

RECORD OF PROCEEDINGS
COUNCIL OF THE CITY OF NORTH CANTON PUBLIC HEARING Meeting

Minutes of

DAYTON LEGAL BLANK, INC., FORM NO. 10148

Held Monday, Mach 1, 6:45 p.m. 20 04

CALL TO ORDER:

The public hearing was called to order Monday, March 1, 2004 at 6:45 p.m. by President of Council Jon Snyder.

The following members of council were present for the public hearing: Foltz, Kiesling, Lane, Lindower, Peters Sarbach and Snyder. Also present was: City Engineer Benekos.

Notice is hereby given that a public hearing will be held by the Council of the City of North Canton on Monday, March 1, 2004 at 6:45 p.m. in the Council Chamber at North Canton Ctiy Hall.

The hearing is with regard to a request from the Council of the City of North Canton to vacate a portion of Alley No. 4 running from Foster Avenue westerly approximately 132.20 feet to the southwest corner of Lot No. 2204.

The Planning Commission, at their February, 2003 meeting, voted unanimously to approve the vacation.

Final action thereon shall be taken by the Council of the City of North Canton subsequent to the date of said public hearing.

Mr. Snyder: Chairman of Street and Alley - Chairman Lane. Is there anything you wish to, as the ward councilman and...

Mr. Lane: Yea, we've talked about this, the Kobelts would like to build a driveway. And for reasons unknownst many many years ago it wasn't platted properly. And what we would like to do this evening or at least hold the public hearing on, is to vacate the city's portion of half of that area. It's a little confusing, but it's basically a 132 plus feet and the other half remains in another estate that is going to have to be gotten one way shape or form. But the city's portion of it we have no use for it, the residents didn't want it vacated all the way up, so I see no reason why we can't do it to their property line and allow them to build on it and expand their turf.

Mr. Snyder: Okay. Is there anyone in the audience wishing to speak to the council in favor of this vacation?

Mr. Osborne: Inaudible...

Mr. Snyder: Mr. Osborne.

Mr. Osborne: My name is Chuck Osborne. 307 Fairview Street SE - North Canton, Ohio. This is something that has been ongoing for a year or better actually. I actually started this a year and a half ago. This last request, which I think a lot of people on council are aware of this one. Some of the people who might be here tonight with some concerns, this will only effect the length of Mrs. - Mr. and Mrs. Kobelt's property. It will have no impact whatsoever on anybody else. Their taxes won't be changed because it will - their portion of the alley will continue to be an alley. This is something that needs to be cleared up. As Mr. Lane had said, they're just desiring to put in a driveway and they can't make improvements on city property that's not their's. In addition, this issue will have to be rectified because if ever the property were to change hands, their property, no young family, no family would buy this without owning their own driveway. This drive - this alley, which they have utilized as their own driveway for almost 50 years, is the only access into their garage and to the rear of their yard. And this will have to be cleared up before this property would ever change hands. And so I hope council understands, there will be no other impact on any other neighbor. There will be no recalculation of taxes because their property boundaries will not change. No fences will have to be put up or removed. There are some existing homeowners who have already fenced in their portion of the alley ...inaudible... it's been like for 20 plus years for some of them. So that should cover everybody's concerns on that. Thank you.

Mr. Snyder: Is there anyone else wishing to speak in favor of the vacation of the said alley? Is there anyone wishing to speak in opposition to the vacation of said alley? Is there any comments of the council? Then is the recommendation of the Ward Councilman that we proceed with the vacation? Is that correct?

Mr. Lane: Yea.

Mr. Snyder: Okay. So it is a positive recommendation of the Planning Commission, it is the request of the said Ward Councilman that we vacate the alley. If there are no other questions I would - I believe you've had it put on the agenda and it will be discussed under your committee at that proper time.

Mr. Lane: Yea, it's number 2c.

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Mr. Snyder: Alright. There being no other action to come before this council pursuant to the said public hearing I'll move for an adjournment.

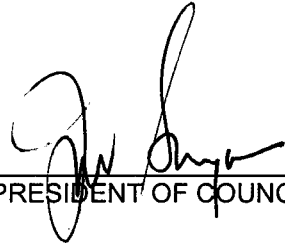
ADJOURN:

Mr. Lane moved and Mr. Sarbach seconded to adjourn the public hearing.


Mr. Snyder: Those in favor signify by saying aye.

All council members present: aye.

Mr. Snyder: Those opposed same sign. Adjourned.


PRESIDENT OF COUNCIL

ATTEST:


CLERK OF COUNCIL