

Monday, November 13 7:00 p.m.

06

Held

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CALL TO ORDER

1. The meeting was called to order at 7:00 p.m. by President of Council Doug Foltz.
2. The opening prayer was delivered by Rev. Thomas L. Douce, Interfaith Campus Ministry.
3. All present recited the Pledge of Allegiance.

ROLL CALL:

4. The following members of Council responded to roll call: DeOrio, Foltz, Hines, Lane, Magel, Repace, and Snyder. Also present were: Mayor Held, Director of Administration Wise, Director of Law McFarren, Director of Finance Herr, City Engineer Jim Benekos, Director of Economic Development Eric Bowles, Chief Operator of the Drinking Water Plant Rich Steinhebel and Clerk of Council Kalpac.
5. Consideration

Minutes of Public Hearing (Chambers Zoning): November 6, 2006
Minutes of Council Meeting: October 23, 2006
Special Council Meeting: November 6, 2006
Mayor's Court Receipts: September, 2006

Mr. Foltz: Consideration of the Council Meeting minutes of October 23, 2006; Public Hearing, Chambers Zoning November 6, 2006; Special Council Meeting November 6, 2006; and Mayor's Court Receipts, September, 2006. Do I have a motion to consider, approve?

Mr. DeOrio moved and Mrs. Magel seconded **to approve the minutes and court receipts as presented.** All members present voting:
Yes: Foltz, Hines, Lane, Magel, Repace, Snyder, DeOrio.
No: 0

6. Committee Minutes

Finance & Property Committee: Refer to the minutes on file in the Council Office of the Finance & Property Committee meetings held November 6, 2006 and November 8, 2006.

Ordinance, Rules & Claims Committee: Refer to the minutes on file in the Council Office of the Ordinance, Rules & Claims Committee meeting held November 6, 2006.

Personnel & Safety Committee: Refer to the minutes on file in the Council Office of the Ordinance, Rules & Claims Committee meeting held November 6, 2006.

Water, Sewer & Rubbish Committee: Refer to the minutes on file in the Council Office of the Ordinance, Rules & Claims Committee meeting held November 6, 2006.

Mr. Foltz: Request approval as presented of the following Committee Report Minutes, Executive Session, Finance & Property, November 8, 2006; Finance & Property, November 6, 2006; Ordinance, Rules & Claims, November 6, 2006; Personnel & Safety, November 6, 2006; and Water, Sewer & Rubbish, November 6, 2006.

Mr. DeOrio moved and Mrs. Magel seconded **to approve the minutes as presented.** All members present voting:
Yes: Hines, Lane, Magel, Repace, Snyder, DeOrio, Foltz.
No: 0

7. Recognition of Visitors

Mr. Foltz: Recognition of visitors, anyone would like to address Council or Administration, please come up to the podium and state your name and address and feel free to discuss any items with us.

Mr. Lane: We should hand out numbers.

Mr. Snyder: Almost have to.

Unidentified: ...inaudible...that's how streets ...inaudible...

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DAYTON LEGAL BLANK, INC., FORM NO. 10148

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Mr. Morabito: My name is John Morabito, I live at 710 Penny Street S.E. I've...built and lived there for 49 years. I've never had a problem since I lived there. But, as of recently, I'd say the last 5 years, I have a cat problem. Neighbor has between 10 and 12 cats. Now correct me if I'm wrong. In the North Canton paper, they had an article *Our Town* and all pets would be kept on a leash. Now is that a law, or was that just something you made up and not done anything about? I have a four foot fence surrounding my back yard and I have deterrents on the poles. These cats have continually jumped the fence, all summer they defecated in my flower bed and my garden. They have killed the wildlife in my backyard, which I feed all year long. Now I referred this to you Doug, and you, I think, a year or so ago, and you did look into it and what you done, I don't know....

Mr. Lane: Well we did,

Mr. Morabito: but I think you come back...

Mr. Lane: not to interrupt you, but we did talk to the police at - at that time, and then, if I remember right, when you and I had the discussion, the - the lady in question was letting them out at night, they come back in in the morning to get fed and anytime you would call or another neighbor would call, by the time the squad car would get there to - to find them they weren't around. I think - if I remember right, that's where we left it, and that was about a year or so ago, so we, I did talk to the police about it but that's where they left it with me that we need to make a call, or you, or a neighbor anytime they see that happening and then they'll come. But the problem, if I remember right, was, and not to get into a long, long discussion, but if I remember the problem was, that they were out at night and they came back in the morning and they went inside the house and - and so at night nobody could see them. So if - if, correct me if I'm wrong, but I think that's where we left it.

Mr. Morabito: Yeah, I think - I think you did do, try to do something about it, but the, it continually, in other words, it's still going on and nothing has been done. The police, I - I call the police and they says "well, when the cats come into your backyard" they said "you give us a call and we'll come". I say no. I said by the time you get there, I said, those cats are gone, and you think I'm just making up a story. This is a problem and if you kick, if the police would check with the neighbors, the neighbors are all complaining too.

Unidentified: Do we know which house? Inaudible...

Mr. Morabito: I mean, this is not my, only a personal problem. It's a neighborhood problem.

Unidentified: Depending on which house ...inaudible.... feral cats.

Mr. Morabito: And I can't understand why it has continually...gone on. So...like I says, she has between, I counted between 10, 8 and 10 cats. They interbreed, last summer on the driveway. And like I say, they're - they've had litters there, I don't know what she does with them. I never see the small ones. But I can't see how this can continually go on and nobody do anything about it. Now, like I said, I call the police couple times, and they come talk to me and they talk to them. I don't know what she says to them, maybe she accuses me of doing damage on her property or whatever, in other words to change the - change the subject. So, you had in the North Canton paper *Our Town* I think it was a year or two ago, and...you said that all pets should be kept on a leash. Is that a law or not?

Mr. Snyder: There's a leash law here, sir. Cats and dogs...

Mr. Morabito: She never...

Mr. Snyder: require to be curbed and on a leash.

Mr. Morabito: She never kept...inaudible...on a leash. And she leaves them out either in the early morning or evening and they just run the neighborhood. And they do damage, and destroy. So...

Mr. Foltz: Sir, if I may say a few comments, I've had that situation in my Ward also, Ward 1. You're doing the right thing, calling the police department and I'd talk to all your neighbors to do so too. I mean, if they're getting constant calls, they're going to have to go out there, more numerous times and eventually they're going to see something. That, they'll cite that resident, and - and eventually fine them through Mayor's Court. That's the way that process is supposed to work. So, that's the parameters we have to work. I know it frustrating to live next to it, I've dealt with similar situations, like I said, my Ward, and unless the Administration or Mayor has any other comments, that's what we have to do to try to remedy this situation for you. Mayor or Administrative Wise?

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Mayor Held: I – I can comment on that. We have had, I appreciate you coming up here and bringing this to our attention, because we have had...other complaints throughout the City, of – of cats that are roaming the neighborhood, and...we do have leash laws. In those cases where you have...owners that...will accept ownership for those particular cats then...there can be enforcement for that. One of the other areas that's a problem are the feral cats, where you do not have residents that...that have any ownership over those particular cats. And...I did speak with the Director of the Humane Society and he has offered to come up and to...address that particular issue...with the cats throughout...the City because it's not just a problem in North Canton, but it's a problem throughout the County. And he has offered to come to address...City Council on – on that particular issue because he said that he had some ideas that...that we could look into.

Mr. Morabito: And another thing is this maybe a health problem. I have my windows closed, the heat on, and she has her windows back there wide open all winter. Now, that don't make sense, I mean, that's something else that should looked into as far as I'm concerned. Other than that, that's all I have to say.

Mr. Foltz: You have a letter to leave with the Administration or....

Mr. Morabito: Pardon?

Mr. Foltz: Do you have a letter you'd like to leave with the Administration? The letter you just read from?

Mayor Held: Those are - I think those are his notes.

Mr. Foltz: Those are your notes?

Mayor Held: Yes.

Mr. Foltz: Okay.

Mr. Morabito: No, that's...

Mr. Lane: I'll – I'll talk with Chief Grimes again tomorrow.

Mr. Foltz: Okay.

Mr. Morabito: this is whatcha-call-it, I just had a few notes that I wrote down.

Mayor Held: Right.

Mr. Foltz: Okay.

Mr. Lane: And John, we – we talked and I'll talk to Chief Grimes again in the morning, I'll also talk to Mr. Hemminger about the situation ...

Mr. Wise: did you get a name?

Mr. Lane: and it could be a situation where we don't have a – a – a requirement or

Mrs. Herr: I'm sorry?

Mr. Wise: Did you get his name?

Mr. Lane: – or a top number on –

Mrs. Herr: no.

Mr. Lane: on animals but it – if something is a health situation we can take some actions. I'll – I'll call you by the end of the week.

Mr. Morabito: Okay.

Mr. Lane: I'll touch...base with both...

Mr. Morabito: I'd appreciate that.

Mr. Lane: those people tomorrow and Wednesday. Thanks.

Mr. Morabito: Thank you.

Mr. Foltz: Okay thank you sir

Mayor Held: Thank you for coming up.

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Mr. Foltz: Anyone else like to address Council?

Mrs. McCleary: Jean McCleary, I live at 324 Fairview Street S.E. On October 26th, the City posted "no parking" signs on our block. I have a petition signed by the residents on our street, get this now? Asking that the signs be removed. We all know the signs were posted because Chuck Osborne wanted them. We all pay taxes on the street and to have him dictate the parking pattern is unacceptable. That being said, on behalf of the neighbors I have several other comments that I would like to make. I have the police report of the calls made to our neighborhood for the past two years. It's clear Mr. Osborne has an obsession with people parking on the street. The report is full of calls from his residence about parked cars and leading up to wanting parking restrictions. What I don't understand is, we all see the same cars that he does, yet he is compelled to call the police on his neighbors and their family and friends. The police do a wonderful job of patrolling our street, and they don't need him calling to measure how close a fire is to the curb, or how far a bumper is from a fire hydrant. It's just a waste of their time and taxpayers money. And it's a sad situation but it doesn't end on our street. After he's done making trouble for his neighbors he comes up here and makes trouble for you people. Council never bickered to the point of headline news until he arrived on the scene. He has his nose in every aspect of running the City, he apparently thinks you people, the Administration, can't make an intelligent decision without him. If you make one he disagrees with, he sues the City. He single-handedly cost the taxpayers of this City thousands of dollars in legal fees with his frivolous lawsuits and allegations. So the question bears asking, does he have a personal agenda, and if he does, is he using our tax dollars to further it? Someone has to pull the reins in on this man. Perhaps you can direct him to a non-profit organization that might actually benefit from all his free time and one man crusade attitude. That way the City could go back to being run by the people that we elected. So in closing, I want to say to Mr. Osborne, I know how he operates, and I want no contact from him in any way, shape or form, nor do I want him to step foot on our property. So thank you and please consider the petition.

Mr. Foltz: Okay, thank you ma'am.

Mr. Lane: Do you want me to comment, since it's in my ward?

Mr. Snyder: Please.

Mr. Foltz: If you could give...

Mr. Lane: Must be my night, it's always you, it's my ward tonight

Mr. Repace: ...inaudible...

Mr. Foltz: It's - it's - go ahead, Member Lane, it's your ward....

Mr. Lane: I just wanted to - to let Mrs. McCleary know it's not something that - that Chuck requested, and then we just followed up on it.

Mrs. McCleary: I'm not going to argue the point anymore.

Mr. Lane: Oh, I know, I just wanted to say how that all happened. It started...

Mrs. McCleary: Shall I, do you want to see the police report?

Mr. Lane: I - I'm fully aware of police reports, trust me. But, this all started before even I got on Council, and the Police Chief's been looking at it, we had the situation there that he deemed even two years ago that was questionable, because of school bus traffic, we found out just recently that we had problems with garbage pickup on Fairhart because of cars being parked up there. So he talked to Officer Hipp, talked to...Mr. Wise and Mr. Held and decided to post the "no parking" on the north side only for that period of about, I think it was about 6 or 7 houses that are affected, which would help the garbage trucks to get through, school buses get through, and help sight lines. But, I - I will tell you this, that it did start with a call from Chuck, but I think it started long....

Mrs. McCleary: This is the police report...

Mr. Lane: before even I got here.

Mrs. McCleary: I want to give him...inaudible....

Mr. Lane: So I just wanted to tell you, that was not a quid pro quo.

Mr. Repace: Doug.

Mr. Lane: Yeah?

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Mr. Repace: You know, I'm not buying a lot of that, 'cause I've talked to some of these people, and that – and that whole – that whole block there is very, very upset. You know, if something was going to be done, then there should have been a meeting called for, with those people, there should have been a letter sent to them, and meeting, where they could have said, we could've come here and talked about this, the problem.

Mr. Lane: There was a letter sent almost...2 years ago.

Mr. Repace: You – you know – you – you – anybody could sugarcoat this situation all they want, but I think everybody knows why this was done. 'Cause once again I have personally talked to a couple of people ...

Mr. Lane: As I have...

Mr. Repace: on the street. And there's a couple more people on the street that don't want to get involved because they're afraid of intimidation. I think that's pretty sad that somebody...neighbors, have to be afraid of intimidation because of another neighbor.

Mr. Lane: I – I don't disagree with that.

Mr. Repace: Now, you can – you can try and sugarcoat the parking, but again, I've talked to these people, and they have some suggestions, they have some ideas, but you know what? Nobody in the City thought enough of the residents to even talk with those people first ...

Mr. Lane: I – I did

Mr. Repace: before posting those signs.

Mr. Lane: I did two years ago.

Mr. Repace: Two years ago?

Mr. Lane: I did.

Mr. Repace: This is today.

Mr. Lane: No, I know that. But I want to tell you...

Mr. Repace: Doug, this is today.

Mr. Lane: it has been an ongoing situation.

Mr. Repace: I could tell you a million stories of two years ago. You know, these – these people haven't been treated fairly. They haven't been...given the right to their due diligence. And they need, they need to be. They need to be heard. Now they've given a petition,

Mr. Lane: Right.

Mr. Repace: their voice has been presented here today, something needs to be done to help these people. Now they have suggested alternatives, and I think what needs to happen is we need to get the people here, we need to talk to them, those people, and we need to listen to what their ideas are on the parking problem. Not go because of what one person might have to say. Now, we can go into this even deeper, of why things get done for one individual and not another, but I don't think we want to go there tonight.

Mr. Lane: and – and nothing was, in – in my – in my estimation was not done for one individual. And I talked to people on McKinley. I've talked to people on Knoll, both of those streets got posted even without my input.

Mr. Repace: If you don't think it was because of one individual, then get the people here and talk about it, and – and listen to what their suggestions are on the parking problem, and that's what you do.

Mr. Lane: We can do that.

Mr. Repace: The majority's the rule.

Mr. Lane: Is – is the Administration open to that? I'm happy to do that.

Mayor Held: Well, I think it's a good idea.

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Mr. Wise: Sure.

Mr. Foltz: Okay.

Mr. Lane: Yeah, it would be wonderful.

Mayor Held: It's a good idea.

Mr. Foltz: Thank you for your comments...sometimes these things will work themselves out, so hopefully that will happen for everybody.

Mr. Osborne: My name is Chuck Osborne, 307 Fairview Street S.E. North Canton, Ohio. I just thought I'd bring some little balance to the discussion here. We've had eight accidents, just within about a three hundred foot span along, in front of my house in the last five years. Several people backing out of their driveways, backing into the car right directly across the street, it's a very narrow street if my neighbor really wanted to know the true story of this, this all began four years ago, when I was on council. And the Administrator at the time, Mr. Held, came to me and said that they would like to remove the "two hour" parking signs that were on our street at the request of some neighbors. And in exchange, he said we would make the north side no parking. He said that the emergency services had already been looking into this for quite some time. And there were several streets in the City that present a safety issue. So the agreement was at the time, and this was when I was on council, that they would remove the "two hour" parking signs, which were on both sides of the street, and put up "no parking" on the fire hydrant side. That way you could maximize the parking on the south side. That did not happen. This has been four years in the making. And as I mentioned earlier, probably six of those accidents have happened in the meantime. Now this is a bus route, it's a narrow street, garbage trucks have a hard time getting up and down the street. Making the situation worse is a neighbor directly across from me, who has been cited numerous times for nuisances, and due to collection of junk vehicles, at one time this gentleman had seven vehicles, two of them wouldn't even hardly run. It's taken four years to finally clean up his property, several of the...vehicles were taken out of there on a flatbed truck to a junk yard, 'cause they wouldn't run. But each time this individual was cited by the City, he would retaliate against me, and put all seven of these vehicles on the street. Three or four on one side, and two or three on the other. Creating a bottleneck, and only a one way street. And this went on repeatedly for four years. Not to mention the...American the one handed salute repeatedly, the harassment. In the last several weeks, my wife has been accosted verbally. So to spur the City along, this latest round, when he parked directly in front of my house, I parked my car directly across from him, creating a one way street down Fairview. Now this has been going on for four years, but suddenly, when I start participating in this four year onslaught, suddenly the City gets interested and suddenly we have a problem. So, that's when the signs went up. So, this isn't at my request, I have talked to Mr. Lane, I see they're gone, they didn't want to hear the facts. A hundred times, I've talked to the Mayor a hundred times. I've talked to everybody on this council a hundred times. We have people that can't get garbage collection, we have people that can't even hardly drive down the street because they're - they have a narrow passageway. So, before everybody gets all excited and thinks it - I had any influence, it's the circumstances that exist on the street. It's a narrow street, there are many here in the City and as more and more families collect more and more cars, and have no off-street parking, where do they go? They go on the street. And yes, if between 2 and 6 in the morning, there are people parked on my street, yes, I will call the police... That is a very sacrosanct law in this City, for many reasons, it's - it's existed for, I guess, the since the City's been incorporated. I do not measure how far you're quote parked from the curb. I do not measure how far you're parked from the fire hydrant. But we have a safety issue on that street, I don't see people coming up here complaining when the City willy-nilly throws up stop signs all over the City. And I also thought the privilege to speak from this podium publicly, that you were not going to allow character assassinations, and that's strictly what you allowed here tonight. Thank you.

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

Mr. Feller: Chris Feller, 1291 Lipton. I'll leave it short since I seem to know everybody in here on a first name basis as of late. I'd like to thank Jon Snyder, the other members of Council, City Administration for...organizing a Lipton area meeting here, what, two weeks ago, Jon?

Mr. Snyder: Yes sir.

Mr. Feller: I think it was a very good avenue for members of the community come up and express some concerns about our road. I think some concerns that have been taken in by Council and Administration as well. A couple of concerns I would have though, is 8 to 10 weeks ago I stood up here once again and reiterated my concerns with my neighborhood and I was told that the zoning nuisance law would be resurrected and reevaluated, possibly

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brought back to the attention of Council. My first question would be, where do we stand with that? Then my second concern was as we sat in here as a street or neighborhood, complaining about several problem properties within our community...we had a very lengthy conversation about parking in yards, which seems to be expressed today. And...how your driveways can be redesigned to accommodate and alleviate problems like that. And as I leave for work Monday morning, I see that one of our main problem properties has taken upon himself to dump a dump truck load of gravel into their front yard, extending the zoning violations which say you can't widen your driveway beyond the width of your garage. And have now continued to proceed to park in their front yard, once again, but thinking it's okay now because we have gravel dumped there. I wondered if at any point had the Zoning Department giving them a permit to widen their driveway? Or at anytime had anybody even been over to look at that property? Said it's been a recent concern as of late, both myself and my neighbor have taken it to Jon Snyder on repeated occasions, and today was the first time it was brought to his attention. So I guess all in all, to the members of Administration and Council, who sat here and very diligently reviewed that process here two weeks ago would you consider that a slap in the face, to more or less tell a property owner what they can't do, and a week later have them do it because there's no teeth in the law, per se, to correct that issue. So I guess in closing, and I would like to remind everybody that the neighbors in my road and adjoining roads, have started the initial process of forming a community improvement group we do have a scheduled meeting time coming up here within the next three to four week period, where we're going to get everybody together and try to express our concerns and bring them to Council on a regular basis especially during the fall, the budget season, we talked about drainage issues, curbs, storm sewers, things of that nature, but I guess I would just really like to know where we stand on the nuisance ordinance, and what's become of it. Thank you.

Mr. Foltz: Okay, thank you. Member Snyder, do you want to address any of this?

Mr. Snyder: Please, thank you Mr. President. Chris, thank you for your comments and to you, Mr. Silverthorn. I was over there after you called me today and viewed that property, that subject property. And you're right as far as existing zoning law does not allow you to extend, which I talked to Mr. Hemminger immediately about it, he was unaware of the fact. I – I gave this a little thought, and I shared this with my colleague Mr. DeOrio. I think the problem that we have, and you brought this up in your comments, there is no real teeth presently to permit this. We have a two sorted situation. Unfortunately, these are all fifty or smaller lots, allowing people no place to park whatsoever. Yet we cannot allow them to park on the street, we can't allow them to park in their yard. What I'd like to propose, is to if that, if you do extend the existing parking beyond your driveway, that it be done through a variance procedure. But that person, that property owner apply to the zoning department for a variance, the plans be drawn and they bring them in and before the zoning board of appeals, that the surface be the same surface that the driveway is at present. If it is a hard paved surface, it must be a hard paved surface. If it is a gravel surface, it does require the permission of the engineer to sign off initially. That's in our zoning. That is an actual violation that Mr. McFarren can enforce. So I think that way, because unfortunately it's not unique only to the fourth ward, it's all over the City as these people just before, so I think we must take a very proactive way and unfortunately it doesn't happen overnight as you know, but we are making great progress through the efforts of the citizens, the input, and each time you come, trust me, we move a little closer to what's going on, because all of us unfortunately don't have the eyes and the ears that the citizens, but I'm going to ask the cooperation of Mr. McFarren, my other colleagues and write that up where we take that. That way you as a property owner will be served a notice prior to that driveway being an extended or put in. You'll have the right to come here and give public testimony pro or con. That is your neighborhood. It always is, it always will be, and you have the right to speak up for whatever goes or does not go in there. And that's the way government's supposed to work. And that's how we're going to make it work. So I'm going to propose that, and hopefully...

Unidentified: I don't know...inaudible...

Mr. Snyder: I think I'm within the limits of the law I don't know, but I'll...possibly, it's something that will allow everybody to be able to go to the book, sorry, can't do that. Because otherwise, people will push it to the limit. And we're gonna have all types of configurations out there, we'll have a, we'll be back to parking semi-trucks in the front yard. But that's, we're going to try to avoid that so, I do again, please continue to come up and speak. Any member of Council care to say anything, or?

Mr. DeOrio: Well I'd like to echo on – on that just a little bit, and I think it's a – a great idea, Jon, that...we had talked about and...you, the parking is a – is a problem in the community with these homes that were built, you know, some of the original settlers, the homes are, you know, one car garage, single lane driveway, and you know, you're creating a situation that as we go through time, and those homes change owners, you know, those aren't the homes that they're building anymore. That – that's not the demand. It's a supply and demand kind of thing and if there's no demand for those homes, then basically what they're going to turn into is

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rental properties. And over the time, we're just going to continue to compound it. I think your idea of – of trying to provide a mechanism for people to...comply with our complex parking restrictions, and allowing them to expand their driveway, making it nice in appearance, of actually do more to...you know, perhaps increase the value of their property because they'll have adequate – adequate parking. Our – our resident real estate expert might be able to weigh in on that as well. But that would just seem – seem to me to make some common sense. Also, then I would like to – you know, I don't know the property...you know, owner, that – that you're talking about, but...you know, sometimes, you know, our views get...a little different from the perspective that we put on it and – and maybe it's possible in this situation that this person...was trying to do the right thing, was trying to comply in some way by not parking their vehicle in their grass and making it a mud hole and they went out and did that. Should they have checked - absolutely. Did they? I don't know. But I know ignorance isn't an excuse for not following the law, but sometimes people just, you know, in their – in their...quest to...to try to do the right thing and to get along, and I thought we had a great meeting two weeks ago...that – that they just went and took the initiation so you know I guess I, the jury would still be out for me on – on what their motivation was there, but I think it could be very innocent. Thank you.

Mr. Foltz: Yeah, I agree. Those are good comments. I know, unfortunately I had a situation where my single car garage had fallen down and at least I put a double car garage, two and a half car garage in the variance, because I could see, where my family was going, in sense, I was going to have five cars. And I live in an R-50 neighborhood and I think the greatest...ordinance we have is not to park on the street at night. I think that cleans the whole streets up and makes people, you know, pull into a driveway, but if you don't have driveway space, that creates a problem, especially the teenage years when you have that, with your families, when you have those kids driving. Now when they move on, it's not such a problem anymore, but, so what is the middle ground we have to reach? And Jon, that's a good compromise, I know Gene Hemminger and I have worked different times on things in my ward, and...that's a good solution. I mean, I'd rather see it paved and orderly, if it's going to be parked there. Not just a free for all park on the front lawn, wherever you feel like pulling it in, and then pulling it over further, if you need not to get stuck, if it's a wet time of the year, or snow, you know, there's a lot of snow on the ground and so forth so, that – that's going to be one solution I think, but...it's just tough in those older neighborhoods, you're right, where you don't have the front – frontage and you don't – you have a single car garage, is...more or less sheds for a lot of families now, versus just even a garage. I mean so, that's our reality to deal with, then anything we can do to assist our neighbors and make it more orderly, I'm all, I'm more or less in favor of it, so...

Mr. Snyder: Well there's no question that the...the integrity of the neighborhood has to remain...

Mr. Foltz: Yes.

Mr. Snyder: because we don't want to flip it as...Mr. says into rental properties, 'cause we have...there's a stable neighborhood there and it's...they're getting young people in there with families and that's the vital, vitality of the community and...I know...that we're studying the CRA in that area to encourage more reinvestment in that particular area but I appreciate it, thank you.

Mr. Foltz: Alright thank you. Any other comments from the audience? Mr. Cooksey?

Mr. Cooksey: Thank you, Kim Cooksey with the City of North Canton. President Foltz, members of Council, the Administration asked me to give a brief...summary update of our leaf bag recycling program and also announce, announce our program for the curbside recycling containers. First off, the leaf bag program once again, was very successful, I believe it was our fifth year for this program. This year we distributed the budgeted amount of 40,275 bags to our residents...and that total came up to 1,611 residents that participated in the program this year. Now that is the good news. The bad news was last Monday, November 6, we ran out of bags for our allowance for this year. I credit this to two main reasons. First one, we had more residents participate than ever before, and second of all, we've had really good weather for picking up leaves. We didn't have that wet, rainy...time period there where the leaves were finally coming down. Also too, I – I – I don't feel as bad, 'cause I - we've had residents come back to us because once we ran out, we sent them to Mohler's or Lowe's or Home Depot, and they would come back to us and they were out a couple days too. So, I think the – the winter or the fall and the dry weather had a lot to do with that...because of the bags running out. So basically that – that's kinda sums up our program, I know you want to get...moving with...your council meeting and stuff, but were there any...questions that any of you had...

Mr. Lane: Is the program done? Kim?

Mr. Cooksey: on the – the program? Pardon?

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Mr. Lane: Is the program over?

Mr. Cooksey: The – the bag distribution...

Mr. Lane: I got – I got 15 bags sitting out there right now.

Mr. Cooksey: Well I'm sure...

Mr. Lane: I mean, they're still picking up, right?

Mr. Cooksey: you can get them...oh yeah.

Mr. Lane: Oh, okay.

Mr. Cooksey: Oh yeah, we're picking up through November 25th.

Mr. Lane: That's what I thought.

Mr. Cooksey: We want to make that clear.

Mr. Lane: Okay.

Mr. Cooksey: It's just the...bag distribution...is complete on our part. Okay?

Mr. Wise: Kim, if I may, what - what were our totals last year, compared to this year, number of bags?

Mr. Cooksey: In '05, we distributed 37,725. Now we did have a carryover of 275 bags that we distributed this year. But however, last year was more of a wet...fall and the leaves came down and it rained and people don't like picking up wet leaves so much, so...

Mr. Wise: What, about twenty-five hundred more bags?

Mr. Cooksey: that – that...

Mr. Wise: this year than last?

Mr. Cooksey: that's correct. So...were there any other questions?

Mr. Snyder: Now, how many residents did you say? One thousand...

Mr. Cooksey: 1,611 residents this year.

Mr. Snyder: And how many, do you know, maybe it's an unfair question...inaudible.... How many recycle, of our 5,000 people normally, twenty percent? Recycle? A thousand people? Normally recycle? Weekly?

Mayor Held: You mean on our – on our...

Mr. Snyder: our regular trash pick up.

Mayor Held: normal curbside recycling?

Mr. Snyder: Around a thousand? Fifteen hundred?

Mayor Held: Well, you have a Republic Waste that gives an estimate of thirty percent of the residents. But that's...that doesn't mean that thirty percent of the residents recycle every week.

Mrs. Hines: No.

Mayor Held: I mean, that number's high, it's an average for the month. So the number of residents, out of fifty-four hundred that are on our trash service, is...I would - I would estimate somewhere between twenty and thirty percent.

Mr. Snyder: So roughly, those probably, those same thousand...

Mayor Held: Right.

Mr. Snyder: people, are the same...

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Mayor Held: Right.

Mr. Snyder: people, because I know there's a lot of concern in recycling.

Mayor Held: Right, that's right.

Mr. Snyder: Read the papers, it's...

Mayor Held: Usually the people, what we found, that pick up the bags are usually the ones that are the most proactive, as far as...recycling and recycling leaves and also...paper products and co-labels.

Mr. Cooksey: Okay, any other questions? Okay...

Mrs. Magel: E.J., I saw you writing numbers down too, did you – did – is that coincide with about five percent increase?

Mr. Wise: I can't do that math.

Mrs. Magel: Okay,

Mrs. Magel: Yes.

Mr. Wise: Yeah, I think so, I think so.

Mr. Cooksey: Okay, while you're doing math, I'm going to go ahead and move on.

Mr. Foltz: Kim's going to finish the presentation.

Mr. Wise: Thanks Doug.

Mr. Cooksey: As we all know the City of North Canton, for many years has been a leader countywide in our curbside recycling program. And our residents like it, and we feel it's time to take a next step to aid our citizens in their curbside recycling program and their efforts. In the City's next newsletter, that'll be coming out probably around late November, we are going to have an information and also a registration form in that newsletter. We are going to ask the residents to fill out these forms, and return them to City Hall either by mail or by just coming up and dropping it off. After those are dropped off, we are going to have a verification process where we're going to verify those names, make sure that the names and addresses on these forms are on our customer refuge collection list. Now, on this verification process, it's going to be a joint effort for – with the support staffs of the Finance Director Julie Herr and also the Administration. Now, after the verification's done, and the budgeted funding for '06 is in...this will allow us to purchase 2, 226 recycling containers, and the money for that came from a grant that the City received from the Joint Solid Waste District. Now we did receive quotes, and after reviewing the quotes of the lowest and the best, the M. Conley Company submitted the Rubbermaid brand container. Doug, if you would, you and the council members might want to take a look at that – that's what we are describing there.

Mr. Lane: Oh, the Council people.

Mr. Cooksey: And the cost came in at...\$9.20 each for these recycling containers. Now as for the distribution to our residents...

Unidentified: this is swell.

Mr. Cooksey: basically it's going to be first come, first serve, it really it's the first ones to get their forms back in. When these forms come back in to City Hall, they will be...time dated, stamped, so we are able to establish who came in first, and then we will distribute those containers accordingly to the first 1,113 residents or households who sign up for this first phase. Now, each household will receive two containers. It will be our recommendation to the citizens that one be used for strictly paper and the second one be used for both plastic containers pop bottles, things like that, and also cans. Now, with the - the City employees, what we're going to do is, we are going to deliver these to the residents, and two main reasons for delivering it, especially for our senior citizens, we all know are populous is older, and...we feel we can especially help our senior citizens who may be unable to come out due to inclement weather, especially in December and pick these up on a first come, first serve basis, and also I feel it's good gesture on our part thanking the residents for their efforts in their recycling. So I can tell you that I talked to some people during the leaf...bag recycling program. I kind of touch base with them a little bit, talked to them about the program that I just described to you. They were very excited. Especially, they appreciate everything

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that the City does for the recycling. And I think we should, you know, be aggressive in this area to help promote it, and I – I really, truly believe that it will grow in our community and we will do more recycling. So...that kind of sums it up, I didn't want to make it too long and stuff, were there any questions, any members had?

Mr. Snyder: I would, excuse me. When someone has pickup at their garage, where you have some that would pay a little extra a month to...do they – they'll come and pick that for them too? At the same price?

Mr. Cooksey: I'm assuming.

Mayor Held: No, yeah, I think that the...the – the recycling is just done at the curbside, that...the recycling truck goes down and they visibly look to see...

Mr. Snyder: ...inaudible...

Mayor Held: if there's, right, I don't believe there's any provision that we have as far as going back to those residents that have....the recycling, because you wouldn't know who the people are. I mean, because the recycling's voluntary, everybody has their trash out there, but it would be – it would be too difficult to identify those people.

Mr. Snyder: Yeah.

Mayor Held: You'd have to go and check every house that is on the route and that's not a provision that we have in the contract. That's a good question. So they would have to, if they are going to participate in the recycling program, like they have in the past, they would have to make sure that the recyclables...

Mr. Snyder: Goes to the curb

Mayor Held: are at the curb. At least under the present program.

Mr. Cooksey: Yes, Kathy.

Mrs. Magel: I just...comment or suggestion. Is there anyway when you deliver to the people's homes that there could be either taped on there or you could give them a piece of paper that says this is allowed in this one and – and this is allowed in this one.

Mr. Snyder: They're different colors.

Mrs. Magel: Because I believe there's red...

Mr. Cooksey: Well I – I – I - this is – we're gonna put an information...

Mr. Foltz: Right.

Mr. Cooksey: just a little bit of – of information for the residents.

Mrs. Magel: Okay.

Mr. Cooksey: You might have some residents...especially our senior citizens, may not drink pop, may not use plastic bottles that much. They might use both containers for paper. So we don't want to limit them, we want them to feel comfortable and recycle what they like to recycle or they're able to recycle. Okay?

Mr. Foltz: Yeah, I think that's key, if you get an information sheet out again. I mean most of us have been recycling but, I think Mayor Held alluded to it, this, we're...actually going to be able to put magazines and so called junk mail...

Mayor Held: Right.

Mr. Foltz: we get, that – that's going – so that – I think that'll even increase the...

Mayor Held: There is an...

Mr. Foltz: recycling efforts

Mayor Held: actually with the new contract that we have and the new waste hauling contract...the recyclables, you can recycle cereal boxes, junk mail, magazines, where historically we've been unable to do that...

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Mrs. Magel: Right.

Mayor Held: so Republic is now accepting any fiber material. And what they mean by fiber is basically any sort of paper or cardboard product. It's just that you can't put out a large cardboard, like a refrigerator box and expect them to stuff it into the container that's 2 foot by 4 foot wide, so, it does have to be broken down enough. If it's broken down into that recyclable container we know that the recycling...representative can pick up the recyclables at the curb. The other thing is that, rather than just going out and just giving – the – the cost of giving two bins to all the residents would have been over \$100,000. And so...what we're doing is we want to make it available to those that request, that will be participating in it. However, if there is an individual that doesn't want a recycling bin, and would like to continue to recycle with their plastic bags, they can do that also.

Mr. Foltz: Okay.

Mayor Held: So everybody's eligible to recycle, they can take their plastic bags and they could, if they like to put all their recyclables in a nice plastic bag, they could put it in the plastic bag and put it in the container. And we're going to identify that in the information sheet. So all the residents are open to recycle, it's just that the bins are going to be provided so that as an incentive for those that are interested we'll provide two free bins.

Mr. Foltz: Alright. Thank you. Anything else?

Mr. Cooksey: Okay, anything else? Any other questions?

Mrs. Magel: It's excellent.

Mr. Foltz: Thank you, thank you Kim, appreciate it.

Mayor Held: Thanks, Kim.

OLD BUSINESS

8. Mr. Foltz: Okay, with that, we'll get into old business. Do I have a motion to read by title only, the third reading of Ordinance No. 89-06?

Mr. DeOrio moved and Mr. Lane seconded to **read by title only, the third reading of Ordinance No. 89-06.** All members present voting.
Yes: Lane, Magel, Repace, Snyder, DeOrio, Foltz, Hines.
No: 0

Mr. Wise: ...inaudible... to sign
Mrs. Herr: to sign those?
Mr. Wise: ...inaudible...

Ordinance No. 89-06 – 3rd Reading – Ordinance, Rules & Claims

Ordinance No. 89-06 amending Ordinance No. 8-06, Section 1107, specifically 1107.03(c) OUTLINE OF PROCEDURE and 1107.05(e) DESIGN STANDARDS, regarding open space and public open space, and repealing any and all legislation inconsistent herewith.

Mayor Held: Yes I did.

Mr. Foltz: Chairman Snyder.

Mr. Snyder: Thank you Mr. President. This is the third and final reading. This will change the subdivision regulations regarding open space. It is to be considered for space 10 acres or greater, and as we've said before it's been a long and arduous process but hopefully after the positive adoption tonight and 30 days, we'll move ahead with it.

Mr. Foltz: Very good. Do I have a motion to adopt the third reading of Ordinance No. 89-06?

Mr. DeOrio moved and Mr. Snyder seconded to **adopt the third reading of Ordinance No. 89-06.** All members present voting.
Yes: Magel, Repace, Snyder, DeOrio, Foltz, Hines, Lane.
No: 0

Mayor Held: Jim...inaudible...ten percent 'cause we have more appropriated...inaudible...

Mr. Benekos: I don't know. I'm not worried about it...inaudible...

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9. Mr. Foltz: Next, may I have a motion to read by title only the second reading of Ordinance No. 123-06?

Mr. DeOrio moved and Mrs. Magel seconded **to read by title only, the second reading of Ordinance of 123-06.** All members present voting.

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

No: 0

Ordinance No. 123-06 – 2nd Reading – Ordinance, Rules & Claims

An ordinance amending Chapter 311, Street Obstructions and Special Uses, by the addition of Section 311.04 SNOW REMOVAL of the Codified Ordinances of the City of North Canton, regarding the removal of ice and/or snow, and repealing any and all legislation inconsistent herewith, and declaring the same to be an emergency.

Mr. Foltz: Chairman Snyder.

Mr. Snyder: Thank you. This is a – another vehicle we're using for our nuisance ordinance, unfortunately each individual thing must be individually written and codified...this will prohibit the...snow being pushed across the thoroughfare or onto your neighbor's property, basically more into the commercial lines than it is into the residential side, again very small lots, and my only question is to Law, are we passing that this evening on emergency, or we doing the third reading and adopting on the third?

Mr. McFarren: I'd give it the third reading, get as much publicity...whether we go emergency on the third or not remains to be seen.

Mr. Snyder: Alright sir, I...

Mr. McFarren: It was designed to be...placed in effect...

Mr. Snyder: ...inaudible...by the 15th

Mr. McFarren: beginning of the year

Mr. Snyder: okay

Mr. McFarren: when we get the heavy snows.

Mr. Snyder: I appreciate that. So that's here, I would ask that...we adopt the second reading of Ordinance No. 123-06.

Mr. Snyder moved and Mr. DeOrio seconded **to adopt the second reading of Ordinance No. 123-06.** All members present voting.

Mrs. Kalpac: Snyder?

Mr. Snyder: Yes

Mrs. Kalpac: DeOrio?

Mr. Foltz: Lane?

Mrs. Magel: DeOrio.

Mr. Repace: DeOrio.

Mrs. Hines: DeOrio.

Mr. Foltz: DeOrio?

Mr. DeOrio: Yes. I thought she said Lane.

Mrs. Kalpac: Foltz?

Mr. Foltz: Yes

Mrs. Kalpac: Hines?

Mrs. Hines: Yes

Mrs. Kalpac: Lane?

Mr. Lane: Yes

Mrs. Kalpac: Magel?

Mrs. Magel: Yes

Mrs. Kalpac: Repace?

Mr. Repace: Yes

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NEW BUSINESS:

10. Mr. Foltz: That's it for old business, new business.
Mr. Lane: What time is ...inaudible...
Mr. Foltz: Do I have a motion to read by title only, the first reading of Ordinance No. 126-06?

Mrs. Hines moved and Mr. DeOrio seconded to read by title only the first reading of Ordinance No. 126-06. All members present voting.
Yes: DeOrio, Foltz, Hines, Lane, Magel, Repace, Snyder.
No: 0

Ordinance No. 126-06 – 1st Reading - Ordinance, Rules & Claims

An ordinance establishing the zoning classification of GB-B, General Business B, as specified by Ordinance No. 50-03, Zoning Ordinance of the City of North Canton, for the premises known as the Chambers/Pittsburg Annexation, containing 4.815 acres of land, more or less, annexed by Ordinance No. 73-06.

Mr. Foltz: Chairman Snyder.

Mr. Snyder: Thank you Mr. President. As you know, last week we had a public hearing...this 4.815 acres is presently zoned B-1 in the...township, now that it's come into the City, we...mirror our GB-B and that's what the law says we should zone it, and...that's what we did. That's about it.

Mr. Foltz: May I have a motion to adopt the first reading of Ordinance No. 126-06?

Mr. DeOrio moved and Mr. Lane seconded to adopt the first reading of Ordinance No. 126-06. All members present voting.
Yes: Foltz, Hines, Lane, Magel, Repace, Snyder, DeOrio.
No: 0

11. Mr. Foltz: Next, may I have a motion to read by title only, the first reading of Ordinance No. 127-06?

Mr. DeOrio moved and Mr. Snyder seconded to read by title only the first reading of Ordinance No. 127-06. All members present voting.
Yes: Hines, Lane, Magel, Repace, Snyder, DeOrio, Foltz.
No: 0

Ordinance No. 127-06 – 1st Reading – Water, Sewer & Rubbish

An ordinance authorizing the Mayor of the City of North Canton, through the Board of Control, to enter into a contract for the East Maple Well #9 Improvement project, at a cost not to exceed \$96,000.00.

Mr. Foltz: Chairperson Magel.

Mrs. Magel: Yes...Jim, did I get a copy of that contract? No, the contract for Well #9.

Mr. Benekos: The contract for Well #9?

Mrs. Magel: yeah, the one that we're entering into?

Mr. Benekos: It's in here.

Mrs. Magel: Okay.

Mr. Benekos: The contract and the specs are in here.

Mrs. Magel: Okay. Well then...okay...I – I was wondering what the, 'cause I – I was lead to believe that there was drilling involved and also tests. Now you and I have discussed that...

Mr. Benekos: Right.

Mrs. Magel: and I wanted to see it in writing, exactly what tests were involved so that...we don't get into that...situation of duplication.

Mr. Benekos: I can give this to you, I mean, this is a contract. This is what will be signed, includes the specifications...and all the general conditions and so forth. So this will be what the contract is that will be signed. You have a copy of it.

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Mrs. Magel: Okay...Mr. McFadden, (McFarren) had you seen the contract?

Mr. McFarren: Not at this – not at this point.

Mrs. Magel: Okay.

Mr. DeOrio: Jim, is that what – copy something that you gave me?

Mr. Benekos: Correct.

Mr. DeOrio: I gave mine to Kathy so you don't have to make a copy.

Mr. Benekos: Okay, thank you.

Mr. DeOrio: I just did that today, for...

Mrs. Magel: Well, it...7:00 and it is completely blank. I mean, if you want me to fill in the blanks. Okay. That – that was my question. As we left off before, there was supposed to be a discussion, I did read through...Rich's material, it was very enlightening and I was...surprised as to how much...tests there was done on East Maple Well street. However...I do have a statement from Kathy Metropulos that I could read right now concerning delineation, however I think it would be best...if we have further...discussions...before the – the second reading here. Other than that.

Mr. Foltz: We'll move forward with it? May I have a motion to adopt the first reading of Ordinance No. 128-06?

Mr. Snyder: So moved.

Mr. Foltz: Excuse me. 127 excuse me. May we have a motion to adopt the first reading of Ordinance No. 127-06.

Mr. Snyder: So moved.

Mr. Foltz: Is there a second?

Mr. Lane: I'll second...inaudible...as long as you're comfortable with the first reading. And that's the impression I got from your discussion.

Unidentified: Kathy, are you...inaudible...

Mrs. Magel: It's not on an emergency.

Mr. Lane: Right, you're comfortable...

Mr. Foltz: I think

Mr. Lane: with first reading, correct?

Mr. Foltz: You're comfortable with the first reading?

Mr. Repace: Inaudible second reading. Have to go for it that's really what he wants to know.

Mr. DeOrio: Well, when are you going to discuss what needs to – you got something to discuss, you said, when would that...

Mr. Lane: yeah, I might not have understood your conversation

Mrs. Magel: Oh, I – I – I heard it was after...the meeting so...

Mr. DeOrio: Oh, after.

Mrs. Magel: yeah I don't know, I think there's supposed to be an agreement as to what tests there will be and...when there will be a delineation and I do have some further information if you, we want to have another meeting next week concerning I know some of you wanted to know exactly what delineation was and...I got this out of the off the internet, I think you'll find it quite enlightening, as a matter of fact, one of the examples I swear, no, it was directed towards...North Canton, of course it was not, but it's just a – a very similar one. However, to answer your question, I – I would go my vote will be no for tonight, because I don't vote for anything where I don't have a contract. I don't know what the tests are, I don't know, as I was assigned to do to see if there's duplication, and so, but...I will not stop the vote.

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Mr. Snyder: Well, it was my understanding last week, the Superintendent of Water Production was here, assured us that the 99 percent of those tests were done. Am I correct in that?

Mayor Held: Rich is here, let's...

Mr. Wise: Yes, Mr. Steinhebel is here.

Mr. Snyder: The only thing was not done as required by the EPA is delineation, which will be done, if this is a requirement.

Mrs. Magel: Yes, it is.

Mr. Snyder: What's – what seems to be the – where's the – where's the mystery of this whole thing?

Mrs. Hines: Well, delineation should be one of the first things that you get done.

Mr. Snyder: Well, I'm not going to argue with a man who holds the certification, he knows more about water production than I do, if he tells me it doesn't have to be done the first time around I would believe him. Nor do I – I don't think anybody on this council holds that credential. I mean...

Mayor Held: Go ahead ...inaudible...

Mrs. Hines: No, but the – if you read it from the EPA that gives those guidelines...

Mr. Steinhebel: Delineation is something that came with the Wellhead Production Act, our wells in Dressler/Price Park were there long before that. It's part of the protection program, okay. That same delineation stuff like that also has to be protected, 'cause you're also vulnerable...

Mrs. Hines: that's number 2, right?

Mr. Steinhebel: to outside sources. It was delineated in this report that you keep referring to. She did a ten year, five year and one year delineation. Like I told you, I don't put a lot of stock, because it was done by computer generated with not a lot of information. We are moving for – forward with that once Well 9 went in. That way we get with the pumping situation, we have data to back it up, to understand exactly what the delineation of the area is what one molecule of water would move in five years to that well, and one year.

Mrs. Hines: When – when was that done though?

Mr. Steinhebel: As far as this?

Mrs. Hines: Yes, the...

Mr. Steinhebel: We have not done it on 8, we're waiting for 9 to get in there to do it. Both of them in pumping situations to gather the data you need from the monitoring wells of draw downs and...influences.

Mrs. Hines: But the draw downs have to do with pumping.

Mr. Steinhebel: But that's part of the delineation. Delineation is what that one molecule of water will move to that well if some contamination was put in that area...what, how long will it take to get to your well. You're identifying the geology, the pumping rates, and the draw downs from it, okay, to say, okay, it moves from this direction and you're actually mapping out, if you look in this you'll see it ...inaudible...

Mrs. Hines: But the mapping is – is usually done before you would put in a well...

Mr. Steinhebel: no, no

Mrs. Hines: and is it true that you're – you're not going to put it exactly where...the monitoring well is right now?

Mr. Steinhebel: It's going to be ten to fifteen feet to the south.

Mrs. Hines: And that is because...

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Mr. Steinhebel: Because we need that monitoring well to identify the cone of depression when we pump off from it. We can take measurements from it. Once we're done with that, that well will be abandoned.

Mrs. Hines: But Well #8 was not delineated either.

Mr. Steinhebel: It was not delineated, it was going to be delineated by Kathy Metropulos, okay, who I just talked to last week and said she's got no problem it for. We were waiting for 9, which I talked to the EPA about, and they were fine with it too, cause we needed to get more data and we have a lot more data to put with it on our pumpage. We do every single week, draw downs, static levels and this is all put in a computer and all that information is what generates that delineation. The delineation is telling you where you can be contaminated from, and what source of contaminations are in that area. We already have gone up there on our own, two years ago, and identified potential contaminates when we did our whole system. The EPA only had two hundred and some, we identified five hundred eleven. And it's not to scare people, it's to know if something would show up where do we head to first, to see if that's the problem area.

Mrs. Hines: I just want to be very, very, very careful on how we do this. There's been problems, you know, in the past...inaudible...

Mr. Steinhebel: The delineations - the EPA used to put them on the internet. It caused Canton a great deal of problem when it was put on the internet, because the newspapers did pick it up. And they actually identified in the paper during the time when, right after 9-11 - we made it very, them very vulnerable to somebody doing something to their system. And these papers, once their done, are then kept in an office locked up.

Mrs. Hines: Well, it's - the information that I have is that's the - that's the first thing is to do the delineation. And I just want to make sure we do it step by step, just...

Mr. Steinhebel: Do, do - without having a pumping well there actually pumping and know what it can do, and that well is approved, you're going to spend thousands of dollars for something you may not ever have.

Mrs. Hines: Well, that's what I want to eliminate too, is to go ahead with something and then find...inaudible...

Mr. Steinhebel: Well that delineation is just going to tell you where that molecule of water would move to that well. Okay?

Mrs. Hines: Well, there's - there's other things that go into it, as to seeing where it is, where there are possible contaminants to begin with, and...

Mr. Steinhebel: Right, but technically, you have that identification already. A lot of that information we already gathered ourselves, okay, in part of our potential contaminants that we gathered on the thing.

Mrs. Hines: Well,

Mr. Snyder: In my, my

Mrs. Hines: there's - there's a promise that...

Mr. Snyder: Well, first of all, I'm under the understanding, now sir, as you're, as the Superintendent, you're telling us, that the tests that have been done and programmed and submitted to your office, showed no signs of any type of contamination to that well field.

Mr. Steinhebel: Exactly.

Mr. Snyder: Professionally, I'm asking you that question.

Mr. Steinhebel: Yes. Yes.

Mr. Foltz: Rich, thank you.

Mrs. Magel: Nobody's saying that, Jon.

Mr. Steinhebel: Okay.

Mr. Snyder: No, I'm asking...

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Mrs. Hines: No, I'm just – I'm just thinking that it always needs to be checked because at any one point in time, anything can happen. That's why as he said, the delineation needs to be done, because what happens if there's an issue with something? We need to be able to, you know, you know stop the water production there and go to something else...

Mr. Snyder: I think that you're...

Mr. Steinhebel: She – you said the key word, the "testing." We are constantly testing our wells.

Mrs. Hines: But there's ten million things you can test.

Mr. Steinhebel: But delineation will not give you, it will give you a possible thing that could be coming from some location, or give you that, okay, if something did spill in this location 300 feet away or 1,000 feet away, okay, it will get to this well in this time period. We need to block it, remove it, at this point, we have X amount of time, that's what it's telling you. It's getting you data to work with, cleaning up or protecting against.

Mr. Repace: Rich, Rich, is there any suspicion of contamination in that area?

Mr. Steinhebel: As far as - there's always suspicion of - in every place around here, okay, on the thing, okay. There's a constant going on. Okay, but the testing we do and the raw water testing and stuff that is done every single quarter on our wells, we're not required. We're doing that for one reason, to gather that data and see what things and what – what type of methods that we're using in areas. There have been spills that have come down the creek, okay, recently, okay. We know about that, we know what levels they brought up to, we can watch what's going on in a well and see if it has affected the well. Inaudible... time we can actually, we have nothing that ever go, went over any type of maximum contaminate level. But if you have a general border line of what's going on with it, you see a slight increase, what we do at the plant is we put it on a secondary run list. Okay, that well has time for nature, dilution factors and other things to take over, and we have found by doing that, we get non-detects right after that. We give it time for that stuff to move through, the – the two things that are working for us is – is the nature with aeration and more water that's there, dilution down till it disappears on the stuff. And it's not a great solution, but it's what happens. It's good for us to manage them, that way we know what's going on with them. So the tests that we do are the most important thing that's going on. Because knowing that delineation, that's yeah, that's great, okay, for when something actually has happened. I have to react in this time period, I have to make sure that this is contained to this area, okay? If it's a gas station, it's got a fuel tank, we're notified it's leaking. We know, okay, the exact flow of the ground water, we know how long it would take to get to our well. You know, so most likely we're going to start sinking a couple monitoring wells in between and try to take levels from that point. We're going to try to block it. We're going to try to absorb it with any method we know how as far as environmental wise. And so that's what that gives you on the information.

Mr. Foltz: Rich, that study you're holding basically was before Well 8 was..

Mr. Steinhebel: This – this study was done by Ohio State, okay, for a – her Master's Degree on this stuff. I was told there was insufficient evidence. She told a member of the EPA who came out for a ground water testing of our ambient ground water testing of Well 8, personally told him, it was something I put together on a computer to get my Masters Degree. It's not based on true documentation of and testing out there. It was too short of a time period. I was told by Scott Bair originally, they only had a 48 hour test out there, pump test. They needed to come back and during a dry period, after we pumped the wells for two weeks, to gather data from all the homes that had wells out there along with our monitoring wells out there. He said they didn't have enough for a hydraulic study. Currently they felt they could manufacture it, she said herself. That's what got me my Masters Degree.

Mr. Snyder: Well, we suspended the payment of that thing, cause there was not...

Mr. Steinhebel: Exactly, exactly.

Mr. Snyder: That was not even an authorized test. Darryl Revoldt commissioned that without the approval of the Council. So really the validity of that test is about as good as what you got ...inaudible...in your hand.

Mr. Steinhebel: Well, that's - that's exactly what she said it is. It's a computer generated.

Mr. Snyder: Because we suspended the actual payment.

Mr. Steinhebel: I'm going to feed the documentation into it to generate the report. The computer's program spit out a certain amount of I give it this information to do it. Okay. Do I

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believe the stuff that we have, the data we have? It's solid data, it's test data. It's - it's draw downs. It's pump level. It's of the geology out there, throughout the area. She delineated a ten year, five year and a one year. Ten years, 200 feet south of Applegrove. Okay.

Mr. Repace: So to do something...

Mr. Steinhebel: Do I buy it? No.

Mr. Repace: So to do something in – in your judgment, before that well's drilled, doesn't really...

Mr. Steinhebel: They're – they're not going to delineate...

Mr. Repace: help us.

Mr. Steinhebel: Well #9. They're going to delineate only Well #8. Then they have to come back and do #9. Okay, may increase the size of the area. When we put in Well #7, it did not increase the size of our delineation that we already had for Well #4 down there. They did not have to change it. We went way over the limits on the stuff. And what we're looking for is what's the poorest part of the soil, where does this move from. It's not a, just a circle, it's actually follows what you know about the geology, the bedrock and all the way through.

Mrs. Magel: I feel we're all saying the same thing. We're all on the same page.

Mr. Repace: ...inaudible...

Mrs. Magel: That is a bad delineation. I was told that's a bad delineation...

Mr. Steinhebel: This is just, this is not an invalid, not insufficient information...

Mrs. Magel: Absolutely.

Mr. Steinhebel: No, no. I do, compare it to the data we have,

Mrs. Magel: Right.

Mr. Steinhebel: It's nothing.

Mrs. Magel: That is our delineated Well #8, and now it's, you know what Jon said.

Mr. Snyder: ...inaudible....

Mrs. Magel: What referred to, so...

Mr. Snyder: we got snookered...

Mrs. Magel: what we're saying is...

Mr. Snyder: Somewhere along the line

Mrs. Magel: Let's have a good one. Let's, let's have a valid one. I know...

Mr. Steinhebel: That said....

Mrs. Magel: I know we're on the same page.

Mr. Steinhebel: That's fine, but we wanted to do it with the information from 9, knowing what it can - can pump, pumping both wells at four million gallons, and that data would be grabbed within the first couple months of operation, we grab that data, and do it.

Mrs. Magel: Which I believe I had said...

Mr. Steinhebel: Okay,

Mrs. Magel: I would be...

Mr. Steinhebel: and that would be a – a study, I feel a much better study. We can go do 8, if you want to do 8, Kathy Metropulos said she'd be more that happy to come talk to you guys, do it, anything on the stuff, okay. She – she never said that she wasn't doing these anymore; she's doing them, okay, on the thing. So she'd be more than happy to do that part, but the information, she knows too, we got to go back, and we got to go through 9. I wouldn't trust the information if we're just going to say, okay, well, this is the area without actually having pumping get done, so...

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Mr. Snyder: What type of dollar figure you talking, if you just do - if she would come and do 8, and then come back and do 9, versus...

Mr. Steinhebel: She's not, this is - this is not being charged. The EPA is doing this for free. The original one that was done on our other wells, I believe was around \$25,000 and that was done by Ohio State, okay. To have it done by an outside firm, you're probably looking at about, anywhere from \$40,000 to \$50,000 to be done right.

Mr. Snyder: Now if you do 8 now, and then come back and do 9, what type of time line does that give you to 9?

Mr. Steinhebel: As far as 9, it would be - again, I want to wait until we gather the pumping data that we're going to get from it, knowing that we're pumping, if we're pumping four million, if we're gonna yield more than four million out of there, let's delineate it to what we're pulling, what we're drawing, cause that cone of depression changes naturally, with that stuff, okay. So your area of water supply to it can increase, so those delineation lines, if it's - say it's three thousand, based on this, it's about three thousand, they're saying three thousand, three hundred and some feet, okay. Maybe it's four thousand, maybe it's five thousand. Okay.

Mr. Snyder: You know Mrs. - Chairman Magel, maybe, possibly, maybe the solution here lies in the fact that we approve the first reading, second reading contain a codicil that - that - that ...inaudible... that you did - do the delineation upon a completion of 9 and it'll be, that way it'll be in the...

Mr. Lane: Ordinance

Mr. Snyder: in the ordinance and there's - satisfy everybody's wishes.

Mrs. Magel: That's what I said.

Mr. Steinhebel: Technically, the - the EPA requires that, Jon, that's required by the EPA...

Mr. Snyder: Inaudible... we really don't have any problem.

Mr. Steinhebel: 'ause you have to delineate it.

Mrs. Magel: And certain tests that we agreed to...

Mr. Snyder: Spell it out in the ordinance.

Mrs. Magel: be done. Exactly, that's what I ...

Mr. Snyder: Well maybe we'll just pass the first reading tonight, if that's comfortable, and put it in for the second.

Mr. Lane: The problem is, if we don't get the second, which I gave, but I will defer to you, then the thing dies. Correct? Or do we have to bring it back in two more weeks?

Mr. Snyder: No, we - we're talking about the first reading...

Mr. Foltz: No, we was talking about the first reading, we have a motion for it.

Mr. Lane: yea, I know, but I - right.

Mr. Foltz: Thank you Rich. Rich, worst case scenario in your - and I'm not going to tell you have a specific date, but this delineation could be ready to go what, by late summer, early fall, with Well 9?

Mr. Steinhebel: Well 8.

Mr. Foltz: Well 8.

Mr. Steinhebel: There's no Well 9 to delineate, okay, out there. There's no data on that Well 9, okay. Well 8 would be the delineated well. It's an up and running well.

Mr. Foltz: Okay, I thought we'd have data with Well 9 by that time next year.

Mr. Steinhebel: Most likely Kathy Metropulos would probably put together something, I'd say about, probably by, you know, mid-summer, yeah.

Mr. Foltz: Okay.

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Mrs. Magel: May I make a statement, by Kathleen Metropulos? "As soon as the city officials request, I, Kathy Metropulos, will visit North Canton to show how to get started on the plan of how to protect the aquifer within the protected area which is the delineated area which is the one to five year period of travel." She would consi..."I, Kathy Metropulos, would consider this a very high priority to the EPA." She could come out as soon as she knows exactly where the location of Well #9 is, and as soon as she would find out what we had wanted, which was two...

Mr. Steinhebel: You're talking third phase. You're not talking delineation. Third phase is the voluntary phase of the protection plan. There's three phases to the Wellhead Protection Act, and that's the third phase. That's the – we've completed the first and second phases on all of our other wells and that. This is, you're talking about third phase, delineation is the part that we're required to do. The second and third phase are voluntaries, which we did the second, we've been talking about doing the third. Okay on this stuff, okay.

Mrs. Magel: Where's the first?

Mr. Steinhebel: First is delineation. That's delineation.

Mrs. Magel: Duh...

Mr. Steinhebel: We have it for all of our other wells. I'm talking about 8 and 9, were going to be combed to do it. For better data on it, a better look at what it's actually going for.

Mr. Repace: Well, there, isn't there a motion on the floor?

Mr. Snyder: Yeah.

Mr. Foltz: There is, there is a motion.

Mrs. Kalpac: Motion and a second.

Mr. Lane: Motion and a second.

Mr. Foltz: and a second, I believe.

Mr. Snyder: Well, I'll call the questions, doesn't

Mr. Foltz: Does ...inaudible...yea, does anybody have any comments? I think we could call the question, I guess?

Mr. Snyder moved and Mr. Lane seconded **to adopt the first reading** of Ordinance No. 127-06. All members present voting:

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

No: Magel, Hines.

12. Mr. Foltz: Okay, next may I have a motion to read by title only, the first reading of Ordinance No. 128-06?

Mr. DeOrio moved and Mrs. Magel seconded **to read by title only, the first reading of** Ordinance No. 128-06. All members present voting.

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

No: 0

Mr. Wise: Chemical

Unidentified: I bet you count your...inaudible....

Ordinance No. 128-06 – 1st Reading – Finance & property

An ordinance authorizing the supplemental appropriation of funds of the City of North Canton, Ohio, to be appropriated from the unappropriated balance of the Water Revenue Fund to the Chemicals and Electric Accounts, in the aggregate amount of \$70,000, for the current expenses during the fiscal year ending December 31, 2006, and declaring the same to be an emergency.

Mr. Foltz: Chairman DeOrio.

Mr. DeOrio: Yes, as you recall last week, we discussed the - the number of transfers, of which this was one, to allow our Water Treatment Plant to operate properly through the end of the year. The budgetary process is at times at best a guesstimate, particularly when it comes

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to public utilities and their fees for service. And as a result, we've had to transfer an additional \$70,000 in to the Chemicals and the Electric Accounts.

Unidentified: That's from ...inaudible...

Mr. DeOrio: And I would move that we adopt this.

Mr. Foltz: Is there a second?

Mr. DeOrio moved and Mr. Snyder seconded to adopt the first reading of Ordinance No. 128-06. All members present voting.

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

No: 0

Mr. Foltz: Okay, with that we'll have reports, Director of Law?

Mr. McFarren: Nothing.

Mr. DeOrio: We need that on an emergency.

Mr. McFarren: Okay, brings that...

Mrs. Herr: Yes.

Mr. Foltz: Oh, I'm sorry, Gail.

Mr. DeOrio: Yeah, that's what it says.

Mr. Foltz: May I have a motion to suspend the rules for Ordinance No. 128-06?

Mr. DeOrio moved and Mr. Lane seconded to **suspend the rules** for Ordinance No.128-06. All members present voting.

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

No: 0

Mr. Foltz: May I have to adopt, under suspension of the rules, for Ordinance No. 128-06?

Mr. DeOrio moved and Mrs. Hines seconded to **adopt under suspension of the rules**, Ordinance No. 128-06. All members present voting.

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

No: 0

REPORTS:

Mr. Foltz: Thank you, Chairman DeOrio, on that. Reports. Director of Law?

Mr. McFarren: Nothing.

Mr. Foltz: Director of Finance.

Mrs. Herr: Yes, a couple things. First of all, I would like to ask Council to confirm the reappointment of Miss Suzanne Burnett to the Income Tax Board of Review. Her term actually expired on August 27th and the renewal would be beginning August 27th of this year, to August 27, 2009, and I just wanted to have Council to confirm that appointment with a voice vote.

Mr. Foltz: Okay, I think she's an excellent constituent here, especially in Ward 1. So I'd be more than happy to support that. But Gail, could you call the roll please?

All members present voting on the reappointment of Ms. Suzanne Burnett to the Income Tax Board of Review:

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

No: 0

Mr. Foltz: Okay, thank you Council. Next, no? You had something else?

Mrs. Herr: Oh yea, I'm sorry, I just wanted to make Council aware, our Income Tax Department is stepping up our enforcement provisions as far as the mandatory filing requirement. And we're also stepping up our efforts to collect delinquent income taxes. We've sent out a lot of letters a lot of them certified, to try to get the attention of these people out here that, for whatever reason are still not...

Mr. Foltz: Paying attention?

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Mrs. Herr: paying attention. So, I'm working with Randy to work on the next step as far as citing these people to Mayor's Court. And I don't know, whatever press we could give, I would appreciate so that the citizens are aware that we are serious about enforcing these provisions and – and you know, doing whatever we can to make people abide by our income tax ordinance.

Mr. Foltz: Okay, thank you. Administrator?

Mr. Wise: Yes. Tomorrow evening on South Main Street from 7, approximately 7 p.m. until approximately 6 a.m. Wednesday morning, we will be closing South Main Street between Easthill and Hallum the gas company has to dig a line, or dig a trench in the street and – and bury a line, a gas line underneath the street. There's a quite a number of things underneath the street there, including SBC fiber optics, so they can't just simply bore under the street. So they'll be opening a trench and putting a gas, excuse me, a gas line in. It should be done just that one evening. The section there north of Easthill there were quite a number, about four or five power lines that would actually have been in the roadway when that is widened. Those power poles have been moved. Hopefully sometime this week they'll be pouring curb and gutter on the east side, and then next week, weather permitting, putting down a base course of asphalt which would then allow us to open all of those lanes for the winter season. We'll, when we finish with that, then we'll button up that project for the winter, and go back in the spring, and finish up the streetscape from Easthill up to Mississippi Avenue. There were quite a number of things that had to happen, AEP, Time Warner Cable, SBC and the gas company were all involved in moving those power lines. And we had a number of meetings with the engineer and myself they really went to bat for us and – and really worked very hard and all worked together along with the contractor down there to get that done. You know, the last thing we would to see happen is having snow and ice with that lane still closed. And it looks hopefully like it might be done as early as next week. So...

Mr. Foltz: Okay, good news. Thank you. Mayor?

Mayor Held: Yes, I'd like to remind everybody that November 18th, this Saturday, we'll have the Christmas tree lighting, right out here in front of the Hoover Company. And we'll also, it will follow with the Equestrian Parade. And the schedule is that at 2:30 we will close the streets, on Main Street; and then at 3:30 we'll have a food court; at 4:30 the parade will begin; and at 5:45 we'll have the Christmas tree lighting; and then after that, we'll clean up Main Street and open - open it back up.

Mr. Foltz: Okay, thank you.

Mayor Held: Thank you.

Mr. Foltz: City Engineer, Jim Benekos?

Mr. Benekos: No report.

REPORTS – COUNCIL:

Mr. Foltz: No report. Gail, any comments?

Mrs. Kalpac: No comments.

Mr. Foltz: No comments? Member Lane.

Unidentified: ...inaudible...if he's going to talk about ...inaudible...E.J.

Mr. Lane: I will, going back to our comments earlier, I'll check ... Mr. Morabito's problem. But I know you alluded to the fact that you had, dog and cat situations off and on. And Kathy maybe from your other terms, excuse me, I'm losing my voice tonight, and Mr. Snyder, if you've got any suggestions I would welcome those. And also regarding the parking meeting, I'll get in touch with the Chief and see what - what he has available on his schedule. And next week, Magnolia will be coming up for discussion. Planning Commission talked about it, Mr. Benekos recommended bringing it in, they had some concerns about sidewalks and some other things, it's not necessarily something that we would have to adhere to their recommendation, but it's worth a discussion. So I just wanted to give you a head's up, that'll be in your packet for next week's discussion of Street & Alley.

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

Mr. Snyder: Thank you, I don't have anything else, thank you.

Mr. Foltz: Member DeOrio:

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Mr. DeOrio: I'd like to add that the Mayor forgot to say that at 6:30, after the parade and the Christmas tree lighting is over, that he's going to announce that Ohio State has beat Michigan. That's all.

Mayor Held: I forgot that.

Mr. Foltz: I - I'll call you from my cell phone, I'll be at the game. So we'll see.

Mrs. Magel: Are you going?

Mr. Foltz: Yea. Member Hines.

Mrs. Hines: Well, I

Mr. Snyder: Notre Dame beat Army.

Mrs. Hines: I just like to thank the City's efforts on the recycling of the leaves. I've got 30 bags to go out this week. And I've had some help with that...

Mrs. Magel: But who's counting.

Mrs. Hines: but, 30 bags, so I've already had to..

Mr. Foltz: Okay

Mrs. Hines: buy some - buy some more bags, but I really appreciate it. And just a reminder to Council that we're still putting in names for the Charter Commission.

Mr. Foltz: Okay, thank you. Member Repace.

Mr. Repace: Yeah, in - in our packet, we have a letter from Nanette DeMussey, who's the lady who came up with the idea of the Herbert W. Hoover bridge sign. In this letter, she says that several sign companies were contacted for quotes and we're working with the Akers Sign - Signs to complete the construction of the sign. I checked with the - the County Engineer and they had forwarded the information to the Commissioners. We tried to contact the Commissioner's office to find out the status of - of where they're at with this and couldn't get a hold of anybody. I - my - my concern is, if - if the Commissioner's would deny this, and she's having a sign made, we're in trouble.

Mr. Foltz: We'd have no place for the sign. Jim - Jim, is she actually having it made right now, or is she just, she just going...

Mr. Repace: Inaudible... to complete the construction of the sign.

Mr. Foltz: Or she...

Mr. Repace: I just don't want to see her, cause she's offered to pay

Mr. Foltz: Right

Mr. Repace: for the entire sign. And I would hate - I - I - I can't foresee the Commissioners denying us, but I would hate for - for Mrs. DeMussey to - to get this sign under way and actually put money down or pay for this sign and then it's rejected by the Commissioners. So, I think, Gail, between you and I, we talked about this, maybe we can try and get a hold of the Commissioners Office tomorrow. And also, one of the things that we talked about with her, was possibly the City paying for the installation of the sign. If she's going to assume the cost of the sign, the least we could do is pay the cost of the installation of the sign. So that, so Doug, I - you know, what do we need to do? Do we need to put something on an agenda to, is this something we ought to vote on, or?

Mr. Foltz: Well, you know, do we any idea what that entails at this point? Maybe its - can our City crews install it if we have a Commissioner ...

Mr. Repace: Right

Mr. Foltz: approval and we already have County Auditor - I mean County Engineer approval, right?

Mr. Repace: I - I think that if you know, our - our city employees could probably install this sign with, under specifications

Mr. Foltz: Well, why don't we

Mr. Repace: of the Stark County Engineers. I don't see why I couldn't have...

Mr. Foltz: Can Administration look at that first, before, see if it's a possibility we could install it? If not we'll get costs and ...

Mr. Repace: Well, I mean, why couldn't we?

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Mr. Foltz: Oh, I don't know. I have looked at the sign, I don't know what it's going to entail, I don't know the capabilities of ...

Mr. Benekos: I don't know if it's designed to be welded on, bolted on...

Mr. Foltz: If our Street Department...

Mr. Benekos: bracketed on.

Mr. Foltz: yea, if we have a welder on to a truck or you know,

Mr. Benekos: Yea, we'd have to look at it, but I, you know, should be - I mean that'd be E.J. more than myself.

Mr. Repace: Do - do we have certified welders?

Mr. Foltz: I'm sure we have a talented staff over there. It's just a matter what - what's it going to entail.

Mr. Wise: Yea, I don't know what - I mean I saw the photograph. I don't what the design is or - or what it's going to be.

Mr. Foltz: Did we get that information Jim? Maybe we can

Mr. Repace: Alright

Mr. Foltz: just have them look at it first, if not, then yea, I'd support paying for it. You know...

Mr. Repace: Well, let's - let's get some more information...

Mr. Foltz: Okay

Mr. Repace: we'll - we'll bring it back up in another meeting.

Mr. Foltz: Okay, ...inaudible... thank you.

Unidentified:: I know what we can do.

Mayor Held: Inaudible...cannot talk to...Commissioners...inaudible...

Mr. Foltz: Member Magel.

Mr. Benekos: I don't know

Mayor Held: Yeah they are

Mr. Benekos: Let me - let me give Mike Rhefus a call.

Mrs. Magel: Yeah, I just had one question, I think. We were - discussed the cat leash law. Doug I - I think I heard you say something but I maybe your mic - the mic wasn't just correct,

Mr. Lane: What's that?

Mrs. Magel: do we have a rule that says how many cats you can have?

Mr. Lane: No, I said we don't have one.

Mrs. Magel: That's what I thought you said.

Mr. Lane: Yea, yea...

Mrs. Magel: Okay

Mr. Lane: and that would be easily address something of 8 to 10 animals in that house,

Mrs. Magel: Okay.

Mr. Lane: but that was part of the problem ...

Mrs. Magel: Well that was my question.

Mr. Lane: I had on Bachtel too, so...

Mr. Foltz: That might ...

Mrs. Magel: Okay, thank you.

Mr. Foltz: defer back to the Health Department, the County Health Department.

Mr. Lane: Yea, Mr. Snyder and I were just talking...

Mr. Foltz: And I believe I had a, it was years ago but I think...

Mr. Snyder: I just said that.

RECORD OF PROCEEDINGS

0063

Minutes of COUNCIL OF THE CITY OF NORTH CANTON REGULAR Meeting

DAYTON LEGAL BLANK, INC., FORM NO. 10148

Held Monday, November 13 7:00 p.m. 20 06

Mr. Foltz: I had a house that Gene helped and he contacted those officials and they came out to take a look at things too.

Mrs. Hines: some deed...

Mr. Foltz: So that's another avenue for you.

Mrs. Hines: some deed restrictions will, well I know mine has a restriction of how many animals I can have. But...

Mr. Foltz: Right.

Mrs. Hines: Like I can't have chickens.

Mr. Foltz: Yea, well if – we've had chickens in – in the ward. We've, they've had – they were asked to leave.

Mr. Repace: I always wanted to have chickens.

Mr. Foltz: I'm going to pass this out to some of the Council members here just to show you. This is what the City of Canton does as far as leaves being blown to the street. Over the weekend I got a couple calls from some of my neighbors, and I talked, I had a brief discussion with Administrator Wise about how we could handle this. Unfortunately, some neighbors feel they just blow it off their property and let somebody else worry about it. I think we need to be proactive on how we handle this. This is what Canton does. And I believe this is dropped off by some of their street department personnel, and then they're - they're asking the police department to come out and enforce that then if there's another infraction. So at this point I think Administrator Wise says when we have knowledge of a certain individual or residents doing this there's a letter sent out, or generated by...

Mr. Wise: Street Department.

Mr. Foltz: Street Department, but it's still an infraction and have to be looked at through our – our Police Department, wouldn't it, as far as enforcement?

Mr. Wise: Yea, if they don't – if they don't comply.

Mr. Foltz: So this is kind of like, here's your warning ticket, and when we keep an eye, next time we're gonna hopefully view it, and – and write you up for an infraction. So...

Mayor Held: This will be easier.

Mr. Snyder: Inaudible...

Mr. Repace: If you could get about 5,000 of these, we could, we could write "North" on top, we could write "North" on top of there and save us some money.

Mr. Foltz: Well, just food for thought, because...

Mr. Lane: Just take a few every day when you leave, Doug.

Mr. Snyder: Pretty soon he won't be able to find the gavel.

Mrs. Magel: Nobody will notice.

FINAL CALL FOR NEW BUSINESS:

Mr. Foltz: Oh, with that, any new business from Council? Do I have a motion to adjourn?

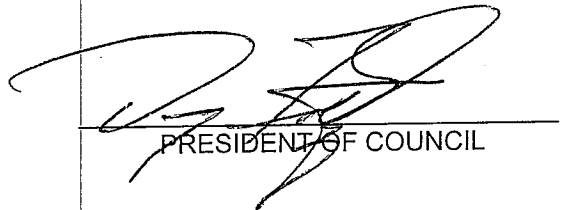
ADJOURN:

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

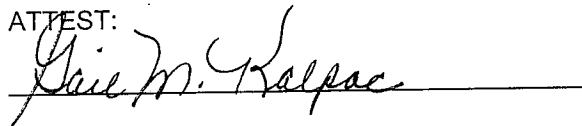
Yes: Hines, Lane, Magel Repace, Snyder, DeOrio, Foltz.

No: 0

The meeting adjourned at 8:35 p.m.


PRESIDENT OF COUNCIL

ATTEST:


Gail M. Karpac