

RECORD OF PROCEEDINGS

Minutes of

COUNCIL OF THE CITY OF NORTH CANTON

REGULAR Meeting

DAYTON LEGAL BLANK, INC., FORM NO. 10148

Held Monday, March 28, 7:00 p.m. 20 05

CALL TO ORDER:

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

ROLL CALL:

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

Mr. Lane moved and Mr. Peters seconded to excuse the absence of Council Member Kiesling.

All members present voting:

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

No: 0

5. Consideration

Minutes of Council Meeting: 03/14/05

Mayor's Court Receipts: February, 2005

Mr. Lindower moved and Mr. Lane seconded to approve the council meeting minutes and Mayor's court receipts as presented. All members present voting:

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

No: 0

6. Committee Reports

Community & Economic Development Committee: Refer to the minutes on file in the Council Office of the Community & Economic Development Committee meeting held March 21, 2005.

Finance & Property Committee: Refer to the minutes on file in the Council Office of the Finance & Property Committee meeting held March 14, 2005 and March 21, 2005.

Personnel & Safety Committee: Refer to the minutes on file in the Council Office of the Personnel & Safety Committee meeting held March 21, 2005.

Street & Alley Committee: Refer to the minutes on file in the Council Office of the Street & Alley Committee meeting held on March 21, 2005.

Water, Sewer & Rubbish Committee: Refer to the minutes on file in the Council Office of the Water, Sewer & Rubbish Committee meeting held March 21, 2005.

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

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

No: 0

7. Recognition of Visitors

Mr. Snyder: Is there anyone in the audience wishing to speak to the Council this evening? If so, step forward, state your name and address for the record. Sir.

Mr. Baxter: My name's Rod Baxter and I reside at 1160 Rosewood Circle, SE. Would it be appropriate to pass out a handout to you all?

Mr. Snyder: Sure, sure.

Mr. Baxter: Ok, that's coming around. What'd I like to do is take the opportunity to build on the momentum and excitement that was built last week by Rich Jusseaume and actually since this past summer. And representing one of the committees that was a spin-off of the Imagine North Canton initiative and then also talk about how that committee interacted or interfaced with two other committees that are active here in North Canton. The committee I'm talking about is the, it's called the Vital and Vibrant Commercial Environment Committee. That was a committee as a result of the Imagine North Canton. That committee has been active since

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around August of last year and it has members and you're going to see a little bit of similarities between these three committees but the members on that committee are community leaders, organizational leaders, educators, residents, business owners. That's the committee makeup. It's a very diverse, broad committee. It has, has a mission similar to another committee I'm gonna talk about. And that's to develop initiatives and focus and direction to stimulate and help the economic well being of North Canton. What I'd like to talk about are the two committees that that committee interfaced with most recently and those are TAP, Talk About Potential, if I get that correct. And the other one is the North Canton Chamber of Commerce Economic Development Committee. And just for those who may not be aware, the TAP Committee consists of approximately twenty-five North Canton residents and the easiest way for me is just to kinda read this paragraph that was put together for me. But it consists of about twenty-five North Canton residents, business owners, organizational leaders and it's been meeting regularly for about the past fifteen years. The purpose is to identify community needs and to promote solutions to those needs through cooperation and collective influence. The goal of TAP is to enhance the quality of life of the residents and businesses of North Canton. That committee, along with the North Canton Chamber of Commerce Economic Development Committee, which is an active committee led through the North Canton Chamber, and its members include, again, North Canton residents, business owners, community leaders, educators, and likes. Its mission is to develop and implement plans that stimulate the economic well being and growth of North Canton. What had happened was this Vital and Vibrant Commercial Environment Committee had been meeting regularly as a result of the Imagine North Canton and they felt that they were developing initiatives that were parallel to some of these other committee's efforts. So what we did was, we had a three committee meeting about somewhere mid-February where TAP, the Economic Development and what I'll call the VVCE, Vital and Vibrant Commercial Environment Committee, got together and discussed, you know, where these three committees fit within the community and what their purposes are. We met, we decided to, for the three committees to develop their top initiatives or top priorities that they believe should be pursued by the North Canton community. And the committees separated and we reconvened about a month later which was last Thursday with the results of those votes. Two things came out of that last meeting. One, the VVCE Committee is now dissolved. It has been really taken up by the Economic Development Committee. There was no need to have two committees working on the same initiatives burning up resources. So the Economic Development Committee now has taken over those priorities and initiatives from the VVCE. The other thing that came out of that is the list that's on the handout that I gave you and we have some extras if folks in the audience would want those. But we came out with the top initiatives that these committees would like to see pursued and I'll kinda read what, what we have here. These are suggested priorities. You'll see that they're extremely consistent and the committee members, the three committee members would like City Council and Administration to use these lists as appropriate, as you feel appropriate to guide future short and long term economic decision making efforts. So I'll just quickly read these three lists. And what you'll notice is the similarities among the lists. Again, these were done in separate meetings through voting and discussion techniques but they are very similar. TAP had eleven initiatives on their list. The top was, they would like to see a full time economic development director. The next one on their list, number 2, was land banking city funding for the CIC. Third was down town parking. Fourth, post office. Fifth, community sign. Sixth, to work on annexation. Seventh, Hoover/Maytag front lawn. Retain that green space across the street. Eighth was to promote Walsh as a community asset. Ninth was to work on usage of the Fairways which use to be Arrowhead Golf Course/Country Club. Tenth was to retain, work to retain current businesses such as Hoover. And eleventh, complete the Main Street improvements. So I'll just quickly go through the Economic Development Committee's list of priorities and then the VVCE's. And you'll see the top one on the Economic Development Committee was funding and effective use of North Canton CIC. That was second on the list for TAP. Second on the list for Economic Development Committee was to hire an economic development director, first on the list for TAP. Third, down town parking. Third on the list for TAP. Fourth, community sign. Fifth on the list for TAP. Vital and Vibrant Commercial Environment Committee's first on the list was to hire an economic development director. Again that was the top two for the other committees. Within that broken down was to create, manage, or I'm sorry, create and manage a land bank group, the CIC. Second on their list was, develop and provide a competitive package and incentives to keep, retain current business and to stimulate new business. Third was quality professionally written city development plan. Fourth, work with Maytag to explore options for Hoover as things progress there. Fifth was to develop an economic development plan. Sixth, attract employers that employ high wage earners. Seventh, an SID, Special Improvement District. And Eighth, expand parking. Again, I'm just kinda delivering the message. Those three committees that are now two, TAP and Economic Development Committees, are very active. There are members in the audience and certainly most of you know how to get a hold of those members. But there's meat, more meat behind these lists. These items on this list. This is a list I gave you but they have action plans, timelines, responsibilities and people that they would like to work on these. So there's more behind it should you need that or want that. And that's the end of my presentation. I appreciate the time and hope that this is of some value and will be used appropriate. Thank you.

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Mr. Snyder: Thank you sir for your kind remarks. It seems like, just to cursory review this. There's a lot of work and a lot of effort went into that for, to which the, on behalf of the Council, we appreciate your efforts and I'm sure the Administration will move accordingly with that. Thank you. Is there anyone else wishing to speak to the Council this evening?

Mr. Dansizen: My name is Jim Dansizen. 3645 Dauphin Drive, NE in North Canton. I'm a member of the North Canton Chamber Economic Development Committee. A member of TAP, Talk About Potential for North Canton and the Walsh University's Imagine North Canton. A great many men and women have spent many hours, days, months and years on these committees. Men and women from all walks of life. People from the political arena, business community, and every day ordinary citizens who are interested in the future of North Canton, Ohio. I believe that we have a City Council and a City Administration that is ready to move this City forward with some of the issues that Rod talked about a minute ago. Namely, an economic development director and a proper funding of the CIC. TAP has been working for many years on these and other issues. And now we can see some light at the end of the tunnel. I'm pleading with you City Council, City Administrators, please make our dream a reality. Thank you.

Mr. Snyder: Thank you sir. Anyone else wishing to speak to the Council this evening? Sir.

Mr. Saylor: My name is Glenn Saylor, Jr. I reside at 340 Reed Avenue, North Canton, Ohio. I've come tonight to support Councilwoman Kiesling's suggestion of hiring an outside consultant to create a formal economic development plan for the City of North Canton. This needs to happen before a community improvement corporation is established not after. Some have said that spending fifty thousand dollars to have a consultant develop such a plan is a lot of money and I would not disagree. But when we were talking about appropriating two million dollars to fund a CIC, fifty thousand dollars represents just 2.5 percent of that amount. There's no guarantee of success whatever we do but you certainly increase your likelihood of success with a formalized plan. Mayor Rice says that we don't need to hire an outsider. Although I respect and appreciate the efforts put forth by the citizens and local groups, each one of us, including myself, come with our own biases, our own prejudices, and our own economic and political interests. Some times we are too close to the trees to see the forest. We are too close to see things and we may overlook positive things in the City of North Canton and likewise we may overlook some of the negative things. It is important that this be balanced with an outside entity that has none of these biases or prejudices. An outside consultant who has experience working with many communities throughout the United States is going to be able to help us see the many positive aspects of this community and just as importantly, the not so positive aspects. I am sure that they will very much want to hear the ideas of the citizens of North Canton and meld these into the economic development plan. If economic development in the City of North Canton is to be successful, we will need to entice outsiders to invest in this City. Therefore, we need to have a formal economic development plan that honestly looks at North Canton from an outsiders point of view. Some have said that the sky is falling and we must act now. I would suggest that we take the six months required to develop a formal economic development plan. This will put us in position to create a CIC if that is the direction we decide to go late this year or early next year. This extra time up front may put us years ahead in the long run. If what I have said so far has not convinced you that developing a formal economic development plan is a good idea, than I conclude with this sentence from the March 16th edition of the Canton Repository, quote, City Administrator, Michael Miller, who was the, who was a member of the Canton CIC Board for twelve years noted that Canton didn't have formalized economic development plan when he was part of the board. Now I think Mr. Miller was arguing that we don't need to have a formalized economic development plan to be successful. But I think if you took a long hard look at our neighbors to the south, the City of Canton, you'll agree, we do need to have one. Thank you.

Mr. Snyder: Thank you sir. Anyone else wishing to speak to the Council this evening?
Ok, thank you.

OLD BUSINESS:

8. Mr. Snyder: May I have a motion to read by, excuse me, before I do that. Chairman Foltz, do you want to amend this piece of legislation prior to its third reading?

Mr. Foltz: Yes, so we can put on emergency.

Mr. Snyder: Alright sir. Would you, would you do that then?

Mr. Foltz: Yea, I'll make that motion Jon.

Mr. Snyder: Ok.

Mr. Peters: I'll second that.

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Mr. Sarbach: I'm sorry, would you repeat the motion please?

Mr. Snyder: The motion would be on Ordinance 43-05. It would contain the emergency clause making...

Mr. Sarbach: Ok, right. I'm sorry. I didn't understand.

Mr. Snyder: ...it effective soon as the Mayor signs it.

Mr. Foltz moved and Mr. Peters seconded to **read by title only, third reading of Ordinance No. 43-05.** All members present voting:
Yes: Sarbach, Snyder, Foltz, Lane, Lindower and Peters.
No: 0

Mr. Sarbach moved and Mr. Foltz seconded to **read by title only, third reading, as amended of Ordinance No. 43-05.** All members present voting:
Yes: Snyder, Foltz, Lane, Lindower, Peters and Sarbach.
No: 0

Ordinance No. 43-05 – Third 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 and declaring the same to be an emergency.

Mr. Snyder: Chairman Foltz?

Mr. Foltz: Yes, Jon. As we've discussed the last month and a half, these rates, current rates only went up for single people or single memberships \$5. Family of four, \$10. So they're very reasonable considering all the costs involved with running the pool and the improvements that we do every year. And I think we're all quite proud of the pool that the City has for our residents so. School district, same way, single went up \$5. Family of four went up \$10. And to note the senior charge did not go up at all. That stayed at \$15 for City resident and \$25 for school district resident. So with that, I'd like to see us pass this on emergency so we can start selling season memberships.

Mr. Sarbach: Is that your motion?

Mr. Foltz: Yes.

Mr. Sarbach: I'll second that.

Mr. Foltz moved and Mr. Sarbach seconded to **adopt the third reading, as amended of Ordinance No. 43-05.** All members present voting:
Yes: Snyder, Foltz, Lane, Lindower, Peters and Sarbach.
No: 0

Mr. Foltz moved and Mr. Lane seconded to **suspend the rules, as amended for Ordinance No. 43-05.** All members present voting:
Yes: Foltz, Lane, Lindower, Peters, Sarbach and Snyder.
No: 0

Mr. Foltz moved and Mr. Sarbach seconded to **adopt under the rules of suspension, as amended Ordinance No. 43-05.** All members present voting:
Yes: Lane, Lindower, Peters, Sarbach, Snyder and Foltz.
No: 0

9. Mr. Lane moved and Mr. Sarbach seconded to **read by title only, third reading of Ordinance No. 45-05.** All members present voting:
Yes: Lindower, Peters, Sarbach, Snyder, Foltz and Lane.
No: 0

Ordinance No. 45-05 – Third 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?

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Mr. Lane: This is our third and final reading on this. This is basically Heiser property that eventually ended up in the City and we have two lots that we want to combine into one. So I would move that we would approve this third and final reading.

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

10. Mr. Snyder: Chairman Sarbach, I don't know if you're aware that, that came over from Administration. They do want to change this ordinance to read the purchase and installation of a hydraulic elevator.

Mr. Sarbach: I wasn't aware of that.

Mr. Snyder: No sir, I know. I apologize I just found out at the eleventh hour. So with your permission, would you mind asking you to have that ordinance amended to read contract for the purchase and installation of that elevator?

Mr. Sarbach: I'd like to ask a question to the Engineer.

Mr. Snyder: Sure.

Mr. Sarbach: Does this still fall within the same estimate as we allocated for this project?

Mr. Miller: Same budget amount. Same budget amount it's just making it clear....

Mr. Sarbach: For the, that would include the installation?

Mr. Miller: ...that it's not just buying it. We also have to have it installed. We don't have anybody that can install an elevator.

Mr. Sarbach: The question is, the money we have budgeted for this purchase, is there enough there to include the installation?

Mr. Miller: Yes. Yes.

Mr. Sarbach: So we're not looking for anymore money. We're looking to correct the wording of the ordinance?

Mr. Miller: Yes.

Mr. Sarbach: In that case, I'd like, I move that we amend Ordinance 48-05 to include installation of same elevator.

Mr. Sarbach moved and Mr. Foltz seconded to **amend** Ordinance No. 48-05 to read, "for the purchase and installation of a hydraulic elevator". All members present voting:
Yes: Peters, Sarbach, Snyder, Foltz, Lane and Lindower.
No: 0

Mr. Sarbach moved and Mr. Peters seconded to **read by title only, third reading, as amended** of Ordinance No. 48-05. All members present voting:
Yes: Sarbach, Snyder, Foltz, Lane, Lindower and Peters.
No: 0

Ordinance No. 48-05 – Third 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 and installation of a Hydraulic Elevator for use by the Water Treatment Plant.

Mr. Snyder: Chairman Sarbach?

Mr. Sarbach: Yes, this is self explanatory. This is a budgeted item to upgrade our plant. The elevator that's in there now, to move equipment around is as old as the plant. Which is probably thirty, thirty-five years old. And this brings it up to code and safety requirements that we need to have to operate that facility. With that, I move that we adopt the third reading of Ordinance No. 48-05.

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

11. Mr. Lane moved and Mr. Peters seconded to **read by title only, third reading of Ordinance No. 50-05.** All members present voting:
Yes: Foltz, Lane, Lindower, Peters, Sarbach and Snyder.
No: 0

Ordinance No. 50-05 – Third Reading

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

Mr. Peters: Chairman Peters?

Mr. Peters: Uh yea. It's just that. And this proposed amendment will allow us instead of advertising ordinances or resolutions in their entirety in the newspaper, it allows us to advertise by title paragraph only. Which would be a substantial savings. So with that being the third reading, I move that we adopt third reading of 50-05.

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

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

Ordinance No. 51-05 – Second 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: Yes, this is, as it stated, amending the Codified Ordinance to add Chapter 1508 which is in addition for, I believe, the drug testing policies. Is that correct Mike?

Mr. Miller: I believe so.

Mrs. Kalpac: No.

Mr. Lindower: Is it 1508?

Mrs. Kalpac: Isn't that key lock box?

Mr. Miller: Yes.

Mr. Snyder: 1508 is drug testing.

Mr. Miller: Yes.

Mr. Lindower: Yes, that's to amend that ordinance so that we can add that Chapter 1508 and I move that we pass the second reading on that.

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

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

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Ordinance No. 52-05 – Second 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.

Mr. Snyder: Chairman Peters?

Mr. Peters: Uh yea. Just one question Jon. This has nothing to do with the area behind City Hall ...inaudible.

Mr. Snyder: No, this is a, this just simply is bringing the enforcement, our code, to be uniform with the Ohio Residential Building Codes.

Mr. Peters: Ok.

Mr. Snyder: I think we were in conflict with the two. Now they are both harmonious and the laws of the State of Ohio are mirrored to, or the City of North Canton laws are mirrored to the laws of Ohio. At the present time, I believe, we go back maybe almost twenty years since...

Mr. Lane: I think it's eighty, eighty-five.

Mr. Snyder: Yea, since we've actually changed anything. So they're just asking for enforcement purposes that local people who have to abide by those rules know because it's a uniform no matter where you go to do that, it's all the same. And ours would be identical. But no, it doesn't have nothing to do with changing the...

Mr. Peters: Ok.

Mr. Snyder: ...zoning and, coming up.

Mr. Peters: So this just basically brings up to date with...

Mr. Snyder: This will bring our, the enforcement and our codes uniform with the Ohio Building Codes.

Mr. Peters: Ok, very good. Everybody ok with that? Alright, with that, I move that we adopt the second reading, 52-05.

Mr. Peters moved and Mr. Lane seconded to **adopt the second reading of Ordinance No. 52-05.** All members present voting:
Yes: Snyder, Foltz, Lane, Lindower, Peters and Sarbach.
No: 0

14. Mr. Sarbach moved and Mr. Peters seconded to **read by title only, second reading of Ordinance No. 53-05.** All members present voting:
Yes: Foltz, Lane, Lindower, Peters, Sarbach and Snyder.
No: 0

Ordinance No. 53-05 – Second 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: Again, this is for the Civic Center itself. You know it's all rented just practically every weekend. This will accomplish two things. One it will bring us inline with the actual costs of the upkeep and the depreciation on the building as well as to offset our cost of police that we have to place. The City ordinance requires that there be two policemen there if there's liquor served and they're on the actual City payroll. So by raising these rates, in essence, the renter will be paying the appropriate fees for not only the physical facility but the personnel that supports the rental. And that will not be, that'll only be charged on new rentals whenever it does go into effect after we have the third reading in the thirty day period. Any questions?

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Mr. Sarbach: So the ones that are booked will stay as is?

Mr. Snyder: Right. They're under contract at the present rate. If there are no questions, may I have a motion to adopt the second reading of Ordinance 53-05?

Mr. Lane moved and Mr. Peters seconded to **adopt the second reading of Ordinance No. 53-05.** All members present voting:
Yes: Lane, Lindower, Peters, Sarbach, Snyder and Foltz.
No: 0

15. Mr. Peters moved and Mr. Lane seconded to **read by title only, second reading of Ordinance No. 54-05.** All members present voting:
Yes: Lindower, Peters, Sarbach, Snyder, Foltz and Lane.
No: 0

Ordinance No. 54-05 – Second 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, we're bringing, Administration's keeping our fees and, up to snuff to actually take care of the depreciation and the rental of the building. And if there are no questions, I will entertain a motion to adopt the second reading of Ordinance 54-05.

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

NEW BUSINESS:

16. Mr. Lane moved and Mr. Peters seconded to **read by title only, first reading of Ordinance No. 59-05.** All members present voting:
Yes: Sarbach, Snyder, Foltz, Lane, Lindower and Peters.
No: 0

Ordinance No. 59-05 – 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 James Street Improvements project, and declaring the same to be an emergency.

Mr. Snyder: Chairman Lane?

Mr. Lane: We talked about this last week. This is a much needed rehab on James Street. It comes in at 415,000 from various funds that you have attached to the ordinance and I would move that we would adopt the ordinance.

Mr. Lane moved and Mr. Peters seconded to **adopt the first reading of Ordinance No. 59-05.** All members present voting:
Yes: Snyder, Foltz, Lane, Lindower, Peters and Sarbach.
No: 0

Mr. Snyder: May I have a motion to suspend the rules of council as an emergency exists due to time to get it properly started.

Mr. Lane moved and Mr. Peters seconded to **suspend the rules** for Ordinance No. 59-05. All members present voting:
Yes: Foltz, Lane, Lindower, Peters, Sarbach and Snyder.
No: 0

Mr. Lane moved and Mr. Peters seconded to **adopt under suspension of the rules Ordinance No. 59-05.** All members present voting:
Yes: Lane, Lindower, Peters, Sarbach, Snyder and Foltz.
No: 0

Mr. Snyder: I'd like to thank the Administration and the Council for that cause the people at James Street will be very appreciative of that. Thank you.

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17. Mr. Sarbach moved and Mr. Peters seconded to **read by title only, first reading of Ordinance No. 60-05.** All members present voting:
Yes: Lindower, Peters, Sarbach, Snyder, Foltz and Lane.
No: 0

Ordinance No. 60-05 – 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 Backwash Holding Tank, Water Treatment Plant Phase III project, and declaring the same to be an emergency.

Mr. Snyder: Chairman Sarbach?

Mr. Sarbach: Yea, this project will bring us in compliance with EPA practices for that Water Treatment Plant. It will allow us, it's a 120,000 gallon underground storage tank. It will allow two complete backwashes of the filtering system to keep that plant in continuous operation. Now that we have a backup generator we can do that. And I move that we adopt the first reading of Ordinance No. 60-05.

Mr. Sarbach moved and Mr. Peters seconded to **adopt the first reading of Ordinance No. 60-05.** All members present voting:
Yes: Peters, Sarbach, Snyder, Foltz, Lane and Lindower.
No: 0

Mr. Sarbach moved and Mr. Peters seconded to **suspend the rules** for Ordinance No. 60-05. All members present voting:
Yes: Sarbach, Snyder, Foltz, Lane, Lindower and Peters.
No: 0

Mr. Sarbach moved and Mr. Peters seconded to **adopt under suspension of the rules Ordinance No. 60-05.** All members present voting:
Yes: Snyder, Foltz, Lane, Lindower, Peters and Sarbach.
No: 0

18. Mr. Sarbach moved and Mr. Lane seconded to **read by title only, first reading of Ordinance No. 61-05.** All members present voting:
Yes: Foltz, Lane, Lindower, Peters, Sarbach and Snyder.
No: 0

Ordinance No. 61-05 – First Reading

An ordinance adopting the Solid Waste Management Plan for the Stark-Tuscarawas-Wayne Joint Solid Waste Management District.

Mr. Snyder: Chairman Sarbach?

Mr. Sarbach: Yea, this is a voluminous document that they send out to all the municipalities for their Solid Waste Management Plan for Stark, tri-county area and we're gonna have three readings on this so you still have time to get in there and get your favorite section highlighted of that plan.

Mr. Lane: Is there a cliff's note on that?

Mr. Sarbach: Say again?

Mr. Lane: Is there a cliff's note on that?

Mr. Sarbach: No there isn't but can you turn one in when you're done?

Mr. Lane: It'd be an instant best seller.

Mr. Sarbach: With that, the Administration is continually looking at this and tweaking it or not tweaking it, is not the correct term. But digesting it and comparing it to other things. And by the time we have our third reading, I'm sure we'll be very, very up to speed on this. So with that, I move that we adopt the first reading of Ordinance No. 61-05.

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Mr. Sarbach moved and Mr. Peters seconded to **adopt the first reading of Ordinance No. 61-05**. All members present voting:
Yes: Foltz, Lane, Lindower, Peters, Sarbach and Snyder.
No: 0

19. Mr. Lane moved and Mr. Sarbach seconded to **read by title only, first reading of Ordinance No. 62-05**. All members present voting:
Yes: Lane, Lindower, Peters, Sarbach, Snyder and Foltz.
No: 0

Ordinance No. 62-05 – First Reading

Ordinance No. 62-05 amending Appendix "A" of Ordinance No. 159-04, Appropriation Ordinance of the City of North Canton, to include the purchase of three new vehicles for use by the Engineering Department, and declaring the same to be an emergency.

Mr. Snyder: As we spoke last week, we originally appropriated an amount in the '05 budget to lease three vehicles. Upon investigation, the actual leasing cost is greater than the amount of money almost three times what we received in interest on our money so it would benefit us to purchase these vehicles versus leasing them. And we did last week, this will, I believe the next piece will, this will take care of amending that ordinance to allow them to purchase the three vehicles. Is there any questions on that?

Mr. Peters: Yea.

Mr. Sarbach: Yea.

Mr. Peters: Go ahead.

Mr. Sarbach: I don't know if we discussed this before, this is to, in lieu of recycling police vehicles into the Engineering Department.

Mr. Snyder: That's correct.

Mr. Sarbach: And that's well and good. Does that also, can we assume those police vehicles will be sent to auction two to three years sooner and therefore should receive a higher value or higher return of those vehicles after only three years of use. Or are we going to recycle them somewhere else in the City but we're still going to maintain them?

Mr. Miller: No, you can assume they'll go to auction earlier and we can hope that they bring in more money.

Mr. Sarbach: Ok. No guarantees on that but I understand what you're saying. But we're not going to recycle them somewhere else in the City?

Mr. Miller: No.

Mr. Sarbach: Very good.

Mr. Snyder: Mr. Peters?

Mr. Peters: I just, have we decided are we going do one hybrid?

Mr. Benekos: We did some preliminary investigation on that. It's not favorable but we haven't finished that. We'd like the option there. But if we find out it's, it's not reasonable to do that or prudent, we will not proceed with the hybrid.

Mr. Peters: What are some of things you might not see as favorable?

Mr. Benekos: Right now we're told in about two to three years you have to overhaul the battery at about \$2,000-\$3,000. Which wouldn't be a good thing.

Mr. Peters: Ok.

Mr. Benekos: That's, that's the one thing. And that was just preliminary and I want to investigate that a little bit more.

Mr. Peters: Alright.

Mr. Sarbach: I'm in favor of leaving that up to the department head...inaudible.

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Mr. Snyder: Well, from my understanding, we did appropriate and gave it to the Administration to make that decision as to, they felt which is most prudent for the City to do. The money's been appropriated to allow for those three vehicles at their choices to they see fit.

Mr. Peters: Yea, the reason I asked is, I mean, there was some talk that they weren't sure what the mileage was and I know that around the City it's better but on the highway it's almost a wash. At least some of the vehicles I've seen.

Mr. Miller: On the hybrid, most of what would be going on would be in City travel. So the mileage on that is a benefit but having to overhaul the battery in two to three years at a cost of \$2,000-\$3,000 definitely defeats the purpose of the mileage. So that's why he's continuing to look into it a little bit more, more in detail.

Mr. Snyder: Mr. Lindower?

Mr. Lindower: I, I was going to ask the same question Jeff did. I feel a little like Mike does. I, not only the initial investment in a hybrid vehicle to the cost of probably \$2,000 or \$3,000 more but the maintenance. And the proven reliability on those vehicles I don't think is that great. I'd like to see us spend as little money as possible but still get the vehicles you need to provide the service you need for them. But I'm against hybrid vehicles right now.

Mr. Snyder: My only question would, is it your consideration that two of those vehicles, I understand, are of the small SUV type. Will those be interchanged to the police like in snow situations where they have difficulty getting around. Would they use those also or....

Mr. Miller: I don't think they'd be taking the engineering cars because they got too much...

Mr. Snyder: Yea, they wouldn't, too much equipment in them.

Mr. Miller: ...equipment in them. Too much equipment...inaudible.

Mr. Sarbach: Besides using just a front wheel drive, sub, sub suvs like the Escape size. You get the two wheel, front wheel drive version of the Escape. Is that what you're...

Mr. Snyder: It wouldn't be really any more practical or any less practical than what they have. Any other questions? If not, may I have a motion to adopt the first reading of Ordinance 62-05?

Mr. Sarbach moved and Mr. Foltz seconded to **adopt the first reading of Ordinance No. 62-05.** All members present voting:
Yes: Lindower, Peters, Sarbach, Snyder, Foltz and Lane.
No: 0

Mr. Sarbach moved and Mr. Peters seconded to **suspend the rules** for Ordinance No. 62-05. All members present voting:
Yes: Peters, Sarbach, Snyder, Foltz, Lane and Lindower.
No: 0

Mr. Sarbach moved and Mr. Peters seconded to **adopt under suspension of the rules Ordinance No. 62-05.** All members present voting:
Yes: Sarbach, Snyder, Foltz, Lane, Lindower and Peters.
No: 0

20. Mr. Sarbach moved and Mr. Peters seconded to **read by title only, first reading of Ordinance No. 63-05.** All members present voting:
Yes: Snyder, Foltz, Lane, Lindower, Peters and Sarbach.
No: 0

Ordinance No. 63-05 – First Reading

An ordinance authorizing the Mayor of the City of North Canton to apply for, accept, and enter into a loan agreement through the Water Supply Revolving Loan Account (WSRLA) in the Ohio Drinking Water Assistance Fund on behalf of the City of North Canton for planning, design and/or construction of drinking water facilities and designating a dedicated repayment source for the loan, and declaring the same to be an emergency.

Mr. Snyder: This is, we talked about last week, will be the loan that we apply to the State of Ohio to finance a backwash that we just passed. Now that we passed it, we have to pay for it. And this was part of the '04 Water Rate Study. The actual repayment amount was added to

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the water rates and they have to get moving because they want to apply for that and get it working in the next couple weeks, I believe. It's a very favorable loan. I believe the interest rate is around a two percentage, isn't it?

Mrs. Herr: Actually, the, the rate right now, which it does change quarterly, is 3.25.

Mr. Snyder: So, it's still very favorably....

Mrs. Herr: It's still very favorable for a twenty year loan.

Mr. Snyder: Is that a fixed rate then?

Mrs. Herr: It's fixed rate.

Mr. Snyder: And as interest rates are going to, obviously, escalate over the next six or seven months, this is really probably the last of the inexpensive money that we can, may get.

Mrs. Herr: And the rate will change before we, before the loan's actually approved. So, hopefully it won't vary too far from that.

Mr. Snyder: Oh because, oh because of the timeline.

Mrs. Herr: The time, yea. Yes.

Mr. Snyder: So we are asking to pass this on an emergency basis. Any questions on that? If not, may I have a motion to adopt the first reading of Ordinance 63-05?

Mr. Lane moved and Mr. Peters seconded to **adopt the first reading** of Ordinance No. 63-05.

All members present voting:

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

No: 0

Mr. Sarbach moved and Mr. Peters seconded to **suspend the rules** for Ordinance No. 63-05.

All members present voting:

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

No: 0

Mr. Lane moved and Mr. Peters seconded to **adopt under suspension of the rules** Ordinance No. 63-05. All members present voting:

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

No: 0

21. Mr. Sarbach moved and Mr. Peters seconded to **read by title only, first reading of** Ordinance No. 64-05. All members present voting:

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

No: 0

Ordinance No. 64-05 – First Reading

An ordinance amending Section 9, VACATION REGULATIONS, of Chapter 155 Personnel Regulations of Part One-Administrative Code of the Codified Ordinances of the City of North Canton for the exempt personnel of the City of North Canton.

Mr. Snyder: Chairman Lindower?

Mr. Lindower: Yes, this is an ordinance amending Section 9 of the Vacation Regulations Administrative Code. It's clarification more or less of periods of time that can be spent on vacation by the exempt employees. I would move that we pass this ordinance tonight.

Mr. Lindower moved and Mr. Peters seconded to adopt the first reading of Ordinance No. 64-05. All members present voting:

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

No: 0

22. Mr. Sarbach moved and Mr. Foltz seconded to **read by title only, first reading of** Ordinance No. 65-05. All members present voting:

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

No: 0

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Ordinance No. 65-05 – First Reading

Ordinance No. 65-05, amending Ordinance No. 149-03, as amended, Collective Bargaining Agreement between the City of North Canton and the Clerical, Fiscal and Accounting Specialists (CF&AS) by the addition of ARTICLE XXX, DRUG TESTING.

Mr. Snyder: Chairman Lindower?

Mr. Lindower: Yes, here again this is an amendment to the Ordinance 149-03. Permitting the addition to the Collective Bargaining Agreement for the clerical, fiscal and accounting specialists for drug testing. I would move that we pass this reading and this ordinance.

Mr. Peters: Dave, I got a question before that. This was the drug testing you're talking, 1508 was that the lock box?

Mrs. Kalpac: 5108.

Mr. Miller: I thought so. That's why I looked confused. I think that's what it was.

Mr. Snyder: Yea.

Mr. Peters: Ok, just wanted clarification. That was the lock box that we...

Mr. Snyder: Inaudible.

Mr. Lindower: Oh was that..

Mr. Peters: Yea.

Mr. Lindower: Ok, yea, I didn't have that clarified here. Sorry about that.

Mr. Peters: Sorry about that. I didn't mean to interrupt. I just, when I saw that I realized...

Mr. Lane: We don't have to go back and re-vote, right?

Mr. Lindower: I confused Mike too, so.

Mr. Miller: I didn't want to tell you were wrong.

Mr. Peters: Did you have a second on that?

Mr. Snyder: Well, we'll just drug test the guy who puts in the ...inaudible.

Mr. Lane: But we don't have to go back and re-vote on the other, right?

Mr. Snyder: No.

Mr. Lane: No.

Mr. Lindower moved and Mr. Lane seconded to **adopt the first reading of Ordinance No. 65-05**. All members present voting:
Yes: Foltz, Lane, Lindower, Peters, Sarbach and Snyder.
No: 0

Mr. Snyder: Yes, before we get to final report. Historically, in fact it is the rules of the ordinance that only Council can waive the rental fee for the Civic Center and we do so very judiciously and actually for very few things; however, as you know, our own Director of Administration, Mr. Miller, serves on a couple committees. Namely the NEFCO which is clean water plan here in and he also serves on the Nimishillen Watershed Partners. I believe he's the chairman of one and a ranking member of the other. However, in the spirit of cooperation which is made up of, I believe, all the municipalities that those two entities effect, correct?

Mr. Miller: Yea.

Mr. Snyder: In the spirit of cooperation they move their meetings to different venues each month. And I do have a request of Director of Administration Miller to waive the rental fees. He would like to use it on the 19th of April for approximately three hours and he would also like to use it again on the 12th for another one of his groups for the same time span about three hours from 6 to 9. Again, as I say, I think in the spirit of cooperation, he's willing to serve at his own time. Which automatically actually comes back to help the City and we're very proud of

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that facility and I would be one to want to show it off to your colleagues. I do need a motion and a roll call vote to do so. Mr. Sarbach?

Mr. Sarbach: I have a question. This is a Tuesday night for both of these events, is that correct?

Mr. Miller: Yes.

Mr. Sarbach: There's no other, nobody else has requested that night?

Mr. Miller: Nobody else had rented then as of....

Mr. Sarbach: Now if you serve alcohol, you'll have your own police protection there. Is that correct?

Mr. Miller: There'll be no alcohol. Just a correction on the NEFCO one, I am in touch with them but I'm not a member, technically, of that committee.

Mr. Snyder: I apologize.

Mr. Miller: The other one has been meeting here regularly. We'd rather have them in North Canton than some where else. But they'd like to have an evening meeting and we can't accommodate that here.

Mr. Snyder: That's not a problem. As I say, I don't find a problem with that but...

Mr. Lane: You need a motion then?

Mr. Snyder: Do need a, we need a motion and a second.

Mr. Lane: We need two separate ones?

Mr. Snyder: Yes, you need it to, you need two motions to, one for each individual time. And it only requires, it does not require legislation. It requires four affirmative votes of the Council to suspend the, as the ordinance reads, to suspend the fee. So you're only waiving the fee for those periods of time. Which is, we've done it in the past. Generally, for government related things such as the Board of Elections and I think for, maybe once for the President. Something like that. It's very few times I know. It's generally government related.

Mr. Miller: I think we've done it one time before for the Nimishillen Creek Watershed Partnership.

Mr. Snyder: Right. It's just, usually they're government related and we find that, as I say, I know that we're all proud of that facility and to show it off a little bit doesn't hurt anything.

Mr. Lane moved and Mr. Peters seconded to **waive the rental fees** for the Civic Center on April 12, 2005 from 6-9 p.m. for the Nimishillen Watershed Partnership. All members present voting:

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

No: 0

Mr. Snyder: May I have a motion then for the April 12th for the 6-9 p.m.?

Mr. Sarbach: I think that was the 12th.

Mr. Lane: It was the 12th.

Mr. Snyder: Oh, the 19th. Thank you. The 19th is the other one for the NEFCO.

Mr. Sarbach moved and Mr. Lane seconded to **waive the rental fees** for use of the Civic Center on April 19, 2005 from 6-9 p.m. for NEFCO. All members present voting:

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

No: 0

REPORTS:

Mr. Snyder: We have, we're pleased to have with us our Assistant Director of Law Tod Morrow tonight. Mr. Morrow, do you have any report? I know you haven't been here long enough to maybe form one but.

Mr. Morrow: No report.

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Mr. Snyder: We'll give you that opportunity. A lawyer without a speech is unusual but we appreciate your attendance. Director of Finance?

Mrs. Herr: Uh yes. Couple things. Normally, at this time our audit is underway but because of circumstances with the auditor's states office, it's being postponed. So they actually won't start till some time in May. So we're looking at not being completed until probably July. So things are going to be pushed back a little bit.

Mr. Sarbach: I think I know how you can speed that up. You can put 'em in the garage and they....

Mrs. Herr: Oh, believe me. We've thought of ways.

Mr. Sarbach: ...won't have the air conditioned facilities and they'll want to get done fast.

Mrs. Herr: Yea, I know. They are spoiled here.

Mr. Sarbach: Yea.

Mrs. Herr: Other things is, I just want to make a reminder that income tax returns are due April 15th and if you are going to mail them please make sure that you mail them before the 15th because the post office doesn't guarantee that they get post marked the 15th like they do the federal and state. So we have that problem every year. People, you know, dropping them off the 15th but they don't get post marked the 15th. And we go by the post marked date so make sure that if you're gonna mail them that you give it a couple extra days.

Mr. Snyder: They don't guarantee ours?

Mrs. Herr: No. Nope, so.

Mr. Snyder: Do we make a, some type of ability for people to drop them off here? Or we just...

Mrs. Herr: Oh yea....

Mr. Snyder: ...I mean after hours?

Mrs. Herr: ...I mean, they can drop them off in the utility box downstairs. So, yea, definitely there's, there's a way. And then, lastly, but most importantly, I will not be here next week. I'll be on vacation so if anything comes up, I will be in the following week.

Mr. Snyder: Is there any correlation to the audit and you leaving?

Mrs. Herr: No. This was planned way in advance.

Mr. Snyder: That's alright then. Director Miller?

Mr. Miller: After that shot, I'm going to be quick.

Mr. Snyder: In other words, you don't want yours done, emergency on that vacation. Mr. Mayor?

Mayor Rice: Uh yes, Mr. President. To all of Council in your packet this week, you should have found a copy of a memo that I sent over to Law Director Pusateri last Thursday requesting that he draft the legislation necessary to appropriate two million dollars into the North Canton CIC. My intention in having the Law Director prepare this legislation is simply in an effort to move the question of funding our CIC forward. In my opinion, there have been many to, or too many delays regarding this important economic development tool. Over the last two months, goes back to February 7th, when I initiated this idea by sending a letter to the Council President requesting this item be placed on the agenda on February 22nd to discuss possible funding of the CIC with two million dollars. That request, at least to initiate the discussion on February 22nd at that council committee meeting, was not met. Finally, the issue was placed on the agenda for discussion on March 7th. Which was a month after the request started or was initiated. I asked for it to be discussed again at a special meeting on March 14th which Council granted. It was on the agenda and many City residents, many of the people that are here today attended that meeting and spoke in favor of this plan. According to the minutes, Chairperson Kiesling, at that meeting, stated that, "I will put it on the agenda for next week", which would have been last week, March 21st. Unfortunately, that did not happen. In Administrator Miller's and my discussions with most members of City Council, five members have expressed to us in our individual meetings that they did express their support of this proposal. The Administration, to my knowledge, has answered all the questions posed to us

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by Council members in our meetings to this date. If there are any further questions Council has, you need to let us know. Because we're unaware of them as of this moment. I guess my big question would be is, why the delay on this, initiating this legislation? If you continue to delay this legislation we will not have this vital economic tool available to us until at least June or July now. If summer break intercedes, which we enter into, I believe in mid-July could mean waiting until September or later to get this CIC tool available to us. The public supports this plan and idea. And in fact you saw tonight all three sub committees of the community has it as one of their priorities. I think that speaks volumes as to the mood of the people in our community that we all represent. All we need now is for City Council to take action. We don't need any further delays. In an effort to work with this Council due to the lack of a full membership tonight and my efforts to be as patient as humanly possible. Which is not always the easiest thing. I will not introduce this legislation tonight; however, I would request that City Council place the issue of funding the CIC on the agenda again next week and introduce legislation in two weeks for a vote on funding the CIC for two million dollars. If at that time, over the next two weeks Council still does not see fit to submit this legislation for a vote, it is my intention at that time to introduce the legislation. In summary simply, and I think you heard it tonight, if you've been listening. You've been hearing it for quite some time. The people in this town want and expect the City government to move the City of North Canton forward. We need to make a decision on this important issue. That's all.

Mr. Snyder: Mayor may I just say one thing. I appreciate your diligence and your patience in this effort. However, I will assume full responsibility as you know it rests with me as to whether the agenda item is and what it isn't and as chairman of also Finance, I'm very cautious as to move ahead. And be it right or be it wrong, that's my nature. I think that's within my privilege. I will tell you it was of my intention all along, Chairman Kiesling of Economic Development has no standing to either place or not place it on the agenda. It was my intention all along to have it next Monday evening. However, I will say to you sir at this time, it'll be open for full discussion. I cannot sit here and promise you that you will in fact get two million dollars. However, it will be discussed fully and openly with all members of Council and, and I appreciate, as I say, I appreciate your patience. And I understand that you need it. It's a vital tool. As you know, I don't think a member of this Council does not support the thought of a CIC. However, we are, at this point, we're undivided as to the amount. And again, even if Director Herr is not here, we all know where our finances are. But we will, sir, move it ahead and hopefully bring it within the next couple weeks to a vote. But because as, longer you wait, I realize, that you're loosing valuable time but I appreciate your kind remarks. Thank you.

Mayor Rice: That's fair enough.

Mr. Sarbach: Yes, Mr. Mayor, we, as I discussed at our meeting a week ago that I am in support of the CIC concept. And some of the, two of things we discussed, one changing the makeup of the personnel of the CIC, I don't see that being done yet. Hopefully, that can be done or relayed to us before that time or by that time. And the second thing is, I'm, we're flux about what our unencumbered carryover is. It makes a big difference in my vote if we have, like you suggested, a fifteen million dollar unencumbered carryover or whether we have something less than eight or seven. That makes a big difference to me simply because of what it does to the complexion of the rest of our finances and our notes and our bond rates. Of which I know little about, but I know people who do know about it. So, those are my concerns. If we can get to a comfort zone in there, I'll give you my support. But until then, I'm very cautious on this. But the concept, I think, is great. And I think we need to do, move forward on it. Also we need to move forward on an economic development director. That was funded over a year ago. I don't know where that standing is, I haven't heard what the search has developed, if anything. We haven't had any reports on that but that has already been, at least from this side of the table, been, been funded. If you need more funding, it hasn't been asked for or I don't know where you're at in that search. So maybe that could part of an upgrade as a companion issue to the CIC.

Mayor Rice: That's, appreciate your, your point. And I don't begrudge anyone's opinion on this. My point is, simply, we need to do something. We need to make a decision.

Mr. Sarbach: Well, I'm, I'm hesitant....

Mayor Rice: For example, we have, and whether you, you know, I firmly believe two million or awful doggone close to it, is essential to do it. A half a million dollars, quite honestly, you're going to defeat the purpose of what we're trying to accomplish. Because you can't do much with it and I think we talked about that Greg.

Mr. Sarbach: Yea, that's good.

Mayor Rice: But to finish real quick. So, but we need to find where we can go. And what we can work with. The Administration is open. We always have been open. I'll fight to keep it as close to two million dollars as we can. But I understand Council's concern. The point is, and

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as Mike can tell you, we're working on more of our marketing tools. Many of you have probably seen it. If you haven't, stop in, Mike will share it with you. The brochure we're doing on what are the incentives that the City has to offer to new businesses. We can't complete that until we get an answer on the CIC. Because we got to put in there whether we have the CIC or we don't have the CIC. Ok? So it does affect other things and it is holding up other issues. All I'm saying, I think we owe it to the community and we owe it to the City and our efforts of economic development to make a determination to what level are we going to fund the CIC. And I understand everybody said yea, we like the CIC, we've had it. The issue is, are we going to fund it adequately or not to be effective. So that's the decision we need to make. And I just think we need to make that decision. I don't think that's that difficult of a decision that we can't sit down, hammer something out and decide what it is we want to do. That's all I'm asking for, a decision. Yea or nay. But I think we need to know where we need, our direction and our ability to be ... we're talking to people what things do we have to offer, what don't we have to offer to people.

Mr. Sarbach: I think we all agree on the concept. My concern is, I don't have to vote it down because it's a good thing. And if, if we don't have, if we're not all in a comfort zone, I'm afraid it could be voted down. As far as the amount of the funding, I'm willing tonight to give you everything over our documented unencumbered carryover of ten million dollars. Anything over that, I'll put in the CIC. So if the fact there's fifteen million there, I'm in favor of funding it for five million, rather two. I don't think that's the case. I don't know what the actual carryover is.

Mayor Rice: Inaudible...check, I might take that. I think Julie's wincing over here. I'm not so sure.

Mrs. Herr: Unencumbered, there's a difference.

Mr. Snyder: I only want to caution Mr. Sarbach this is an election year, sir. I don't think the people will appreciate paying three percent income tax come January 1.

Mayor Rice: Is the tape on. Do we have that documented.

Mr. Sarbach: I'm saying, I don't believe our unencumbered carryover is at that point. That's what I'm getting at.

Mr. Snyder: I agree.

Mr. Sarbach: And those are the numbers we were using so, but, yes it's important and I don't have to, I want to, I don't have to be completely comfortable with it because we do have to take some risks with this as we all know. But I like to have some of these things covered.

Mr. Snyder: Mr. Mayor, if I may state since we are at this point. It's really out of order but I do know that your intentions are, as I was communicated to be by, I think, Member Kiesling, that your meeting with your CIC Board next Monday in a brief decision to possibly begin your restructure. I would only ask, sir, that you know, I realize in a fifteen or twenty minute meeting you're not prepared to announce whom you want or what you want. Possibly the numbers would be very nice if you knew the total aggregate amount. How many people would be on the Board. Another thing that I will be honest that would put me in a very good position, and I'm sure members of Council, as you know, presently the plan of the CIC that is the City of North Canton basically centers around industrial revenue bonds and using that vehicle to lend. And I'm sure it's your intention to do both land banking some revenue bonds or whatever is at your disposal that the law will allow you. However, if you could possibly begin over the next couple weeks as this trickles down to a vote to be, to draft some type of language that we would know if you use the CIC as a direct lending vehicle that the people of North Canton, the citizens, whose money will go in there. And I'm not saying that you're well aware of that as well, that we can be somewhat protected. It's very, I know a lot of CICs lend money in very small amounts. Be it ten or fifteen thousand dollars to people that cannot go to ordinary channels to borrow money. I don't think we need that nor is that the type of business that we encourage in our City. But yet there are people for reasons of, of this economic tsunami that we're in that need to borrow money and maybe we can put that in there that would make it very comfortable for me to say, well yea, I think that's a very good idea. No matter who's on it. If I was a citizen, I would feel. And I only, and again I'm not trying to, to throttle you in any way but if you would consider that, I would be appreciative.

Mayor Rice: I have no problem with that. Yea.

Mr. Miller: If I may, you probably need to dust it off because it was passed back in 1980, when it was originally done with the CIC. But there is a plan in effect for the CIC which does allow for both land banking and loaning of money. So it's in the plan already. I can get a copy to each one of the Council members....

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Mr. Snyder: Would you mind doing that so that we have...

Mr. Miller: ...in their boxes so they can take a look at it and see what the plan is.

Mr. Snyder: Well, and I think a lot of that centers around the fact that, as we all jerk and throttle for position, as you know as I've mentioned when we first talked, most politicians are very narcissistic. And we all want to rise to the top and we all want to say that we're all part of that. And we're going to ride somebody's coat tail on that, we want to be in a comfortable position. So if you could do that and if you'd pass that on to us, I'm sure everybody would be appreciative of it. That's all I have, thank you. Anyone else have any comments?

Mr. Lane: I'd just add, and again, I'm going to ask another question when we get the reports but something to think about and maybe something that wasn't clear in your legislation. This money, if, if we funded it at two million, that would come out of our pocket and go into the CIC. I keep seeing the term December 31, 2005. Once that money's gone at the end of the year, if it hasn't been spent or encumbered, does it come back and we have to do this again at the end of the year or the new Council. Once it's gone, it's gone, right?

Mr. Snyder: It's gone.

Mr. Foltz: No, right.

Mr. Lane: Ok. So the December 31st is referring to the money that we have in our budget currently and then once that moves over, we don't have to worry about refunding it or doing anything with it. It's there for you to use. Or the CIC to use not you personally.

Mrs. Herr: It's just like writing a check for any other expenses.

Mr. Lane: Yea, once it's gone then we don't have to, ok. Alright, thank you.

Mr. Snyder: Is there, that brings up a good point. Is there, is there a mechanism that that money can be sent over in the form of a, a subordinated loan to the CIC? Supported by the actual CIC? If, you know, maybe as such as I would go to a bank and borrow money, there could be some codicils put in there because I know members of Council. And I appreciate that the Administration has tried to address by adding two additional Council members, I believe. And if I'm wrong, I've only got that second hand, to the Board. But members of Council that are elected by the people to be the trustees of their money. If there's some way that money could be lent to the CIC and again, with your full cooperation so. Because it doesn't serve any purpose to throttle you. Put it out there and then if you go and give it to Joe's Ice Cream and you take it back or something. What I'm saying some way that if there was a problem that the members of Council could say, you know we brought it and you're doing it but we're a little nervous.

Mayor Rice: I don't know, I'm not an attorney, maybe Tod or Paul's gonna have to advise you that. But I wouldn't see, off top of my head, why the money couldn't be loaned to the CIC.

Mr. Snyder: That's what I'm saying. And I mean...

Mayor Rice: It's in a separate entity to just be loaning it to a business.

Mr. Snyder: Yea, it's a separate, that way we kinda help the people. That's their money.

Mayor Rice: You loan it. If that makes Council feel better, provide it in the form of a loan. Where ultimately it has to be returned to the general fund.

Mr. Snyder: Right. And I mean, it just, it's not, it just hasn't disappeared. And I'm sure you're, you're very judicially and very fiscally responsible to put this money out. Again, as I just said to Mr. Sarbach, we're all standing for election. Mr. Miller works for you and ultimately the people. So, you know, but I mean, I think it puts the Finance Director and members of Council in a better position as we know we're being good stewards of our money. And, I mean, if maybe you can get together with Paul and work along that line. If that's not a problem.

Mr. Miller: I'll talk to him but he won't be back until Monday.

Mr. Snyder: I know that, but I mean over the next ten days of so. Director Herr what do you think of that? Is that a little better...

Mrs. Herr: If that's, you know, if there's an option to do that, then I, you know, I think we should definitely consider it.

Mr. Snyder: Ok. Council? Does that, ok. Thank you Mayor. I appreciate it. Anything else?

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Mayor Rice: No, not from me.

Mr. Snyder: Mr. Engineer?

Mr. Benekos: Uh, just one item. Want to keep you up to date on what's happening on the East Maple Raw Waterline. It's passed three sections has passed the bacteria test. We're getting ready to take the fourth section and then the fifth. And then the last section will be the section that was installed a couple years ago by Wenger. So, we're optimistic and we're pleased with the results so far and hopefully that will be in service here within the next couple weeks.

Mr. Snyder: Is that little garage being built over there for your new car? What is that for?

Mr. Benekos: No.

Mr. Sarbach: Have the troublesome sections been tested yet? The ones that were giving us grief.

Mr. Benekos: Yes.

Mr. Sarbach: They've already passed.

Mr. Benekos: Right, those three sections were the sections we were most concerned about. We had problems in the past and those have passed so...

Mr. Sarbach: So it worked to put more volume of water to flush them through with a bigger tap and...

Mr. Benekos: That is correct.

Mr. Sarbach: Very good. And you came up with that didn't you?

Mr. Benekos: We worked on it together.

Mr. Sarbach: Good man, good man.

Mr. Snyder: You know while it's in your part of the report, I've noticed that the City of Canton has now closed 44th Street out east and west. Wasn't that our alternate route for a....

Mr. Miller: 44th is closed, I believe, from Market to Plain Center.

Mr. Snyder: It's closed from Cleveland to Frazer. It's closed on the other side also. But it's now on the...

Mr. Miller: I hadn't noticed that.

Mr. Snyder: ...west side. They must have did it today. They have it, it's closed between the Cleveland and 44th and Frazer.

Mr. Miller: Hadn't heard that one yet. So I'll have to look into that.

Mr. Snyder: Is that, I wonder if that's a, is that what they call a ...inaudible.

Mr. Miller: I don't know what...inaudible.

Mr. Sarbach: They could have done that to spite you.

Mayor Rice: No, that's called big trouble.

Mr. Snyder: Member Foltz, oh pardon me, Clerk?

Mrs. Kalpac: No report.

REPORTS – COUNCIL:

Mr. Snyder: Member Foltz?

Mr. Foltz: Yea, a few comments. I agree with the Mayor. We need to be proactive rather than reactive or so overly cautious that we don't do anything. Mr. Miller, you were on the CIC for Canton for twelve years?

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Mr. Miller: Yes.

Mr. Foltz: Is that correct? How was that funded, through CDBG grant?

Mr. Miller: Most of it was CDBG but the City of Canton also would donate property to the CIC. That property was purchased in various ways. Some of it through the capital improvement fund. Some of it through regular general fund. So if there was, but most of the money that came in, cash money year after year, was CDBG funds.

Mr. Foltz: Right. And one way of looking at North Canton has been fortunate not to have to have community development grant money to put into a CIC because we do have money that's been set aside and invested. So I want Council to really be open minded on this. You know, we don't have federal money pouring in here because we need it. Obviously, we're happy to grant, get grant money anytime we can but that's the difference, I think. And we need to really start looking at this. I think the ground work has been done through TAP. Through these economic development committees. Through the Vital and Vibrant Commercial Environment Committee. Through Walsh initiatives. Through community leaders. I, unfortunately, wasn't here two weeks ago because I was ill. But reading through the minutes, everything has, everybody has so many positive things to say, I think it's our responsibility and duty to get this ball started in this group. And I think there's safeguards within the CIC. I mean, the Mayor's obviously on it, two members of Council. And maybe Mayor Rice or Mike Miller is looking at tweaking that to put more qualified people on it. That's fine. There's going to be Council representation here. The Mayor is represented. I mean, I don't think he's going to want to do things that's going to put him in a bad light or the City in a bad light. So I know we want to be cautious with the taxpayers money, but here again, we bought this Arrowhead for the Fairways. We're not seeing a big return on that right now. But we know down the road, there's going to be a big payday for us. Besides from what we saved on additional infrastructure costs for those neighborhoods. I think we need to be proactive here and let's, let's start moving in the right direction. We can't wait 'til the sky falls completely down. We don't know what's going to happen across the street. Tomorrow, let alone two years from now. And if we don't get this in place, I don't think we can afford to wait six more months. I'm also not in favor, I'm going to go on the record now, hiring a consultant. When I seen that presentation, I think all the ground work's been done through these different committees. That presentation didn't tell me anything I didn't know. I think for \$50,000 or better to keep it in the CIC or try to attract some businesses here. So that's my two cents worth. I'm sure we're all going to get into it again. I just like to see Council work with this Administration here. Let's get these issues out. President Snyder, I'm glad you said it's going to be on the committee next week. I think we need to get, get the ball rolling here for our community and not wait any longer on it.

Mr. Snyder: Thank you sir. Member Lindower?

Mr. Lindower: No report.

Mr. Snyder: Member Lane?

Mr. Lane: Yea, I do appreciate the Mayor's patience on this. And I think if you give us two more weeks, we'll get it all put together for ya. But the one thing, I think, that kinda gets lost in the shuffle a little bit is that some people, I think, see this as the panacea, either we fund this thing for two million or twenty million it's gonna solve all our problems. And it's not the case. We need an economic development director. I think we need some sort of a plan. We need some research done. I mean, there's a lot of things that we need and a tax abatement and everything else that falls under this umbrella that we're going to be discussing and talking about over the next two to three months. So, even if we move at two million and we get it all done, it's not the end of the story. So please keep that in mind. The public and everybody up here. And I think we all know that but I don't want us to have false hopes on this cause as you said, Mayor, it's going to take a couple months to get all of this underway and even if an opportunity presents itself, somebody might need eight million dollars. And we only got two or one and a half. Or one or whatever. So that's just something to keep in mind. But I do appreciate your patience and we'll get something done here in a couple weeks, I hope. My question that I had, are we still looking, Mike, at Friday for the Nimishillen study? Or has that been moved back again?

Mr. Miller: No, Nimishillen study is still due, I haven't moved the date, April 1st.

Mr. Lane: Ok. And that was never a joke ever.

Mayor Rice: You know what that date is. Yea.

Mr. Miller: Not a joke.

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Mr. Lane: Alright, so.

Mr. Miller: I would hope not. 4444, it's not a joke.

Mr. Lane: I know, I know. You give me a call, I'll give him a call. Or you can call him first actually and then you can call me. But please let me know Friday what's going on.

Mr. Miller: I will.

Mr. Lane: I appreciate it. Thank you.

Mr. Snyder: Mr. Peters?

Mr. Peters: Yea, just a couple things. The appropriated funds for the economic development director, it's still in place, correct?

Mr. Snyder: Yes.

Mr. Miller: Yes.

Mr. Peters: Ok, that's what I thought.

Mr. Snyder: I think they've used about 15,000 or so of that money.

Mr. Miller: Not for the economic development director.

Mr. Snyder: No, just the professional services, right?

Mr. Miller: Yes, correct. That's being used to develop the pamphlets and some of the other items.

Mr. Sarbach: Cause we had what thirty two thousand more for those kind of things or was it more than that?

Mr. Miller: I believe so.

Mr. Sarbach: I know we had to commission more funds to ...inaudible.

Mr. Snyder: You have it presently, I think, as....

Mr. Miller: Julie has the budget here.

Mr. Snyder: ...seventy-five thousand in payroll plus benefits plus administrator support. And fifty thousand professional fees, I believe, and about fifteen or twenty thousand for postage in mailing.

Mrs. Herr: Forty thousand for professional services and twenty thousand for printing and publications. Those are the bulk of the, besides the salary and fringes, those are the bulk of the economic development budget items.

Mr. Peters: Ok, well also, I'd just like to echo what Member Foltz said. As far as that consulting group. I wasn't overly impressed with those guys. I, with these three different committees that have put together and President Jusseaume also offered up a possibility of bringing Kent Stark into it. And they're right next door. I think that would be, that would be a great idea. But I, and I was one of the ones that was in full support of this and I think we need to get moving on this. I think what everybody is afraid to say or you know they say they're not sure what's gonna happen next door, I think we all know....

Mr. Sarbach: We know what's gonna happen next door.

Mr. Peters: ...what's gonna happen next door. So, it's imperative that we start, that we start now. Now as far as the committee goes, have you guys decided on the other two? Jon eluded to something. Have you talked about this or?

Mayor Rice: You mean the actual people or the makeup, the general makeup?

Mr. Peters: The actual two people, the other two people...

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Mayor Rice: Well, no we haven't quite honestly because, you know, it's a bit of a moot point what we do with the mother ship if we're not gonna fund the thing. So, but, we are preparing and moving forward with the, the restructuring of the committee to expand the membership from four to eight. Which Council got a memo on...

Mr. Peters: Right, right.

Mayor Rice: ...I think on February 10th that Mike had authored to everybody about what we're gonna try to do. Cause again, as we said, if we're gonna fund this thing and use it, we felt it was a smart move to bring more people into the decision making process when you're trying to anticipate that Council would be concerned about, you know, that money. Who's gonna be responsible for the spending of that. And you certainly want community involvement but I think it's really important, it's imperative that you keep you elected officials involved because we're the only ones that are really held accountable to the public through the ballot. You know, if you put, if people in just, community people do it and spend your two million dollars and waste it away, how do the citizens, you know, respond to that? They can't vote them out of office. So you got to have some accountability with public officials, I believe. So, to do that, that's why we suggested, well let's go from four to eight. It was basically the makeup of the Board of Control, that's what it's been, to expand it. Bring two Council members in to it. So you got Council input from two members there. And then we're going to bring two, two people in from the community.

Mr. Peters: The reason I asked that is, I can't, I was looking through here, I can't remember who said it. But someone mentioned a banker or a real estate professional or...

Mr. Lane: That was Daryl Revoldt.

Mr. Peters: That's right, Daryl Revoldt.

Mr. Lane: He suggested if we're talking about real estate, let's get a realtor...

Mr. Peters: That's right.

Mr. Lane: ...if we're talking about money, lets get a banker. Or somebody at least with expertise in that area.

Mr. Miller: Both those are good ideas but then on the downside of both of those, if you got a real estate agent and/or banker that somehow is involved on the other side of the loan, they got to recuse themselves.

Mr. Snyder: Conflict.

Mayor Rice: You got a problem there.

Mr. Miller: So you got to watch on what the makeup is.

Mr. Lane: But there could be some retired members of that committee.

Mr. Sarbach: So get a retired one, yea.

Mr. Snyder: Well not only that, I think the law is very clear. It must be comprised of either two or three-fifths of...

Mr. Miller: Two-fifths.

Mr. Snyder: ...elected appointed officials.

Mr. Miller: Two-fifths of elected officials or appointed officials.

Mr. Snyder: Yea, it has to be comprised of elected and appointed officials. At least two-fifths of it. That's to protect the...

Mr. Miller: Now, one other thing as long as we're discussing it because we aren't going to be able to discuss it again with Council as a whole before our meeting next Monday, and that is Paul and I have had some further discussions since I authored that letter in February about membership. And one of things that Paul and I have more or less agreed to, and I want to throw this out to Council, is that rather than having Paul as a member of the CIC, have him be the legal counsel for the CIC and have Council appoint also somebody from the community at large. So that Council has an appointee, the Mayor would have two, myself and the Mayor, and then the two Council people plus Julie. So that we do have some financial background on that.

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Mr. Miller (cont): Paul pretty much thinks that's a good idea as well. He thinks that it might be difficult for him to be making decisions and then also be advising whether the decisions are legal. That type of thing. So that's the other tweak, I think, we have for, before we meet next Monday that we're looking at as well.

Mr. Sarbach: I think we're around a million and...inaudible...you said from the community. That does not necessarily mean from within the City. That's from the community in general. And I would hope we might repent. I would hope you would not limit yourself to residents and, because we have people like, you mentioned before, Dave Johnson is no longer in the City. Those type of individuals can be a tremendous asset and we don't want to limit your ability to bring them on board in the CIC. So I would hope that when you restructure or be not limit to residents.

Mr. Miller: We'll keep that in mind.

Mr. Sarbach: That's my ...inaudible.

Mr. Snyder: Well I may as well say a little something since everyone else did also. But, you know, I can't help but hear going around this table and I would just like to say, you know, even though that we've all have spent any time in this City, I've become very fond of the Hoover Company. It is not the end of this community. That Hoover will, if they so decide to leave, we cannot base every decision we make on whether they will or will not leave this community. This is a very vibrant and a very powerful community. The things that drive this community and the Hoover Company is part of it but yet we have one of the finest school systems in the State of Ohio. People want to live here. If you look back, and no one said this, we've worked very diligently, the Council and the Administration, to put the Sanctuary inside the City. Which is two hundred and five homes. Which brings about \$165,000 in City income tax projected. It could be greater, it could be a little less, along with fees. I mean, that's economic development at its highest. What drives this community are the people who live here in the school system. And if we protect both of those, and encourage people to continue to live here and to spend their money in this community and keep the school system vibrant, unfortunately if the Hoover Company leaves it's a loss of revenue, but it's not the end of this City. The people are like anybody else in the United States when there is a catastrophe, they unite. They come forward as they've come forward here. And on behalf of City Council, I want to thank you all for all your participation and I will assure you that this Council will look at it very diligently and we will cooperate, as best we can, to drive what we can to make this a pleasant place and make you people proud to continue to live here. But I want to thank everybody and I want to thank for all the cooperation, we've been through, all the problems we've been through, it looks like we seem to want to cooperate and I hope that's the case. Saying that, I will want to say Mr. Lane, you did ask me a question relative to McKinley and Pineview. Those will both be on the agenda. I did ask the Engineer to remove them last week due to the fact that we did have two presentations....

Mr. Lane: Oh, I understand that.

Mr. Snyder: ...but they will be returned next Monday night. And again, that will be engineered but unfortunately....

Mr. Lane: Yea, we don't know.

Mr. Snyder: ...it will be subject to budget, of the '06 budget.

Mr. Lane: At least we'll know what it'll cost.

Mr. Snyder: Right. Mr. Peters?

Mr. Peters: Jon, I'm sorry. I just remembered this one last thing to Engineer Benekos. Ninth Street/Overland Project, where are we at on that?

Mr. Benekos: We're putting the finishing touches on that...

Mr. Sarbach: We cancelled that.

Mr. Fano (*Identified by Clerk/Speaking from Audience*): What?

Mr. Miller: You woke him up.

Mr. Fano: Speak up man.

Mr. Lane: We just wanted to see if you were listening Dick.

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Mr. Peters: I'm sorry, go ahead.

Mr. Benekos: Did we still have money?

Mr. Snyder: That went to the CIC.

Mr. Fano: You guys been talking two million dollars all night you better...inaudible.

Mr. Benekos: We are acquiring a few easements at this time....

Mr. Fano: Inaudible...CIC...just get my street done.

Mr. Peters: Say it again.

Mr. Benekos: We're acquiring a few of the easements at this time. So we can finalize the storm sewer design and we should be ready to go with that within the month.

Mr. Peters: Any idea when we might be breaking ground?

Mr. Fano: That's what I want to know.

Mr. Peters: That's the question you wanted to ask?

Mr. Fano: That's what I wanted to know.

Mr. Peters: There it is.

Mayor Rice: He wants to know when the dirt is turning.

Mr. Benekos: I would say, the middle, middle to end of May.

Mr. Miller: Breaking dirt or going out to bid?

Mr. Fano: Is that, Gail is that on over there?

Mr. Benekos: Breaking dirt.

Mr. Miller: He said it.

Mr. Fano: Inaudible...on the record.

Mr. Sarbach: In case we get heavy rains before then, can we get a pump up in that area?

Mr. Foltz: He's on the record Dick.

Mr. Lindower: He didn't say what year.

Mr. Foltz: Yea, what year was that Jim?

FINAL CALL FOR NEW BUSINESS:

Mr. Snyder: I'm starting to lose control here. At this time, I'll ask for the final call. Is anybody wishing to speak to the Council? Mr. Osborne.

Mr. Osborne: My name's Chuck Osborne, 307 Fairview Street, SE, North Canton, Ohio. I don't quite know how Mr. Foltz phrased it but there's a lot of rhetoric up here and it goes round and round. There's really nothing to back it up. A lot of it doesn't make sense to me. Mr. Foltz, Arrowhead, the only time there will be a pay day for this City is if you sell it.

Mr. Foltz: Exactly.

Mr. Osborne: You can't have it both ways. You either want the green space or you want to sell it. And I doubt if you're gonna get more for what you paid for it because you paid more than the appraised value for it two years ago. So you can't have your green space and make a profit off it both ways. And Mr. Rice, you are bound and determined to get two million dollars. You've got something in mind. Something's up your sleeve. And buying a piece of property on Main Street and sticking a sign up there, for sale by the City of North Canton, is not going to get you any farther ahead than all the other present owners of that property. Now if you're going to spend two million dollars, I want to know how many hundreds of jobs you're going to be bringing to this City with that sale of that two million dollars. You're competing with all the banks that are moving to this City. Maybe they want to loan the money.

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Free enterprise will work but you can't make it work in a down economy when the whole northeastern Ohio or Ohio is in the dumper. You need to be fixing the streets. Looking forward to the day when you can't staff your fire department with volunteers any more. The day when Hoover is totally gone and you're, you're revenues drop another million dollars. The CIC can be implemented within two weeks if there was a deal on the table. You scrambled two years ago and pulled 4.2 million dollars out of your pocket when you bought Arrowhead. And I guarantee you, you give him two million dollars or a million dollars, or whatever it is, by the first of August they'll be a deal cooking. Because you're just trying to meet the election day in November. That's what this is all about. It'll be spent by the end of the year. You'll be making some headlines.

Mayor Rice: I hope so Mr. Osborne. It has nothing to do with the election. It has to do with what's best....

Mr. Osborne: Is there going to be hundreds of jobs?

Mayor Rice: ...has to do what's best for this City. That's what we're here for.

Mr. Osborne: Sticking a sign on some vacant property out here or bringing a restaurant is not what that's all about. The CIC is an umbrella organization for issuing industrial revenue bonds. I pointed out to you a few weeks ago, communities around us have structured it so that's what they do. They don't take money out of the taxpayer's pocket and subsidize a retail business for a façade that's going to last maybe a year or so. I mean, you saw the news it happened downtown in Canton. So you're not going to turn Arrowhead around unless you want to get rid of your green space Mr. Foltz.

Mr. Foltz: For the record Mr. Osborne, and I'm sure the Council member that represent that Ward, Jon Snyder, will agree us purchasing, once again, we've said this fifty times, at least, us purchasing Arrowhead saved us millions in dollars in infrastructure for that, when that was going to be developed or if it was going to be sold off for residential development. Don't you concur with that President Snyder?

Mr. Snyder: Absolutely, ...inaudible...four and a half million.

Mr. Foltz: I'm just tired member Osborne, not member Osborne, former member Osborne, thank god, that anything positive that we're trying to do here, you just have to have the other side.

Mr. Osborne: It's not....

Mr. Foltz: You have to have the other side. Let me finish here. You have your say all the time. Every Monday here, you got something negative to say about this Administration or this Council or the policies that this City brings out to the public. The bottom line is, if you're against it, then we sure as heck should be for it. Because that's the positive approach that this City's gonna have. Ok?

Mr. Osborne: Well, at the time....

Mr. Foltz: I don't understand you come up here and berate positive actions by our community residents, by committees that have worked hard. You cost this City 1.8 million dollars with the Oster property. And you talk about bringing in money for the coffers for our City. You, yourself cost this City that deal. That that church is now going to build over the old industrial, well the Hoover Industrial Park. And you sit up here...

Mr. Osborne: I'm proud of that.

Mr. Foltz: ...and you berate us on us trying to do something positive in the City. It's ludicrous. It's a joke. It really is.

Mr. Osborne: You could have bought the development rights of Arrowhead and let a business go in there. Purchase development rights.

Mr. Foltz: You're never going to see the picture. You're never going to see it.

Mr. Osborne: And you could have saved the green space and had the business and come out ahead. So don't sit here and tell me that you're going to have a pay day on Arrowhead. You're either planning for the day then you can start selling off lots or you're going to sell it. It's only a profit if you sell it.

Mr. Foltz: You're never going to, you're never going to see Chuck. You're never going to see it so just keep spewing your opinion.

RECORD OF PROCEEDINGS

Minutes of

COUNCIL OF THE CITY OF NORTH CANTON

REGULAR

Meeting

DAYTON LEGAL BLANK, INC., FORM NO. 10148

Held Monday, March 28, 7:00 p.m. 20 05

Mr. Osborne: I don't think things are being thought through. It all sounds good. Spending millions of dollars. The CIC is designed to bring in jobs.

Mr. Foltz: I'm sure it will.

Mr. Osborne: Minimum wage jobs? Like the Swenson's car hop jobs. You're misusing this CIC.

Mr. Foltz: And you have all the answers?

Mr. Osborne: Annexation. Or buy it. If you want to spend two million dollars and buy a hundred acres. What if we should have bought Sanctuary? And put a technology park in on the Sanctuary. But trying to put a few mom and pops up and down Main Street is not going to save this community. Thank you.

Mr. Snyder: Anybody else wishing to speak? If not, may I have a motion of Council to adjourn?

ADJOURN:

Mr. Foltz moved and Mr. Lane seconded to adjourn the Council meeting. All members present voting:

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

No: 0

The meeting adjourned at 8:39 p.m.

PRESIDENT OF COUNCIL

ATTEST:

CLERK OF COUNCIL

04/01/05-ALG