

# RECORD OF PROCEEDINGS

Minutes of

COUNCIL OF THE CITY OF NORTH CANTON

REGULAR

Meeting

DAYTON LEGAL BLANK, INC., FORM NO. 10148

Held

Monday, November 11,

7:00 p.m.

2002

(YEAR)

## CALL TO ORDER:

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

Mr. Snyder: Madam Clerk, please call the roll.

## ROLL CALL:

4. The following members of council responded to roll call: Foltz, Kiesling, Lindower, Magel, McLaughlin, Osborne and Snyder. Also present were: Mayor Rice, Director of Administration Held, Assistant Director of Law Treadon, Director of Finance Herr, City Engineer Benekos and Clerk of Council Bittle.
5. Consideration of Minutes of Council Meeting - 10/28/02  
Consideration of Minutes of Public Hearing: 10/28/02

Mr. McLaughlin moved and Mr. Osborne seconded to approve the minutes of the council meeting and public hearing as presented. All members present voting:

Yes: Kiesling, Lindower, Magel, McLaughlin, Osborne, 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 4, 2002.

**Finance & Property Committee:** Refer to the minutes on file in the Council Office of the Finance & Property Committee meeting held November 4, 2002.

**Ordinance, Rules & Claims Committee:** Refer to the minutes on file in the Council Office of the Ordinance, Rules & Claims Committee meeting held November 4, 2002.

**Water, Sewer & Rubbish Committee:** Refer to the minutes on file in the Council Office of the Water, Sewer & Rubbish Committee meeting held November 4, 2002.

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

Yes: Lindower, Magel, McLaughlin, Osborne, Snyder, Foltz and Kiesling.

No: 0

7. Recognition of Visitors

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

Carol Hill: Good evening. My name is Carol Hill. I live at 324 Woodrow Street NW in North Canton. Just have a few things this evening. Consider this scenario. You are driving home from work, as you approach the intersection the light is clearly green so you proceed, as you enter the intersection a car coming from across the opposite direction hits you broadside. You take your car to the insurance company and you learn that the damages total \$1,000.00. Several days pass and you contacted by the other driver's insurance company. Their settlement proposal is that you split the cost of the damages. They're willing to pay 60% percent or \$600.00 and wants you to pay the other 40 percent or \$400.00, even though the accident was totally the other driver's mistake. Sound reasonable? Sound fair? Absolutely not. Now consider this real life scenario. I discovered a small 3 inch hole in my driveway where the gravel portion meets the cement apron. The city came out and examined the hole and said I had a leaky water main. They went into my house and said my old galvanized pipe would need to be replaced. I was told this was my responsibility to repair. So I called for an excavator, who came and dug up the sidewalk and a section of my gravel driveway. The cost of this was \$431.00. After everything was excavated we discovered that there was no leak at all and that my pipes were not galvanized, but copper. The city had erred on two accounts. The cement sidewalk needed to be replaced at a cost of \$330.00. The total amount of damage caused by the city was \$761.00. I firmly believe that I should be reimbursed in full for this amount. Asking that I absorb 40 percent of the city's liability is ludicrous - as ludicrous as the car example that I cited earlier. I hope you as council members will see that this is the only fair solution. Incidentally, I have not asked the city to replace the gravel that was lost during the excavation and I have not mentioned

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the fact that I could not use my driveway for over a month. This whole problem has been a constant inconvenience and source of aggravation. I am only asking that the city hold itself responsible for the total damage it caused, which is \$761.00. Thank you.

Mr. Snyder: Miss Hill I have one question if I may. Excuse me. I did notice - now that sidewalk that we took out of there, was that damaged you said prior to that? Or it was in good...

Ms. Hill: No, it was not.

Mr. Snyder: Or it was in...

Mrs. Hill: They had to excavate that.

Mr. Snyder: Oh they had to take it out in order to get...

Mrs. Hill: Yes, to get to the...

Mr. Snyder: I just misunderstood you.

Mrs. Hill: Yes.

Mr. Snyder: I thought you said it needed replaced.

Ms. Hill: Yes.

Mr. Snyder: I thought you meant it was already broken up. Thank you very much. Is there anyone else in the audience wishing to speak?

Mr. Osborne: I don't if - would this be a good time to discuss...

Mr. Snyder: Or maybe we'd defer to your committee...

Mrs. Kiesling: Wait till the legislation.

Mr. Snyder: when we come up on it. Can we do that? Would that be alright?

Mr. Osborne: Yes, Mr. President, that's fine.

Mr. Snyder: Alright. We're not ignoring you Mrs. Hill. We'll just follow protocol and it will come up and then at that point we'll - chairman will consider.

Mrs. Hill: Thank you.

Mr. Snyder: You're welcome. May...

## OLD BUSINESS:

8. Mr. McLaughlin moved and Mrs. Kiesling seconded to **read by title only, second reading** of Ordinance No. 111-02. All members present voting:  
Yes: Magel, McLaughlin, Osborne, Snyder, Foltz, Kiesling and Lindower.  
No: 0

**Ordinance No. 111-02 - Second Reading**

An ordinance approving, confirming and accepting a public sanitary sewer easement to the City of North Canton across Out Lot 327 and Out Lot 328 located in the City of North Canton, Township of Plain, County of Stark, State of Ohio and being part of the Southeast Quarter of Section 6 (T-11, R-8).

Mr. Snyder: Chairman McLaughlin.

Mr. McLaughlin: This is a commercial piece of property at 611 North Main Street, which just recently been annexed into the city. And this is the second reading of it.

Mr. McLaughlin moved and Mrs. Kiesling seconded to **adopt the second reading** of Ordinance No. 111-02. All members present voting:

Yes: McLaughlin, Osborne, Snyder, Foltz, Kiesling, Lindower and Magel.

No: 0

## NEW BUSINESS:

Mr. Snyder: Mr. Chairman on this one I - it's my understanding you want this read and then you defeat it. Is that correct?

Mr. McLaughlin: The next one? Yea.

Mr. Snyder: On 114-02.

Mr. McLaughlin: Yea, 114. Yea, we want to defeat this one because the people in Tuscarawas County, a leading agent of that, turned it down. So it's really a moot point. We just want to get it off the table.

Mr. Snyder: Alright...

9. Mr. McLaughlin moved and Mr. Osborne seconded to **read by title only, first reading** of Ordinance No. 114-02. All members present voting:  
Yes: Osborne, Snyder, Foltz, Kiesling, Lindower, Magel and McLaughlin.  
No: 0

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### Ordinance No. 114-02 - First Reading

An ordinance approving the Update Draft Revised Solid Waste Management Plan of the Stark-Tuscarawas-Wayne Joint Solid Waste Management District, and declaring the same to be an emergency.

Mr. Snyder: Inaudible...

Mr. McLaughlin: It's what I just said that it was turned down by Tuscarawas, a lead agent of the contract. And it's really moot point for us. It's really a housekeeping issue now.

Mr. Snyder: Alright...

Mr. Osborne moved and Mr. McLaughlin seconded to **adopt the first reading** of Ordinance No. 114-02. All members present voting:

Yes: 0

No: Snyder, Foltz, Kiesling, Lindower, Magel, McLaughlin and Osborne.

Mr. Snyder: Thank you.

10. Mr. McLaughlin moved and Mrs. Kiesling seconded to **read by title only, first reading** of Ordinance No. 116-02. All members present voting:

Yes: Foltz, Kiesling, Lindower, Magel, McLaughlin, Osborne and Snyder.

No: 0

### Ordinance No. 116-02 - First Reading

An ordinance amending Ordinance No. 2940, Zoning Ordinance of the City of North Canton, to change the zoning district of the premises situated on the west side of Pittsburg Avenue NW and known as Lot No. 5019 and house number 719 Pittsburg Avenue NW in the City of North Canton from OB, Office Building district, to R-50, One Family Residential district.

Mr. Snyder: Chairman Kiesling.

Mrs. Kiesling: Yes, this is the property on - Mr. and Mrs. Dahler want to build a home on land that they've owned for many years - didn't realize it was zoned OB. But the Planning had no problems. Our public hearing nobody spoke up against it. The zoning is all contiguous no spot zoning. So we're going to change it to R-50 so they can build their home.

Mr. Snyder: Okay...

Mr. McLaughlin moved and Mrs. Kiesling seconded to **adopt the first reading** of Ordinance No. 116-02. All members present voting:

Yes: Kiesling, Lindower, Magel, McLaughlin, Osborne, Snyder and Foltz.

No: 0

11. Mr. McLaughlin moved and Mr. Osborne seconded to **read by title only, first reading** of Ordinance No. 117-02. All members present voting:

Yes: Lindower, Magel, McLaughlin, Osborne, Snyder, Foltz and Kiesling.

No: 0

### Ordinance No. 117-02 - First Reading

An ordinance authorizing the Director of Finance of the City of North Canton to make payment of a moral claim in the amount of \$456.60 to Carol Hill for a sixty percent (60%) reimbursement for expenses incurred in sidewalk replacement of declaring the same to be an emergency.

Mr. Snyder: Chairman Osborne.

Mr. Osborne: Yes, we discussed this last week. And Mrs. Hill I'm glad you came tonight. I must say this - I may take a little bit of blame here. I have requested council to reimburse you for \$500.00. And the - one member of my committee was amenable to that. And I could of taken it out of my committee and had the rest of the council vote on it for the 500, but I was hoping to get unanimous approval out of my committee. And Councilperson Magel had some questions and wanted to know my logic for picking \$500.00 and she wanted - I'll let you explain Mrs. Magel - I

Mrs. Magel: I think you just did a good job. I don't we have a policy of picking numbers out of the air. I wanted some justification so that further down the line we're not setting a precedent for picking numbers. I believe it was Mr. Snyder who had a compromise and said let's go for 60 percent. I don't think that Mrs. Hill is here for the difference of \$44.00 - the difference between \$500.00 and \$456.00.

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Mr. Osborne: Well she's made that clear. She's expecting a full reimbursement. I don't know if we want to table this - remove it. And you've heard her request. I don't know if anybody on council or the administration wants to weigh in and discuss this issue of a more further - more in depth after hearing her request. I'm opening it up to anybody here.

Mr. McLaughlin: I'd like to make a comment. I think maybe what we ought to do at the time is let's just table this, send it back to the committee for next week. Let's have a discussion next week when we have a work session and try to hash something out.

Mr. Osborne: Okay. I'm very open to that.

Mrs. Magel: If we could, could we have another copy of the invoice and...

Mrs. Kiesling: I have it all right here. I mean I can make copies before we leave tonight.

Mr. Osborne: Okay. And I have it as well...inaudible...

Mrs. Magel: So we can base our judgement on something other than air.

Mr. Foltz: I had a question, if it's open.

Mr. Osborne: Yes, go ahead Mr. Foltz.

Mr. Foltz: Mrs. Hill, so the only work that was done was the - the sidewalk was torn up, part of your driveway was torn up.

Ms. Hill (speaking from audience): Correct.

Mr. Foltz: Sidewalk was replaced, gravel put back in your gravel - in your gravel driveway?

Ms. Hill: Correct.

Mr. Foltz: Okay, so that...

Ms. Hill: Well, that's what I'm asking for the reimbursement for.

Mr. Foltz: Okay. The driveway wasn't concreted or improved?

Ms. Hill: Inaudible...eventually it was, but I'm not asking for any portion of that. Just the sidewalk that was dug up.

Mr. Foltz: Okay. Does the bill reflect, I don't remember from last week...

Mr. Snyder: I believe that bill was for excavation and concrete.

Ms. Hill: One bill was for excavation...inaudible...

Mrs. Kiesling: I have...

Mr. Foltz: That's what I have to get clear in my mind.

Mrs. Kiesling: city sidewalks tear out and replace 330. And I have dig up waterline and sidewalk for water leak, no leak. Shovel dig up waterline 96 - 93 hours to haul out - 431 for the job. That was to dig up the water - to excavate it.

Mr. Osborne: The excavation was the 431. The concrete...

Mrs. Kiesling: And the city sidewalk tear out and replace.

Mr. Osborne: replacement was 330. Right?

Ms. Hill: Correct. I have those bills if you want them.

Mr. McLaughlin: Yes.

Mrs. Kiesling: Yes.

Mr. Snyder: That was two sections of the sidewalk was it?

Ms. Hill: Correct.

Mr. Osborne: And an apron of her driveway.

Ms. Hill: No, no part of the apron, just the sidewalk.

Mr. Osborne: Oh really. Okay, I'm sorry. I'm...

Ms. Hill: The apron was not touched.

Mr. Osborne: Okay.

Mr. Snyder: It's my understanding you relied to your detriment on the advice of the city employee who came out - he told you you had a leak. Is that correct?

Ms. Hill: That's right. I called the city when I found the hole and I said I think I have a problem. Could someone come out and look at it? And so they came out and they stuck a prod down in the hole and they said it's wet, you've got a leak. And they turned the water off and they went and did a pressure - I'm not really sure what they did, something with the water pressure. And they said there's definitely a leak. And so they went into the house and they said well it's this galvanized pipe. And they said it looks like your whole line is going to have to be dug from the city - from the street to your house and have the galvanized pipe replaced because of a leak. And so I called the excavator and I called the city back and the city came and stood while I - while they dug it all up. And they said well you don't have any leak at all there's no water pouring out. And you have copper pipe. So...

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Mr. Snyder: The city said this?

Ms. Hill: Yea.

Mr. Snyder: A city employee told you that?

Ms. Hill: They said - yes yes, they agreed.

Mr. Osborne: The excavator, after he dug it up, said you had copper pipe.

Ms. Hill: Correct.

Mr. Osborne: After he had opened it...

Ms. Hill: And they city was there also when...inaudible...

Mr. Osborne: Oh they were. Oh, okay.

Ms. Hill: Yes, they were present. Because they wanted to see their portion from the city's line to my line.

Mr. Osborne: Well I'm very open to Mr. McLaughlin's recommendation and I'd like to look at this again...

Mr. Foltz: Okay.

Mr. Osborne: if council will go along with that.

Mr. Foltz: You're saying go back through committee? Is that the decision?

Mrs. Kiesling: Yea.

Mr. McLaughlin: Yea.

Mr. Foltz: Okay.

Mrs. Kiesling: So we'll talk about it again next week in our committee meeting.

Mr. McLaughlin: And she's welcome to come.

Mrs. Kiesling: And you're welcome...

Mr. McLaughlin: You're welcome to come up here next week.

Ms. Hill: Okay...inaudible...thank you...inaudible...

Mr. McLaughlin: I appreciate it.

Mr. Foltz: Okay.

Mr. Snyder: Mr. Osborne, you make a motion then to ...

Mr. McLaughlin: Sorry to make you make another trip up.

Mr. Snyder: to table that please sir if you would.

Mr. Osborne: Okay, I'd like to make a motion we table Ordinance No. 117-02 and put it back in committee.

Mr. Foltz moved and Mr. McLaughlin seconded to **table** Ordinance No. 117-02.

Mr. Osborne: Thank you Mr. McLaughlin.

Ms. Hill: Excuse me, do you need copies?

Mrs. Kiesling: I'll use mine to make copies. So if you want to go you can. Thanks.

Mr. Osborne: I still have my copies there at the house and...

All members present voting:

Yes: Lindower, Magel, McLaughlin, Osborne, Snyder, Foltz and Kiesling.

No: 0

Mr. Snyder: Thank you.

12. Mr. McLaughlin moved and Mrs. Magel seconded to **read by title only, first reading** of Ordinance No. 118-02.

Mr. Osborne: Now this is an amendment to our ordinance. Was it - did you want to read that first ...inaudible...

Mr. Snyder: Yea, we got to take a vote here first Chuck.

Mr. Foltz: We got to read it.

Mr. Osborne: I'm sorry, getting ahead here.

Mr. Snyder: That's alright, you got a little ahead of us, but you're alright.

All members present voting:

Yes: Magel, McLaughlin, Osborne, Snyder, Foltz, Kiesling and Lindower.

No: 0

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**Ordinance No. 118-02 - First Reading**

Ordinance No. 118-02 amending Section 1107.03(b) OUTLINE OF PROCEDURE. of TITLE ONE - Subdivision Control, CHAPTER 1107 Subdivision Regulations of the Codified Ordinance of the City of North Canton to authorize the North Canton City Engineer to approve splits by plat.

Mr. Snyder: Mr. Osborne.

Mr. Osborne: Okay. Thank you. This is a change for our ordinance where we will allow the Planning Commission Chairman and or the City Engineer to approve splits - property splits and recreate a plat. This will streamline the record keeping cause as I understand it a property can only be split five times ...inaudible... Mr. Benekos. And so we will streamline the process. And there's still the proper amount of oversight and control on this. So we'll just update our ordinance a little bit so it works for everybody...inaudible... That's all I have.

Mr. Snyder: Alright sir.

Mr. McLaughlin moved and Mr. Osborne seconded to **adopt the first reading** of Ordinance No. 118-02. All members present voting:

Yes: McLaughlin, Osborne, Snyder, Foltz, Kiesling, Lindower and Magel.

No: 0

13. Mr. McLaughlin moved and Mrs. Magel seconded to **read by title only, first reading** of Ordinance No. 119-02. All members present voting:

Yes: Osborne, Snyder, Foltz, Kiesling, Lindower, Magel and McLaughlin.

No: 0

**Ordinance No. 119-02 - First Reading**

An ordinance authorizing the Mayor of the City of North Canton, through the Board of Control, to enter into a professional service agreement for the design of the Portage Street waterline replacement and Ream Street improvement project and declaring the same to be an emergency.

Mr. Snyder: Chairman McLaughlin.

Mr. McLaughlin: It's a project we had on the books and we want to get - continue it and get it started as quick as we can.

Mr. Snyder: Okay. That's what 24,000?

Mr. McLaughlin: Twenty-four nine.

Mr. Snyder: Okay. Any other questions on that? If not may I have a motion to adopt the first reading of Ordinance No. 119-02?

Mr. McLaughlin: So moved...

Mrs. Magel: Well wait a minute.

Mr. Snyder: Oh, excuse me.

Mrs. Magel: What's twenty-four nine?

Mr. McLaughlin: Or I think it's 24,000.

Mrs. Magel: No, that's the other one.

Mr. McLaughlin: Okay, I'm sorry.

Mr. Lindower: Yea, that was a bargain.

Mrs. Magel: This one's...

Mr. McLaughlin: I'm sorry.

Mrs. Magel: The 30,100...

Mr. McLaughlin: \$30,100.00, yea...

Mrs. Magel: coming from 5929.

Mr. McLaughlin: See what happens when you count on your memory.

Mrs. Magel: That's okay. We know you had eye surgery. For the record it's 30,100...

Mr. Foltz: Just happy you recognized Dave tonight Rick.

Mrs. Magel: From 5929.

Mrs. Kiesling: Yea really.

Mr. Lindower: Good point.

Mr. Snyder: Not a problem.

Mr. Lindower: Got his eyes fixed he's...

Mr. McLaughlin: Everybody has to get their jabs in I guess.

Mrs. Kiesling: Inaudible...

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Mr. Osborne moved and Mr. McLaughlin seconded to **adopt the first reading** of Ordinance No. 119-02. All members present voting:

Yes: Snyder, Foltz, Kiesling, Lindower, Magel, McLaughlin and Osborne.

No: 0

Mr. Snyder: I must say I'm encourage by the levity here.

Mr. McLaughlin moved and Mrs. Magel seconded to **suspend the rules** for Ordinance No. 119-02.

Mrs. Magel: Inaudible...for you?

All members present voting:

Yes: Foltz, Kiesling, Lindower, Magel, McLaughlin, Osborne and Snyder.

No: 0

Mr. McLaughlin moved and Mrs. Kiesling seconded to **adopt under suspension of the rules** Ordinance No. 119-02. All members present voting:

Yes: Kiesling, Lindower, Magel, McLaughlin, Osborne, Snyder and Foltz.

No: 0

Mr. Snyder: Alright...

14. Mr. McLaughlin moved and Mrs. Kiesling seconded to **read by title only, first reading** of Ordinance No. 120-02. All members present voting:

Yes: Lindower, Magel, McLaughlin, Osborne, Snyder, Foltz and Kiesling.

No: 0

### Ordinance No. 120-02 - First Reading

An ordinance authorizing the Mayor of the City of North Canton, through the Board of Control, to enter into a professional service agreement for the design of improvements to the Woodside detention basin and for additional analysis to complete the Dogwood Ave., 7<sup>th</sup> Street and 5<sup>th</sup> Street storm drainage system study and declaring the same to be an emergency.

Mr. Snyder: Chairman McLaughlin.

Mr. McLaughlin: This is the one for 24,900 to study the basins and hopefully make some improvements to both of them so that they'll be set in the future. Everything will be set perfect in the future. I'm looking at Jim.

Mr. Benekos: Nothing's perfect.

Mr. McLaughlin: Okay.

Mr. McLaughlin moved and Mr. Osborne seconded to **adopt the first reading** of Ordinance No. 120-02. All members present voting:

Yes: Magel, McLaughlin, Osborne, Snyder, Foltz, Kiesling and Lindower.

No: 0

Mr. Snyder: There's one thing I'd like to add here. As you know we have an - every December the 1<sup>st</sup> our health insurance renews. And it does say in the ordinance council will authorize the mayor to go to the Board of Control to approve the bid for the health insurance. And the Director of Finance did hire a consultant for a year long basis to look at our present medical insurance. And they've realized by bidding it or with making arrangements...

Mr. Treadon: Inaudible...suspend the rules..

Mrs. Bittle: No, we didn't. We still need to.

Mr. Snyder: to bid with another firm it saved the city approximately \$60,000.00. And we need by voice vote an approval to allow the mayor to enter into a contract.

Mr. Lindower: We didn't finish the other.

Mr. McLaughlin: Excuse me Mr. President...

Mrs. Bittle: Mr. - we didn't...

Mr. McLaughlin: we didn't finish Ordinance 120-02.

Mr. Snyder: Oh, I didn't read that?

Mrs. Bittle: We didn't finish it sir.

Mr. McLaughlin: We didn't finish it. We only had the first reading...

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Mr. Treadon: We had the first reading and passed the first reading.

Mr. McLaughlin: We have to suspend the rules and...

Mrs. Bittle: We adopted the first reading.

Mrs. Magel: I don't think we did it for 119 either.

Mr. Snyder: My apologizes here.

Mr. Treadon: Have we suspended the rules?

Mrs. Bittle: No, we did not.

Mr. Snyder: I seen the hour and I was ready to leave.

Mr. McLaughlin: You are anxious tonight.

Mrs. Magel: Inaudible...suspend the rules?

Mrs. Kiesling: Inaudible...

Mr. Lindower: I was going to say where's he going with that.

Mr. Snyder: No I was thinking for once...

Mr. Treadon: You need a motion...

Mr. McLaughlin: Yea, we did it for...

Mr. Snyder: I was leaving before 7:30.

Mr. Osborne: It's contagious up here.

Mr. Foltz: Not at all.

Mrs. Magel: Inaudible...I think we were laughing about the numbers and...

Mr. McLaughlin: Did we do - did we do 119-02 too?

Mr. Foltz: What's that vitamin we got to give these guys...inaudible...for their memory?

Mrs. Kiesling: She would have it written if we did.

Mr. Lindower: Inaudible...zinc.

Mr. Foltz: Isn't that zinc?

Mr. McLaughlin: Jon, one glass of wine at dinner from now on.

Mr. Snyder: Okay. Let me move my pen, Mrs. Magel will know then I'm in good shape. Alright then I apologize for my...

Mrs. Magel: Inaudible...his pen.

Mr. Snyder: prematurity here and I do need a motion to adopt the first reading of Ordinance No. 120-02.

Mrs. Bittle: No, we did...

Mr. McLaughlin: No, we need it to suspend the rules.

Mr. Snyder: Oh, where we at here?

Mr. Treadon: Suspend the rules.

Mr. Foltz: Suspend the rules.

Mr. McLaughlin: Suspend the rules.

Mr. Snyder: Thank you. And I hate to tell you they give me a sheet ...inaudible... I can't even follow. May I have a motion to suspend the rules for Ordinance No. 119-02?

Mr. Lindower: Is your hair blonde?

Mrs. Magel: Maybe there's too much levity.

Mr. Foltz: So moved.

Mr. Snyder: Think I could get my...

Mr. McLaughlin: No...

Mr. Snyder: could I get a nice spread in the paper of this how incompetent I am?

Mr. McLaughlin: Are we at - we're - not 119, 120-02.

Mr. Osborne: 120-02, yea.

Mrs. Herr: 120.

Mr. McLaughlin: Hey Jon, we're at - we're not at 119-02...

Mr. Snyder: We're at 120-02. Thank you.

Mr. McLaughlin: We're at 120-02.

Mr. Snyder: There goes my presidency next year.

Mr. Osborne moved and Mr. McLaughlin seconded to **suspend the rules** for Ordinance No. 120-02.

Mr. Snyder: Thank you.

Mr. Treadon: I thought you were going to follow the past presidents ...inaudible...

Mr. Snyder: That's right. God forbid. I can learn to - no I don't want to say that.



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Mr. Treadon: No, don't.  
 Mr. Snyder: I'd better not say that.  
 Mayor Rice: Stop while you're ahead.

All members present voting:  
 Yes: McLaughlin, Osborne, Snyder, Foltz, Kiesling, Lindower and Magel.  
 No: 0

Mr. McLaughlin moved and Mr. Lindower seconded to **adopt under suspension of the rules** Ordinance No. 120-02. All members present voting:  
 Yes: Osborne, Snyder, Foltz, Kiesling, Lindower, Magel and McLaughlin.  
 No: 0

Mr. Snyder: Thank you for your patience with me. Again, as I was saying, that's what we need...

Mrs. Kiesling: We weren't paying attention cause we're all thinking what the heck were you doing. But go ahead.

Mr. Snyder: Just wanted to see if you're all paying attention now.  
 Mrs. Magel: No.  
 Mr. Snyder: I was going to start this meeting by are you all ready to rumble.  
 Mrs. Kiesling: No...inaudible...something about health insurance.

Mr. Snyder: But I figured that wasn't the proper terminology. But no actually as I was telling you she's going to - the recommendation would go to I believe it's AultCare. Is that correct?  
 Mrs. Herr: Yes.  
 Mr. Snyder: Yes. From the present third party administrator we have, which is - we've had for 15, 16 years.

Mr. Osborne: To who? I'm sorry I missed it.  
 Mr. Snyder: To Ault - AultCare.  
 Mrs. Magel: From American Benefits.  
 Mr. Snyder: Right.  
 Mrs. Herr: American Benefits Ohio Health Choice to AultCare.

Mr. Snyder: To AultCare as our third party provider. And the actual reinsurance where we insure up to the first - we self insure the first 30,000. The reinsurance is about \$60,000.00 less. So...

Mr. Osborne: Is this for the city wide?  
 Mr. Snyder: City wide, all employees.  
 Mr. Osborne: Okay.

Mr. Snyder: And again it has to be the same because that is a negotiated item with our union forces. So we cannot change it at this present time. It will result in a substantial saving and guaranteed cap on a rate increase next year. So I do thank the Director of Finance for the diligent work on that. That's quite a savings for the city.  
 Mr. Osborne: Yes it is.  
 Mr. Snyder: We do need a voice vote to approve that. Will you call the roll now...inaudible...

All members present voting:  
 Yes: Snyder, Foltz, Kiesling, Lindower, Magel, McLaughlin and Osborne.  
 No: 0

Mr. Snyder: And then one other official piece of business. As you know the mayor's given us a copy, pursuant to the Charter he's required to set within the first three days of December an organizational meeting for the council and some people charged to the council. And it's set for Monday, December 2, 2002, 6:45 p.m. - just previous to the actual council meeting in December. Inaudible...copy of that.

## REPORTS:

Mr. Snyder: Assistant Director of Law any report.  
 Mr. Treadon: No report.

Mr. Snyder: Director of Finance.

Mrs. Herr: I just wanted to make mention of the Hipp Family dinner yesterday. It was a really big success and it was a really great turnout. And I just want to express my appreciation for the volunteers that helped because it was a lot of hard work, but definitely was worth it. And a really good turnout and it was a really a good thing to see people coming together for something like that.

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Mr. Snyder: You had over - when I - at 2:00 you had like 680 people or something didn't you. That's phenomenal.

Mrs. Magel: Wow.

Mrs. Herr: Yea. I think there was - I think the last count was I think a 1000.

Mr. Snyder: A 1000 people, good.

Mr. McLaughlin: Wow, that was very good.

Mrs. Herr: Yea.

Mr. McLaughlin: That's good.

Mr. Osborne: It was good spaghetti too.

Mr. Snyder: That's even better yet. Thank you. Director of Administration.

Mr. Held: No report.

Mr. Snyder: Mr. Mayor.

Mayor Rice: No report Jon, you took mine with the organizational meeting.

Mr. Snyder: I apologize

Mayor Rice: But that's okay.

Mr. Snyder: Mr. Engineer.

Mr. Benekos: I just wanted to update council on the water treatment plant. Advertisement started last Thursday. To date there's about 10 to 12 sets that have been sold - about 7 of those being prime contractors. So there's a lot of interest in the project. Hopefully we'll get good bids on that. The bid opening is set for December 12<sup>th</sup>. And in order to meet the January 15<sup>th</sup> of 2003, the deadline to get all the information to EPA, which would be an award - it would be a tentative award by council, I'll be bringing a recommendation to council on January 6<sup>th</sup> to the committee meeting and then hopefully it will pass on the January 13<sup>th</sup> meeting on emergency and then we can get all that information down to the EPA and they can approve the loan. And if you have any other questions regarding that or as time goes on, I'll try and keep you apprised of what's going.

Mr. Snyder: Are those - are they subject to municipal income tax those people working on that job?

Mr. Benekos: Yes.

Mrs. Herr: Inaudible...

Mr. Benekos: Well no they...

Mrs. Herr: No, it's not inside the city.

Mr. Benekos: It's not inside the city, that's correct.

Mr. Snyder: Even though it's our - we own by domain it's still not taxable.

Mrs. Herr: Nope.

Mr. Snyder: I thought the contract to the engineer...inaudible...

Mr. Benekos: They're not in the city.

Mrs. Herr: Well it - yea.

Mr. Snyder: Inaudible...

Mrs. Herr: It depends if they were to spend more than 12 days inside the city, then their portion would be taxable.

Mr. Treadon: They'll be here for 11.

Mrs. Herr: Yea.

Mrs. Kiesling: Yea really.

Mr. Foltz: Well have them put their trailer inside the city.

Mr. Snyder: Yea, put that in the specs.

Mr. Foltz: For their - when they're looking over their plans and everything else.

Mr. Snyder: The site trailer has to be in the parking lot at City Hall.

Mr. Treadon: I think we're going to end up getting revised quotes...inaudible...

Mr. Snyder: Thank you. I tried. Madam Clerk, any report?

Mrs. Bittle: No report.

## REPORTS - COUNCIL:

Mr. Snyder: Member Foltz.

Mr. Foltz: Just to comment on the city crews. I think they did a nice job cleaning up. Dave, I didn't hear of anything out of the ordinary as far as trees or damage to structures. But I think you guys did a nice job on 9<sup>th</sup> Street looking to solve that resident's problem. I'm going to touch base with you after the meeting on that. And that's why I'm so happy that these retention basins are getting looked at. Because as you know it was pretty serious last night as far as the weather and all it takes is some leaves to clog up some of our storm drains and you're in a heap of trouble there

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when you're getting a couple inches of rain it's all going to back flow on someone's residence eventually. So it was nice to see the crews out today doing some additional clean up in the neighborhoods. It's my only comment.

Mr. Snyder: Thank you. Member Lindower.

Mr. Lindower: No report.

Mr. Snyder: Thank you. Member McLaughlin.

Mr. McLaughlin: The same thing. I saw some city crews out on Glenwood early this morning cleaning out the catch basins and everything else for the leaves. I do like to see the street sweeper start around pretty soon to start getting some of the leaves out of the gutter or out of the curb and gutter area so it doesn't clog up for winter. And then also make sure we're on our regular maintenance program for our gutters so that we don't have any problems in the Spring that comes up. But I...

Mr. Lindower: I believe they had both sweepers out today running, didn't they?

Mr. Foltz: Yea.

Mr. McLaughlin: I haven't seen them, that's why I asked.

Mr. Held: Yea, the street sweepers out

Unidentified: Yea I did see them.

Mr. McLaughlin: Okay. That's good. I just wanted to make sure everything's taken care of.

Mr. Held: Yea.

Mr. Snyder: Member Kiesling.

Mrs. Kiesling: I just have a question. How is the leaf recycling program going? How much have we picked up?

Mr. Lindower: Inaudible...trees yet.

Mr. Held: As of mid - well last week was the second week.

Mrs. Kiesling: Right.

Mr. Held: And so the report that we had at that time we had slightly over ten ton. And - but, we still had like Thursday and Friday, which they didn't dump as of Friday. They most probably did it today. So I would say as of Wednesday of the second week we had slightly over ten ton. So really it's moving along very well. This is the first year that we had it and we were out today we saw that people had more leaves out you know even the beginning of this week, today. I think a lot of it has to do with the leaves that are falling. Especially after the storm the rest of the leaves I'm sure - a lot more of them have come down since then. So...

Mrs. Kiesling: But do we think that's enough to justify the 4,000 a week? Because I remember we talked that you know if it gets to the point where the participation isn't out there why are we spending the money. And I don't see the participation. I've have no clue what ten tons is worth or how much or - but I hardly see any brown bags. Inaudible...

Mr. Held: I think it's really - it really depends on what our ultimate goal is.

Mrs. Kiesling: What is our ultimate goal?

Mr. Held: Well I mean whether or not we want to continue with the leaf recycling program year after year. If the goal is just to have it this year and try to extract the highest amount out of the land fill for one year then you know we should take a look at it and say how much are we taking out for every dollar that we're spending. But certainly every time that you start a program, it's going to take time for people to get familiar with it and then and to move ahead with it. So if we want to have this year after year I think number one we have to get it up and moving and get people involved. And then number two, we also have to answer to joint solid waste district. Because when we went down there to solicit grant money they asked us what we planned on doing with it. And one was to have a curbside recycling and then also we told them that we were going to be initiating a leaf recycling program. So...

Mr. Lindower: I think this year has probably been a tough year to try to make a determination with the leaves falling as late as they have and the weather. I think it's really difficult to come up with an accurate average on it right now. So...

Mr. Held: And the other thing is too that we have a lot of people that are very committed to recycling that have went ahead and you know started the program - committed to it. And I know that there's a lot of people that in the first week there were - they did - simply did not participate and in the second week they're participating. So the participation has clearly gone up from the first week to the second week. But I think that if we really want to stay committed to recycling here in the city, we certainly are very progressive as far our recycling. And I think it's more of a question of you know where do we - is this going to you know be the beginning or are we just going to pull the plug after the second week.

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Mrs. Kiesling: Well my main - my main concern is I actually had one person call me who follows things very closely and she made a comment to me that really made me think. She said you know I know you tacked back on a recycling fee when we started it last summer - the 50 cents that we put on that we took off that was gone for a month or so. She said I realize that you did that. And you're taxing me and now you're spending the money that you tax me on and you're spending it on recycling again.

Mr. Held: Well...

Mrs. Kiesling: She said I feel like I'm being double dipped. And I'm not sure anybody would be happy to feel that way.

Mr. Held: Well actually when you look at the amount of money that received from the joint solid waste district in less than 12 months.

Mrs. Kiesling: In the grant?

Mr. Held: The amount is \$104,000.00. And...

Mrs. Kiesling: So are you in the process of applying for another grant?

Mrs. Herr: Well first of all keep in mind that the cost for the recycling is \$1.74 per resident - residents were only paying like 50 some cents of that...

Mrs. Kiesling: Right.

Mrs. Herr: The city is paying the rest. So they're not even paying the entire cost of the recycling portion.

Mrs. Kiesling: Inaudible...

Mrs. Herr: The city is making up that difference with you know solid waste funds plus our own funds.

Mrs. Kiesling: Right. I remember the grants, right.

Mrs. Herr: So you know this - and this leaf recycling program is not costing the residents anymore at this time. And you know if we do get funds from solid waste...

Mrs. Kiesling: Not specifically, but we're spending their tax money \$4,000.00...

Mrs. Herr: Well it's not tax money.

Mrs. Kiesling: Well it's general funds.

Mrs. Herr: No it's garbage money.

Mrs. Kiesling: Inaudible...it's garbage. That's right...inaudible...out of that fund.

Mrs. Herr: It's garbage fund money.

Mrs. Kiesling: That's true. So I'll get - I'll call her back and tell her that.

Mrs. Herr: Yea so it's not double - and let her know that actually she's not paying for the full cost of recycling...

Mrs. Kiesling: Right.

Mrs. Herr: So you know...

Mrs. Kiesling: Right.

Mrs. Herr: Right now the you know there's definitely you know - the rate could go up.

Mrs. Kiesling: Yea.

Mrs. Herr: Yea.

Mr. Treadon: Inaudible...go up.

Mrs. Kiesling: Thank you for the info.

Mr. Snyder: Administrator Held, excuse me, I had two constituents of mine tell me and I'm sure you realize it, but they put their leaves in a container and the man is willing to...

Mrs. Kiesling: Yea.

Mr. Snyder: Just take them. Because they get more leaves in that container and the driver's more than willing, provided there's nothing but leaves in that container.

Mrs. Kiesling: Than a bag.

Mr. Snyder: And he encouraged them to do that. It's actually easier for them.

Mr. Held: Right.

Mrs. Kiesling: Yea, much.

Mr. Held: Inaudible.

Mr. Snyder: Step out and throw them on the truck and step back. But these people have always done that and they asked him and the man said by all means. So a paper box or steel or plastic container...

Mrs. Kiesling: Inaudible...

Mr. Snyder: and he would empty them into the truck.

Mr. Held: Yea.

Mr. Snyder: So it's not always necessary to...

Mr. Held: No I'm glad you brought that up Jon. Because really you know considering this is the first time that we've done this, you know there's a learning cycle that we're going through. And the big point that we were trying to address was the plastic bags. Because the city had went through a recycling program where they collected the plastic and then they had to go back to the dump site and extract the leaves out of the plastic bags which was not - it was not very pleasant. And so

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that's why we really wanted to bring to the attention of the people that you know the importance of using the brown paper bags to dispose of that. But certainly, like you had mentioned, if somebody has a container and the leaf recyclers are going to come along they'll empty the container and...

Mr. Snyder: And dump them.

Mr. Foltz: Jon, I had...

Mr. Held: Yea. But thanks for bringing that up.

Mr. Snyder: Sure go ahead.

Mr. Foltz: a couple follow ups. I think we've evolved from where we just throw our trash out in the cans and the bags or whatever and someone was supposed to sort it. To now are we going to be progressive enough as a city or be conscience as an environment to look at the leaves and the plastics. I know I sort it at home. I didn't before because we just threw it together. But I don't have any trees this year so I didn't buy any paper bags. But my only suggestion would be and I've heard from a few of the Ward 1 residents on this, they're creatures of habit, you know they buy the plastic bags, they might of had them all year doing grass, whatever, if there was some way that we could get some grant dollars involved just to make the bags available, I think you'd have triple the participation.

Mrs. Kiesling: Right, definitely.

Mr. Foltz: Because sometimes they don't know where to get them. I know it was in the newsletter. But if they could stop at City Hall, if we allocated so much money towards bags and they just - they were free to pick up I think that would triple our participation. I don't have anything to back that up as far as a study...

Unidentified: Yea.

Mr. Foltz: or survey or whatever. But I just think if you get more people involved with using the bags that's half your battle.

Mr. Held: Yea. At this point Doug, we had - initially when we proposed this program, certainly I think it was estimated at \$50,000.00 and that was assuming that we had two trucks that were running each week.

Mr. Foltz: Right.

Mr. Held: But we did reduce that to one truck.

Mr. Foltz: Right.

Mr. Held: So that cut the cost in half from \$8,000.00 down to \$4,000.00. And again I'd like to remind everybody that this is the first time that we're doing it.

Mr. Foltz: Right right.

Mr. Held: And you know the newsletter had addressed that. We had sent out a leaf recycling flyer. And so there's been two sets

Mr. Foltz: Right.

Mr. Held: of correspondence that have went out to the residents and you know since it began. And so you know from our perspective you know we feel comfortable to continue to move ahead. I mean unless somebody is opposed - is anyone on council opposed to the program? Or do they feel a need to...

Mr. Osborne: I don't want to speak out of turn here. Do you want to go through the rest of council with the reports first or - I'll just go ahead.

Mrs. Kiesling: After I got my questions answered, I'm not opposed, no.

Mr. Held: So...inaudible...

Mrs. Kiesling: I mean she brought up a really good point and I thought wait a minute.

Mr. Snyder: I'll - Mr. Osborne I'll let Mrs. Magel speak...

Mr. Osborne: That's fine.

Mr. Snyder: and I'll come to you sir. Would that be alright?

Mr. Osborne: Yes sir.

Mr. Snyder: Member Magel.

Mrs. Magel: This is going to sound like I'm making this up, except I talked to Mr. Benekos and he's going to be my savior. Before I walked up the steps I happened to have a conversation with him and I know he'll back me up. I wrote something down before Marcia even said anything and I haven't touched anything yet. So what I was going to bring up is as of today you have an unofficial ambassador for your leaf cycling program. And I'm sure it's due to his holey pants and his ...inaudible... tennis shoes. But we were - I myself was a creature of habit, we did plastic bags. This time this week I decided and my husband and I tried the paper bags. Well within two to three bags he was sold. Now I happen to live on the corner of Briar and Weber. And I'm not kidding and I happened to mention this to Jim, six people - six to seven people I can't remember at this time, stopped at my home, came into my yard, either they were walkers or they were cars and they

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just stopped. I don't know any of these people, but they did know I was on council. They wanted to touch the bags, they wanted to pick the bags up, they wanted to how much leaves. All six or seven, I can't remember at this time, will be using plastic bags.

Mr. Foltz: Paper bags.

Mrs. Kiesling: Paper bags.

Mrs. Magel: Or paper bags. Now I'm - I think I made a mistake and I called your secretary Tom - Mayor Rice, to tell her this, and my bags have a big Home Depot on them and I think they're out of bags. So maybe I'll put a sign on them. But I will tell you...

Mr. Snyder: Is it red and white?

Mrs. Magel: Yea. They were - but there were even people slowing down. They were aware of the program - 100 percent aware of the program. But I - it was just like me, I was very hesitant. And as far as the 40 cents is concerned, we are both convinced that these bags take at least two and a half the plastic bags - 40 cents is not unreasonable for this bag. Second thing is the paper bag with the flat bottom and it's sturdy, the opening remains open. Not like in the plastic bag where you're constantly you know, you have to live at my house and have this many leaves to know what I'm talking about. But the bags will close on you, whereas the paper bags are sturdy enough with their flat bottom the opening remains open and you can just dump the bags in. We're sold on it. The Magel Family is sold on the recycling. I think the administration knows I was a bit hesitant. I'm taking back everything I had said. The 40 cents is - the volume that you can get in this paper bag is just unbelievable. And the interest Mr. Mayor is there. They asked if this was the new recycling program and was I participating and knew what questions to ask. They were asking me what part of Home Depot can you get the bags in. It's just a matter of time here I think. You know we started kind of late and didn't get the word out. And I have feeling this is just going to grow. As soon as the words are out. I know these people are going to start using them. So that honestly I had said I was going to say this on the floor. And that's all.

Mrs. Kiesling: Well we used the bags for the first time this weekend too and I think my husband liked them. So...

Mrs. Magel: Yea, we were - he was sold on them.

Mrs. Kiesling: The only thing is when they sit out in the rain for - my trash day is Thursday, it's horrible. We do leaves on the weekend.

Mrs. Magel: I put a plastic bag...

Mr. McLaughlin: Oh yea.

Mrs. Kiesling: And they sit for - that's the only - we'll see how they do this weekend. They held up through the storm though.

Mrs. Magel: Inaudible...

Mr. Snyder: Member Osborne.

Mr. Osborne: Thank you Mr. President. Couple things. I had a resident tell me that I guess many years ago the city used to pick up their own leaves and they would compost them on the Oster property.

Mr. Snyder: That's correct.

Mr. Osborne: And then they would take the compost and put it on the parks in the Spring. And he asked me why aren't we still doing that. And I had no answer for him. Secondly, I'd like to see the city vacuum up the leaves right out of the curb. Well they do that in Massillon ... inaudible... and there's another city that was - I was told that does that - I think it might of been Akron.

Mrs. Kiesling: Isn't that something we can work on in the contract next year? Once we're up for the renewal on our contract next year?

Mayor Rice: If you do that you're going to do it in house.

Mrs. Kiesling: If we do that, we do that in house?

Mayor Rice: Those vacs cost you - I think the last one we paid maybe 135, \$140,000.00 for. You have to buy a couple of those if you want to do that. We did look at that possibility.

Mrs. Kiesling: Like Republic Waste doesn't do that - just doesn't offer that service? Well some people do.

Mr. Osborne: Well Warstler Bros. landscaping does and I was hoping when I brought that bid in that he would bid that way. But when I spec'd out that you guys were using biodegradable bags, he wanted to stay within the specs. Possibly we could use our contractor for one year and see how - I have had a lot of input from the citizenry; the expense of the bags, the effort to bag them. It would of been much less labor for them to rake them to curb and just vacuum them right up.

Unidentified: That'd be heaven.

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Mr. Osborne: Also as far as this leaves, I talked to Phil Palumbo here a week or so ago. I think within that Stark-Wayne-Tusc planning manual that five year planning manual, don't they guesstimate the tonnage based on population? That's kind of what I recall from talking to him. So I guess you could evaluate from what you've collected and maybe what you might project, whether it's - you're on target or whether it's worth the expense. Also I would like to get a copy of that - your reports. You told me you'd get those.
Mr. Held: For the leaf recycling?

Mr. Osborne: Please. And also I'd like to follow up I guess what Marcia said, I've seen very little response on this and I've been walking the city. I bet I can't find five people that I've seen bagging. But maybe they're grabbing them up before I get there, I don't know. Have you made your application to the solid waste district for this program?
Mayor Rice: You mean for next year's? We're working on the application for next year right now. I believe the deadline's November 20th. We'll submit it between - before the deadline.
Mr. Osborne: Well it was explained to me that we need to be applying for this program now...
Mayor Rice: Oh, we are.
Mr. Osborne: to get compensation.
Mayor Rice: We're in the process of working on that right now.
Mr. Osborne: And that has to be in as I understand it before our program terminates. So I'd like to get a copy of the application as well if that'd be possible.
Mayor Rice: There's not an application, it's a letter of request. They don't give us an application they just simply request a letter describing what we're doing.
Mr. Osborne: It's a letter request it's that you're applying for grant funds. So I'd like to please get a copy of that as well.

Mr. Lindower: Mr. President.
Mr. Snyder: Sir.

Mr. Lindower: Are you finished Chuck?
Mr. Osborne: Yes sir I am. Thank you.

Mr. Lindower: I want to respond to Mr. Osborne's remarks on raking the leaves at a curb and vacuuming those up. I remember when that was done. There's a couple of issues there that we have to deal with. Number one is the hazard that creates as far as traffic on the roadways, as well as a fire hazard. I think you'll find the Fire Department isn't going to really appreciate all those piles of leaves being rolled out there along the curbs. You take an area for instance like Woodrow or even on 7th Street in with lots the size of mine and the one across the street. When those leaves are raked out there to the street if they're not picked up immediately they're going to be in the roadway. And plus the fact if happens to be a dry time of year it's going to be a fire hazard too. So I think there were a lot of things taken into consideration when that was being done. I believe that at one time that was pretty popular on Woodrow Street in view of the fact of all the trees up there and so forth. But that one particular street with the number of trees the city made arrangements for when those leaves were taken out there at a certain time of the week they were also vacuumed up the same day so they didn't lay around and blow in the street and so forth. That's something to think about there as far as the vacuuming those up.
Mr. Osborne: Well I understand the concerns and that where they have to be - we have to be aware of. But ... several cities are doing this. They've been doing it for years and they've been able to manage those concerns.

Mr. Snyder: Well you know as well as we do have two situations - one we have a non compete ordinance for trash removal in the city. And we have an ordinance that prohibits leaves, grass and snow to cross your property line into the city thoroughfare. That's actually - it would be a citable offense if you push your snow into the street, your leaves or your grass - it's actually a citable offense. Because some people like to do that just blow it in the street and let the neighbor take care of it or our city work crews you know at 16, \$18.00 an hour it's kind of costly. But that's a - that would have to be addressed. If ...inaudible... indulge me one moment, I was - on the way over here I shared this with Administrator Held. And I'm not trying to be smart, but I was thinking Plain Township bought that land - the Smith farm and I believe that was 119 acres, if I'm not mistaken, and paid \$2,000,000.00 for it. That is prime rural home land. And we were offered 1.56 for 68 acres. Which is only at the guesstimate possibly 50 acres usable. So I just was wondering you know the equation of value to use, because that farm would make at that area it would probably somewhere in the 50, \$60,000.00 per lot home site. So that's something - I just happened to think about. I didn't mean - I apologize I wasn't ...inaudible... smart, but I just happened...inaudible...

Mr. Osborne: Well I realize that. Well I might add that you know that's Plain Township and we're looking at Belden Village, Jackson.
Mr. Snyder: No sir, we're looking at Plain Township.
Mr. Held: Inaudible...Plain Township.

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Mr. Snyder: That is Plain Township. Where our property - Oster is Plain Township. Accessible only from Canton City I believe. But no, I understand what you're saying. But I just - that's okay.

## FINAL CALL FOR NEW BUSINESS:

Mr. Snyder: Anybody else in the audience wishing to speak to the council?

Mr. McLaughlin: One last thing I'd like to bring up.

Mr. Snyder: Sure.

Mr. McLaughlin: Monthly water reports - we haven't seen them.

Mayor Rice: Actually I just got a report dropped on my desk today by Rich. Rich and I haven't been able to finalize that so we should be - you should get one for September. I noticed it's marked September and October. And Rich has had an unfortunate death in the family so that's...

Mr. McLaughlin: Okay.

Mr. McLaughlin: Well as soon as he gets back to work. He's off work for a few days and as soon as he finishes getting the copies together we'll be passing those on to council. But I just got a copy today...

Mr. McLaughlin: Did we pretty much find out the problems we had with the leakage that we had? Did we find out? I mean most of that was taken care of if I remember right. But I just want to make sure that thing is down and...

Mr. Held: Yea, the water losses.

Mr. McLaughlin: I know we're flushing it - we're flushing them...

Mayor Rice: To be honest with you I haven't reviewed the numbers.

Mr. McLaughlin: Oh, okay.

Mayor Rice: I literally just saw it dropped off at my office today and I haven't looked at them yet so I don't know.

Mr. McLaughlin: I appreciate...

Mayor Rice: But you'll get a copy probably this week.

Mr. McLaughlin: Okay.

Mayor Rice: I think Rich will be back Wednesday or Thursday.

Mr. McLaughlin: I'm encouraged by what I've seen so far. That number coming very encouraging. We found some leaks.

Mr. Snyder: Yea. Mrs. Magel.

Mrs. Magel: Ah yes, one last thing. I know I'm not the chairperson, but in your package this week the chairperson did provide a zoning ordinance review. And perhaps this is the condensing of the 16 pages. Perhaps you could take a look at this and we can talk about it. Did you have your intention to put it on...inaudible...

Mr. Osborne: Yes mam, I did.

Mrs. Magel: Okay. Well just don't leave it in the package. I'd like if you could if you would take a look at this between now and next Monday so that you could have a feel maybe of how you intend to - or even just what questions you might have. But this is - I checked it over and for the most part, other than a few things, this is the - those 16 pages that we were talking about that needed copied. And the chairman condensed it into two pages.

Mr. Osborne: Well that was actually Mr. Hemminger...

Mrs. Magel: Oh, okay.

Mr. Osborne: that provided that for us. I have not looked it over closely, but there is one issue that I - is kind of dear to my heart and it's been brought up several times, it's motor homes, parking them. And I know it's going to be a hot button issue.

Mrs. Magel: Big time.

Mr. Osborne: Well I had a resident tell me that years ago they weren't allowed to park them and suddenly that was changed somehow. And I saw one over in the Ward 1 it must be 150 feet long. It stretches from the house clear to the sidewalk. I don't know what size that is but...

Mr. Lindower: Inaudible... one in my driveway.

Mr. Snyder: You may want to check with Gene there. They - there was some new language put out

Mrs. Magel: Yea.

Mr. Snyder: that it cannot be hooked to the house and it has to be screened and there is - you might ask him to provide that language for you.

Mr. Osborne: Yea I'll...

Mrs. Magel: It's in the book.

Mr. Snyder: Because I do know - yea it was quite extensive...

Mr. Foltz: We...

Mr. Snyder: and that's a good way to fill this building quickly.

Mr. Foltz: Jon, you remember we had a meeting with Planning Commission...

Mr. Snyder: Oh, yes.

Mr. Foltz: and 90 percent of them people that were here were here about...



# RECORD OF PROCEEDINGS

Minutes of

COUNCIL OF THE CITY OF NORTH CANTON

REGULAR Meeting

DAYTON LEGAL BLANK, INC., FORM NO. 10148

Held

Monday, November 11,

2002

(YEAR)

Mr. Snyder: Oh yea, trucks and motor homes, boats.

Mr. Foltz: motor - motor home and boat storage and how we were going to handle it. And people that weren't on council at the time it's not just something we just decide in five minutes.

Mrs. Kiesling: Yea, I'll bet.

Mr. Foltz: I'm telling you there's a history with people that have owned those vehicles...

Mrs. Kiesling: And I have a boat.

Mr. Foltz: or recreational uses and - with involved with it. And there's got to be a common sense approach to this. We just can't mandate they're not allowed in the front or side yard. We've got to come up with something that it's a fair middle ground for everybody involved.

Mr. McLaughlin: Yea and I think some of those motor homes are worth well over \$100,000.00 easily.

Unidentified: Oh yea.

Mr. McLaughlin: It's worth - a lot of them are worth more than some of the homes in North Canton - I mean a single home.

Mrs. Kiesling: Heck yea.

Mr. Osborne: This one here probably is and ...

Mr. Lindower: Chuck, you've been to my house, can you - what's the problem with something like that?

Mrs. Herr: What we're actually going to do is we're going to have informational meetings.

Unidentified: Okay.

Mr. Osborne: I think people should be able to look out up and down their street without obstructions.

Mr. Lindower: Do you think my motor home obstructs traffic?

Mr. Osborne: You have a - you have a...

Mr. Lindower: Forth to fifty from the edge of the road?

Mr. Foltz: It sets back ...inaudible...

Mr. Osborne: You have quite a bit of setback there. I don't know, it's a touchy issue.

Mr. Lindower: Yea, it is.

Mr. Held: Inaudible...

Mr. Snyder: Well actually...

Mr. Lindower: Because you're talking not only boat storage and utility trailer storage, but anything that's got wheels on that's an automobile you're going to have to be dealing with people on those too and...

Mr. Snyder: Well we addressed the problem we had up there by you Kathy...inaudible...

Mrs. Magel: Yea.

Mr. Snyder: Had that milk truck or whatever...

Mr. McLaughlin: On 7<sup>th</sup> Street, yea.

Mrs. Magel: Yea.

Mr. Snyder: Whatever that thing was we got rid of that one. Alright is there anything else to come before the council? If not I'll entertain a motion to adjourn

## ADJOURN:

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

Yes: Foltz, Kiesling, Lindower, Magel, McLaughlin, Osborne and Snyder.

No: 0

The meeting ended at 7:55 p.m.

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

ATTEST:

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