kept shelling out the money to hit that target. And I...I welcome you to come back this year.

Mr. DeOrio: And I can tell you that there was no finer pleasure than seeing you go in the water.

Mayor Held: And I did – I did, you know, my son was back there, it's like Dad, you're cheating. I'm like, quiet, quiet. Let him keep throwing the balls. So, but I did eventually go in and I forgot to put my cell phone in a proper place, and that was destroyed also, so it was an expensive night for me.

Mr. Foltz: I think we should rig something up at the pool with the diving board...you know, we can't do that.



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Mayor Held: On the more positive note, I – I – I did...inaudible...I kind of took a little bit of authority over E.J. and I said I'm going to go first at 8:00 and he'll go after me, because it does get cold after 9:00 when the sun goes down. So I'll save the colder slot for him and I'll go with the little warmer slot. In addition to – and any members of Council that want to sit up there – we're going to pass around a sign up sheet. We've got Monday through Saturday, so a slot, plenty of slots available. Jon, I know you had expressed an interest.

Mr. Snyder: I – I can't wait.

Mayor Held: But at any rate, on a – on a – on a more positive note, we had...

Mr. DeOrio: We'd get flood insurance.

Mayor Held: on a – on a lesser humorous and more positive note, we did have Governor Ted Strickland come and visit the City of North Canton for the second time in less than a year. And Mr. Repace, Councilman Repace gave him a warm welcome over at the IBEW union hall, and he went over there and he spoke with union workers today. He spoke with Mr. Repace. He came out and addressed the crowd out in front of Bitzer Park. It was an excellent event and – and shortly after that I had an opportunity to speak with the Governor again for the second time this year. Once in Columbus and then the – and then again this evening for about 25 minutes and I have to tell you, what a gracious gentleman he is. He truly does care about what's happening in this community. He's very genuine and it was – it was really a nice opportunity to speak with him. He is interested in what the plans that could come about with the Hoover Company, with the Hoover facility and – and he has pledged his support. Anything that the state can do in that area, and – and he also said that he will be back and he is looking forward to continued communication with us, and so I'd like to thank Councilman Repace for putting this together, it was an excellent event. He truly is a gentleman and a pleasure to work with and I feel confident with the support that we're getting from the state and – and also the City Council and our CIC that we've got a very bright future with the Hoover facility. And that's all I have, thank you.

## REPORTS – COUNCIL:

Mr. Foltz: Okay, thank you, Mayor. Clerk Gail, any comments?

Mrs. Kalpac: No comments, thank you.

Mr. Foltz: Okay, Member Lane?

Mr. Lane: Yes a couple of quick thank-you's to the Mayor, and to the Administrator for being at the Dog Walk on Saturday. We did this again up at Price Park. Normally...inaudible...the Goodwill has always done this on Sunday, but with all the different graduations parties and things going on, they decided to try a Saturday and it worked out quite nicely. We had more dogs than ever and Maurice had promised to get me a – a figure and I did not get it before I left work today, so hopefully by next week I can at least talk about the number of dogs and how much money was raised. The Mayor kicked it off and had a good time. And I very seldom every put my work hat on, but I – I've been asked to extend a thank-you to the City from my management. The FM station gave away a graduation party and the winner was from North Canton. Her name Kate Pakenham and she lives over on Sunset S.W. and – and they had Columbia recording artist *Boys Like Girls* and a new artist named Jordon McCoy come and sing at the party yesterday for a hundred people in the backyard. They recorded it and I guess they're going to air it on 92.5 Sunday night between 6 and 7. The only thing I heard from the band, they were quite upset that Ward 4 Councilman was not there...

Mr. Snyder: I was coming, but I was practicing the dunking booth....

Mr. Lane: Well they heard that you were a rock and roll...inaudible...

Mr. Snyder: I was running a little late.

Mrs. Magel: Getting a new bathing suit.

Mr. Lane: They wanted you to sing with them on one of their songs.

Mr. Snyder: Well, the way this is going, I feel should be singing *Kum Ba Yah*, everybody's congratulating...

Mrs. Herr: Oh my gosh.

Mr. Lane: Thank you. I know the Chief put up a couple of barricades to keep the crowd...

Mrs. Magel: thank you Jon.

Mr. Lane: inaudible...traffic problems and it was very much appreciated, so I extend that thank you from my manager, so, even though I had nothing to do with it, I know it went very well, so.

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Mr. Foltz: Okay, thank you Member Lane. Member Snyder?  
Mr. Snyder: I appreciate all those votes that I garnered over there in the area...

Mr. Lane: You got the youth vote now though.  
Mr. Snyder: I told them I sponsored it I think. No...

Mr. Lane: He's wearing his tie-dyed t-shirt.  
Mr. DeOrio: Passing out those Tuxedo Junction coupons.  
Mr. Snyder: That's right. Coupons for the prom. Mr. Wise, relative to those streets, while you brought that up, I would rather as the councilman that represents three of those streets, not overlay those streets for fear that they actually do need curbs, and to overlay them this period would eliminate any – in a year or so doing them, and that would be I believe the overlay of Summit and Lucille, Furbree. They're in desperate need of curbs because of – they also have flooding problems on those streets. But to overlay them now would not be a good expenditure of the City's money, and I would request that you gave – give more favorable consideration to, I think there's three other streets in that ward that I submitted there that he could put on that list that need it, that will not get curbs nor probably will warrant the – to come up to the level of warranting curbs or any other infrastructure change in the next 5 to 8 years, so. If you would pass that on I would appreciate that, but other than....

Mr. Wise: Can we...

Mr. Snyder: Pardon me?

Mr. Wise: Can we get together and we talk about those other streets?

Mr. Snyder: Yes, but I just, while I was thinking about it, that's not a problem. I appreciate it, and I appreciate your courtesy extended to me. That's all I have. Thank you.

Mr. Foltz: Okay, Member DeOrio?  
Mr. DeOrio: No – no report.

Mr. Foltz: Member Repace.  
Mr. Repace: Yeah, I just want to thank, say thanks Mayor, for the kind remarks about the Governor. The...the Governor is – he's just been a true friend to me and our – our members of Local 1985. It's the second time that he – he graced our union hall with his presence and he is truly a man of honesty and integrity and he will go down in history as probably one of the greatest governors the State of Ohio has ever had. And I – I really like him, I consider him a friend.

Mayor Held: I agree.

Mr. Foltz: Okay, thank you. Member Magel.  
Mrs. Magel: Can't follow that, that's a...no report.

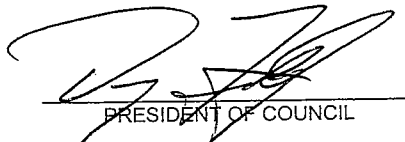
## ADJOURN:

Mr. Foltz: Okay, last call for new business from Council or Administration. Seeing none, do I have a motion to adjourn?

Mr. DeOrio moved and Mr. Snyder seconded to adjourn the meeting. All members present voting:

Yes: Lane, Magel, Repace, Snyder, DeOrio, Foltz.  
No: 0

Meeting adjourned at 8:43 p.m.

  
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PRESIDENT OF COUNCIL

ATTEST:

  
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CLERK OF COUNCIL

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