

# RECORD OF PROCEEDINGS

Minutes of

COUNCIL OF THE CITY OF NORTH CANTON

REGULAR Meeting

DAYTON LEGAL BLANK, INC., FORM NO. 10148

Held Monday, March 14, 7:00 p.m. 20 05

## CALL TO ORDER:

1. The meeting was called to order at 7:12 p.m. by President of Council Jon Snyder.
2. The opening prayer was delivered by Rev. Richard Scherpenisse, Northminister Presbyterian.
3. All present recited the Pledge of Allegiance.

## ROLL CALL:

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

Mr. Snyder: Do we need to excuse Member Foltz from this meeting?

Mr. Sarbach: Probably do, yea.

Mr. Snyder: Yea, may I have a motion to excuse Member Foltz?

Mr. Lane moved and Mr. Sarbach seconded to excuse the absence of Council Member Foltz. All members present voting:

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

No: 0

5. Consideration

Mr. Snyder: You've all been given a copy of the council minutes from the February the 28<sup>th</sup> council meeting; however, there are two areas, actually three areas within your minutes prior to approval that we want to stand corrected. On your Page 95, Mr. Miller's response is protect not predict. As well as on Page 96, Mr. Miller's response was not Mr. Fano but it was Mr. Fonte and those are not to be, those are not dollar signs. It was just 1,000 and 165 and 265. The word dollar, I don't believe, entered the picture. So with those corrections, may I have a motion to accept the minutes of the February 28, 2005 council meeting as amended?

Mr. Lane moved and Mr. Peters seconded to approve the council meeting minutes, as amended. All members present voting:

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

No: 0

Mr. Snyder: You were given a copy of the financial statement of February, 2005. If you have no additions or corrections, may I have a motion to accept as presented?

Mrs. Kiesling moved and Mr. Lane seconded to approve the financial statement as presented. All members present voting:

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

No: 0

6. Committee Reports

**Finance & Property Committee:** Refer to the minutes on file in the Council Office of the Finance & Property Committee meeting held March 7, 2005.

**Ordinance, Rules & Claims Committee:** Refer to the minutes on file in the Council Office of the Ordinance, Rules & Claims Committee meeting held March 7, 2005.

**Personnel & Safety Committee:** Refer to the minutes on file in the Council Office of the Personnel & Safety Committee meeting held March 7, 2005.

**Water, Sewer & Rubbish Committee:** Refer to the minutes on file in the Council Office of the Water, Sewer & Rubbish Committee meeting held March 7, 2005.

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

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

No: 0

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## 7. Recognition of Visitors

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

Mr. Osborne: My name is Chuck Osborne, 307 Fairview Street, SE, North Canton, Ohio. I would like to address my comments tonight to Mayor Tom Rice's request that Council appropriate two million to resurrect and fund the Community Improvement Corporation, commonly known as the CIC. I would like to start by saying that Mayor Rice has no basis on which to make such a request without first doing an objective economic analysis of the City and second completing an economic development plan based on the conclusions learned from an economic analysis. Neither one of these steps has been taken. There is no current economic study and there is no economic plan from Mayor Rice for North Canton. The Imagine North Canton Program is but a small part of an overall economic analysis study that must be done by an independent consultant with expertise in creating custom economic strategies. Cities who are truly interested in addressing the economic uncertainty facing their communities know there must be an honest assessment of community, of a community before decisions such as these can be made. North Canton must know its strengths and weaknesses before it can tackle the economic realities that the City is now facing. Economic opportunities must be defined. Threats to the economic future of this City must be acknowledged and any action that the City takes to minimize those threats must be real, not window dressing. Mayor Rice, I believe all you are providing in your request for two million dollars is window dressing. Buying up vacant properties and putting a sign up that says for sale by the City of North Canton is not economic development. And spending millions of dollars from dwindling City funds to bring in an upscale restaurant whose employees work for tips is not economically equivalent to the salaried jobs that North Canton has lost and continues to lose. Mayor Rice, I also believe you do not truly understand the purpose of the CIC and how it should be used. The Community Improvement Corporation here in Ohio derives from Chapter 1724 of the Ohio Revised Code. This chapter states in part that a CIC is organized "for the sole purpose of advancing, encouraging, and promoting the industrial, economic, commercial, and civic development of a community or area .... furthermore, to acquire improved or unimproved real estate for the purpose of constructing industrial plants or other business establishments thereon .... or otherwise dispose of industrial plants or other business establishments." Land banking land for retail development is not the purpose of the CIC. The CIC is a tool created for facilitating industrial and commercial development that brings with it meaningful numbers of well paying jobs. Not mere handfuls of minimum wage jobs that you describe in your quest to bring restaurants or book stores to Main Street. We all want to see vibrant exciting retail area up and down our Main Street but the effort and expense to bring that to North Canton must be matched with the reality of the income tax that will be generated from the kinds of jobs that retail brings with it. And those jobs in retail are on the extreme low end of the pay scale. Can you justify risking millions of dollars of taxpayer dollars to bring a handful of minimum wage jobs to North Canton? Furthermore, funding for a CIC was most certainly not expected to come from city coffers. The Ohio, the Ohio statute regarding CICs, Section 1724.10 (A) states, "any such debt shall be solely that of the corporation" --and shall be secured by the pledge of-- "and shall not be secured by the pledge of any monies received or to be received from any political" corporation. This research seems to reveal that municipalities do not use taxpayer dollars to fund the CIC but that they use the CIC to issue bonds and guarantee loans secured from banks made to businesses. Little if any public monies are actually tied up for funding a CIC. This is how North Canton assisted in the construction of St. Luke's nursing facility nearly twenty five years ago. The North Canton Community Improvement Corporation simply provided the mechanism by which tax free municipal bonds could be issued and no taxpayer funds were needed. The CIC of Lake County, Ohio is used just as North Canton used it nearly twenty five years ago and that is to assist in the financing of industrial and commercial expansion through the issuance of industrial revenue bonds, which are exempt from federal income taxation. Under Ohio law, manufacturing, distribution, commercial or research facilities are eligible. The City of Westlake, Ohio uses its CIC to accomplish the same thing. No community would jeopardize the financial health of its city by funding its CIC with taxpayer dollars. City officials should be asking themselves why we cannot keep businesses that we have. Why did Spitzer Chevrolet leave North Canton? I can name a number of other businesses this City has lost in just the last year or two. Why can North Canton not keep the businesses that it already has? The same section of the statute referred to earlier regarding CICs also states the following, "the Community Improvement Corporation shall prepare a plan for the political subdivision of industrial, commercial, distribution, and research development, and such plan shall provide therein the extent to which the Community Improvement Corporation shall participate as the agency of the political subdivision in carrying out such plan." And with that, I would like to ask you, Mayor Rice, where is your economic plan? On Wednesday, March 9, 2005, I presented to your office a written request for a copy of your economic plan. I went to your office two days later on Friday, March 11, 2005 to secure a copy and was told that there was nothing available to give me. Mayor Rice, I do not understand how you can expect to come to this Council with a request for two million dollars when you have no economic plan.

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In your letter to Council President, Jon Snyder, dated February 7, 2005 you proposed the expenditure of two million dollars but you provided no mention of a plan. On what basis is Mr. Snyder supposed to make any judgment on your request for millions of taxpayer dollars? Mr. Snyder is not only the Council President but also the Chairman of the Finance Committee. Mayor Rice, in the March edition of Our Town, that came out to the public earlier this month, you state that the CIC would allow North Canton to proactively respond to property developments within our business areas through a more timely and efficient process than the normal city legislative process. How quickly must you respond? If you were flying, if you were by chance flying an aircraft and there was a mechanical emergency, I could certainly understand the need to respond quickly. What I cannot understand is how this Council could not direct its energies and act in a prompt fashion given the need to do so. I believe that Council could act with all due speed if an opportunity presented itself to the City. This City had no trouble coming up with 4.2 million that had not been budgeted when it wanted to purchase Arrowhead Country Club two years ago even though it was a purchase against the recommendations of the Director of Finance. Mayor Rice, your request that Council appropriate two million of taxpayer dollars for some vague purpose, the specifics of which are unknown to this Council, in reality is a request from you that this Council abdicate its responsibility to the citizens of this community. Furthermore, your request to place two million of the City's operating funds into the CIC is an attempt to bypass the public scrutiny that is afforded the public when public monies are expended in this Council. Mayor Rice, you have no independent economic study on which to base an economic plan and you have no economic plan. I ask that council members proceed in a prudent manner in their decision whether or not to fund the CIC in this manner. As council members, you must represent the public in all matters as your office prescribes and it must be done with realistic expectations for success. I would like to add after I finish this, yesterday, actually, I got a call from the Mayor's office today at 3:30 and the Mayor has provided me with what he considers his economic plan. And briefly, the Mayor cites the fact that he hired an economic, or a city administrator with vast economic development experience. We all know what the City went through when the former administrator was fired without due explanation from the Administration. Mayor Rice says he created the new Valleyview CRA to attract Reed Funeral Home to the City of North Canton. I never heard any input from the Mayor on that. Much as I've tried to get input from the Mayor for the last year. And I happen to just drive by Reed Funeral Home, that area, just last week. You really see no sign, no activity, I don't know if that facility is even being utilized and I think as I pointed out the time when you gave them the tax abatements, they guaranteed, I think, one job with the possible creation of eventually four by year five or something. Mayor Rice I guess wants to take credit that he initiated the Imagine North Canton process. If I'm not mistaken, Walsh University created that of their own inclination because all the turmoil going on with your administration Mayor Rice. You also cite, launched a new a new city marketing campaign including signage, brochures, banners and logos. Well that was an outgrowth also of the Imagine North Canton. Imagine North Canton was a great gathering. It got people talking. But basically everything that is coming out of that, is community development. We all have wishes. We'd all like to have a nice restaurant to walk down through on Main Street or a nice theater but those kinds of activities aren't going to replace the hundreds of salary jobs that left the City last year. Now, to bolster what Mr....uh....

Mr. Bourlas (*Identified by Clerk*): Bourlas.

Mr. Osborne: ...said earlier, if you want to spend two million dollars and buy hundreds of acres on the outskirts of the City for plans for a industrial park, I think that would be great. But for retail development, competing with your own existing retail in this City. This was not what the CIC was designed for. Thank you.

Mr. Snyder: Anyone else wishing to speak to Council?

Mrs. Kiesling: Mr. President, may I comment to Chuck.

Mr. Snyder: Please.

Mrs. Kiesling: Quickly. Couple comments, I agree with Chuck in probably one respect but most of your comments I don't disagree with, as far as funding the CIC and why we want to do it and where we think it'll take us. But as far as the economic plan, Mike Miller and Daryl and I did sit down over a month ago and we tried to, to narrow this down and decide what we were going to do specifically. But in a month and a half, you're right, we really haven't come up with a, a specific plan. We haven't really come up with a package of incentives. All we've talked about is the CIC. And I appreciate everybody's input tonight. I feel bad that they all left. I didn't feel well so I stepped out and I didn't realize we were going to start the second meeting. But I guess I'd like to say that there is a process that I believe that needs to be followed as far as what we all do up here on Council. And I think the next step in the process is to actually get an economic development plan in place. One that is done by a professional outside the area. Maybe somebody familiar with the area. But a plan that's put in place before we decide to fund the CIC. I'm going to put it on the agenda next week for our

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committee to talk about. And I realize this, this will probably slow up the CIC funding for a little bit but at the same time I'd also like Paul to really research our CIC and compare it as Daryl had said to other communities and areas. And give us the intentions and uses. And this twenty five year old CIC doesn't need any help. And I think we can do that coincidentally. Both those things can happen at the same time. I think once we get a plan in place which the VVCE Committee, the Chamber Committee, the TAP Committee, I've been to all the meetings myself also, they believe the community and economic development plan which we've all talked about for two years since we all got elected almost, it's, it's time. We need a professional to do the research. To sit down and decide what businesses can possibly come here. Why they'd want to come here. Are our incentives good enough? Is our, our housing code, our building code, our permitting process, is it properly in place to bring people here? And to look at those type of issues for the City of North Canton because that has not been done as far as I know. And then I think the risk that we take in funding the CIC will be a calculated one. It will be one with documented reasons. Well thought out. Something that we can all fall back on. And I guess I'll take us back to the water, water study. We all, I mean, at one point two or three years ago, we had trouble raising water rates a nickel. And then we decided it, to study it. And when the study came back that we needed to raise it a dollar, a dollar twenty five, not one of us even flinched. Not even Mr. Foltz, who wouldn't raise it a nickel three years ago. Because we had documented evidence in black and white in front of us that said this is what you need to do for the future and this is why. And we did not have one ounce of problem doing that. And I think that's what we need before we decide to fund the CIC. I think that is very important for the seven of us because we're, five of you are going to step back and be completely out of it and I don't think, I think that's also the next process for the Imagine North Canton. I know Mr. Jusseaume is coming next week to give the final explanation of what everybody came up with in all those committees to give his presentation and Dr. Fountain. And since Friday, I've actually spoke to a firm that does community and economic development consulting. They actually worked with the City of Hudson which I know Mike is aware of cause Daryl gave us all that information a month and a half ago. I did consult their, or contact their ED Director up there. Her name is Bernadine. I can't pronounce her last name. On Friday, she emailed me all the information that Daryl had given the Administration. I have it all here in front of me. I'm going to pass it out to everybody so you have a week to look at it. And they've agreed, they are a firm in Texas, to fly up Monday night and do a proposal. Which they're putting together currently to propose to City Council to what they could do for us and for us to give them input as to what we'd like to see. Of course, give us a price on that. The City of Hudson, it took about five months to get their study done. It cost them about fifty thousand dollars. But they feel very happy with the firm. They're very encouraged by the process they've, the process that they've sat down and implemented has been very important to their city and their council. Their council, I guess, had a really hard time making some risky decisions and putting forth some effort and the council is becoming very comfortable because they have documented proof in front of them. And it's on, they'll be on their website tomorrow. It's called envisionhudson.com and all of their work will be there as of tomorrow you can all look at it. The name of the firm is AngelouEconomics. They are world wide known. All their information is on their website. It's pretty impressive. I do have just the stuff that Hudson has worked with them on. And I feel pretty confident that these guys can do exactly what we want them to do in a timely fashion. Not a whole lot of money. We have money in our account and then one part of the study I'd like to see is, what's the next step as do we need a professional? Do we need a actual employee? How much should you pay these type of people? What kind of money do you need in accounts to fund economic development fees. This firm will look into all of this for us. We don't have to make these type of decisions that, you know, we're novices. I don't do economic development for a living. I'm a nurse. So I think we'll feel a little more comfortable with somebody giving us some hard evidence as to why and what we're doing.

Mr. Lane: But realistically you're looking at a six month delay in the process.

Mrs. Kiesling: Well, I think we can do it hand in hand. I mean, we can...

Mr. Miller: You're, you're talking about stopping and restarting. Because you've got the three groups Vital, VVCE and all them that have been working for five, six months...

Mrs. Kiesling: Right.

Mr. Miller: ...getting together same priorities. Basically, what you're telling them is stop, wait for six months and start again.

Mrs. Kiesling: Absolutely not. Their priorities are going to be met by putting a plan together.

Mr. Miller: But...

Mrs. Kiesling: First process, if you look on their website...

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Mr. Miller: But they won't be able...

Mrs. Kiesling: ...the first...

Mr. Miller: ...to put a plan together.

Mrs. Kiesling: Certainly they will.

Mr. Miller: That's what they're, VVCE and those other three are doing.

Mrs. Kiesling: But that's not a plan. If you look at what these people have done for Hudson. Everybody that's in the VV, I mean all these, they haven't sat down and researched and documented and looked at everything in a whole. I mean, who's looked at our permits and buildings and, I don't agree with you. I think this is the next step in the process. In the beginning, what is, I think, very good for us right now, the first step in this firm's process is to do a community profile. And essentially that's been done. So part of their process is already done. And yes, I don't know that I would say we're going to stop this process but I think, I think the next step is to, to get a plan in place.

Mr. Lane: Do we get into, into bidding problems because of the cost on something like that?

Mrs. Kiesling: No, professional service. Council can approve it. Now, I do have names of other firms that us as a committee can look at if we want to interview other firms. This guy said, you know, I can be there whenever you want and I thought, you know, let's get him up here and let's see what he has to say. Why not? What do we have to lose? The three of us can, if we want to interview other firms, that's absolutely fine with me. That was slowed down a little bit but that's not an issue at this moment. I think for the, at least the three and a half years that I've sat on this Council, not a lot has been done from community and economic development standpoint from myself and from Administration. Those four things that are listed that Chuck talks about, that is not true community and economic development. When you look at a plan that these people are putting together for companies across the country and across the world, that is true community and economic development. That's a true plan. That's something we can stand back and say, look we have this in place and this is a process that we can follow to help us bring revenue and jobs here. We don't have that right now. I mean, I know we'd like to and I know we're trying but we don't have it.

Mr. Miller: I have to respectfully disagree. You know, we have the resources here in the community. We went through all of this with labor negotiations. We hired somebody where we paid fifty, sixty thousand dollars for somebody to come in and negotiate a contract. That we'd been better off sticking with what we had been doing for ten thousand.

Mrs. Kiesling: I'm not going to disagree with you on that one.

Mr. Miller: And, in this case we've had folks in the community working with no economic development. That VVCE Committee has some folks on that really...

Mrs. Kiesling: Yes, they do.

Mr. Miller: ...know economic development. There's been other things going on behind the scenes to try to pull all this together and try to get things done and basically what we're saying, March 24<sup>th</sup> we got a meeting with all three committees and we need to tell them, hold up we're going to hire somebody else to do what you guys have been doing for the last six months.

Mrs. Kiesling: I don't, I remember some comments in some of those meetings saying, how do we do this? How do, how do we get a plan together? How, you know, what's the next step? And I think the next step is potentially hiring someone to actually be our economic development director or consultant. But before that comes together, I think we need to have a plan which is something we've all talked about from the beginning. Why do you hire someone before you even have a plan in place for that person to do? That is my thought. It'll take four of us on Council to agree with that. If they don't agree with me that's absolutely fine. But that's where I'm at right now.

Mr. Pusateri: Just a...

Mrs. Kiesling: Go ahead.

Mr. Pusateri: I had a comment too, you asked of me, I wasn't sure what you were asking me but I certainly can give legal opinions on the structure.

Mrs. Kiesling: Right, I'll have to lay it all down.

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Mr. Pusateri: But, I mean, I'll tell you I have no experience in municipal economic development so, I mean, that's not a role that I could play or even be comfortable in playing by giving you those kind of opinions. You know, I don't have...

Mrs. Kiesling: But see, that's another question I have.

Mr. Pusateri: ...no experience in that.

Mrs. Kiesling: You're gonna to be our CRC, CIC Board. I mean, don't we want people who know what the heck we're doing on the CIC?

Mr. Pusateri: I would, I would, yea, I would look at...

Mrs. Kiesling: I know I don't. So that, that's very discouraging in one respect.

Mr. Pusateri: ...I would look at my role on the Board as legal counsel but, I mean, you're right. I don't have any economic development experience. And would be uncomfortable in giving any kind of opinion on that so.

Mrs. Kiesling: Well, I think, I think which was said by many, let's slow down. Let's study this process. What did Mr. Daniluk say last week, scrutiny is, I forget your comment you made at the end, but that's my, my, my opinion. I am not against the CIC. I think I made that very clear. But I'm for generating more ideas, documented ideas, documented research. And I don't think there's anything wrong with that. But I will put it on the agenda for next week to talk about. And it will be in our committee and then if you guys want to have another committee meeting, like when we hired all these people we all three met and interviewed. Whatever you guys want to do is fine.

Mr. Snyder: Is there anybody else wishing to speak?

Mayor Rice: Mr. Snyder, can, I'm sorry, can I...

Mr. Snyder: Go ahead Mayor. Excuse me. I beg your pardon.

Mayor Rice: Against my better judgment, I'll try to make it short and sweet. But you know, with all due respect, I think we've just heard the reason why very little has happened around here for the last few years and why we've struggled. You know, we've tried to move forward hiring an economic development director, ran in to all kinds of road blocks that prevented that from moving forward. We had Dave Johnson before that. People reacted to, to run him off. One of the most respected men I think in the, have to be up there as one of the all time top leaders in our City's history. I don't know if there's too many people here I doubt would disagree with that but city government ran him off. He wouldn't come back to help out city government right now if he's, if he was paid a million dollars to do it probably. So the road blocks were set up as far as hiring an economic development director which we tried to do over a year ago. Tried to get something going with a, you know, planning and Imagine North Canton. I don't know how we can expect somebody from out of state, Texas or wherever, California or, to come in here and know more about the City of North Canton and what the City of North Canton wants and needs than the people of North Canton. We tried to get tools going, things happening. We just keep running into all kinds of road blocks and delays. So now we're talking about more delays. They all sound like wonderful ideas but you know there comes a time we've all got to put our money where our mouth is. And we need to start taking action. You know, we can debate things, no doubt, I mean, we can sit here and debate these things forever. We can debate them for the next few years but nothing's gonna happen. And the people of this town are going to continue to, to get more and more frustrated that their City government is sitting here picking things to, apart because everybody wants everything done their way rather than just let's get something done. And we're in the same situation now with the CIC and now we want to put it off cause we want to bring somebody in here for six months. I couldn't agree more with Mike. Let me give you an example, you know, we went through the Imagine North Canton, got the people that are really and I really am disappointed those folks left now because I think they'd...

Mrs. Kiesling: ...inaudible.

Mayor Rice: ...be very interested in this discussion. Those people have been working their butts off. Them and a lot more for the last, what? Eight months? Seven, eight months working hard. They're at the point where they want to see something happen now. I think you heard that tonight. I don't think they want to hear we're gonna wait another six months because we don't have a plan written down. You know, I've seen plans at this City. We've got all kinds of old ones sitting in the back in the old archives back there that the City paid a lot of money for and that were never utilized and they got six inches of dust on 'em. That's about how much good, the people of this town know what they want. I trust and rely on the people in

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this community that say, that have lived here all their life, that know what this town needs. It's not, you don't need some high powered, high priced expert to come in and tell us. If you don't know what this City wants and this City needs, anybody here that's an elected official doesn't know that ought, ought to find another line of work. Cause you're hired, you're paid to know what these people in this community want. The Imagine North Canton, I think, have done a fabulous job with just little old North Canton folks. That started with an idea that we need to market the City of North Canton. And I think, quite honestly, that little old group of nobodies that aren't experts in economic development, not one of them have a degree in economic development that I know of, but by God a small group of people got together in this town decided what we need. We hired a local advertising professional. They sat down together and they've come up with some damn good products. Things that this City has never seen before. Don't tell me we can't do that. And all the different groups, we can do that. We've done it in the past. The City's done is since its inception. The people of North Canton have done it. They did it and the things that are happening there are phenomenal. Things that everybody ought to be very proud of and very happy of. I know some people aren't. Some people have made the comment, you know, why should that surprise us what Mr. Osborne says tonight. He's the one that called and yelled at our Administrator about the billboard at the airport and said why is the City wasting money on a billboard. The City of North Canton has, correct me if I'm wrong Mr. Miller, has nothing to offer. Is that an accurate statement?

Mr. Miller: Close paraphrase.

Mayor Rice: Ok. Those kind of people you're never gonna satisfy. It doesn't surprise me that Mr. Osborne's up here week after week attacking me. It has nothing to do with really what's good for the City. It has to do with his personal agenda against me and that's his own problem. I can take that. But we have got to go do something. Let's get off, let's lose the crutches out there. The oh gees, we got to hire somebody from California to come in and write our plan. These people here know what we need to do. They're sitting there waiting, still, for us to act. That's all you have to do. Act. That's all. I'm sorry.

Mr. Snyder: Mr. Bourlas?

Mr. Bourlas: Thank you Mr. Snyder. I do have to agree with Mr. Rice. I think we don't have to quiet down. I don't think we have to wait. I think we really need to go but the only, the only thing is maybe they're confused as I am Tom. Is there, is there something those few people that you guys work on this can somebody say to me, as simple as I am, this money or this, this company's going be do, it's going to do this, this, this, this. And I don't care what it is. I mean, somebody's got to tell me that we gonna, we gonna take this eight people and this is what their gonna work on. We're going to take this money and this is what they can work on. I don't care what it is. I just got to get into my head that my tax dollars, what I'm saying is, it goes into the proper place. That's all.

Mayor Rice: Inaudible.

Mr. Miller: Let, let me respond because, you know, in the two weeks that we talked about this so far, I've sat on the CIC in Canton for twelve years, nobody's really asked me how it worked or what is was about. CIC in Canton, and CICs in general can do a number of different things. One of them is that it uses the money that they have available to leverage other resources. That's what happened most often in the Canton CIC. The Stark Development Board would have a business they wanted to locate in the City of Canton. In that case, they would have a need for, let's say \$50,000. SDB would provide \$25,000 of a revolving loan, Canton would match that for 25,000 in a revolving loan. There would be a number of jobs that would be created. They would present that to the CIC Board. One of the advantages of having a CIC as opposed to a council is that when that's presented most companies, for example, if you wanted a loan to build a restaurant north of your building right now. If you came to Council for a loan to match the SDB, all your financial records and everything that you have would be public record. The CIC can meet and review those records and not have them revealed to the public. That's how most businesses want to do business. They don't want their trade secrets and all the way they do business out there in the public. In addition, one of the other things that Canton CIC did, is it took property that was bought with, in the most part, taxpayer, or tax money. 4501 in one case that I can recall off the top of my head for Eppy's property. Eppy's was purchased at approximately 1.1, 1.2 million dollars. It was turned over to the CIC. CIC sold off a portion to environmental company on the east side of South Market. It sold off a portion of the property to the Veteran's Administration to put the clinic on the east side. It still has two pieces of property in its possession. Small piece south of Shiloh and another piece that's south of the fire station that I believe is being held onto for a, a parking area. It also owns Enterprise Car there at 9<sup>th</sup> Street and Market, where it gets a steady income back into the CIC. And with that steady income, that revolving loan, it's able to go out and attract businesses and/or be available to have funds available if a business wants to locate there. Right now, for example, I had a business that looked at your location. That business is well aware of Canton CIC and said, ok, what does North Canton have to offer us? As far as low

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interest loans or anything like that. The answer right now is nothing. There are no low interest loans available for North Canton because there's no money in the CIC. The money that's available through Stark Development Board really isn't controlled by us. It's out there but it's not, not anything that we have control over it to say this is something that we can do, as far as offering incentives. We have a CRA. We have an Enterprise Zone. There are a plethora of tax incentives, tax abatements...

Mr. Bourlas: I am not...

Mr. Miller: ...and that through the State but the CIC is another tool to help get a business there. If a business came in, a restaurant, and said we want to have a restaurant we need, we got all the money available except for 50,000 can you give us a low interest loan for 50,000? If the answer is no, your, your place goes empty. If the answer is yes, your place gets filled.

Mr. Bourlas: I understand, and I'm not against you guys. You don't understand. I, I am, I'm pushing for this. I think that's a great idea. I, the only thing I think that is a lot of people are confused, is it's exactly what you just explained to me. I mean, put it on a piece of paper say look guys this is what the CICs going to do. This, this, this, this, this.

Mr. Miller: It's, it is on paper. The CIC when it was created, the ordinance is on paper. I believe...

Mr. Bourlas: Ok, well I....

Mr. Miller: ...a number of council people have copies of that. The Ohio Revised Code is available to everyone. Mr. Osborne was quoting from 1724.10 tonight. It's all there available for somebody to take a look at to see what a CIC can and can't do. And, and again, it's another tool. One of the things that the VVCE Committee has been working on and it's got that up on its list, they want to know what's available to, to businesses to locate here. Councilman Kiesling and Daryl Revoldt, when they sat down and talked to me, said we need to have tools that are available. This is a tool that we have. That basically is useless at this point because we can't bring it out. And, again, we're trying to put tools together, go out and do economic development. Canton doesn't have a quote/unquote, economic development plan, in writing anywhere. Unless they created one the last year since I left. Jackson doesn't have one. Green doesn't have one. They have tools available that when an opportunity presents itself, they can go out and use those tools to get the business to locate there in that community. And that's basically what this is. Is another tool to help a business locate here in North Canton as opposed to going to Canton, Green or Jackson.

Mr. Bourlas: All in all, what I'm saying is, I don't think we ought to slow it down. I think somehow we got to find a solution here and get this thing going because I think we do need to do something. Thank you.

Mr. Snyder: I'm going to bring this to a closing. This is not actually a committee meeting so if there's no other comments or no other body in the audience wishing to speak to the Council this evening in public speaks, I'm going to get started. Is there anybody else wishing to speak? Ok, if not, may I have a motion to read by title only, excuse me, third reading of Ordinance 38-05?

## OLD BUSINESS:

8. Mr. Lane moved and Mr. Peters seconded to **read by title only, third reading of Ordinance No. 38-05.** All members present voting:  
Yes: Kiesling, Lane, Lindower, Peters, Sarbach and Snyder.  
No: 0

Mr. Snyder: Yes, hold on one moment here. Excuse me, prior to, has this bond been presented and everything, is this, I knew there was some question as to, this is complete?

Mr. Lane: I assumed it was squared away because it's on the agenda.

Mrs. Kiesling: Right.

Mr. Snyder: I don't know that that bond has been presented, has the bond been presented on this?

Mr. Benekos: It hasn't been finalized. But we're working with the developer and...

Mr. Snyder: We can't proceed without proper, that's a, Mr. Caticchio, if there's no bond, sir, you had over six weeks to present everything and have it here. We're not going to read this if it's not complete.



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Mr. Caticchio (*Identified by Clerk/Speaking from Audience*): Well, the way this all has worked in the past and I just talked to John Rambacher, our attorney, we always gave the final documentation after it was passed. Now, there's thirty, there's thirty days before this goes into effect.

Mr. Snyder: It was my understanding, we changed that ordinance that there be a bond placed in an actual, a document or a personal guarantee to set, to say that or we don't move forward.

Mr. Caticchio: I'm not aware of that.

Mr. Snyder: Yea, you can't, it doesn't, the subdivisions are very clear on that there's either a matter of fact, I don't even think it takes personal guarantee. It takes an actual bond.

Mr. Caticchio: We, we've always presented personal guarantees.

Mr. Snyder: We changed that when we did Mullinax. Am I not...

Mr. Pusateri: I'm not, I mean, I'm not sure of that ordinance. I'm not sure. Was there an ordinance like that? I don't know.

Mr. Snyder: I think there is. There is an ordinance that requires that there be either a bond, that there be a bond placed of that, that the sidewalks and streets be brought to, or we use to always do personal guarantees, I was, and then we changed that. Or was that just on a select developer?

Mr. Benekos: We haven't had a subdivision come in....

Mr. Snyder: Since Roy left that I know of.

Mr. Benekos: Right.

Mr. Snyder: And the last time, you know, and I respect what he's saying and I can see where we'll continue ahead because of the thirty day period because we don't want to tie them up because of construction season. But normally, what did John Rambacher say? Have you spoke to him?

Mr. Pusateri: I've not.

Mr. Snyder: Are you in a position sir....

Mr. Caticchio: ...inaudible...

Mr. Snyder: Pardon me. Go ahead.

Mr. Caticchio: Excuse me. I talked to John today. Jon, there's two things that were needed. One was the bond and the other one was the, his opinion about the, the property being clear and etcetera. Now that letter has already been sent in because he did the title search and gave his opinion. That, that he said went in about two weeks ago. And then as far as the bond is concerned, he said yes. We got thirty days in which to get the bond.

Mr. Pusateri: I knew there was an issue last week about the bond. I think Jim, he and I talked about it briefly. Inaudible...finalized or not. But that's the last I heard of it so.

Mr. Benekos: As far as I believe, the ordinance says what the Law Director will accept but...

Mr. Snyder: Bond. Yea, it says he will accept the bond. I think we changed it. It use to be personal guarantee and then at that point we asked, because that was the problem on that property. The bond was, was about a \$2,500 bond. I mean, that's what it cost him to produce. Which we held for over a year.

Mr. Pusateri: Are you talking about that ordinance that, which ordinance?

Mr. Benekos: There was that ordinance, the request to release the previous personal guarantee, which we did not do because there's still a punch list item and items need to be completed.

Mr. Pusateri: I understand, yea. But this, there's an ordinance that has been in existence that says what about the bond? I don't...

Mr. Benekos: I'd have to look that up.

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Mr. Snyder: My memory, and I possibly could be wrong but my memory serves me that we changed it to no longer accept personal guarantee. That there be an ordinance, that there be a bond, or a bank letter of credit put up to guarantee the cost of the bond. Now, you know, and I was saying, in all due difference, we've always had a very nice relationship with this gentleman. We've never had a problem. And I have no problem, personally, moving ahead. You know, if you tell us that it's, that we're within our rights to and that maybe some codicil we can amend this to put, to put that in there subject the thirty days that that bond be...

Mr. Pusateri: Well, we certainly don't have to file the plat or move any, move further without the bond. So, I mean, it's not as though if Council passed tonight that we're stuck with it. I mean...

Mr. Snyder: No.

Mr. Pusateri: If the bonds not, if it's not finalized, we just don't file the plat.

Mr. Snyder: Ok, that's all, that's all...

Mrs. Kiesling: In the end, it's up to you, correct?

Mr. Pusateri: Sure, yea.

Mr. Snyder: I mean, if you feel fine, that's fine. We can move ahead.

Mr. Pusateri: But I'm not aware of an ordinance that says that the bond has to be finalized and presented before the third reading. That's, I'm not aware of that ordinance. If it exists, I've not seen it and that was before my time but...

Mr. Snyder: Yea, I, I do know we...

Mr. Lane: All we're doing here is accepting the plat, right? You have to file...

Mr. Pusateri: It has to be recorded, yea.

Mr. Lane: Yea.

Mr. Pusateri: And before, in the past, I think we did record one in the past, unless I'm mistaken. And we, and Jim and I make sure the bonds is complete before it's recorded but..

Mr. Snyder: Not a problem. If you're comfortable and...

Mr. Pusateri: Yea, I'm comfortable with that. I mean...

Mr. Snyder: ...Administration, we'll move ahead with that.

Mr. Pusateri: Well, I'll assure Council that...

Mr. Snyder: As I say, our relationship with Mr. Caticchio has always been above board. It's not a problem.

Mr. Pusateri: Well I can assure Council, until that bond is finalized, we certainly won't have it recorded. I won't sign it. That's what I sign on the plat so.

Mrs. Kiesling: Ok.

Mr. Snyder: Ok, fine.

Mr. Caticchio: I'd like to clarify something about bonds. I know we have bonds that are requested by the...inaudible...or otherwise, but developers bonds generally are not available, you can't just buy them. I mean, for instance, this phase is exactly one million dollars to build. You can't even buy a million dollar bond. Inaudible...generally it hasn't been available for many, many years. So if that's why of course we give our personal guarantees.

Mr. Snyder: Alright sir, appreciate that. But thank you. I appreciate it. I apologize Mr. Lane for that. Go ahead.

Mr. Lane: No, that's fine. No, good questions and I knew there was a question going in. That's why when I saw it on there I assumed everything was squared away, so.

Mr. Pusateri: That's fine.

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Mr. Snyder: It's been moved a second so we can go ahead and call the roll for it to have the third reading.

Mrs. Kalpac: I already did the roll. You need to move to adopt.

Mr. Pusateri: Ok, I'll read it.

Mr. Sarbach: You have to read it.

Mr. Snyder: Wait, should, we haven't called, did we call the roll?

Mr. Pusateri: Yea, I thought we did.

Mr. Sarbach: To read it. We called the roll to read it.

Mr. Snyder: Ok, go ahead. Thank you.

### **Ordinance No. 38-05 – Third Reading**

An ordinance accepting the record plat of Monticello No. 7, known as and being part of Out Lot 188 as situated in the Northwest Quarter of Section 21, Plain Township, Stark County, Ohio, and located within the corporate limits of the City of North Canton.

Mr. Snyder: Chairman Lane?

Mr. Lane: Lots of discussion on this one but basically what we're doing is accepting the record plat. This is the third reading on this and then they get it all put together and construction can begin. So I would move we approve.

Mr. Lane moved and Mr. Peters seconded to **adopt the third reading of Ordinance No. 38-05.** All members present voting:

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

No: 0

9. Mrs. Kiesling moved and Mr. Peters seconded to **read by title only, third reading of Ordinance No. 40-05.** All members present voting:

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

No: 0

### **Ordinance No. 40-05 – Third Reading**

An ordinance authorizing the Superintendent of the Water Treatment Plant to cause the installation of an approved backflow prevention device, if necessary for the safety of the public water system, and to give notice to the property owner to install such an approved device, and repealing any and all legislation passed previously and inconsistent with this ordinance.

Mr. Snyder: Chairman Sarbach?

Mr. Sarbach: This ordinance was suggested by the Administration and it will bring the City ordinances in compliance with the Ohio Revised Code and recommendations of the Environmental Protection Agency in the subject. And I move that we adopt the third reading of Ordinance No. 40-05.

Mr. Sarbach moved and Mrs. Kiesling seconded to **adopt the third reading of Ordinance No. 40-05.** All members present voting:

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

No: 0

10. Mr. Snyder: May I have a motion to read by title only, second reading of Ordinance 43-05?

Mrs. Kiesling: So moved.

Mr. Peters: Second.

Mrs. Kalpac: Jon, excuse me. I think Doug wanted to amend that to include an emergency. Is that the swimming pool rates?

Mr. Snyder: On this reading?

Mrs. Kiesling: Yea, I think you're right.

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Mr. Pusateri: I though it was the third reading he said, yea.

Mr. Miller: Third reading.

Mr. Snyder: Third reading.

Mr. Pusateri: This is the second reading.

Mrs. Kalpac: Oh, oh ok.

Mrs. Kiesling moved and Mr. Peters seconded to **read by title only, second reading of Ordinance No. 43-05.** All members present voting:

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

No: 0

### **Ordinance No. 43-05 – Second Reading**

An ordinance establishing the rates to be charged for season membership and daily admission for the City of North Canton Municipal Swimming Pool, and the rate for swimming lessons, and repealing any and all legislation inconsistent herewith.

Mr. Snyder: Doug, are you the Vice Chairman of this?

Mrs. Kiesling: Who's on Parks with Doug?

Mr. Lane: I'm trying to think. I don't think I am.

Mr. Snyder: I know I'm on that, I'm a committee member but..

Mrs. Kiesling: Is it you Dave? Are you on Parks with Doug?

Mr. Snyder: Mr. Lindower are you the Vice Chairman of, no.

Mr. Lindower: You got me.

Mr. Snyder: Maybe you are.

Mrs. Kiesling: I'm not on Parks.

Mr. Lane: We get that every other week so.

Mr. Pusateri: I can find out. Want me to find out real quick?

Mr. Snyder: My apologies.

Mr. Peters: Dave Lindower, Vice Chairman.

Mr. Snyder: Lindower, yea.

Mrs. Kiesling: Alright Dave. You're up.

Mr. Snyder: Sorry to..

Mr. Lindower: Yea, this is an ordinance to establish a rate change for the seasonal membership for the municipal swimming pool. We had that legislation given to us last meeting. I would move that we pass the second reading of that.

Mr. Lindower moved and Mr. Lane seconded to **adopt the second reading of Ordinance No. 43-05.** All members present voting:

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

No: 0

11. Mrs. Kiesling moved and Mr. Peters seconded to **read by title only, second reading of Ordinance No. 45-05.** All members present voting:

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

No: 0

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## Ordinance No. 45-05 – Second Reading

An ordinance authorizing the Mayor of the City of North Canton to sign a Replat of part of Out Lot 211 and Out Lot 318 located within the corporate limits of the City of North Canton, as situated in part of the Southwest Quarter of Section 18, Township 11 (Plain Township), Range 8, Stark County, Ohio combining the two City owned parcels into one (1) Out Lot.

Mr. Snyder: Chairman Lane?

Mr. Lane: It's just what it says. This is some property that was given to us and, and some we already had there at the old Heiser property in behind Mullinax and basically we're just combining the two into one out lot as opposed to having two separate ones. I move we approve.

Mr. Lane moved and Mr. Peters seconded to **adopt the second reading** of Ordinance No. 45-05. All members present voting:  
Yes: Lane, Lindower, Peters, Sarbach, Snyder and Kiesling.  
No: 0

12. Mrs. Kiesling moved and Mr. Peters seconded to **read by title only, second reading** of Ordinance No. 48-05. All members present voting:  
Yes: Lindower, Peters, Sarbach, Snyder, Kiesling and Lane.  
No: 0

## Ordinance No. 48-05 – Second Reading

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; and for the Mayor to be authorized, through the Board of Control, to enter into a contract for the purchase of a Hydraulic Elevator, for use by the Water Treatment Plant.

Mr. Snyder: Chairman Sarbach?

Mr. Sarbach: Yea, this is a further upgrade of the plant to replace a very antiquated elevator, to move equipment around down there. And budgeted item and I move we adopt the second reading of Ordinance No. 48-05.

Mr. Sarbach moved and Mr. Peters seconded to **adopt the second reading** of Ordinance No. 48-05. All members present voting:  
Yes: Peters, Sarbach, Snyder, Kiesling, Lane and Lindower.  
No: 0

Mr. Snyder: Is that tape out?

Mr. Lane: You got to flip it over or something.

Mrs. Kalpac: No, it's running.

Mr. Lane: Or get the other one started.

Mrs. Kiesling: I think Doug does something.

Mr. Lane: Where's our av man?

Mayor Rice: It'll switch...

Mr. Pusateri: Yea, where's Doug?

Mayor Rice: It'll switch over on it's own.

Mr. Osborne (*Identified by Clerk*): Two minute warning.

Mayor Rice: It should be alright.

Mr. Lane: Something desperately bad is going to happen any minute. I can just tell.

Mr. Snyder: I hope that thing was made in the United States.

Mr. Sarbach: Al Quaida recently serviced our equipment. I don't know what's going on.

Mrs. Kiesling: It's never done that before.

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Mr. Osborne: You need to switch it to the other side. Foltz usually does that.

Mr. Lane: Yea, he does something.

Mrs. Kiesling: Change the tape, yea.

Mayor Rice: You can do it or it'll do it by itself. Either way.

Mr. Lane: Does it?

Mr. Snyder: Yea, the Mayor knows. He sells these things. He knows.

Mrs. Kiesling: Oh, it'll do it eventually.

Mr. Sarbach: If he says it will do it by itself, I bet it will.

Mr. Miller: He won't go look at it.

Mr. Snyder: He ain't moving too close.

Mayor Rice: Ok, the expert's going to do it.

Mr. Lindower: Inaudible...the record button.

Mr. Osborne: He usually pushes two of those buttons there. That's usually there on the other side. You turn one on and you turn the other off or something like that.

Mr. Pusateri: I guess we all have to go home.

Mrs. Kiesling: It's only been an hour though. Doesn't the tape usually last longer than an hour?

Mr. Osborne: See that one's running. Turn it off over there and turn it on over here.

Mrs. Kalpac: It is on record there.

Mr. Snyder: I don't know anything about it. I have a hard time dialing my cell phone.

Mr. Pusateri: No, I ain't touching it.

Mrs. Kalpac: Ok.

Mr. Osborne(*Speaking from the audience*): Inaudible...but the other side's running...inaudible.

13. Snyder: Ok. Alrighty. We got that now we're moving along here to, we need a motion to read by title only the third, second reading of Ordinance 50-05.

Mr. Lane moved and Mr. Peters seconded to **read by title only, second reading of Ordinance No. 50-05.** All members present voting:

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

No: 0

## **Ordinance No. 50-05 – Second Reading**

An ordinance to provide for an election on the adoption of proposed amendment to the Charter of the City of North Canton.

Mr. Snyder: Chairman Peters?

Mr. Peters: Yes, thank you. The proposed amendment is when we advertise ordinances or resolutions in the newspaper right now the Charter requires that we do it in its entirety. This will allow us to shorten it up to just the title paragraph. And by doing that, it's gonna save us a ton of money. So any questions on that? With that I move that we adopt the second reading of Ordinance 50-05.

Mr. Lane: I'll second it.

Mr. Sarbach: And this is just to get this on the ballot not to...

Mr. Peters: Yes..

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Mr. Sarbach: ...change it?

Mr. Peters: Yes.

Mr. Sarbach: This is what the ...inaudible.

Mr. Peters: Yes.

Mr. Peters moved and Mr. Lane seconded to **adopt the second reading of Ordinance No. 50-05**. All members present voting:  
Yes: Snyder, Kiesling, Lane, Lindower, Peters and Sarbach.  
No: 0

Mr. Lane: Mr. President. Could I check? Are you feeling alright?

Mr. Peters: Yea, I'm ok. I'm just...

Mr. Lane: Ok, otherwise I was going to say now that we're in the new business we do need Jeff's vote for the 18 through 21 but I thought maybe we could switch them around and he could get out of here.

Mr. Peters: No, I'm ok. I'll make it to the end.

Mr. Lane: Are you sure?

Mr. Peters: Yea.

Mr. Lane: Ok.

**NEW BUSINESS:**

14. Mr. Sarbach moved and Mrs. Kiesling seconded to **read by title only, first reading of Ordinance No. 51-05**. All members present voting:  
Yes: Kiesling, Lane, Lindower, Peters, Sarbach and Snyder.  
No: 0

**Ordinance No. 51-05 – First Reading**

An ordinance amending the Codified Ordinances of the City of North Canton by the addition of Chapter 1508.

Mr. Snyder: Chairman Lindower?

Mr. Lindower: Yea, this is an amendment to, excuse me, Chapter 1508. Basically what it involves is the addition of the key lock box ordinance being added to, which is Chapter 1508. I'd move that we adopt this ordinance, first reading.

Mr. Lindower moved and Mrs. Kiesling seconded to **adopt the first reading of Ordinance No. 51-05**. All members present voting:  
Yes: Lane, Lindower, Peters, Sarbach, Snyder and Kiesling.  
No: 0

15. Mrs. Kiesling moved and Mr. Lane seconded to **read by title only, first reading of Ordinance No. 52-05**. All members present voting:  
Yes: Lindower, Peters, Sarbach, Snyder, Kiesling and Lane.  
No: 0

**Ordinance No. 52-05 – First Reading**

An ordinance to approve, adopt, and enact the 2004 Residential Code of Ohio for One-, Two- and Three-Family Dwellings, and subsequent editions or amendments as may hereinafter be adopted and promulgated by the International Code Council and the Ohio Building Officials Association for the City of North Canton, Ohio, together with all changes, amendments, and revisions thereto and incorporated herein as "Attachment A," save and except such portions as are hereinafter deleted, amended, or modified by these Regulations, are regulating the fabrication, erection, construction, enlargement, alteration, repair, location, and use of detached one-, two- and three-family dwellings, their appurtenances and accessory structures in the jurisdiction of the City of North Canton, Ohio; and providing for the issuance of permits therefore providing penalties for the violation thereof, and repealing all ordinances and parts of ordinances in conflict therewith, with the exception of Appendix B, C and D of the North Canton Building Code.

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Mr. Snyder: Chairman Peters, we met as a Council of the Whole in your absence last week. And due respectfully sir, this simply is bringing our present zoning code in compliance with the Ohio Building Code at the recommendation of the Superintendent of Inspection & Permits has asked for this. And this simply bringing it so his enforcement is not, presently the way it's written is his enforcement is in conflict with the general accepted Ohio Building Codes book.

Mr. Lane: I think it goes back to 1985, doesn't it?

Mr. Snyder: Right. So he's asking that it be brought to 2005 language and that's what it, in essence what it, what it is.

Mr. Peters: Ok. So I'm convinced.

Mr. Lane: He'll vote for anything right now.

Mrs. Kiesling: What the heck.

Mr. Snyder: Same to you Member Sarbach, you were, you were also absent. That's what it was. In your absence with both of you, with one committee member, we did meet as a whole Council of the Whole and recommended its passage sir.

Mr. Peters: Ok.

Mr. Snyder: Ok.

Mr. Peters: Well, with that, I move that we adopt the first reading of 52-05.

Mr. Snyder: That's the most important part. Thank you for that.

Mr. Peters moved and Mr. Lane seconded to **adopt the first reading** of Ordinance No. 52-05. All members present voting:

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

No: 0

16. Mrs. Kiesling moved and Mr. Sarbach seconded to **read by title only, first reading** of Ordinance No. 53-05. All members present voting:

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

No: 0

### **Ordinance No. 53-05 – First Reading**

An ordinance establishing rental rates and policies for rental of the North Canton Civic Center and repealing any and all legislation passed previously and inconsistent with this ordinance.

Mr. Snyder: As you may notice, we split this into two separate ordinances. Last week when we discussed it in Committee, we did look at it both for Dogwood and the Civic Center collectively; however, there were two ordinances controlling the rental of those properties. And this being the first, the rental, the present new rental does provide enough revenue and we appreciate Administration doing that to cover the police when they are necessary there. We were, for intent purposes, losing money. So we're back to where the actual rentee will actually pay the cost of the policeman and will be no out of pocket to the City. And we're back to where, and I do support the recommendation of Administration on that, that those rates go into effect. However, the majority of the year, as we know, is under contract already. So unless there happens to be a cancellation or a big vacant spot, we'll probably not go 'till sometime early February of next year because it is rented that far in advance. But with that, is there any questions? If not, may I have a motion to adopt the first reading of Ordinance 53-05?

Mrs. Kiesling moved and Mr. Lane seconded to **adopt the first reading** of Ordinance No. 53-05. All members present voting:

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

No: 0

17. Mrs. Kiesling moved and Mr. Sarbach seconded to **read by title only, first reading** of Ordinance No. 54-05. All members present voting:

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

No: 0



# RECORD OF PROCEEDINGS

COUNCIL OF THE CITY OF NORTH CANTON

REGULAR Meeting

Minutes of

DAYTON LEGAL BLANK, INC., FORM NO. 10148

Held Monday, March 14, 7:00 p.m. 20 05

## Ordinance No. 54-05 – First Reading

An ordinance establishing rental rates and policies for rental of the North Canton Dogwood Park Shelter located at 241 Seventh Street NE, and repealing any and all legislation passed previously and inconsistent with this ordinance.

Mr. Snyder: Again, the rates were adjusted proportionately. However, this one, I think, does have a couple caveats where we put a deposit on the key and a couple other things. But again, it'll bring all our, roughly, bring our rental rates in-line with today's economy. Any questions? If not, may I have a motion to adopt the first reading of Ordinance 54-05?

Mr. Lindower moved and Mr. Lane seconded to **adopt the first reading of Ordinance No. 54-05.** All members present voting:  
Yes: Lane, Lindower, Peters, Sarbach, Snyder and Kiesling.  
No: 0

18. Mr. Sarbach moved and Mrs. Kiesling seconded to **read by title only, first reading of Ordinance No. 55-05.** All members present voting:  
Yes: Lindower, Peters, Sarbach, Snyder, Kiesling and Lane.  
No: 0

## Ordinance No. 55-05 – First Reading

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; and for the Mayor to be authorized, through the Board of Control, to enter into a contract for the purchase of a backwash pump, at a cost not to exceed Seventy Thousand Dollars (\$70,000.00), for use by the Water Treatment Plant, and declaring the same to be an emergency.

Mr. Snyder: Chairman Sarbach?

Mr. Sarbach: Yea, since I was not here last week and I haven't had a chance to talk to the Administrator. I will let Mike explain this.

Mr. Miller: This is a redundancy that's required by Ohio EPA. We have a choice on redundancy of fixing the backwash tower at an estimated cost of, I believe, about \$210,000 or do this for 70. This saves us about \$169,000. This is the choice that we're recommending to Council.

Mr. Sarbach: With that said, I move we adopt the first reading of Ordinance No. 55-05.

Mr. Sarbach moved and Mr. Lane seconded to **adopt the first reading of Ordinance No. 55-05.** All members present voting:  
Yes: Peters, Sarbach, Snyder, Kiesling, Lane and Lindower.  
No: 0

Mr. Sarbach moved and Mrs. Kiesling seconded to **suspend the rules for Ordinance No. 55-05.** All members present voting:  
Yes: Sarbach, Snyder, Kiesling, Lane, Lindower and Peters.  
No: 0

Mr. Sarbach moved and Mr. Lane seconded to **adopt under suspension of the rules Ordinance No. 55-05.** All members present voting:  
Yes: Snyder, Kiesling, Lane, Lindower, Peters and Sarbach.  
No: 0

19. Mr. Sarbach moved and Mrs. Kiesling seconded to **read by title only, first reading of Ordinance No. 56-05.** All members present voting:  
Yes: Kiesling, Lane, Lindower, Peters, Sarbach and Snyder.  
No: 0

## Ordinance No. 56-05 – First Reading

An ordinance authorizing the Highland Creek Subdivision (Phase 2) Waterline Extension, located in Lake Township, Stark County, Ohio in accordance with plans and specifications approved by and on file with the North Canton City Engineer, and accepting any necessary easements associated with said waterline extension, and declaring the same to be an emergency.

Mr. Snyder: Chairman Sarbach?

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Mr. Sarbach: This will continue our sales outside the City at the outside rate. And this is also funded by the developer and I move that we adopt the first reading of Ordinance No. 56-05.

Mr. Sarbach moved and Mrs. Kiesling seconded to **adopt the first reading of Ordinance No. 56-05.** All members present voting:

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

No: 0

Mr. Sarbach moved and Mrs. Kiesling seconded to **suspend the rules for Ordinance No. 56-05.** All members present voting:

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

No: 0

Mr. Sarbach moved and Mr. Lane seconded to **adopt under suspension of the rules Ordinance No. 56-05.** All members present voting:

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

No: 0

20. Mr. Sarbach moved and Mrs. Kiesling seconded to **read by title only, first reading of Ordinance No. 57-05.** All members present voting:

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

No: 0

#### **Ordinance No. 57-05 – First Reading**

An ordinance authorizing the Highland Creek Subdivision (Phase 3) Waterline Extension, located in Lake Township, Stark County, Ohio, in accordance with plans and specifications approved by and on file with the North Canton City Engineer, and accepting any necessary easements associated with said waterline extension, and declaring the same to be an emergency.

Mr. Snyder: Chairman Sarbach?

Mr. Sarbach: Everything that I said before goes for this one. I move that we adopt the first reading of Ordinance No. 57-05.

Mr. Sarbach moved and Mr. Lane seconded to **adopt the first reading of Ordinance No. 57-05.** All members present voting:

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

No: 0

Mr. Sarbach moved and Mrs. Kiesling seconded to **suspend the rules for Ordinance No. 57-05.** All members present voting:

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

No: 0

Mr. Sarbach moved and Mr. Lane seconded to **adopt under suspension of the rules Ordinance No. 57-05.** All members present voting:

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

No: 0

Mr. Snyder: Is that called fast tracking?

Mr. Sarbach: Yes. That's what that is.

21. Mr. Sarbach moved and Mr. Lane seconded to **read by title only, first reading of Ordinance No. 58-05.** All members present voting:

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

No: 0

#### **Ordinance No. 58-05 – First Reading**

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; and for the Mayor to be authorized, through the Board of Control, to enter into a contract for the Price Park Raw Waterline project, and declaring the same to be an emergency.

Mr. Snyder: Chairman Sarbach?

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Mr. Sarbach: Yes, as I was not here for this reading, or for the Council of the Whole on this, I would like for Mr. Miller to explain this one also to myself.

Mr. Miller: This is the, another section in our raw waterline upgrades to make sure that we have enough capacity to get raw water to the plant in enough quantities to not only meet our needs but also to meet future potential needs as well. And, therefore, I'd ask Council to go forward with it. This one is in the budget and has been established in our Water Rate Study as well.

Mr. Sarbach: I'm sure that it's somewhere in the literature I have but it's to be running parallel within existing...

Mr. Miller: I believe so.

Mr. Sarbach: What inch?

Mr. Benekos: 12 inch.

Mr. Sarbach: We have a 12 inch now.

Mr. Benekos: Correct.

Mr. Sarbach: And this is another 12 inch.

Mr. Miller: We're gonna go to 24.

Mr. Sarbach: This is 12 or, what size is this?

Mr. Benekos: This will be a 24 inch.

Mr. Miller: 24 inch.

Mr. Sarbach: 24, ok. So that not only gives us redundancy, it give us...

Mr. Miller: Increased capacity.

Mr. Sarbach: ...extremely more capacity. Ok. That said, any questions from the Committee?

Mr. Sarbach moved and Mrs. Kiesling seconded to **adopt the first reading of Ordinance No. 58-05.** All members present voting:

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

No: 0

Mr. Sarbach moved and Mr. Lane seconded to **suspend the rules** for Ordinance No. 58-05.

All members present voting:

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

No: 0

Mr. Sarbach moved and Mrs. Kiesling seconded to **adopt under suspension of the rules Ordinance No. 58-05.** All members present voting:

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

No: 0

Mr. Snyder: Chairman Lindower, is the, was the lock box on the...

Mr. Pusateri: Yea, it was on there.

Mr. Lindower: Yea, that was the amendment to the Ordinance...

Mr. Pusateri: It's 51-05.

Mr. Lindower: 51-05, right.

Mr. Snyder: Ok.

Mr. Lindower: That's amending Ord, or adding Chapter 1508, which is the lock box.

Mr. Snyder: Ok, thank you.

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## REPORTS:

Mr. Snyder: Director of Law, any report?

Mr. Pusateri: I do not have a report.

Mr. Snyder: Director of Finance?

Mrs. Herr: No report.

Mr. Snyder: Director of Administration?

Mr. Miller: Real quickly last week we were flushing the Maple waterline. We did test the first thousand feet past so we're working our way down, testing the other sections so it is on the way.

Mr. Snyder: Now do you begin at the very beginning and move along. Is that what you do?

Mr. Miller: Yes.

Mr. Sarbach: Which contractor is this?

Mr. Miller: Superior.

Mr. Snyder: Ok, thank you. Mayor, do you have any report?

Mayor Rice: No report.

Mr. Snyder: Thank you. Mr. Benekos?

Mr. Benekos: Just two items real quickly. First, we opened up bids on Friday for the South Main/Everhard Project. It came in a little bit higher than we anticipated. We're gonna look at some of the elements of that project and redesign those and rebid the project. One of the items we're gonna put in, as far as an alternate bid, not as the base bid but as an alternate bid to see how much it would save us, is detouring traffic. We feel that could be in the neighborhood of 300 to \$500,000 savings.

Mr. Snyder: You're kidding?

Mr. Benekos: No. Because of the part width construction of the bridge and the maintenance of traffic. The sheeting that they have to put in there to maintain the road while they take out half the road and half the bridge. The sheeting cost was about \$500,000. Some of that would still need to be in there if we detoured traffic. So we will bid that as an alternate and see how the prices come in. If they do come in significantly less, I will come back to Council and ask you to consider that. Hopefully, some of the other items that we're redesigning will lower the costs so it is within the funding levels that we have from, from the federal funds and from Ohio Public Works funds. So I'll keep you posted on that.

Mr. Snyder: May I ask what percentage? Were we short?

Mr. Benekos: The estimate was 200, 2.5 million, and the bid came in at about 3 million.

Mr. Snyder: So that's a half a million dollars.

Mr. Benekos: Correct.

Mrs. Kiesling: Can I ask a quick question? Again, if we did detour traffic, what's the difference between detouring and not detouring with the time frame. I can't remember.

Mr. Benekos: The time frame right now, the time frame is 260 days for completion if we detour traffic that would be lowered to 200 days. So were looking, the detour itself, we would limit to 120 days. They would have to complete that portion and the detour would be from the south of Everhard. You would be able to...

Mrs. Kiesling: Turn onto Everhard.

Mr. Benekos: You'd be able to turn onto Everhard and turn north from Everhard.

Mr. Snyder: You're talking about taking it into the first week of December?

Mr. Benekos: Correct. That'd be...

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Mr. Snyder: You almost, you're almost looking for somebody to blow your head off. No, I mean realistically.

Mr. Benekos: Yea, but the detour itself would only be for 120 days.

Mrs. Kiesling: That's four months.

Mr. Benekos: The completion of the project would be 200 days. But the detour would be three months.

Mr. Snyder: So, now, the north/south traffic north of Everhard would be suspended for...

Mr. Benekos: North of Everhard would be as is. You'd be able to come all the way south to Everhard and turn onto Everhard and you'd be able to come off Everhard and turn north.

Mr. Snyder: Through construction.

Mr. Benekos: Through construction.

Mr. Snyder: You're talking about detouring the northbound Cleveland Avenue to make it turn onto Everhard for three months.

Mr. Benekos: Correct.

Mr. Snyder: But I'm, I am really more concerned about the people along Main Street, the merchant. The Belden Village merchants are another thing.

Mr. Benekos: Right.

Mr. Snyder: But that would be right in the height of the shopping season.

Mrs. Kiesling: Well, I think you're coming north. The detour isn't as bad as if you're going south.

Mr. Snyder: That's where all, everyone makes a westward turn onto Everhard. That takes the whole south end of the County to come using...

Mr. Lindower: 38<sup>th</sup> Street will get it all.

Mr. Snyder: Yea.

Mr. Lane: Yea, Jim can you refresh us on, and maybe we shouldn't get the long discussion but, the northbound detour? We have talked about this but we told you not to do it but I think, do you have it in the back of your mind?

Mr. Benekos: I forget which street they would detour and go west over to Market and north to Easthill.

Mr. Snyder: It would have to be 44<sup>th</sup>.

Mr. Miller: 44<sup>th</sup>.

Mr. Benekos: 44<sup>th</sup>, ok.

Mr. Snyder: There's nothing you can come further north than 44<sup>th</sup>. Unless you want to take it across Knoll.

Mrs. Kiesling: All the way out to Market. You're gonna try to get 'em to Market.

Mr. Lane: You're gonna be doing that anyway.

Mr. Benekos: Right.

Mrs. Kiesling: But you know that's not gonna happen.

Mr. Snyder: But Market the next, next east/west connection would be Schneider Road.

Mrs. Kiesling: Or Easthill. I mean, they could come back down Easthill.

Mayor Rice: Easthill.

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Mrs. Kiesling: And then, if they want to come back up Everhard, wow, that's a huge...

Mr. Snyder: Well, we have construction at Easthill with the...

Mrs. Kiesling: But some of the lanes will be.

Mr. Snyder: With the lanes there. Do we not? Are we...

Mr. Lane: The traffic would be maintained...inaudible.

Mr. Snyder: Are we not putting a east and a protected eastbound turn. They can't come Easthill.

Mrs. Kiesling: I bet at times.

Mr. Benekos: Well, yea, the construction from Everhard up to Easthill will be done at the same time so it will be difficult.

Mrs. Kiesling: It'll be crazy.

Mr. Benekos: It might be better to take them up to Schneider.

Mr. Snyder: It'll have to be Schneider Road. There would have to be something done with the timing of the Schneider Road light. Because that's about the second highest accident area in the City.

Mrs. Kiesling: There's a trip on it, that's why it's so...

Mr. Snyder: Might have to have a policeman there and eliminate the light. Is there some way that we can...

Mr. Lane: I was going to have one on Knoll. You can't have them.

Mr. Snyder: Well we had a little patrol badge for you and a little hat.

Mrs. Kiesling: We should just shut that road off.

Mr. Benekos: Hopefully the bids will come in low enough that we won't have to consider that but if it should then we'll present you with that situation.

Mr. Snyder: That's good.

Mr. Benekos: The other item is, the good news is, we did bid Werstler out this morning. The budget for that was 260,000 and the bid came in about 203,000. So we...

Mr. Snyder: That was more close to the estimate.

Mr. Benekos: Right. We saved some money on that one but not enough. And that's all I had this evening. Thank you.

Mr. Snyder: Thank you for that nice news.

Mayor Rice: Bad news then the good news. Bad news is worse than the good news.

Mr. Snyder: Madam Clerk?

Mrs. Kalpac: No report.

## REPORTS – COUNCIL:

Mr. Snyder: Member Lindower?

Mr. Lindower: No report.

Mr. Snyder: Member Lane?

Mr. Lane: I'll reserve my comments till we here more from Jim.

Mr. Snyder: Member Kiesling?

Mrs. Kiesling: No report.

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Mr. Snyder: Member Peters?

Mr. Peters: No report.

Mr. Snyder: Member Sarbach?

Mr. Sarbach: Yea, I'd like to thank the Council for excusing me last week for some family medical business. And I did miss the first few contacts with Administration regarding the CIC. I'm looking forward to meeting with them hopefully within the next few days to get up to speed with what they have to say. That's all I have at this time.

Mr. Snyder: As you know, I took the liberty of accepting the invitation of President Jusseaume.

Mrs. Kiesling: Yea, I did want to talk about that. I'm sorry.

Mr. Snyder: And of Mr. Fountain, Professor is it Richard Fountain? Or Dick Fountain?

Mrs. Kiesling: Ron.

Mr. Lane: Ron.

Mr. Snyder: Ron Fountain. Their schedules were as much as, that was the first opportunity realizing that it is a Council of the Whole; however, as the Mayor pointed out earlier in his comments, they're here to give us that detail so they will be here and I'm sure you'll have no problem in allowing...

Mrs. Kiesling: Well, I spoke to President Jusseaume today and he said he could be here by 6:30 if we'd like him to, especially if we're gonna have a presentation from somebody else too. Because they're gonna have a PowerPoint presentation and everything. President Jusseaume is, so his presentation is gonna probably take twenty minutes to a half an hour and then we have another one. So I invited them at 6:30 if that's ok with everybody.

Mr. Snyder: So then obviously you want to request that we have a committee. Now do you, would you like to have an Economic & Development Committee meeting?

Mrs. Kiesling: Sure.

Mr. Snyder: Call that under your committee? Is that what you mean? And we will do that and begin at 6:30. If the press will note that, that we'll be here. The audience will be here at 6:30 for presentation of President of Walsh College and then did you say you have a...

Mrs. Kiesling: Then, next on my committee will be the presentation from the firm. The consulting firm.

Mr. Snyder: We'll commit to do that right after that.

Mrs. Kiesling: Uh huh.

**FINAL CALL FOR NEW BUSINESS:**

Mr. Snyder: Ok. I don't think there's any other questions. Is there any questions? Last call for new, Mam, step forward. How are you tonight Ms. Davis?

Ms. Davis: You saw me here. You knew that I was going to be up here.

Mr. Snyder: I seen you come in. I thought, I was hoping that light was working over there by your house.

Ms. Davis: Pat Davis, 414 West Maple. I'm here about the rezoning. Is that what 52-05 is?

Mrs. Kiesling: No.

Mr. Snyder: No mam.

Ms. Davis: We got to get on this. I'm affected by it and a lot of people in this area are affected by it. We're living in single family homes and if there's a fire, they can't rebuild as a single family home.

Mrs. Kiesling: I would hope there would be...

Mr. Snyder: That'll come back here to Council...

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Mrs. Kiesling: ...should be on the agenda next week.

Ms. Davis: I hope it doesn't come back to bite any of us.

Mr. Snyder: No, it'll come back and it'll have to have a public hearing.

Mrs. Kiesling: Right, but ...inaudible.

Mr. Snyder: And at that point...

Ms. Davis: How soon does it come back to Council?

Mr. Snyder: I don't know when the, has it came over?

Ms. Davis: Cause I was at the...

Mr. Pusateri: You have to have thirty days notice for a public hearing.

Mr. Miller: There's a statutory limit. The time frame, I think, it's thirty days that this has to be advertised.

Mr. Snyder: Yea, we have until thirty days. So it'll probably sometime...

Ms. Davis: Thirty days from?

Mr. Snyder: We have to set a public hearing. Which will be out thirty days. Which would be roughly around the third week of April there'll be a hearing.

Mrs. Kalpac: I think we have to advertise.

Ms. Davis: This doesn't fall under the same to be an emergency?

Mr. Snyder: No mam. You're not allowed to change zoning under emergency.

Ms. Davis: You can't do that on zoning.

Mr. Pusateri: Yes, there's a thirty day you have to...

Ms. Davis: Ok. I'd just encourage everyone to take a good look at these maps. See what dwellings are upon the various lots. Marcia was at the meeting and so was Doug but he's not here. It's affecting, and Paul was there, it's affecting a lot of residents. They're, I think they bought under single family dwellings and somehow, somehow unbeknownst to various property owners, they got rezoned and...

Mr. Snyder: That's correct, unfortunately in June of, two years ago, when we redid the zoning, at that point, it was in there as an overlay. That area south bordered by, I think, Harmon to the far south and Charlotte to the northern portion became a multi-family area. And..

Ms. Davis: And property owners were not informed of it.

Mr. Snyder: ....as I told you when I spoke to you, Superintendent of Permits Hemminger brought that to my attention, I spoke to Mr. Miller about it and was put on the agenda to change it back to, along with Councilman Foltz, to change back to single family and duplex. I believe it allows duplexes.

Ms. Davis: Well that's what they're proposing for our end of town.

Mr. Snyder: Right, right. Because there are duplexes in there now that would be conforming. Otherwise will be nonconforming. And again, you're in the same position.

Ms. Davis: Well there's a single family, there's a lot of single family houses that are nonconforming.

Mr. Snyder: Right, well those are grandfathered as nonconforming. Those duplexes will become nonconforming in a single family zoning area.



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Ms. Davis: But what we were told by the Planning Commission the other day is, if there is a fire, we cannot rebuild as a single family unit.

Mr. Snyder: Not permitted to build more than, alter the property more than twenty five percent. That's correct. If the house goes to the ground...

Ms. Davis: I have to build a duplex.

Mr. Snyder: Under the present zoning...

Ms. Davis: Yea.

Mr. Snyder: Yes mam, that's right.

Ms. Davis: And not just me some of the other people in the area.

Mr. Snyder: That's correct. And that's why were trying to get it back...

Ms. Davis: I just encourage all of you to take a good look at that map and move on it as quick as you can.

Mr. Pusateri: I'll just tell you that pursuant to our zoning ordinance that once Council receives the recommendation from Planning Commission that is has to publish notice at least thirty days prior to the date of the hearing. So they can't have a hearing until thirty days after the notice and that's, I think, next Council of the Whole decides to publish the notice and when the hearing's gonna be.

Mr. Snyder: Right.

Mr. Pusateri: So, it just takes time. You change zoning, zoning codes you have to go through a process to make that change so to make sure everybody has sufficient notice to be heard.

Mr. Snyder: The first reading will be acted upon the night of the public hearing.

Ms. Davis: It's just too bad that when the zoning was changed however many years ago we weren't notified.

Mr. Snyder: Well, I think, I think we had a, we shepherded that thing through a little quicker.

Ms. Davis: Yea, I think it was shepherded through.

Mr. Snyder: Yes mam, I think it was. I agree with you there.

Ms. Davis: Yea, because when I bought my house it was single family...

Mr. Snyder: It was. We...

Ms. Davis: It was zoned that way. And when I got changed over to a six or twelve unit apartment duplex, I have no idea. Probably when the people next to me, the lawyer, built his six unit.

Mr. Pusateri: Blame the lawyers.

Ms. Davis: Not you. There was a little bit more money there than what I had.

Mr. Snyder: We'll be in touch with you Ms. Davis. Thank you.

Ms. Davis: Well I hope so. If not, I'll be in touch with you.

Mr. Snyder: Anyone else wishing to speak? Mr. Fano are you clearing your throat or you wishing to speak? There being no other, may I have a motion to adjourn?

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ADJOURN:

Mr. Lane moved and Mr. Lindower seconded to adjourn the council meeting. All members present voting:

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

No: 0

The meeting adjourned at 8:32 p.m.

\_\_\_\_\_  
PRESIDENT OF COUNCIL

ATTEST:

\_\_\_\_\_  
CLERK OF COUNCIL

03/21/05-ALG