

RECORD OF PROCEEDINGS

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Minutes of

COUNCIL OF THE CITY OF NORTH CANTON

REGULAR

Meeting

DAYTON LEGAL BLANK, INC., FORM NO. 10148

Held Tuesday, May 29 7:00 p.m. 20 07

CALL TO ORDER

1. The meeting was called to order at 7:09 p.m. by President of Council Doug Foltz.
2. The opening prayer was delivered by Rev. Don Richards, Grace United Methodist.
3. All present recited the Pledge of Allegiance.

ROLL CALL:

4. The following members of Council responded to roll call: DeOrio, Foltz, Hines, Lane, Magel, Repace, and Snyder. Also present were: Mayor Held, Director of Administration Wise, Director of Law McFarren, Director of Finance Herr, City Engineer Jim Benekos, and Clerk of Council Kalpac.

5. Consideration

Council Meeting: May 14, 2007
Special Council Meeting: May 21, 2007
Financial Statement: April, 2007
Mayor's Court Receipts: April, 2007

Mr. Foltz: I ask Council to consider and approve as presented the Council Meeting minutes of May 14, 2007, Special Council Meeting minutes of May 21, 2007, the Financial Statement of April, 2007 and the Mayor's Court Receipts of April, 2007.

Mr. DeOrio moved and Mr. Snyder seconded to **approve the minutes, financial statement and Mayor's Court receipts as presented.** All members present voting.

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

No: 0

6. Committee Minutes

Community & Economic Development: Refer to the minutes on file in the Council Office of the Community & Economic Development meeting held May 21, 2007.

Finance & Property Committee: Refer to the minutes on file in the Council Office of the Finance & Property Committee meeting held May 21, 2007.

Ordinance, Rules & Claims Committee: Refer to the minutes on file in the Council Office of the Ordinance, Rules & Claims meeting held May 14, 2007.

Water, Sewer & Rubbish Committee: Refer to the minutes on file in the Council Office of the Water, Sewer & Rubbish meeting held May 21, 2007.

Executive Session of Finance & Property: Refer to the minutes on file in the Council Office of the Executive Session of Finance & Property meeting held May 21, 2007.

Mr. Foltz: Request approval as presented the following committee report minutes from Community & Economic Development, May 21, 2007; Finance & Property, May 21, 2007; Ordinance, Rules & Claims, May 14, 2007; the Water, Sewer & Rubbish May 21, 2007, Executive Session of Finance & Property of May 21, 2007. Motion to approve as presented?

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

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

No: 0

7. Recognition of Visitors

Mr. Foltz: Recognition of visitors, anyone like to address Council and the Administration this evening, please come up to the podium, state your name and address for the record and feel free to do so.

Mr. Osborne: My name's Chuck Osborne, 307 Fairview Street S.E., North Canton, Ohio. I guess you're in luck tonight, I don't have any prepared comments, I'll just speak adlib. Does that work for you, Mr. Foltz?

Mr. Foltz: You're always welcome to speak in front of Council, Member Osborne and...

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Mr. Osborne: Couple things I wanted to speak about, first is my ongoing...concern about tax rebates that are continually given. as an afterthought...APARCO who is applied for the city. The city has been negotiating with him for months, and doing what services the city should provide, as far as their...need for lot splits, zoning, engineering services. That should be the extent of economic development for a small community like ours. The incentive is already there as I've spoken before. They evidently have...found a...a agreeable location, there must be some relationship with Schaub, since they're buying the lot right next door. And I'm not sure, but it sounds like the property basically has already been purchased. So there is no incentive needed. I mean, they have made a commitment to the community, and yet you continue to – to give away these tax abatements when you can have it all. And you need it all. There isn't a week that goes by up here that you're struggling, trying to find funds. You're giving away funds destined for the school system, and the remaining funds that are destined for the city. They are tax incentives, they should be make or break to bring that business to the community, not as an afterthought which they continue to be, sure we can give you a few thousand dollars so you can throw your Christmas party at the end of the year. I think it's 27 hundred dollars or something. As I've said before, this is a very nice community. That's a very nice location. There's no reason to give these tax abatements. The other issue I wanted to speak about is the yard waste. I'd like to compliment the Administration because in this ongoing discussion...the legislation as originally discussed, I think was very, very misleading. It started out to be \$52,000 for I think six weeks worth of grass clippings. If we don't have anything more to worry in this city about than a few grass clippings, something's wrong. I see it's been pared down. First of all, it was 52,000 then Administrator Wise pointed out that really, there's almost another \$50,000 in bag costs that we're going to give out. And I don't know why there's not additional legislation or something to – to handle that huge sum of costs to the taxpayers. Now it's pared down to....33,000, using the same ratio as Mr. Wise pointed out earlier, for the 52,000 costs, it would have been about \$100,000. I'm assuming again that we're looking at about \$66,000 in – in costs. You're jeopardizing the recycling program for the city. 'Cause you spend that grant money that you have sitting there, as the Mayor pointed out, you're reimbursement costs...and the Administrator \$25 a ton and you're expected just under 400 tons. I've seen estimates anywhere from 9,000 to 16,000 for reimbursement. Does it really make sense to spend even...\$66,000 and you're only going to recoup 16 or 9 or 10, whatever it is? This isn't fiscally...responsible spending. And for a city that's in the financial situation that we're facing now, I think we have a lot more to worry about than a few grass clippings. Why not set up recycling centers or partner up with other communities, Plain Township or Jackson and let individuals who are concerned about the few grass clippings deposit them there and save this city tens of thousands of dollars which are desperately needed. I think that's enough. Thank you.

Mr. Foltz: Okay, if you want to stand up there, I – I care to respond Member Osborne. First of all, that – that money's set aside for just recycling. Isn't that correct, Finance Director?

Mr. Osborne: I understand that.

Mrs. Herr: Yes.

Mr. Osborne: And that money will be needed next year.

Mr. Foltz: Let – let me if you could, let me finish my thoughts, then you can come back with another question if you'd like. How much money's in that account?

Mrs. Herr: There's over 100,000.

Mr. Foltz: Over \$100,000 that we can't put towards any other projects, so that's the first statement I want to make. Second one is our residents pay for recycling now. They pay \$2 to recycle...the cans, newspapers and bottles, and they pay another seventy-five cents a month to recycle the – the leaves for 10 weeks. All we're doing is adding to that. They've already bought into this, we haven't had any problems with the residents saying they don't want to pay extra to do this. So that money can only be set aside for recycling to keep things out of landfill. It can't be set aside....

Mr. Osborne: I understand all that.

Mr. Foltz: to – to build streets or do something else with the money. It has to be recycle.

Mr. Osborne: But if you exhaust the 100,000 you have now, and it's not going to be replaced with a equal replacement of \$100,000, in order to continue to supplement your leaf recycling and the mixed recycling, you're going to end up having to use taxpayer dollars. You're jeopardizing the mixed recyclables. We only have about 18%...participation now, as the Mayor pointed out, we need to encourage a greater participation. And I – I highly dispute the...suggested...participation. I heard 100%? I don't know of anybody in my neighborhoods that worries about recycling their grass clippings. They should be encouraged to – to mulch

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them up, put the nutrients back in the soil to – to put this burden and to exhaust the – the few remaining...dollars that you have in that grant fund, they should be used for increasing the participation in the mixed recyclables, and not just flittered away in a four week runaround the city, picking up a few grass cuttings. I intend to follow this truck around. And I'll bet you, you don't see a handful of people participating in this. And you're throwing away tens of thousands of dollars.

Mr. Foltz: Member Osborne, I hope you do, so you can see for yourself how proactive this community is going to be. But thank you for your comments. We can agree to disagree.

Mr. Osborne: You won't – you won't meet these...collection figures.

Mr. Foltz: Well, drive down Werstler, especially, okay?

Mr. Osborne: Well, you know, I talk to your neighbor, Mr. Daniluk at the meeting two weeks ago. He says he thinks there's two people on the whole street.

Mr. Foltz: We'll see. Thank you.

Mr. Osborne: So you think this is going to resurrect their interest?

Mr. DeOrio: Mr. President if I could...

Mr. Foltz: Yes, sir.

Mr. DeOrio: in – interject a couple things. I've already done a lot of leg work on this and...I have walked the - pretty much....over half the town in the last month and was just kind of doing a little inventory of people that are already putting grass clippings out in plastic bags, and I don't – I don't see...I think the – the number that...Mr. Coyle has targeted right now, about 25%...or whatever the – I don't have it in front of me, but the participation rate seemed to be about right based on the number of households I saw putting out grass clippings. We also need to keep in mind that we got – we – we need to hit a new target. We kind of gotten away from this conversation, 'cause it's been a couple months ago, but you know, the new benchmark is we got to get 1400 tons. And I don't think that you can get it just collecting...plastic. I think you need...

Mr. Osborne: Well to spend \$66,000 and recoup 1/6th of that...

Mr. DeOrio: so, thank you.

Mr. Foltz: thank you...inaudible...

Mr. Osborne: you're not going to – that's just fiscally irresponsible.

Mr. Foltz: Okay, thank you for your comments.

Mr. Osborne: Inaudible.

Mr. Foltz: Anyone else like to address Council this evening?

Mr. Feller: Chris Feller. 1291 Lipton. Very quickly, just wanted to thank Council for their due diligence that they've paid to the Lipton Avenue project. I understand funding's always tough, but I'd like to thank everybody in looking at '08 fiscally for that project to go through. I would also like to ask with...Mr. Hemminger currently not working right now, who's handling our zoning concerns? While we've currently seen a...growth in property owners and we've seen some improvements in our neighborhood, we still do have some properties that are...basically diminishing our property values. I see we're passing on a third reading – third reading, weeds, trees and grass. I've got three homes within a block of my house, they're all going to fall underneath of that. But we're losing a little on our enforcement end being short a person. I would also like to add very quickly that I'd like to thank Council for looking and bringing new business into the neighborhood by tax abatements. We currently have residents that are getting residential tax abatements that already live here. They're not going anywhere either, so I think we certainly need to look at bringing in business to generate money as well. Thank you.

Mr. Foltz: Okay, thank you. I'll defer to Administration as far Gene's duties since he's been off.

Mr. Wise: Yes, Mr. Hemminger is back today and...while he will have a few medical appointments, at this point, he is back and is working fulltime.

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Mr. Foltz: Okay, thank you, Administrator Wise.
Mrs. Magel: That's very good news.

Mr. Benekos: I saw him Saturday or Sunday night.
Mayor Held: Oh, did you?

Mr. Foltz: Yes. Thank you. Mr. Fano? Name and address.

Mr. Fano: Dick Fano, 1382 Elmwood S.W. North Canton.

Mr. Foltz: Thank you.

Mr. Fano: In the last two weeks, I've did a lot of thinking and I listened to a lot of stuff that's going on here. And I keep wondering where we getting all the money at because we end up with \$290,000 windfall and we're trying to split it between 4 wards and do...Wilbur and do...Oster drilling and everything. Somewhere along the line, a year and a half ago, when the new council came in, one of the first things that was said was we have to tighten our belts. I don't see anybody tightening their belts up here. I don't see anybody. When - when we're - you're talking about curb and guttering, my personal views of that right now is to have a moratorium on them for - and not do any curb and gutters for two years. Sounds tough. But I'll tell you something, I have a home on Lorrell S.W. and it doesn't have curb and gutters. I have a home on Elmwood, it doesn't have curb and gutters, and I have two business properties on North Main. One I had to fight 14 years to get the street done. And now I've been asking about finishing streetscape, and I get this dance that we don't have any money. I'd like to give my wallet to a couple of you guys here and - and watch how you can spread the money around. I - I just - I'm very disappointed in - in - in the priorities in this town, I really - or in this Council. I really am. I think the...correct me if I'm wrong. But - but when the ordinance was passed to put a waterline in, that's all the money that was appropriated, right? So then why would you - why would you...want to - I can't think of the words I want to say. Why would you want to...

Mr. Foltz: Inaudible.

Mr. Fano: come up and - and say well, that street before we...finish it out, why don't we put curb and gutter in it. Well you could do that with 500 streets around here. Putting curb and gutter in. You appropriated money to put a - a waterline in to satisfy the people, that's way it should be. Personally, I heard - I saw where they had...they had pictures that they showed up here. Do - I'll show you a lot of pictures. I've got pictures that'd blow your mind. North Main Street is - is a catastrophe for anybody that want - would want to come in this town and start a business, and like I said before, you drive up Main Street, and you look, and you see - don't see any curbs, you see the - the median growing out into the street. You see bumps - I know there's no money in this town, but somewhere along the line, you guys are finding money to - to do all these...neighborhood streets. And...it's like I said, I - I just - I - my - I don't have any more words. That's all I have to say. Thank you.

Mr. Foltz: Appreciate - appreciate your comments, Mr. Fano. Just for the record, the Administration also requested the Lipton and the 6th Street improvements, so it wasn't just Council that's looking at these projects and I think we're all aware we need to tighten our belts next year, especially...

Mr. Fano (from audience): Next year? You'd better do it now.

Mr. Foltz: with you know, with, with a 30%...out of our - our income tax revenue. I - I know I'm not going to vote for anything over 1.8 million if that's our estimated revenue. We're just going to have to do it and it's kind of - just - things we've been working on since beginning of the year, but anybody else on Council like to address anything?

Unidentified: I'm lost...inaudible...

Mr. Foltz: Okay, Administration? Seeing none, anyone else like to...come before Council?

Mr. Edwards: Hi. My name's Steve Edwards. I live on 6th Street which the gentleman here doesn't want us to have curbs. I mean, obviously he doesn't live on a street that has curbs like ours, so...you know but...

Mr. Fano (from audience): Inaudible...any curbs.

Mr. Edwards: I'm not here to - I'm not here - I'm here to thank you for discussing this...inaudible...- I'm here to ask a couple questions of Mr. Benekos. Three weeks ago, I thought it was an estimate of \$160,000 to do the street. Last week I was here, it was 230,000 and you said something about they would have to relocate storm sewers and everything,

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which I didn't understand what you were talking about when you said they had to relocate the storm sewers, that was part of the – be part of the project. Can you explain that to me or – or why would - they would have to relay – relocate the storm sewers?

Mr. Benekos: Yeah, I can get into a, you know, technical and discuss that, but is – do you want to do that here?

Mr. Foltz: I'll defer to you – to you and Administration to answer his question.

Mr. Benekos: Yeah, from a technical aspect, you know, if you want to sit down after the meeting, I'll be glad to do that with you. I don't think this is the time...

Mr. Edwards: Okay, well, what I was getting to, I'm here – I'm – I'm like the city, I don't want to spend all kinds of money. I'm trying to save money too.

Mr. Foltz: I understand.

Mr. Edwards: On our - I went around tonight, up on where you did 7th Street, Orchard, and that, they got new curbs and they got put in new sidewalks in up there. Now their curbs are almost is – flat with their – their lawn strip is even with their – with their sidewalks. Okay? Our curbs, I went down our street and measured them all, they're 5 ½ to 4 inches lower than our – our – our lawn strip goes like this. Now my question is this. You said that you got to replace gutters and that. There's only two gutters on our street to replace you know. The ones at the end of the street don't need replaced, they're brand new, they were there when we did the streetscape of – of North Main. So those don't need replaced. There's only two of them that need replaced that's Orchard and...6th Street, the corner. There's two gutters there. And if you raise that...to me, if you would raise that when they raise the curb up to the height – almost to the height of our sidewalk to make our lawn strip, you wouldn't have to – you wouldn't have to grind as much asphalt either to fill in there. I know you haven't found the manholes in, the one manhole in the corner of – on - on 6th and Orchard. That's the only problem you'd have, you just raise that manhole up. But I can see if they raise those curbs up, they don't have to do as much grinding, it's not going – I wouldn't think it would cost as much money if you save on the grinding and everything to, you know, and get the curbs up, they don't have to be exactly level, but you know what I was talking about? 'Cause right now, I got pictures, you can see it, just the – the lawn strip goes like – it's 5 ½ inches down from the – from the – our sidewalks. They raise those curbs up, that's going raise, all you got to do – you want to grind as much, it's going to probably – I would think – save money. And there's only two gutters that need replaced and that's it. Like I said, the two up there, and the two at the other end of the street don't need replaced, they're new. And I talked to some people at Evans Construction or – I got a couple friends that work there, they said you – that there wouldn't – shouldn't be no problems just replacing two gutters and putting curbs in – no big deal. They said something about you don't have to – do none of the storm sewers or anything, they wouldn't have to that they could see, so that's the reason I wondered, you know, if it – just trying to save – or – or keep the cost down – if it – if you know, you went that way.

Mr. Foltz: I appreciate your concerns and I think...our Engineer Jim Benekos had indicated if your willing, just wait 'til after the meeting, he can maybe explain further discussion on those gutters and streets, so...alright? Alright, thank...

Mrs. Magel: I – I'd just like to...

Mr. Foltz: Okay, thank you sir.

Mrs. Magel: I believe were we left off with 6th Street is...we will be having a bid? So, you know, maybe some of that'll come out and...

Mr. Foltz: Through the bid process?

Mrs. Magel: Yeah, through the bid process, and you can discuss that with him with that firm that you were discussing.

Mr. Foltz: Alright. Thank you, sir. Anyone else like to address Council?

Mr. Brenton: ...Inaudible...get old. Anyhow, I come up, my name is Sam Brenton, Westfield S.W. If I might ask the – the Mayor for some help. Years ago, when they first laid that from what is it? Slag to blacktop, and to fix this guy and fix that guy, anyhow, when they got done...they had a landscaper come down, and when he come down to my house, they pull him off, took him up Early Rose's backyard, and that was the end of it. So I had to, what little bit I could do, to slope and do that. That's that far...the road blacktop that far from where it...and then it drops. Anyhow, I – I don't have no machines. And that guy that did the landscaping come over and apologized like hell. I'm sorry. Then when it was all done,

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Dave...inaudible... only one ... one time in his life that he went and apologized to somebody, and that was to me, what the city did. But anyhow that blacktop, when he come down there with that broom, he not only busted the crust on the – on the dirt, he busted the crust on the blacktop. So now we got a ditch that deep down along the side there. I took care of that for 30 years. Manicured that just like it was my yard. I don't own all the way down to that Ambler sign. The county does. But anyhow, I've tried to mow today, but that's scary. You ride that lawn mower and that things like this and, but anyhow, I have been going down to the city, shoveled dirt on my pick-up truck, come back and shovel it back off. Now, a 65 year old man shouldn't do that. Especially in North Canton. But anyhow....

Mr. Foltz: Sam, do you have an address for the Administration to...

Mr. Brenton: But anyhow...

Mr. Foltz: maybe send somebody out to look at that?

Mr. Brenton: It is scary.

Mr. Foltz: Do – do you – do you know the address, Mayor Held?

Mayor Held: Yeah we have, we know where Sam house is.

Mr. Brenton: He knows where I live.

Mr. Foltz: Okay, we'll see if they can come out there.

Mr. Brenton: Well, he did dig a ditch but...I'm – not only on my side, on both sides now. But he busted the crust. If you take a wire brush across a cement floor and bust the crust on it, it's gone. But anyhow...I – I've been coming up here for years, really. To begin with, the guy initiated that, I come up here and wait 'til his eyes met mine, and I called him a crook. He read my lips real good. But anyhow, lately, in the last 15 years, the only good thing I get out of here is talking to this woman here. Really. So anyhow, couple years ago...during a bad rain storm, down around that curve is a dip, and there's a drain. When it rains, it's a basin. That thing fills up like two feet of water. So this one day, my daughter waited 'til after the storm went over, and she went down around there. When she got down there, there's a tree laying in that water. So my grandson said, I'll move it. So he got out of the car, went around, and my daughter happened to see a wire down under that tree, and he's going in that water. Now, I almost lost a grandson that day. But I don't want him to lose a grandfather with a lawnmower tipping over and – and really so, if you could help me, I appreciate it.

Mayor Held: We'll send somebody out, Sam.

Mr. Brenton: Like I say, they didn't finish it, because they took it up and the guy initiated the no vote got paid back big time, so, thank you.

Mr. Foltz: Okay, thank you.

Mayor Held: Thank you, we'll – we'll send somebody out, Sam.

Mr. Brenton: I – I'm leaving. Thank you.

Mayor Held: Thank you.

Mr. Foltz: Anyone else like to address Council this evening?

Mayor Held: Inaudible...somebody...inaudible...

Ms. Lange: Hi. My name is Charlene Lange and I live on...6th Street, 131 6th Street. And...I too, would like to thank you for considering...the curbs and trying to find a way to do that for us. I really appreciate that...I have two questions. The first one is...I'm ignorant of all the things that I'm responsible for as a citizen and so if you just tell me if I need to do this, I will. I know sometimes when yards get torn up in replacements of sidewalks or streets or everything, whoever the contractor is, I'm assuming...comes in and takes care of the – the disrupted yard or whatever. And I have a section...that comes on the...part of the sidewalk up to my home in my yard that's all removed. And I need to fill that in with dirt and put grass in, is that my responsibility? If it is, that's fine, I'll – I'll do that. I just...

Mr. Foltz: Not unless an engineer...I mean a contractor came out and did the...

Mr. Benekos: Right. Was that disturbed for the construction of the project?

Ms. Lange: I wasn't home, was it disturbed for the construction? Was that part of the construction?

Unidentified (from audience): Inaudible...and dig there...inaudible...

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Ms. Lange: Okay. They had to replace something that they broke?

Mr. Foltz: When they replaced the waterline on the street to your curb box?

Mr. Benekos: What were your address?

Ms. Lange: 131 6th Street. I mean, I don't mind doing it, I just wanted...

Unidentified: No, that's....

Mr. Benekos: No, if it was....

Mr. Foltz: No, Administration will check this out for you.

Ms. Lange: to know what do I do?

Mr. Benekos: Yeah. I talked with the inspector on that project today. He said there were a few punch list items that he needed to get with the contractor...

Ms. Lange: Oh, okay. Okay.

Mr. Benekos: and I think he did mention some...

Ms. Lange: Alright, okay.

Mr. Benekos: grading and seeding.

Ms. Lange: Alright. And then the section in between the sidewalk to the street. You're not doing anything with that right now, I would assume?

Mr. Benekos: Right.

Ms. Lange: Since it's still under consideration, 'cause I really don't want grass there, right now...

Mr. Benekos: Okay.

Ms. Lange: I'd rather put stones in – it's – don't have to mow it.

Mr. Benekos: Right.

Ms. Lange: The second thing was, I really – I know that – that our tax base is hurting because of the Hoover Company going, and for the past several years I've been trying very hard to buy North Canton. I said before a couple weeks ago that I encourage everybody to eat here in North Canton, you don't have to go down to The Strip or Belden Village. We have decent places for eating here, and to me that would encourage our personal tax base here in North Canton. But I don't know where the lines are within the city of places that are in the city paying the tax, and which aren't.

Mr. Foltz: You just want our city boundary lines.

Ms. Lange: Can you tell me where to go there? Do – do you – is there somewhere I can go online, through the city, to find that out?

Mr. Foltz: Well, the phone, the phone book offers a fairly accurate map as far as...our city limits. That would be our business interest.

Mr. Lane: Yeah, our website does too, Mr. President.

Mr. Foltz: And the website, if you...be able on computer.

Ms. Lange: Okay, so if I go on the website I should be able to see that, and then I'll know which ones are just outside...

Mr. Lane: Yeah, I think there's a...

Ms. Lange: where they don't have to pay?

Mr. Lane: tab that says City map...

Ms. Lange: Those that are in?

Mr. Foltz: Right.

Mr. Lane: I think it says City map.

Ms. Lange: Okay.

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Mr. Foltz: Or the phone book's got a good...

Mr. Repace: Don't we have a small map...

Mayor Held: Yeah.

Mr. Repace: in the Council Office? City map?

Mr. Foltz: Gail, is there one available? Additional one? If you want to wait 'til after the meeting, Gail can...

Ms. Lange: Okay.

Mrs. Kalpac: We can make you a copy.

Ms. Lange: I have another engagement that...

Mayor Held: Inaudible....

Ms. Lange: I'm already late - late for since it's Tuesday.

Mayor Held: Yeah.

Mrs. Magel: The address is northcantonohio.com.

Unidentified: Inaudible....

Ms. Lange: Northcantonohio.com?

Mr. Wise: I haven't seen...inaudible....

Ms. Lange: In full? Northcanton?

Mrs. Magel: Yes, one word.

Mr. Foltz: If you'd like to stop back later, tomorrow even, during the day or...

Mayor Held: Here we go. The reason...inaudible...

Ms. Lange: Okay.

Mr. Benekos: Give me the...inaudible...

Mrs. Kalpac: Could put it in the mail.

Mr. Foltz: Or we could put it in the mail to your address.

Ms. Lange: That'd be great.

Mr. Foltz: You want to leave it with Gail?

Mrs. Kalpac: Okay.

Ms. Lange: 131 6th Street N.E.

Mr. Benekos: Inaudible...

Mrs. Kalpac: Okay, thank you.

Ms. Lange: Thank you.

Mr. Foltz: Okay?

Ms. Lange: Yes. Thank you.

Mr. Foltz: Alright, thank you.

Mr. Benekos: Gail will mail it.

Mayor Held: Thank you.

Mr. Foltz: Anyone else like to address Council? Okay. Oh, is there somebody else? In the back row?

Ms. Meadows: Hi. Sue Meadows. 232 6th Street N.E. A little confused with the curbs and gutters. Last year I needed to do my driveway and I had to come before Council to get a variance because my neighbor's driveway and my driveway touches, and we were going to do concrete. I wanted blacktop but I couldn't get anybody to do blacktop. So I was ending up with concrete and I was told at the time that it would - it would probably be best for me to wait

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with my driveway because the new – the new waterline and the gas line and whatever was going to go in and that the curbs and gutters were going to be done and I should talk to the concrete contractor and maybe I could get the driveway put in a little cheaper. This gentleman called a couple weeks ago when I was out of town, wanting to know if I still wanted my driveway done and he had just gotten the message. So apparently, this was being looked at last year as part of the whole project. So I'm a little confused with the fact that you're telling us now, that it wasn't being part of the project, that it wasn't being looked at, that it hasn't been contracted out, or bid for, or whatever, when it was supposed to be part of the main project. So I'm just a little...

Mr. Foltz: I believe the request came over from the Administration with the funding, CDBG grants that it was just waterline only. I don't know if there was ever discussion for curb.

Mr. Benekos: No. There would be some curb replaced, when, if we dug the lateral, the service line to the house, and we disturbed the curb, there would be some concrete work done at the time and there would be a concrete subcontractor out there. But...never from the Engineering Department was it ever considered to replace all the curb – curbs on that project.

Ms. Meadows: I talked to several people here and they told me that we were getting – we were the last street that was going to get the full thing. We were going to get the gas line, the waterline, the curbs and gutters and that's the way it stood. Then over the summer as I waited for the project to, you know, to go along, I didn't hear anything and so I started making some phone calls and they said, no, it was just going to be waterline and I'm a little confused on that because when they did my gas line, that was put in in 1920, which the whole street was, it was like a sieve. So, and some of the other gas lines as well have had to be done, so I figured there can't be – there wasn't going to be that many left, they – you know, why not do it then. But I was getting my water, so fine, you know, they'll just have to do the gas lines when they do. But I do know that I was told at the time, that gutters and curbs were going to be put back in and – on the whole street and to talk to the contractor about doing my driveway at that time. So I'm just a little confused to how it conspired to be down to this part now where we're just and in my opinion, it – you go in and you destroy something, you replace it. If we didn't have cutters and gurbs (gutters and curbs) at the...at the beginning of the project I could understand why there would be a battle over getting them. But they've been destroyed and they're just asking to be put back. The grass strip, I can handle that myself. There's no problem. I do my whole yard; I can do that grass strip. And on Park, it's just a short strip. You have Park over on 9th that you did last year, they did all the streets, they did the gutters, they did the curbs. This is just a little short piece that's left, that these people, if you just did one side of the street, would benefit from tremendously, in keeping those cars out of their yard. The - two of them would have been here tonight but they had to work. They've called the Police Department, they were told to put cones out just to keep them out of their driveway. They come home from work and they can't even get into their drive. There's no police presence up there. It's – I mean, this is another subject, but I mean, they come up, they park right on the curbs, they park on both sides of the street. If you needed to get an emergency vehicle in there for an injured child out on that field, it would be impossible. And that's the gate to go in. Not 7th Street. So I don't know, I think curbs would help it and plus the water runoff would be a great help. But that was my question and – and my concern. Thank you very much.

Mr. Foltz: Okay, thank you.

Mr. Lane: Can I ask something please? And – and possibly maybe Jim can answer 'cause the lady brought it up about the gas lines. Have those gas lines been tested? I mean, we're not going to be in a situation were we put all this down and we have to dig it right back up.

Mr. Benekos: Well, of course, the gas lines aren't our responsibility.

Mr. Lane: Right, I know they're not, I just didn't know if – if routinely when we did a street if the gas company...

Mr. Benekos: Yeah.

Mr. Lane: came through it and took that opportunity to look at it.

Mr. Benekos: We make the gas company aware of projects that we're doing so that at that time...if they want to replace their lines, they can. Hopefully they assess them...when we give them the list of projects we're doing for the year. So, they have done that...

Mr. Lane: So you haven't heard back one way or another from them on that then.

Mr. Benekos: I – I don't recall if they've done that or not...on 6th Street or not.

Mr. Lane: I just hate to go through all this consternation and turn around and six months from now, tear it all for a gas line.

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Mr. Benekos: Right.
Unidentified: Charge...inaudible...

Mr. Benekos: We'll check with them again.
Mr. Lane: Thank you.

Mr. Foltz: Okay, thank you. Anyone else want to address Council?

OLD BUSINESS

8. Mr. Foltz: Okay, start with old business. Do I have a motion to read by title only the third reading of Ordinance No. 51-07?

Mr. DeOrio moved and Mrs. Hines seconded to read by title only the third reading of Ordinance No. 51-07. All members present voting.

Unidentified: Bet you a...inaudible...
Unidentified: I told you it's going to happen.

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

Ordinance No. 51-07 – 3rd Reading – Community & Economic Development

An ordinance accepting the recommendations of the City of North Canton Tax Incentive Review Council ("TIRC"), concerning the agreements granting exemptions from property taxation, to continue four (4) of the existing and modify three (3) of the Community Reinvestment Area ("CRA") agreements.

Mr. Foltz: Chairman Repace.

Mr. Repace: Well, this is an ordinance accepting the recommendations of North Canton...Tax Incentive Review Council as read by the Law Director. It's the third reading, third and final reading.

Mr. Foltz: Then, do I have a motion to adopt the third reading of Ordinance No. 51-07?

Mr. DeOrio moved and Mrs. Magel seconded to adopt the third reading of Ordinance No. 51-07. All members present voting.

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

9. Mr. Foltz: Next, may I have a motion to read by title only the third reading of Ordinance No. 52-07?

Mr. DeOrio moved and Mrs. Hines seconded to read by title only the third reading of Ordinance No. 52-07. All members present voting.

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

Ordinance No. 52-07 – 3rd Reading – Community & Economic Development

Ordinance No. 52-07 authorizing an Agreement by and between the City of North Canton and Jackson Township ("Agreement") establishing guidelines for the negotiation of possible cooperative agreements; and for the Mayor of the City of North Canton to be authorized, through the Board of Control, to enter into said Agreement.

Mr. Foltz: Chairman Repace.

Mr. Repace: Well this is a third and final reading. The agreement with Jackson Township establishing guidelines for negotiations of possible cooperative agreements that...we really need to get into pretty quickly.

Mr. Foltz: Then do I have a motion to adopt the third reading of Ordinance No. 52-07?

Mr. Lane moved and Mr. DeOrio seconded to adopt the third reading of Ordinance No. 52-07. All members present voting.

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

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10. Mr. Foltz: Next, may I have a motion to read by title only the third reading of Ordinance No. 53-07?

Mr. DeOrio moved and Mrs. Hines seconded to read by title only the third reading of Ordinance No. 53-07. All members present voting.

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

No: 0.

Ordinance No. 53-07 – 3rd Reading – Ordinance, Rules & Claims

Ordinance No. 53-07 amending CHAPTER 553 **Weeds, Trees and Grass** of the Codified Ordinances of the City of North Canton, and repealing any and all legislation inconsistent herewith.

Mr. Foltz: Chairman Snyder.

Mr. Snyder: Thank you Mr. President. This is the third reading on the...weeds ordinance. This would allow us to move in 30 days when it becomes effective, that the Superintendent of Permits can move at a....little lightening speed and notify the resident one time in the season and then just simply cut thereafter. It also simplifies the notification methods, either by certified mail or posting on the property. So this should hopefully address some of those problems and we will...get moving on that because it is the ...inaudible... growing season in the next 30 days.

Mr. Foltz: Very good. Do I have a motion to adopt the third reading of Ordinance No. 53-07?

Mr. DeOrio moved and Mr. Snyder seconded to adopt the third reading of Ordinance No. 53-07. All members present voting.

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

No: 0.

NEW BUSINESS:

11. Mr. Foltz: I need a motion to remove Ordinance No. 50-07 from the table.

Mr. DeOrio moved and Mr. Snyder seconded to remove Ordinance No. 50-07 from the table. All members present voting.

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

No: 0

Mr. Foltz: Now may I have a motion to read by title only the first reading of Ordinance No. 50-07?

Mr. DeOrio moved and Mr. Snyder seconded to read by title only the first reading of Ordinance No. 50-07. All members present voting.

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

No: 0

Ordinance No. 50-07 – 1st Reading – Water, Sewer & Rubbish

An ordinance authorizing the supplemental appropriation of funds of the City of North Canton, Ohio, to be appropriated from the unappropriated balance of the Garbage Service Fund to the Contract Payments Account in the amount of \$33,480.00 for the current expenses during the fiscal year ending December 31, 2007, and declaring the same to be an emergency.

Mr. Foltz: Chairperson Magel.

Mrs. Magel: Yes, this is the subject matter that was discussed...at 6:50 for Special...Committee Meeting...we had discussed that we will extend the...service for four more weeks for the leaf recycling program in the amount of thirty three thousand, four hundred eighty thousand (\$33,480.00) and as discussed it was in a special grant fund, however we need to – to...move it out so that...we can...start moving on this for a first reading hopefully, as I had discussed also earlier on – on a special meeting on...June 4th. So...tonight I would ask this to be on emergency that we have...we appropriate the – the monies.

Mr. Foltz: Very good. Could I have a motion to adopt the first reading of Ordinance No. 50-07?

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Mr. DeOrio moved and Mrs. Hines seconded to adopt the first reading of Ordinance No. 50-07. All members present voting.

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

No: 0

Mr. Foltz: May I have a motion to suspend the rules for Ordinance No. 50-07?

Unidentified: Wednesday night is...inaudible...

Mr. DeOrio moved and Mrs. Hines seconded to suspend the rules for Ordinance No. 50-07. All members present voting.

Unidentified: The radio station...inaudible...

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

No: 0

Unidentified: and so is...inaudible...and the project meeting Thursday.

Mr. Foltz: And may I have a motion to adopt under the suspension of the rules for Ordinance No. 50-07?

Mr. DeOrio moved and Mrs. Hines seconded to adopt under the suspension of the rules for Ordinance No. 50-07. All members present voting.

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

No: 0

Unidentified: That's one of the reasons the water...inaudible...

Unidentified: Right, that's what Rich thinks, it's just a water...inaudible..., what he thinks.

Mr. Foltz: I'd like to thank Council for their support on this and...

Mr. Foltz: excited to work with the Administration to provide another green issue...

Unidentified: inaudible...as soon as the high pressure...inaudible...

Mr. Foltz: for our constituents, so thank you very much to push this forward.

12. Mr. Foltz: With that, do I have a motion to read by title only the first reading of Ordinance No. 56-07?

Mr. DeOrio moved and Mrs. Magel seconded to read by title only the first reading of Ordinance No. 56-07. All members present voting.

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

No: 0

Ordinance No. 56-07 – 1st Reading – Community & Economic Development

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

Mr. Foltz: Chairman Repace.

Mr. Repace: This – this is going to be a – a – a good company to come into our community. The tax base is going to be good as far as income tax, excuse me, I'm losing my voice again. Never mind, just move to adopt after the...inaudible...

Mr. Repace moved and Mr. DeOrio seconded to adopt the first reading of Ordinance No. 56-07.

Mr. Repace: I'm not going to fight that.

Mr. Foltz: Okay, we have a motion to adopt the first reading of Ordinance No. 56-07?

Mrs. Kalpac: Jim made it.

Unidentified: So moved.

Mr. Foltz: And there is a second by Member DeOrio? Okay. Thank you.

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All members present voting.
Yes: Foltz, Hines, Lane, Magel, Repace, Snyder, DeOrio.
No: 0

13. Mr. Foltz: May I have a motion to read by title only the first reading of Ordinance No. 57-07?

Mr. DeOrio moved and Mrs. Magel seconded to read by title only the first reading of Ordinance No. 57-07. All members present voting.
Yes: Hines, Lane, Magel, Repace, Snyder, DeOrio, Foltz.
No: 0

Ordinance No. 57-07 – 1st Reading – Water, Sewer & Rubbish

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

Mr. Foltz: Chairperson Magel.

Mrs. Magel: Yes. In my best recollection was we put this on emergency...to be effective on the second reading. And I believe that was...okay with the Administration.

Mr. Benekos: Correct.

Mrs. Magel: Thank you.

Mr. Foltz: And you'd just like the first reading on this?

Mrs. Magel: Yes, so tonight I would just like a first reading and all this is, what we're trying to do is...replace the...Northwood School waterline interconnection so that we can...you know, have the better connection. You're doing it again.

Mr. Repace: I'm getting you again.

Mrs. Magel: With the...waterline with the school. This is the very first easement and I believe there – we should be looking forward to...other easements coming our way. This one is just a dollar for perpetual.

Mr. Benekos: Correct.

Mrs. Magel: So...with that...

Mr. Foltz: That said, do...

Mrs. Magel: Yes.

Mr. Foltz: I have a motion to adopt the first reading of Ordinance No. 57-07?

Unidentified: That's an...inaudible..

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

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

Unidentified: Go for it.

Mr. DeOrio moved and Mrs. Magel seconded to read by title only the first reading of Resolution No. 58-07. All members present voting.
Yes: Magel, Repace, Snyder, DeOrio, Foltz, Hines, Lane.
No: 0

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Resolution No. 58-07 – 1st Reading – Water, Sewer & Rubbish

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

Mr. Foltz: Chairperson Magel.

Mrs. Magel: Yes. This would be...the first reading and...will not have an emergency. As discussed, what we are doing here, is...establishing the – the composition of the committee...as discussed...we would have representative from the Council's, representative from the Administration...the head of the...Water Treatment Plant, and approximately three...residents.

Mr. Foltz: And do I...

Mr. Wise: Madam Chairman, if I may...

Mr. Foltz: Yes.

Mr. Wise: And I – and I know this was discussed at the last Council or last Committee meeting...prior to that I think it was two committee meetings before that, my recollection of that discussion was there's going to be a number of individuals on that. I think we talked about the Director of Administration...some other members of the Administration, maybe the Police Chief, Fire Chief...Mr. Steinhebel, the Superintendent of the Water Treatment Plant...Operator was here and indicated that he didn't feel he could be on the committee, was his...

Mrs. Magel: I didn't...I lost that.

Mr. Wise: I'm sorry. We talked about – my – my recollection of the last discussion which was about a month ago, prior to last Monday...was that there were going to be a number of members of the Administration on there, the Director of Administration, maybe the Police and Fire Chiefs...Mr. Steinhebel, the Superintendent of the Water Treatment Plant felt he couldn't be on the committee. He – he felt it wasn't appropriate for him to be on the committee...and I can't frankly remember if we discussed a member of Council, I think that's probably certainly appropriate to be on that, and then have those members...decide the make up – the rest of the make up of the committee, was my recollection. So that – that is different...

Mrs. Magel: Well we can listen to the tapes, I – I believe it was...member of the Council, this is what the Council had agreed to, member of Administration, I believe Jon had asked for...the head of the Water Treatment Plant, and I said I respected Rich, and...then we had said that there would be...three residents, and I had asked them to...either contact me or...Council office.

Mr. Wise: That was clearly the discussion last Monday, I don't – I don't question that.

Mrs. Magel: Okay.

Mr. Wise: I – I'm talking about the – the first time it was on, when Mr. Steinhebel was here, and we had the long discussion...that was my recollection.

Mrs. Hines: There was a – a – an EPA...and I don't know which one it was, whether it was – one of them specified in there when they said to set up this committee, one of them for a village, included those people, but it would end up being a rather large group, so I think, I think that was just for an example of who you could use. I don't think there's any specified guidelines and at that time, they said you could use someone from the school, someone from the fire department, obviously someone from the Administration. There's different make up of the people that you have on. Technically you could even use it, you know, someone from the fire department. I do think if – and I do remember Rich saying that he didn't really want to be on the committee as a member, but would attend the meetings. But I think someone from the Water Department should be on the committee, where – for the guidance that they might have to offer.

Mr. Wise: That was my recollection of the discussion. It – this is just different than what we'd talked about previously...I – I guess my next question is who – who decides which residents will be on the committee.

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Mrs. Magel: Well I thought the – last Monday's discussion that we, the Council, was, and that there would be some and I – as far as the fire department, I thought we were talking about like when we talk about their involvement, they would be there. It would be like a rotating – like when the school's involved we would invite someone from the school, but certainly they wouldn't have to be attending every single meeting.

Mrs. Hines: I – I think what there basically is is a core group and then they – the committee decides who they think that should be on for various reasons, like a teacher if you're doing some education projects...

Mrs. Magel: Aspect.

Mrs. Hines: or whatever. As – as I understand it.

Mr. DeOrio: Well, I think it, oh I'm sorry, I should...

Mrs. Magel: Well, no, I – I actually, this went through committee...last week and the committee agreed to this as well as all did Council. And I've heard – I've heard from no one on all the disagreement of this.

Mr. Lane: Well I – I do want to correct, and this is probably appropriate time to say it because I've talked to you off the record and – and on. I still have some problems with this, and until Mr. Steinhebel tells me that he's comfortable with it, I'm still going to continue to vote no, but I do that with all due respect. So I don't remember being part of that discussion about the committee...

Mrs. Magel: Well, the – the...

Mr. Lane: I don't....

Mrs. Magel: Resolution already passed.

Mr. Lane: Right, no, I'm aware of...

Mrs. Magel: This is now a Resolution for who's on the committee.

Mr. Lane: I'm aware of that...

Mrs. Magel: Okay.

Mr. Lane: but I'm – I'm not in favor of it until I hear something from Mr. Steinhebel but it's not something that I think has to hold up the process.

Mrs. Magel: Right. I – I respect that.

Mr. Lane: That's fine.

Mrs. Magel: Mr. DeOrio.

Mr. Foltz: I think Member DeOrio had a comment.

Mr. DeOrio: Yes, thank you. Well, you know, clearly there's been a progression of thought on this over the many weeks and months that we've been working on it and where we left it last week is clearly reflected in the legislation, in the Resolution request. However, I would say...you know, just as – as an offer here, one, you could say Superintendent of the Water Treatment Plant or his designee, if that gives Rich any more room...and I did have a question about the three residents, if the City Council is appointing that...or if it's the Administration and...I'll go with what the...you know, with what the tapes would indicate, but my question would be to the Law Director. Should that be reflected in the – in the...Resolution, who actually does the appointing?

Mr. McFarren: Well, most certainly if you – if you put in the Resolution, you would clarify the situation, however the Council without – without it being clarified, hopefully everybody's on the – on the same chapter and verse, and that is Council has...or Council intends to create this committee and therefore the power to appoint should be Council's and if there's any question about that, then most certainly make it – amend the Resolution to include who the appointing power is. And while I'm on that subject, I think if we were – if the argument was to get the Water Superintendent on this committee, I think there would probably be substantial opposition to that. I think – I think you're putting the...if you consider him to be a resource, which was certainly appropriate, but you know, he's – he's being asked to serve in two capacities here and they may not always be in concert, and in fact, you know, you could find accusations later that he is manipulating the committee or – or attempting to...divert attention from things they want to look at. I just don't think it's a good position to have somebody in – in fulfilling both of these functions. As he told you, he most certainly would attend the meetings and be available for resource purposes, but I think it's awkward having him be an official member. If you made him an ex officio or – or the understanding he's going to show up at every meeting, I think that makes sense.

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Mr. Snyder: You know, as we talked about this, the one thing we probably, and it was at my suggestion in all due respect, and I did say what he said is in abstentio or as an ex officio, it made no difference and he surely can sit ex officio on the committee. However, one thought process I have is, I think the other component that you need is the Mayor, or as the Mayor's designee. The Charter so declares you cannot look into the affairs of the municipality without the permission of the mayor, and you're asking to look in the general operation of the Water Treatment Plant and the production of water and you need the – you need the blessing of the mayor's office to do that, otherwise you're...

Mrs. Magel: Well that's on there, Jon, Administration.

Mrs. Hines: Well, it says member of the Administration.

Mr. Snyder: Does it say...? Yeah, but he doesn't have...

Mrs. Hines: So it could be either...

Mr. Snyder: Well the mayor's also said, I would think, along...

Mrs. Hines: either or.

Mr. Snyder: with Administrator at that point because it does say in the Charter, it does designate mayor, not his appointee. It says you'll check with the office of the mayor. The mayor of the city should sit on any type of committee as well as possibly the Administration appoints one of those members of the – of the community and the council appoints the other two. That way you'd have a very balanced group of people.

Mrs. Magel: Say that again, Jon. Sorry.

Mr. Snyder: Leave it as you have the three members of the community, the Administrator, obviously the Chairman of the Water Committee should serve on that...I – I – I agree fully with that. The Mayor himself, or her whoever the case may be. And then the...Mayor and Administrator appoint a member of the community and the Council appoint two members of the community and....the Water Superintendent sits ex officio, because you need the Mayor or the Administrator to get him there anyway. He works for them. And I think that that way you could cover up – that way you have a very balanced group of people and you move ahead. And if you think you need additional members, that would be to your call, you know you....

Mrs. Magel: Oh yeah, that's when they come in and....

Mr. Snyder: Yeah, you could....

Mrs. Magel: out....

Mr. Snyder: You know, if you think by your – by your work as you get into it, that you need additional, get members of the community or members of the Council, I think you could get support to get that. But that'll get you; I would think it'd get you started without too much politics involved. And that's just an offer, ma'am, I didn't mean that in any disrespectful way.

Mr. Foltz: Chairperson Magel, do we want to pass this first reading and we can...adjust the language to better reflect our discussions tonight?

Mrs. Magel: That'd be fine.

Mr. Foltz: Second reading.

Mrs. Magel: That'd be fine. I'd like to get...

Unidentified: Yeah.

Mr. Foltz: Is there a concurrence with that?

Mrs. Magel: Yes.

Mr. McFarren: Also, it's a resolution so when you...

Mr. Foltz: So we just...you're saying that there's no three readings...

Mrs. Hines: So it's a one time?

Mr. Foltz: needed on a resolution?

Mr. McFarren: I'm saying take your time. If you – you can always send this thing back, there's no time of the essence issue...

Mr. Foltz: Okay.

Mr. McFarren: here, so if there - within about three different issues raised...

Mr. Foltz: Right.

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Mr. McFarren: here in the last two minutes that are all very valid issues and sometimes in the conversation we forget, as has been demonstrated tonight around here, which version we agree to, and if there's any question about what you're agreeing to, then get it in black and white in this thing before you pass it.

Mr. Foltz: So you're saying...Law Director, to – don't pass the first reading Resolution, just table it?

Mr. McFarren: Yeah, don't pass it 'til you've got everything ironed out.
 Mr. Foltz: 'Cause it – it's only going to take one reading.

Mr. McFarren: I'll have to check that for you, but...
 Mr. Foltz: Gail, inaudible....

Mr. McFarren: it is a resolution.
 Mrs. Kalpac: Do you want this back on Committee of the Whole then for Monday?

Mrs. Magel: Yes, but I'll tell you what, I don't want to be ambushed again. I – if somebody has something to say, I would like a phone call or a suggestion, and when I do bring this Resolution up and there is a reading....you know, my – my number's 497-7171. If – if there was something that you disagreed and we had all talked about it and...

Unidentified: It's tabled?
 Mrs. Kalpac: Should we table it then?

Mr. Snyder: Member...Chairman...
 Mr. Foltz: If we don't need three readings I guess we table it.

Mrs. Magel: Alright, table it. Well...

Mr. Foltz: I'll defer to the Law Director.
 Mr. McFarren: There was – was there a motion – there was a motion and second?

Mrs. Kalpac: Yes.
 Mr. Lane: To read it...

Mr. Snyder: To read.
 Mr. Lane: correct.

Mrs. Kalpac: Yes.
 Mr. Foltz: Just to read.

Mr. McFarren: There was a motion and second, so got it on the floor...
 Mr. Foltz: Yes.

Mr. McFarren: Okay, it's...
 Mrs. Kalpac: But it didn't...
 Mr. McFarren: you'd want to motion to table.

Mr. DeOrio moved and Mrs. Hines seconded to **table Resolution 58-07.**

Mr. Snyder: Madam Chairman, may I offer...
 Mr. DeOrio: Motion's on the floor, it's been seconded.
 Mr. Snyder: oh, excuse me...inaudible...

All members present voting.
 Yes: Repace, Snyder, DeOrio, Foltz, Hines, Lane, Magel.
 No: 0

Mr. Foltz: Member Snyder, you had a comment?

Mr. Snyder: Yes, thank you sir. I was just going to offer the Chairman the fact that if she reconsiders next week, we do have a meeting right afterwards...

Mr. Foltz: Can you add it then?
 Mr. Snyder: You could put it...

Mrs. Magel: Well, it's not that I'm – need to reconsider. Apparently we need to...
 Mr. Foltz: We need to reconfigure.

Mrs. Magel: I need to figure out what everybody...

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Mr. Snyder: When you figure that out you...
Mr. Foltz: Rewrite – we need to do something "re".

Mr. Snyder: Give me some lottery numbers at the same time you come up with that.
Mrs. Magel: I need to have a...mind reader here...

Mr. Snyder: Inaudible...
Mrs. Magel: that...20 seconds before we're going to vote.

15. Mr. Foltz: Okay. May I have a motion to read by title only the first reading of Ordinance No. 59-07?

Mayor Held: Inaudible...

Mr. DeOrio moved and Mr. Lane seconded to **read by title only the first reading of Ordinance No. 59-07. All members present voting.**
Yes: Snyder, DeOrio, Foltz, Hines, Lane, Magel, Repace.
No: 0

Ordinance No. 59-07 – 1st Reading – Finance & Property
Ordinance No. 59-07, authorizing the Mayor of the City of North Canton to enter into an Agreement by and between the City of North Canton ("City") and the Board of Stark County Commissioners ("County") for the Community Development Block Grant ("CDBG") funding in the amount of \$117,500 for the Woodrow Street NW Waterline Improvement Project ("Project"), and declaring the same to be an emergency.

Mr. Foltz: Chairman DeOrio.

Mr. DeOrio: Thank you Mr. President. In this instance with this ordinance we are trying to...bring our interest in a timeline that is acceptable to the Stark County Commissioners and they have accelerated their funding for us to be able to do this project. We were – we are advancing it one year sooner and this...legislation is necessary... for completion of the project in a timely manner. I would so move for adoption of Ordinance No. 59-07.

Mr. DeOrio moved and Mr. Snyder seconded to **adopt the first reading of Ordinance No. 59-07. All members present voting.**

Mrs. Kalpac: DeOrio?
Mr. DeOrio: Yes.

Mrs. Kalpac: Foltz?
Mr. Foltz: Yes.

Mrs. Kalpac: Hines?
Mrs. Hines: Yes.

Mrs. Kalpac: Lane?
Mr. Lane: Yes.

Mrs. Kalpac: Magel?
Mrs. Magel: Is this on an emergency? First reading?
Mr. Foltz: Yes, it is.
Mrs. Magel: Yes.

Mrs. Kalpac: Repace?
Mr. Repace: Yes.

Mrs. Kalpac: Snyder?
Mr. Snyder: Yes.

Mr. Foltz: May I have a motion to suspend the rules for Ordinance No. 59-07?

Mr. DeOrio moved and Mr. Snyder seconded to **suspend the rules for Ordinance No. 59-07. All members present voting.**
Yes: Foltz, Hines, Lane, Magel, Repace, Snyder, DeOrio.
No: 0

Mr. Foltz: And may I have a motion to **adopt under the suspension of the rules for Ordinance No. 59-07?**

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Mr. DeOrio moved and Mr. Snyder seconded to **adopt under the suspension of the rules** for Ordinance No. 59-07. All members present voting.
 Yes: Hines, Lane, Magel, Repace, Snyder, DeOrio, Foltz.
 No: 0

16. Mr. Foltz: Mention to Council that...we're in receipt of a signed copy of fiscal officer certificate for Ordinance No. 60-07. So with that said, may I have a motion to read by title only the first reading of Ordinance No. 60-07?

Mr. DeOrio moved and Mr. Lane seconded to **read by title only the first reading** of Ordinance No. 60-07. All members present voting.
 Yes: Lane, Magel, Repace, Snyder, DeOrio, Foltz, Hines.
 No: 0

Ordinance No. 60-07 – 1st Reading – Finance & Property

An ordinance providing for the issuance and sale of \$1,200,000 (in) notes, in anticipation of the issuance of bonds, for the purpose of paying a portion of the costs of acquiring the premises known as Arrowhead Country Club, located at 1500 Rogwin Circle SW in the City of North Canton, Ohio, and declaring an emergency.

Mr. Foltz: Chairman DeOrio.

Mr. DeOrio: Thank you. This...legislation is necessary in order to...convert...some water notes, outstanding notes that we have into bonds. And the total amount is expected to be \$1.2 million. These notes - or these bonds will be the taxable bonds and...consequently it will pay out slightly higher interest rate than what we might normally...see. And Julie, I think I saw that in the legislation, was it 6%? It'll bear interest now at the estimated rate of 6% per year.

Mrs. Herr: That – that's the maximum, but once we get closer to a date, I'll get a more exact rate, but it won't be higher than 6%.

Mr. DeOrio: Okay. Anything else you'd like to add?

Mrs. Herr: The only I want to add is...that...these are to replace 1½ million dollar notes that we had originally...and we are going to be purchasing these as an investment for the City, so we won't be going out to the...secondary market for these.

Mr. DeOrio: Very good. Julie brings to the point that we're paying down about \$300,000 of – of that debt. So I would move for passage of Ordinance No. 60-07.

Mrs. Herr: Okay, saw it, it goes from packet to the other.

Mr. Foltz: Second? Looking for a second from Council?

Mr. DeOrio moved and Mrs. Hines seconded to **adopt the first reading** of Ordinance No. 60-07.

Mr. Wise: Did you get...inaudible...

Mrs. Herr: What?

Mr. Wise: Did you get that in your...inaudible...

Mrs. Herr: No...inaudible...

Mr. Wise: Never mind.

All members present voting.

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

No: 0

Mr. Foltz: May I have a motion to suspend the rules for Ordinance No. 60-07?

Mr. DeOrio: Inaudible...

Mrs. Hines moved and Mr. DeOrio seconded to **suspend the rules** for Ordinance No. 60-07.

Mr. Snyder: I thought he said...inaudible...

All members present voting.

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

No: 0

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Mr. Foltz: And may I have a motion to adopt under the suspension of the rules for Ordinance No. 60-07?

Mr. Snyder moved and Mr. DeOrio seconded to **adopt under the suspension of the rules** for Ordinance No. 60-07. All members present voting.

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

No: 0

Mr. Snyder: I thought you seconded that, Mr. President, I apologize. When you said...

Mrs. Hines: Yeah, I did too.

Mr. Snyder: second, I -- I just...

Mrs. Kalpac: So did I.

Mr. Foltz: I'm sorry.

Mr. Snyder: I just assumed that you.

Mr. Foltz: This stuff, this throat, this throat thing's going around...

Mrs. Magel: I think it's that air conditioning.

Mr. Foltz: It's...inaudible...

Mr. Snyder: I apologize; I would have said...I thought you did.

Mr. Foltz: No. I should have said "May I have a second" to the original motion.

17. Mr. Foltz: May I have a motion to read by title only then the first reading of Ordinance No. 61-07?

Mr. DeOrio moved and Mrs. Magel seconded to **read by title only the first reading** of Ordinance No. 61-07.

Mr. Foltz: It's everybody or nobody.

Mr. Snyder: It's a choir.

All members present voting.

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

No: 0

Ordinance No. 61-07- 1st Reading – Water, Sewer & Rubbish

An ordinance authorizing the supplemental appropriation of funds of the City of North Canton, Ohio, to be appropriated from the unappropriated balance of the Fire Department Levy Fund to the Health Insurance and General Insurance Accounts in this – in the amount of \$12,600 for the current expenses during the fiscal year ending December 31, 2007, and declaring the same to be an emergency.

Mr. Foltz: Chairman DeOrio.

Mr. DeOrio: Yes Mr. President. This legislation...is required in order to...fund a couple of...instances where we've budgeted very tightly. The...the appropriate line items, one was in regards to...health insurance for an employee who...was married and got a family. They went from a single rate to a family rate. In the case of the general insurance, it reflected increase in the cost of insurance to insure the city fleet and other properties.

Unidentified: Do we got something on...inaudible...on through...inaudible...

Mr. DeOrio: I would so move for passage of Ordinance No. 61-07.

Mrs. Herr: David...inaudible...signing this Ordinance tonight.

Mr. Wise: Inaudible...

Mr. DeOrio moved and Mrs. Hines seconded to **adopt the first reading** of Ordinance No. 61-07. All members present voting.

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

No: 0

Mr. Foltz: May I have a motion to suspend the rules for Ordinance No. 61-07?

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Mr. DeOrio moved and Mrs. Hines seconded to **suspend the rules** for Ordinance No. 61-07. All members present voting.

Mrs. Herr: Inaudible...the health insurance and also for the general insurance.

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

No: 0

Mr. Foltz: May I have a motion to adopt under the suspension of the rules for Ordinance No. 61-07?

Mrs. Hines moved and Mr. DeOrio seconded to **adopt under the suspension of the rules** for Ordinance No. 61-07. All members present voting.

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

No: 0

Mrs. Herr: The copy...inaudible...

Mr. Foltz: Just so Council's aware then...we did authorize legislation to – well I – I need a motion and second to schedule a Special Council Meeting...immediately following Committee of the Whole Meeting for Monday, June 4th.

Unidentified: Should be...inaudible...

Mr. Foltz: Is that correct, Gail?

Mrs. Herr: Yeah.

Mr. Wise: Okay, but sign that, don't...inaudible...

Mrs. Kalpac: We need to be real specific...

Mrs. Magel: For the purpose.

Mr. Wise: That's the original?

Mrs. Kalpac: in what we're going to address.

Mr. Foltz: We need to be specific to what we're going to address? You got a motion right now? For what the....

Mrs. Kalpac: What – what's going to be addressed at the special meeting?

Mr. Foltz: Well, Chairman Lane, you wanted to have your...

Mr. Lane: The infrastructure improvements regard...can – can it be in general terms, regarding the following streets? Or does it...

Mrs. Kalpac: Yes.

Mr. Lane: Okay. Regarding 6th Street, Lipton Avenue, Rosewood Circle, Grassmere, and East Park Boulevard, with the only exception being if Mr. Benekos feels we don't need the – to go through that process because of what you said earlier.

Mr. Benekos: For East Park?

Mr. Lane: Yeah.

Mr. Benekos: Correct. We don't need to go through the bidding process, but we do need the money...

Mr. Lane: The authorization.

Mr. Benekos: Correct.

Mr. Lane: Well, okay, but we can't – that – that'll be down the road, as far as this coming Monday, we wouldn't be discussing that, correct?

Mr. Benekos: We need to – a special appropriation for the funding even to do the designs and...

Mrs. Herr: Yes...

Mr. Benekos: if we can proceed with that.

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Mrs. Herr: all of that will have to be appropriated.

Mr. Lane: Okay.

Mrs. Herr: So it'll have to be an appropriation for the 6th Street, and then there'll have to be appropriations for any other projects that it's determined that you want to do.

Mr. Lane: Okay. Even though we're just bidding them out to find out the amounts of money.

Mr. Foltz: We can't appropriate Lipton, we don't have the money.

Mr. Lane: Right. I - I thought...

Mr. Foltz: I mean, we're all aware of that. Not that we don't want...

Mr. Lane: The impression that I got from the....

Mrs. Herr: No, only the ones that you're going to actually be doing...

Mr. Snyder: From 7th ...

Mr. DeOrio: Yeah to....

Mrs. Herr: this year.

Mr. DeOrio: Yeah, to bid out, we don't....

Mr. Lane: This year would just be 6th Street and I guess East Park if -- and -- and Grassmere if we feel we can get those done in the Rosewood design. So...

Mr. Benekos: Right, so those 4 you need appropriation for.

Mr. Lane: Okay.

Mrs. Kalpac: Which 4?

Mr. Benekos: Four being 6th Street, Grassmere, Rosewood design and East Park. Is there anything else that we're missing? Okay.

Mr. Foltz: That was your committee, and you wanted to....

Mr. Lane: Right.

Mrs. Magel: Well, yeah...

Mr. Lane: But again going...if -- just so I can finish my thought process on this based on the previous meeting. If we only have \$260,000 to work with, we're tying up 60,000 on East Maple that we don't have to throw into this mix. We're going to be very careful what we're doing appropriations wise, correct?

Mrs. Herr: Yes.

Mr. Lane: 'Cause we're going to go over that limit relatively quickly unless we can transfer some money from another area.

Mrs. Herr: Yes.

Mr. Lane: Otherwise it's a moot point to have the meeting other than to do it for 6th Street and be done with it. Goes back to the beginning of the meeting, couldn't get anything else done except for 6th.

Mrs. Herr: Gail?

Mrs. Kalpac: So is Lipton just going to be advertise and receive bids?

Mr. Benekos: I think you want to go ahead and award that so we can get that through as quick as possible.

Mrs. Kalpac: Lipton?

Mr. Foltz: No, we cannot do that.

Mr. DeOrio: I think, you know...

Mr. Benekos: No, not Lipton, sorry, yeah, 6th.

Mr. Foltz: 6th Street, yes.

Mr. DeOrio: 6th Street.

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Mr. Benekos: Lipton we can hold off on until we get the - the plans done. I think we got a month.

Mrs. Kalpac: Okay, so we're not going to need legislation for Lipton?

Mr. Foltz: No.

Mr. Benekos: Or do you want...

Mr. Snyder: Well I thought you were...

Mr. DeOrio: I think we want to bid it.

Mr. Benekos: No, we're going to bid it.

Mrs. Kalpac: Okay, advertise and receive bids.

Mr. DeOrio: We just want to authorize bids.

Mr. Benekos: Okay.

Mrs. Kalpac: You meant Kathy?

Mr. Foltz: Go ahead, Chair - Chairperson Magel, your committee.

Mrs. Magel: Well, yes, I - I would also...decided to discuss - need a special meeting for - now that we appropriated the money for the...took the extension of the four weeks for the recycling...we actually have to then vote for the recycling, and again I'm asking...everyone. We will be voting for this on an emergency, so please call me...there's only 6 of us...I know Council will let me know if there's a problem. And then also the bags? I think we'll need a second one to get some...

Mr. Foltz: Second...

Mrs. Magel: Yeah....

Mr. Foltz: ordinance for bags.

Mrs. Magel: ordinance, second one for the bags.

Mr. Foltz: We got all our bases covered, Gail?

Mrs. Kalpac: I think. Just a motion and a second.

Mr. Foltz: Do we need to redo the motion?

Mrs. Kalpac: Motion and a second.

Mrs. Magel: And we will be having...

Mr. Foltz: It might be another 10 minutes.

Mrs. Magel: Is Wilbur going to be....

Mr. Foltz: That's not so...inaudible...

Unidentified: That makes no sense.

Mrs. Magel: I said nothing.

Mr. Foltz: Okay, I think we've said our piece on the motion, so is there...

Mr. DeOrio: Is there a motion?

Mr. Foltz: Is there a motion?

Mr. DeOrio: There be.

Mr. Lane: It was - it was in progress.

Mr. Foltz: So we have a motion...

Mr. DeOrio: There be a motion.

Mr. Foltz: to the language we just discussed.

Mr. DeOrio: I so move that motion.

Mr. DeOrio moved and Mr. Lane seconded to schedule a Special Council Meeting on June 4, 2007.

Mrs. Kalpac: Okay, and this is for a Special Council meeting.

Mr. Foltz: Right.

Mrs. Magel: Inaudible...

All members present voting.

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

No: 0

Unidentified: Amen.

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REPORTS:

Mr. Foltz: Okay, that done...reports...

Unidentified: Inaudible...got sixty some...inaudible...

Mr. Foltz: Director of Law?

Mr. McFarren: No report, but I would ask our friends in the media to...blow up our weeds and grass situation. This is going to be a faster track than the residents have ever seen. And if – and if we have to enforce it, it's going to be very ugly. So, times have changed and somebody's going to find out very bitterly how quick this comes down.

Mr. Snyder: Would you disclose the prices of that Chemlawn stock?

Mr. McFarren: Didn't hear you Jon.

Mr. Snyder: Did you disclose your purchase of Chemlawn stock?

Mr. McFarren: No, that's – that's the...

Mr. Foltz: It's his – his broker has to do that.

Mr. McFarren: it's somebody else in the firm.

Mr. Lane: I saw – I saw – I saw a new truck out there with "Randy's Mowing Service" on it.

Mr. Foltz: Randy has people that handle that for him.

Mrs. Magel: Yeah, Randy – Randy's Mowing Service.

Mr. Lane: He's got a little lawn mower at the back of his Neon.

Mr. Foltz: Was that it...

Mr. McFarren: no, that's okay.

Mr. Foltz: Director of Finance, report?

Mrs. Herr: No report.

Mr. Foltz: Director of Administration?

Mr. Wise: Yes, the pool, I mentioned last week, the pool opens, or two weeks ago I guess, the pool opens this Friday at 11:00. There was I think, some people seemed to think that it opened Memorial Day. It does not.

Mr. Foltz: Used to.

Mr. Wise: It's open at the end of school. North Canton City Schools last day is this Thursday...so the pool opens Friday at 11. Last...Tuesday I believe it was, one day last week, I can't recall...Tuesday I think at 3 p.m. there was a 12 inch water main that broke on Aultman and...Brookline, just north of the county line...just east, or west of Diebold. That was a 12 inch main, I think it was installed in the '70's. They – they knew it right away at the water treatment plant. When a 12 inch main blows wide open, they know it real quick. They took some real quick action to keep the Water Tower # 2, which is back online from – from draining. The water crew went out, got there...very quickly...attempted to close the closest valve to isolate the problem. They couldn't turn that valve. That's – that's one of the – the valves that hasn't been turned for quite some time. They were able to isolate it, had just very few...businesses off line for water. There was a pretty widespread disruption when the – when the line did break and the system tried to draw water from wherever it could. But most of those people were back online very quickly. The water main break was dug up, they took out about a 7 foot section of pipe that was all corroded along the bottom due to the soil...they replaced that, filled in the hole...put pressure back to the line and just about 10 or 12 feet to the south of that there was another break, so they had to tear that back up. They finished about 3:00 in the morning. There was some guys there turning valves and running hydrants, pretty much 'til the start of next business day at 7:00. They did an excellent job, but these guys are out there, sometimes literally all night, and then were all at work the next day and – and did what they needed to do.

Mrs. Magel: Did this have to do with the...Water Tower # 2...

Mr. Wise: They were testing the pumps.

Mrs. Magel: Right.

Mr. Wise: Now whether or not that surge, or there was a surge that caused that line that was already weak to break. It's, you know, I don't know that they've actually determined that yet.

Mrs. Magel: Is that test over...inaudible..., or they still testing?

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Mr. Wise: No, they're still working on the pumping, the new pump system, they haven't pressurized the system from...number - Water Tower # 2 yet with the new pumps. We actually - we have a meeting on that on Thursday with Rich, so.

Mrs. Magel: This Thursday coming?

Mr. Wise: Yes.

Mr. Foltz: Okay, thank you.

Mr. Wise: Thank you.

Mr. Foltz: Mayor Held?

Mayor Held: Yes. I'd like to thank the Lion's Club for the...particularly Greg Sarbaugh who put together the Memorial Day Parade yesterday. It was a fantastic event. There was a lot of hard work that was put into it and...and also on behalf of our city workers. And it really went off very well. Had great weather, and so I'd to thank everybody...that attended for coming out. Secondly we do have...there's a long standing tradition in the City of North Canton which was started by Mayor Dave Johnson, a number of years ago and it's the Mayor's Fishing Rodeo. That'll be June 2nd on Saturday, and the registrations from 8, 8 to 9 in the morning and the Fishing Rodeo will take place from 9:00 'til 10:30 in the morning. We have a great turnout. The Eagles Club and some various businesses throughout North Canton sponsor the program, and...Susie as you know, when Bill...was Mayor, he went through that a number of years, and it's always been a big hit. So we have - we have...adults that bring their children back, and they attended back when they were children, and...so certainly if anyone wants to fish, bring your rod and come out and join us. That's all.

Mr. Foltz: Okay, thank you, Mayor. City Engineer?

Mr. Benekos: Just want to say South Main Street is progressing. We've got the east side curb and most the concrete work done on that side. We're starting, should be pouring curb on the west side this week. When that's done, then we'll be ready to resurface. We appreciate the patience and...traffic, I think we've only had one or two calls on that, and when we get to the resurfacing it'll get a little - little hairy there for about a week, but...then we'll be done and I think we'll all enjoy it then, so.

Mr. Foltz: Okay, thank you.

Mr. Benekos: Thank you.

REPORTS - COUNCIL:

Mr. Foltz: Gail, any report?

Mrs. Kalpac: No report.

Mr. Foltz: No report, Member Lane?

Mr. Lane: Just had a couple of...quick questions. And this goes back to last week's discussion on the income tax. I did have a couple of people contact me over the past week or so, and I think there's a - either a misunderstanding or some misinformation out regarding the income tax. When you work, for instance in Canton or Akron, even though you get a 1½ % income tax credit from the City of North Canton, that money stays in that other community. Is that correct...

Mr. Snyder: Yes it is.

Mr. Lane: Director Herr?

Mrs. Magel: Yes.

Mrs. Herr: Yes.

Mr. Lane: And I think some people feel since they get that credit that somehow magically there's a check that gets written there and sent back, and then the other ½ % stays in that community.

Mrs. Hines: No.

Mr. Lane: And I think as we continue this discussion and try and get education out, I think that's a very important thing that needs to be passed along, so people do understand, it's a relatively small amount of people that do pay the income tax here. 'Cause I think in some people's mind, they figure I'm already paying and - and they - and they're not participating and that's certainly no fault of their own, but that's - that's just a thing that's come up. Next Monday we've got what, about 5 meetings back to back? I wondered if when you - when you wrap up tonight, if you could let us know how many hours we need to be here?

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Mr. Snyder: 5:15 is the first.

Mr. Lane: Or whenever. Don't we have a Public Hearing and then...

Mr. Foltz: Just get – get here Sunday night.

Mr. Snyder: 6:15. 6:15...inaudible....

Mr. Lane: Okay, and then the other thing, Jim, maybe...if – if we can all get together in the next week or so on New England...

Mr. Benekos: Sure.

Mrs. Magel: It's what 5:30?

Mr. Lane: some morning or something, I'm – be happy to join you guys or if you could bring me up to date...

Mr. Foltz: Yeah, 5:30.

Mr. Lane: after you join Jim and ...inaudible...I know everybody's schedule's pretty hectic, but I'd like to at least...

Mr. Snyder: 5:15

Mr. Lane: get an idea on that. Thank you.

Mr. Foltz: Okay, thank you Member Lane. Member Snyder?

Mr. Snyder: Inaudible, no, I have nothing, thank you, Mr. President.

Mr. Foltz: Member DeOrio?

Mr. DeOrio: Yes, I have a question for the Mayor. I was at an event that, today, Mayor...residents asked this question, it was out at Price Park. And they were curious of what the possibility would be to have...some of those blue barrel recycle bins at maybe Price Park, as I don't know...

Mayor Held: Right.

Mr. DeOrio: you might do it at Dogwood Park, but we had a couple school events there and there were a lot of plastics that were being used that they wanted to be able to do something with, so I told them that I would ask you...

Mayor Held: Right.

Mr. DeOrio: and you might look into that.

Mayor Held: I think that's an excellent idea. That was also brought up...I would assume from the same person that spoke to you, brought that all – that same question up today in our office and...we'd love to expand the recycling programs throughout the...parks. Really what it is, is just a matter of...getting the containers, which of course we can do that, but most importantly just coordinating the collection of it. Whether we do it through the city workers or through...do it through Republic, but...we are going to arrange to have that done. I think it's a great idea.

Mr. DeOrio: Great.

Mayor Held: Very good.

Mr. DeOrio: That's all.

Mr. Foltz: Anything else? Thank you for your suggestion. Member Hines.

Mrs. Hines: Well, I - I'd just like to say I – I understand about this weed thing because I had a few dandelions and I'm ...inaudible...and my dandelions and I treated mine but they're still...still keep coming up, and I do have a man...

Mr. Foltz: Inaudible...cut them

Mrs. Hines: coming to cut down my tree and...

Mr. Foltz: Is that tree part of...inaudible...

RECORD OF PROCEEDINGS

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COUNCIL OF THE CITY OF NORTH CANTON

REGULAR

Meeting

DAYTON LEGAL BLANK, INC., FORM NO. 10148

Held

Tuesday, May 29

7:00 p.m.

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Mrs. Hines: that is going over the sidewalk, 'cause I safely cannot cut the branches myself, because it has to be 12 feet over the sidewalk. And having walked a lot of the streets...there are a lot of people out there who have limbs and when I have to duck, let me tell you, it's not even 5½ feet so...I -- I hope people...I know Judy Juenemann who works in...for Gene Hemminger, will call people sometimes to let them know ahead of time, because she said what -- what you want to do is getting people working on it...and you know, you can always probably...

Mrs. Herr: Inaudible...this is what I come up with.

Mrs. Hines: go to enough scrutiny that you can find something wrong with most -- most properties. But as long as people are really making an effort to try and take care of it, 'cause I do have a man coming as soon as he gets his crew together and...inaudible...not to mention the plumber coming tomorrow morning.

Mr. Foltz: Member Hines, I -- I feel that...Gene will have a list of just visual...violators of this ordinance and....he will be less tolerant to those residents as you know.

Mrs. Hines: Well, and -- and the problem comes in when you start scrutinizing, you know.

Mr. Foltz: Right.

Mrs. Hines: I was asked to look about some cars for sale, cars parked, and I checked that, they sent letters out and checked it again. They aren't there, but you know, just if you go down one street, perhaps where one was, there's another one. And you know, it can be unending. So I think we need to address maybe the worst people, give call...

Mr. Foltz: Sure.

Mrs. Hines: you know, to some of the light ones, but that's what's really needed, the ones that really are abusing...

Mr. Foltz: Okay.

Mrs. Hines: the system.

Mr. Foltz: Thank you. Member Repace.

Mr. Repace: If I can, the Hoover -- the Herbert W. Hoover Memorial Plaque has been installed on the South Main Street Bridge. I think everyone in -- in the city should commend Nan -Nan DeMuesy...just read that, I can't even talk.

Mrs. Hines: Okay. The Herbert W. Hoover Memorial Plaque has been installed on the South Main Street Bridge. Everyone in the city should commend Nan DeMuesy for her very generous contribution to the city and the Hoover family. And I'll say it looks fabulous.

Mr. Repace: It's beautiful.

Mrs. Hines: Noticed it immediately.

Mr. Foltz: Thank you Member Repace for with working with her on that. Appreciate it.

Mr. Repace: Ah, it's nice, it's....

Mr. Foltz: Member Magel.

Mrs. Magel: Oh gee, I just have a few short things. Number one, if you would....please call...and tell Gene that the Council is very glad to hear the good news that he's back. He's a great guy. Not just a hard city worker, just a great guy. And...I guess I'll stop there, 'cause we all were...had enough to say tonight, so.

Mr. Foltz: Okay, Member Lane indicated what's going on next Monday. We have a 5:30 Executive Session, and then we come to a Public Hearing at 6:15 to discuss recommended revisions and amendments to North Canton City Charter, which I believe there are 12?

Mr. Snyder: Yes.

Mr. Foltz: And that's a Public Hearing. Then we go into our Committee of the Whole at 7, which I'm looking at a couple of pages here, then we have our Special Council meeting after that. That's what Gail provided for me this evening so, and we discussed that a little later in the Council meeting, so...that's our night. So get your rest Sunday and we're ready to go.

Mrs. Magel: Is there a Cav's game?

Unidentified: Tonight.

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Mr. Foltz: Hopefully the series will be over by then.

Unidentified: There's one tonight.

Mr. Wise: Is there one next Monday?

Mrs. Herr: I don't know.

Mr. Foltz: Cav's winning, but that said, just a follow up. I did have a Rec Board meeting this evening, or late afternoon I should say, and the pool's ready to go as the Mayor indicated and E.J. and I'm proud of that place. I tell you, I've been an advocate for – for all the improvements there through my tenure here on Council, and it's very refreshing to see that a city our size can still provide affordable recreation to our constituents and...it looks – looks great. But I want Council to be aware there are some things down in the utility / mechanical room that we might have to address in next year's budget as far as capital. There are some needy items that...Mr. Cooksey's going to get through this year with but unfortunately last year we had that surprise with – with the chiller of the heating and hopefully we don't anticipate any other problems, but you never know with – with the age of some of those pipes, so. He's going to get estimates to – that we can address in next year's budget. I told him to do so, so.

ADJOURN:

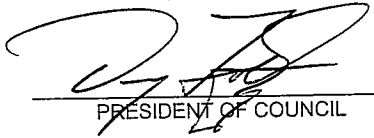
Mr. Foltz: That said, final call for new business. Seeing none, do I have a motion to adjourn?

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


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

No: 0

Meeting adjourned at 8:37 p.m.


PRESIDENT OF COUNCIL

ATTEST:


CLERK OF COUNCIL

6/06/07 ev