

RECORD OF PROCEEDINGS

Minutes of

COUNCIL OF THE CITY OF NORTH CANTON

REGULAR

Meeting

DAYTON LEGAL BLANK, INC., FORM NO. 10148

Held

Monday, November 26, 7:00 p.m.

2001

(YEAR)

CALL TO ORDER:

1. The council meeting was called to order at 7:00 p.m. by President of Council Jon Snyder.
2. The opening prayer was delivered by Rev. Eli Klingensmith, Zion United Church of Christ.
3. All present recited the Pledge of Allegiance.

ROLL CALL:

4. The following members of council responded to roll call: Foltz, Kiesling, Magel, McLaughlin, Sarbach and Snyder. Council member Wiley was not present for the meeting. Also present were: Mayor Rice, Director of Law Batista, City Engineer Benekos and Clerk of Council Bittle.

5. Consideration

Consideration of Minutes of the Council Meeting: 11/12/01
Consideration of Mayor's Court Receipts: October, 2001
Consideration of Financial Statement: October, 2001

Mr. McLaughlin moved and Mrs. Magel seconded to accept the minutes of the council meeting, mayor's court receipts and financial statement as presented. All members present voting:
Yes: Kiesling, Magel, McLaughlin, Sarbach, Snyder and Foltz.
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 November 19, 2001.

Finance & Property Committee: Refer to the minutes on file in the Council Office of the Finance & Property Committee meetings held November 12 and 19, 2001.

Ordinance, Rules & Claims Committee: Refer to the minutes on file in the Council Office of the Ordinance, Rules & Claims Committee meeting held November 19, 2001.

Personnel & Safety Committee: Refer to the minutes on file in the Council Office of the Personnel & Safety Committee meeting held November 19, 2001.

Water, Sewer & Rubbish Committee: Refer to the minutes on file in the Council Office of the Water, Sewer & Rubbish Committee meeting held November 19, 2001.

Mr. McLaughlin moved and Mrs. Kiesling seconded to accept the committee report minutes as presented. All members present voting:
Yes: Magel, McLaughlin, Sarbach, Snyder, Foltz and Kiesling.
No: 0

7. Recognition of Visitors

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

Suzanne Burnett: I'm Suzanne Burnett from Pierce Avenue in North Canton. And it's time to say thank you for doing what some of us wanted you to do and that's the recycling. I see little white plastic bags along the sidewalks and I'm so impressed. And I want you to know it was a good thing to do. Thanks.

Mr. Snyder: Thank you Mrs. Burnett.
Mrs. Kiesling: Thank you.
Mrs. Magel: Thanks.

Mr. Snyder: May I -- excuse me, anyone else wishing to speak? If not...

OLD BUSINESS:

8. Mr. McLaughlin moved and Mr. Sarbach seconded to read by title only, third reading of Ordinance No. 71-01. All members present voting:
Yes: McLaughlin, Sarbach, Snyder, Foltz, Kiesling and Magel.
No: 0

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Ordinance No. 71-01 - Third Reading

An ordinance establishing the zoning classifications of One-Family Residential, R-70, and Office Building, OB, as specified by Ordinance No. 2940, Zoning Ordinance of the City of North Canton, for the premises known as the Gas Light Circle Area Annexation, containing 64.301 acres, more or less, annexed by Ordinance No. 74-2000.

Mr. Snyder: Chairman Kiesling.

Mrs. Kiesling: This is the final reading of the Gas Light annexation zoning - OB front, R-70 back.

Mr. Snyder: Okay, any comments? If not...

Mr. Sarbach moved and Mr. McLaughlin seconded to **adopt the third reading** of Ordinance No. 71-01. All members present voting:

Yes: Sarbach, Snyder, Foltz, Kiesling, Magel and McLaughlin.

No: 0

9. Mr. Snyder: May I have a motion to read by title only, the third reading of Ordinance No. 127-01?

Mr. McLaughlin: So moved.

Mr. Sarbach: Second.

Mr. Batista: Inaudible...

Mr. Snyder: Oh excuse me.

Mr. Batista: I think I want this to remain tabled.

Mr. Snyder: Okay.

Mr. Batista: We have not - I think we're about ready to reach an agreement with Plain Township on this but...

Mr. Sarbach: Well it's - I don't believe it was tabled.

Mrs. Bittle: It wasn't tabled.

Mr. Sarbach: We gave it a second reading thinking we'd have this by tonight.

Mr. Batista: Yea.

Mrs. Magel: That's correct.

Mr. Snyder: So you want it tabled?

Mr. Batista: No - yea, table it please.

Mr. McLaughlin: Table it?

Mr. Batista: Yea, it ain't ready to go.

Mr. Sarbach: I would move that we table Ordinance No. 127-01 until - for two weeks and readdress it when the Law Director has the information.

Mr. McLaughlin: Second.

Mr. Snyder: Now the companion ordinance 128 the same?

Mr. McLaughlin: Yea.

Mr. Sarbach: That's based on this one, so we'll have to table that one also.

Mr. Batista: Yea, that should also be tabled.

Mr. Snyder: Chairman Sarbach, you wish that to be tabled also?

Mr. Sarbach: Yes. Do we need to do that now or when we get to it?

Mr. Snyder: Okay...

Mr. Sarbach: Do you want me to move that we table them both?

Mr. Snyder: Yea, you need a motion to table them.

Mr. Sarbach moved and Mr. McLaughlin seconded to **table Ordinance Nos. 127-01 and 128-01** for two weeks. All members present voting:

Yes: Snyder, Foltz, Kiesling, Magel, McLaughlin and Sarbach.

No: 0

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10. Ordinance No. 128-01 - Tabled

NEW BUSINESS:

11. Mr. McLaughlin moved and Mr. Sarbach seconded to **read by title only, first reading** of Ordinance No. 134-01.

Mrs. Bittle: Which one are we doing? Lost my place.

Mr. Foltz: 134-01.

Mr. Snyder: Oh, 134-01.

Mrs. Bittle: 134.

Mr. Foltz: New business.

Mrs. Bittle: Okay.

All members present voting:

Yes: Foltz, Kiesling, Magel, McLaughlin, Sarbach and Snyder.

No: 0

Ordinance No. 134-01 - First Reading

An ordinance authorizing the extension of an eight (8") inch waterline for a distance of approximately 2,257 linear feet to Saint James Place No. 7, located in part of the N.E., N.W., S.E. and S.W. Quarters of Section 32, Township 12 (Lake Township), Range 8 of the Congress Lands north of the Old Seven Ranges, Stark County, Ohio, in accordance with plans and specifications approved by the North Canton City Engineer.

Mr. Snyder: Chairman Sarbach.

Mr. Sarbach: This is the No. 7 of this development to extend water to that part of the development. This has been scrutinized by the Engineering Department and by the Water Department in that we have sufficient capacity to serve this area. This water will be at an outside rate, which as you know subsidizes the inside rate. So with that I move that we adopt the first reading of Ordinance No. 134-01.

Mr. Sarbach moved and Mr. McLaughlin seconded to **adopt the first reading** of Ordinance No. 134-01. All members present voting:

Yes: Kiesling, Magel, McLaughlin, Sarbach, Snyder and Foltz.

No: 0

12. Mr. Sarbach moved and Mr. McLaughlin seconded to **read by title only, first reading** of Ordinance No. 135-01. All members present voting:

Yes: Magel, McLaughlin, Sarbach, Snyder, Foltz and Kiesling.

No: 0

Ordinance No. 135-01 - First Reading

An ordinance authorizing the Mayor of the City of North Canton, through the Board of Control, to enter into a professional service contract, for a one year period, by and between the City of North Canton and American Analytical Laboratories, Inc. to provide analysis of drinking water samples and declaring the same to be an emergency.

Mr. Snyder: Chairman Sarbach.

Mr. Sarbach: This is a budgeted item. The changes - we're going to go with a different company who can give us better service and supposedly better documentation. And they might get more of the business if they come through with the first part, from my discussions with the water superintendent. And they have this on an emergency so we can get this moving. And like I say it is a budgeted item. And I move that we adopt the first reading of Ordinance No. 135-01.

Mr. Sarbach moved and Mr. McLaughlin seconded to **adopt the first reading** of Ordinance No. 135-01. All members present voting:

Yes: Magel, McLaughlin, Sarbach, Snyder, Foltz and Kiesling.

No: 0

Mr. Sarbach: I'd like to make...

Mr. Sarbach moved and Mr. McLaughlin seconded to **suspend the rules** for Ordinance No. 135-01. All members present voting:

Yes: McLaughlin, Sarbach, Snyder, Foltz, Kiesling and Magel.

No: 0

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Mr. Sarbach moved and Mr. McLaughlin seconded to adopt under suspension of the rules Ordinance No. 135-01. All members present voting: Yes: Sarbach, Snyder, Foltz, Kiesling, Magel and McLaughlin. No: 0

- 13. Mr. McLaughlin moved and Mr. Sarbach seconded to read by title only, first reading of Resolution No. 136-01. All members present voting: Yes: Snyder, Foltz, Kiesling, Magel, McLaughlin and Sarbach. No: 0

Resolution No. 136-01 - First Reading

Resolution accepting the Amount and Rates as determined by the Budget Commission and authorizing the necessary tax levies and certifying them to the County Auditor.

Mr. Batista: At the Council of the Whole did you go through these numbers? Mr. Snyder: Yes, I did go through them. Mr. Batista: Okay. Mr. Snyder: They were for sewer, street, EMS and I think that's all. There's - or is there four? Oh, fire. Mr. Batista: Street improvement, fire fund, ambulance fund and storm sewer. Mr. Snyder: Right - alright. And you're all understanding of that? Those were the rates of our levies that's certified...

Mr. McLaughlin: They sure do not cover the -- come near covering the costs of any of those things. I mean...inaudible...like that. Mr. Snyder: No, the street and sewer are 100,000 and I think the other's about 100,060... Mr. Batista: Street improvements 106,213, fire is 93,026... Mr. McLaughlin: And ambulance is... Mr. Batista: ambulance is 181,245 and storm is 106,213. Mr. McLaughlin: I just want to say, you know, just making that point that it doesn't.

Mr. Snyder: Okay...

Mr. McLaughlin moved and Mr. Sarbach seconded to adopt the first reading of Resolution No. 136-01. All members present voting: Yes: Snyder, Foltz, Kiesling, Magel, McLaughlin and Sarbach. No: 0

Mr. Snyder: May I have a motion to read by title only the first reading of ordinance no... Mr. Batista: Inaudible... Mr. Snyder: Excuse me. Mr. Batista: Before you move on, on this Resolution 136-01... Mr. Snyder: Yes sir. Mr. Batista: It needs the signatures of all councilmen. Mrs. Bittle: No, I just need to type them in. Mr. Batista: Oh, you just have to type them in? Okay, I thought you... Mrs. Bittle: Unless they've changed it. Mr. Batista: It says here... Mr. McLaughlin: Are we going to sign it tonight? Mrs. Bittle: Unless they've changed it. Mr. Batista: Well it says here we need both copies signed. Mrs. Bittle: By the Mayor. Mr. Batista: Oh, just by the Mayor. Okay.

Mr. Snyder: I've got a couple checks you can sign.

Mr. McLaughlin: Does Council sign it tonight or after we pass it, Roy? Mrs. Bittle: No, it I just type it... Mrs. Magel: We don't sign it. Mr. McLaughlin: Okay. Mr. Batista: It just needs to be - the Clerk says that all we need is the Mayor's autograph on it. Mr. McLaughlin: Okay. Mr. Snyder: Okay.

Mr. McLaughlin: The Mayor looks confused.

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14. Mr. McLaughlin moved and Mrs. Magel seconded to **read by title only, first reading** of Ordinance No. 137-01. All members present voting:
Yes: Foltz, Kiesling, Magel, McLaughlin, Sarbach and Snyder.

Ordinance No. 137-01 - First Reading

Ordinance No. 137-01 authorizing the Director of Administration to waive fifty (50%) percent of the building permit fee, less the \$500.00 cost to the City for plan review, fifty (50%) percent of the plumbing permit fee, fifty (50%) percent of the electric permit fee and fifty (50%) percent of the HVAC permit fee for the parcel located on the south side of Applegrove Street NW and known as 1010 Applegrove Street NW (Great Trail Girl Scout Council) and declaring the same to be an emergency.

Mr. Snyder: As we spoke last week, we had a request and also a misunderstanding relative to the Girl Scouts. As an economic development tool to bring them to the City of North Canton, they requested a full waiver of fees, we decided fifty (50%) percent. There is no moving fee, we've neglected that. As well as - in discussion with the Engineer after the meeting, we did not split the portion of the \$40.00 they already paid. It would be too much of a bookkeeping nightmare to refund \$20.00. So we kept the \$40.00 or \$42.00 or whatever it was. So - but everything else remained the same - and giving them that money. And may I have a motion...

Mrs. Magel: Wait - may I have a comment.

Mr. Snyder: Surely.

Mrs. Magel: Okay, just for FYI. Working the numbers out, this works out to approximately \$878.15. I mean we never really said what it was. We're just saying it's fifty (50%) percent of this. At least that's what I worked out.

Mr. Snyder: That could - I don't have that list in front of me Mrs. Magel. I know the building permit alone was about 1,800 less 500 was 1,368 or something.

Mrs. Magel: Yea, 1,333...

Mr. Snyder: So...

Mrs. Magel: So half of that...

Mr. Snyder: 6...

Mrs. Magel: is 666.70.

Mrs. Bittle: That's pretty close.

Mr. Snyder: Yea, about \$800.00 I guess - you're probably about right. And if you'd like to just read those numbers so everybody's familiar with them.

Mrs. Magel: Okay, this is the way I have it. I have - fifty (50%) percent of the building permit fee, less 500, that's \$1,333.00 and half of that is \$666.70; half of the plumbing, which is \$175.10, is \$87.55; half of the electric is the exact same number, \$175.10, \$87.55 and half of the HVAC is \$92.70, which is 46.35. You add those up it's \$878.15. Just if Council wanted to know what we were waiving.

Mr. Snyder: Know what we were waiving. Okay.

Mrs. Magel: At least my numbers - rough.

Mr. Snyder: Okay, is there any - and hopefully, as we're speaking, with the addition of the J Group, we won't be involved in this where we'll get an actual hard copy of what's been negotiated and what's not and then we'll go from there. So...

Mr. Foltz: Before we...

Mr. Snyder: Before the...

Mr. Foltz: Before we sign off definitely.

Mr. Snyder: Before the horse leaves the stable.

Mr. Foltz: That was the whole point of this Jon, as we know. So...

Mr. Snyder: And I think that won't happen. And the Mayor will make sure that we get the right figures.

Mr. Foltz: And we did have some water fees that were waived, correct?

Mr. Snyder: Yes, those were originally waived Doug.

Mr. Foltz: So they did have bonus of that.

Mr. Snyder: Right. And I don't -- and they requested sewer, but we did not do that since that is directly out of pocket per say. Alright...

Mr. McLaughlin moved and Mr. Sarbach seconded to **adopt the first reading** of Ordinance No. 137-01. All members present voting:

Yes: Foltz, Kiesling, Magel, McLaughlin, Sarbach and Snyder.

No: 0

Mr. McLaughlin moved and Mr. Sarbach seconded to **suspend the rules** for Ordinance No. 137-01. All members present voting:

Yes: Kiesling, Magel, McLaughlin, Sarbach, Snyder and Foltz.

No: 0

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Mr. McLaughlin moved and Mr. Sarbach seconded to adopt under suspension of the rules Ordinance No. 137-01. All members present voting: Yes: Magel, McLaughlin, Sarbach, Snyder, Foltz and Kiesling. No: 0

- 15. Mr. McLaughlin move and Mr. Sarbach seconded to read by title only, first reading of Ordinance No. 138-01. All members present voting: Yes: McLaughlin, Sarbach, Snyder, Foltz, Kiesling and Magel. No: 0

Ordinance No. 138-01 - First Reading

Ordinance No. 138-01 authorizing the Mayor of the City of North Canton to sign A RELEASE OF ALL CLAIMS AND INDEMNITY AGREEMENT, releasing and forever discharging CT Consultants, Inc. from any and all claims resulting from Arthur Brunk, et al., v City of North Canton, et al., Stark County Common Pleas Case No. 2000 CV 2908 and declaring the same to be an emergency.

Mr. Snyder: We spoke about this last week. This is no money out of the City's pocket. Our insurance carrier has made Mr. Brunk whole again and this their portion for - and that they're released from any future liability.

Mr. McLaughlin moved and Mr. Sarbach seconded to adopt the first reading of Ordinance No. 138-01. All members present voting: Yes: Sarbach, Snyder, Foltz, Kiesling, Magel and McLaughlin. No: 0

Mr. McLaughlin moved and Mr. Sarbach seconded to suspend the rules for Ordinance No. 138-01. All members present voting: Yes: Sarbach, Snyder, Foltz, Kiesling, Magel and McLaughlin. No: 0

Mr. Sarbach moved and Mr. McLaughlin seconded to adopt under suspension of the rules Ordinance No. 138-01. All members present voting: Yes: Snyder, Foltz, Kiesling, Magel, McLaughlin and Sarbach. No: 0

Mr. Snyder: May I have a motion to... Mr. Sarbach: Amend the agenda? Mr. Snyder: amend the agenda to accept Ordinance No. 139-01? Mr. Sarbach: Item No. 16; I so move.

Mr. Sarbach moved and Mr. Foltz seconded to amend the agenda to accept Ordinance No. 139-01. All members present voting: Yes: Foltz, Kiesling, Magel, McLaughlin, Sarbach and Snyder. No: 0

Mr. Snyder: May I have a motion to suspend the rules of council to accept this piece of legislation without minutes.

Mr. McLaughlin moved and Mr. Sarbach seconded to suspend the rules of council to accept this piece of legislation without minutes. All members present voting: Yes: Kiesling, Magel, McLaughlin, Sarbach, Snyder and Foltz. No: 0

- 16. Mr. Sarbach moved and Mr. McLaughlin seconded to read by title only, first reading of Ordinance No. 139-01. All members present voting: Yes: Magel, McLaughlin, Sarbach, Snyder, Foltz and Kiesling. No: 0

Ordinance No. 139-01 - First Reading

Ordinance No. 139-01 amending Section 1. of Ordinance No. 7-95, as amended, to reflect an increase in the bi-weekly rate of compensation for the North Canton Law Department and declaring the same to be an emergency.

Mr. Batista: Just so I got this right, for the Law Director both 12/1/01 and 12/1/02, it's 623 and for the Assistant Law Director both dates, 515. Is that correct? Mr. Snyder: Yes sir. Mr. Batista: Okay. Mr. Snyder: Correct. Okay, everybody clear on that?

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Mr. Sarbach moved and Mrs. Kiesling seconded to **adopt the first reading** of Ordinance No. 139-01. All members present voting:

Yes: McLaughlin, Sarbach, Snyder, Foltz, Kiesling and Magel.

No: 0

Mr. Snyder: I don't Roy if I'd take that raise with that.

Mr. McLaughlin: I think God was sending a message.

Mr. Batista: Somebody was speaking.

Mr. Snyder: You probably want give that to the Red Cross, you'd be better off.

Mr. Batista: No, they're giving it back.

Mr. Sarbach moved and Mr. McLaughlin seconded to **suspend the rules** for Ordinance No. 139-01. All members present voting:

Yes: Sarbach, Snyder, Foltz, Kiesling, Magel and McLaughlin.

No: 0

Mr. Snyder: Before we ask for the reports I'd like to take this opportunity to...

Mrs. Bittle: Excuse me.

Mr. Snyder: Oh, excuse me. One more piece of legislation?

Mrs. Bittle: No, one more - under adopt under suspension of the rules.

Mr. McLaughlin moved and Mr. Sarbach seconded to **adopt under suspension of the rules** Ordinance No. 139-01. All members present voting:

Yes: Sarbach, Snyder, Foltz, Kiesling, Magel and McLaughlin.

No: 0

REPORTS:

Mr. Snyder: Two things. Number one, the Finance Director is not with us this evening due to the fact that her father-in-law passed away last evening and probably the services are still pending, seeing how he has a brother that has to come from Wyoming or somewhere. So - but I would like, if Council will agree, we'll give the Clerk some money and we'd gladly send some flowers from the Council. So previous to leaving this evening if you would be so kind to contribute, it would be appreciated. We'll send those flowers on as well as probably the Administration will do it. And also at this particular time, as my -- as the President of Council, I'd like to thank Member Sarbach for his two years of perfect attendance, for your loyalty and your input into this Council over the last ten or eleven years. And we wish you only the best of luck. Anybody can be a good winner, but it takes a gentleman to be good loser. And I thank you for your -- you attending the meetings and putting your input Mr. Sarbach.

Mr. Sarbach: Thank you.

Mr. Snyder: You're welcome.

Mr. Sarbach: Appreciate that.

Mr. Snyder: Director of Law.

Mr. Batista: Just wanted to apprise Council of the fact that the settlement agreement with the Hoover Company has been signed in its entirety - all signatories have signed. And in addition, apparently Hoover picked up the first 300 and some odd thousand dollar check today. And the second item...

Mr. Sarbach: They didn't want it mailed?

Mr. Batista: Huh?

Mr. Sarbach: They didn't want us to mail it to them?

Mr. Batista: No. They - Ted Scheffler walked over and got it. Number two was on that Arthur Brunk case. I - this really don't mean a lot, but I thought you might be interested in this. I talked to the defense counsel up in Reminger & Reminger that handled this case, and I think our check - our settlement check was the last check to clear the insurance company before it bankrupted.

Mr. Boyajian: It was.

Mr. McLaughlin: Oh my god.

Mr. Batista: So I mean that's how close we came to having been stuck with it. Well you're not stuck with it entirely, but what happens is the insurance company goes into receivership and you go through a real song and dance, but anyhow we got it settled just under the wire. One negative to it however was that typically the insurance companies pays the court costs and we ended up paying \$400.00 worth of court costs, but I thought that was a small amount compared to what a headache it could of been. That's all I have.

Mr. Snyder: Thank you. Director of Administration.

Mr. Boyajian: No report.

Mr. Snyder: Mr. Mayor.

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Mayor Rice: Yea, several things. First - Mrs. Burnett I appreciate your comments about the recycling. I never thought I'd get to the point where I drive around the city now on a daily basis and look on the different trash routes to see how exciting it is to see all those little white bags sitting around. I never thought I'd be driving around watching people's trash, but...

Mr. Snyder: You do...inaudible...

Mrs. Magel: It's come to that has it?

Mayor Rice: it is - the neat part about it is - the thing that amazed me and I'm trying to get some numbers from trash hauler, seems to me participation is very high just by observing. You guys ought to, if you haven't already, kind of observe that in your neighborhoods. It's amazing how many people are participating in that percentage wise. I think it's -- it appears to be a very high percentage of people, which is I think a good positive program. Number two - been a lot of issues - just to update Council, with a lot of other municipalities and that, in regards to rock salt for this winter with bids being two, three times what they were last year and shortages and that kind of stuff. We have been busy stock piling as much rock salt as we possibly can - find places to put them. We've been sticking it in closets and just about everywhere we can get it. We've got the bin down at the street center is full, we've got a pile next to it outside of the bin and covered with tarps, we also worked an arrangement where the schools have allowed us use of their old bus garage that they're not using now - it's full of rock salt. So we're piling it up everywhere. We've got just under 3,000 ton of rock salt stock piled right now, which we could go through about roughly 5,000. You know 5 to 6 depending on how busy of a year it is. And that's all been stock piled at last year's rates, which are very, very cheap compared. We got the new bids and the new bids are about double. So we did that, we've spent all of our money trying to pile it up and buy it at the best rate we can and get prepared for winter. But we're in pretty good shape with rock salt for right now if we don't have a record snowfall this year. Third thing - wanted to comment that I had Council President Snyder in last Wednesday Jon...

Mr. Snyder: Yes sir.

Mayor Rice: I think we got together, talked about some things and basically suggested to Jon a plan to help the free flow of information, where Jon and I are going to be getting together once a week, probably Thursdays to review items on the agenda, things that have been going on, things that are going on. So the council president is kept up to date on a regular basis rather than worrying about trying to catch somebody on a phone call, we're going to set up an actual meeting time every week, probably on Thursday mornings, where Jon is going to come in, we're going to get together and make sure we go over everything so everybody's informed of what's going on. So I appreciate Jon's cooperation on that in getting that done. Number four - of course the Christmas sing. The tree went up today. The Christmas sing is Sunday night, 6:00 on the Hoover Company lawn. So encourage everybody in the community to come out to that. And the fifth and final item is the organizational meeting is set for Saturday morning at 9:00 a.m., here in this chamber where everybody will be sworn in and Council will reorganize. And I have invited and got confirmation from Judge Kubilus to be here to do the swearing in this Saturday morning at 9:00. And that's all.

Mr. Snyder: Mr. Engineer.

Mr. Benekos: No report.

Mr. Snyder: Madam Clerk.

Mrs. Bittle: No report.

REPORTS - COUNCIL:

Mr. Snyder: Member Foltz.

Mr. Foltz: Just to echo some of your statements Jon, best of luck to you Greg. You served up here for four years, I think...inaudible... That's it.

Mr. Snyder: Thank you. Member Sarbach.

Mr. Sarbach: No report.

Mr. Snyder: Member McLaughlin.

Mr. McLaughlin: I have a couple things. Tom, you viewed the tower and Circle Hill, I heard you were out there. Did you make any decisions yet or are you still formulating on what you'd like to do?

Mayor Rice: Well, John and I went down and visited that area and it's one of the things I talked to John about last Wednesday. I'm not an engineer, but I have no possible idea how you could build a hill to protect that - to hide that thing. My suggestion would be probably paint a mural of trees on the side of the thing, make it look like a forest or something. Because I don't know how you - with the lay of the land Rick, as you know, coming back of Circle Hill drops dramatically down into the creek.

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Mr. McLaughlin: I know.

Mayor Rice: Then on the other side that - so there's no way you could build a mound up there and fill that in. Those people on Circle Hill sit pretty high.

Mr. McLaughlin: I know.

Mayor Rice: I don't know how you would block it or -- the main thing we're trying to look at, which is more probably feasible and easier to do, is put some sort of a shield on some of those lights.

Mr. McLaughlin: Perfect.

Mayor Rice: But we can't - we don't want to get rid of the lights because that...

Mr. McLaughlin: No.

Mayor Rice: because that's our security down there. But if we can maybe shield it and keep it - the glare from coming back towards Circle Hill and direct more towards the west, it would probably be helpful.

Mr. McLaughlin: I agree. The other thing I thought was if it was any possibility of putting a small mound with some pine trees that grow quick it will hide some of that and paint the thing green; I think it blends in with the natural scenery there.

Mayor Rice: Yea. Where you thinking the mound is? I mean where would you suggest the mound be placed?

Mr. McLaughlin: We can walk it this week...

Mayor Rice: Okay.

Mr. McLaughlin: or you know we come down there -- just tell me what day this week and maybe Friday, if we can get together Friday morning...

Mayor Rice: Okay.

Mr. McLaughlin: we come down there and come up with something.

Mayor Rice: We can go down and take a look at it.

Mr. McLaughlin: I mean even if we plant, not even a mound, even plant some trees down there or some pines, just fast growing pines like we down over at the ballfield.

Mayor Rice: Yea.

Mr. McLaughlin: I think just - and cover that with green I think that will take the notice off of that because it blends in with the nature in there.

Mayor Rice: Yea.

Mr. McLaughlin: I think that's - I think the way the color is right now it sticks out like a sore thumb.

Mayor Rice: It's kind of yellowish there, yea.

Mr. McLaughlin: Yea.

Mayor Rice: Gold - it looks like the golden dome actually, but...

Mr. McLaughlin: American flag I was going to suggest.

Mayor Rice: It's a little bit difficult to hide a 1,000,000 gallon water tank but...

Mr. McLaughlin: I know. But I appreciate you going down there and taking a look at it, but...

Mayor Rice: We did make a trip down there.

Mr. Sarbach: You could put it 80 feet in the air.

Mr. Foltz: The alternative - yea, the alternative would be yea, up in the air.

Mr. Boyajian: You could put a big blanket on it.

Mr. McLaughlin: But yea, if you've got some time Friday morning we can go down there. Second of all is working on a few things right now and I've told Tom already with the National Guard representative and we hope we have something place this week. I'd like to, if it's okay with Tom, and just mention this to see if it's -- they would probably be out for donations on - or our Christmas sing for the families. I think they're still - so far they've circled 6 to 8 families from the North Canton area. And we would like to - they would like to make a small - they asked people that liked to donate and we're in the process of setting up an account right now with FirstMerit so people can donate. Hopefully that will be done here. And Tom I will notify you Saturday. So if you would be so kind maybe to mention that

Mayor Rice: Sure.

Mr. McLaughlin: and people can be walking around...inaudible. Third of all is you're going to get a letter. Got a letter from constituents about stop signs. I'm going to send you a memo on that, along with the Chief. Again, I think I've already sent it to the Chief, but it's Foster and Summit they're looking at - someplace on Foster. And also on Pershing and Summit, coming over that hill you get constant people that are taking that hill or coming down that hill onto Schneider Road - they're going 45 or 50. And everybody around there is concerned because everyone of those families on that corner has small kids. And the last I'd like to say is to Mr. Sarbach. I'd like to say thanks for serving on this Council, you've been a great asset and sorely missed.

Mr. Sarbach: Thank you.

Mr. Snyder: Thank you. Member Kiesling.

Mrs. Kiesling: No report. Just good luck to Greg.

Mr. Sarbach: Thank you.

Mr. Snyder: Member Magel.

Mrs. Magel: With all these stops sign I was wondering, could I have one on East Maple at my driveway?

Mr. Sarbach: There's no room.

Mayor Rice: We'll put a light there.

Mr. Boyajian: A blinking light.

Mr. Foltz: Is that where the railroad tracks...inaudible...

Mrs. Magel: No report.

RECORD OF PROCEEDINGS

Minutes of COUNCIL OF THE CITY OF NORTH CANTON REGULAR

Meeting

DAYTON LEGAL BLANK, INC., FORM NO. 10148

Held Monday, November 26, 7:00 p.m., 2011 (YEAR)

Mr. Snyder: Thank you.

FINAL CALL FOR NEW BUSINESS:

Mr. Snyder: Okay. Final call for business. Anyone wishing - Sam...

Sam Brenton: Inaudible... Sam Brenton from down on Westfield. I decided to pull a Hank Snow. I come up here to thank you. I'm glad...inaudible...here. I'm calling you my friend - all of yuns. And I appreciate every bit and this woman here, she's not afraid to me either. But anyhow, you guys come down there cold and we tried to get something done and about half way...inaudible...it dawned on me what you guys come down there for. So when I come I called her and she gave me his number and I called him immediately. So he come down and looked and I explained everything. So he'll get to you and we'll have that corner cleaned up, won't we?

Mr. Foltz: We'll talk about it right after the meeting here Sam.

Mr. Brenton: Alright. But it's terrible down there. So I like I say Hank Snow, is I'm moving on. So anyhow I appreciate you guys and John way back and you're my friend. Thank you.

Mr. Boyajian: Always be friends.

Mayor Rice: Thanks Sam.

Mr. Brenton: Thank all of you guys.

Mr. McLaughlin: Sammy, are you going to retire? Are you retiring? Is that what you're telling us - you're retiring?

Mr. Brenton: I'm moving on. No I'm - like I said, when I moved in that house I was the guy that moved in the wrong neighborhood. And if you want me to start off I can tell you. I moved there in April and it's nice in April. Me and my wife is sitting on the porch and these two women walking this little kid just out -- just going in the talking stage. They get in front of my house and this kid going into a two year spasam like, a crooker, crooker. See, now we know what baby-talk is. So after so long I got tired of it and I went down around the corner to the one woman's husband and I brought him up and we went through my barn, my garage, my yard, I mean I showed him through everything. I said now if I'm a crook, there show me what it is? So about two years later I come home from work in the curb down there, those hedges, never bigger than that, mowed to the ground. Well - well go down there and talk to your councilman. I go where's he live? He said down around the corner there. Who do you think it is? The guy I brought up to go through my yard. So from then on things went psss...inaudible... and I'd like you to make me a promise if you would, if you're here and I'm still living, that fireplug that they took from my side to that side, I would appreciate it if you brought it back. Because all that is, it is - it's a lawn protector is what it is. The road can't go no further as long as that plug's there. Bring it back and widen up the road. So anyhow you guys, I had fun. I might look funny, but I don't act funny, that's the thing. So adios.

Mayor Rice: Thank you Sam.

Mr. Snyder: Thanks Sam.

Mr. Foltz: See you Sam.

Mrs. Magel: By Sam.

Mr. Snyder: Does anyone else wishing to speak? If not I'll entertain a motion to adjourn.

ADJOURN:

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

Yes: Snyder, Foltz, Kiesling, Magel, McLaughlin and Sarbach.

No: 0

The meeting ended at 7:37 p.m.

PRESIDENT OF COUNCIL

ATTEST:

CLERK OF COUNCIL