

RECORD OF PROCEEDINGS
COUNCIL OF THE CITY OF NORTH CANTON REGULAR

Minutes of

Meeting

DAYTON LEGAL BLANK, INC., FORM NO. 10148

Monday, October 22, 7:00 p.m.

2001

Held

20

CALL TO ORDER:

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

ROLL CALL:

4. The following members of council responded to roll call: Foltz, Kiesling, Magel, McLaughlin, Sarbach, Snyder and Wiley. Also present were: Mayor Rice, Director of Law Batista, Director of Finance Herr, City Engineer Benekos and Clerk of Council Bittle.

Mr. Snyder: Thank you. If you're not wearing your microphone, we request that you put it on so that the audience can hear you. Thank you.

5. Consideration of Minutes of Special Council Meeting: 10/15/01
Consideration of Financial Statement: September, 2001
Consideration of Mayor's Court Receipts: September, 2001

Mr. McLaughlin moved and Mr. Sarbach seconded to approve the minutes of the special council meeting, the financial statement and the mayor's court receipts as presented. All members present voting:

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

No: 0

6. Committee Reports

Finance & Property Committee: Refer to the minutes on file in the Council Office of the Finance & Property Committee meeting held October 15, 2001.

Ordinance, Rules & Claims Committee: Refer to the minutes on file in the Council Office of the Ordinance, Rules & Claims Committee meeting held October 15, 2001.

Personnel & Safety Committee: Refer to the minutes on file in the Council Office of the Personnel & Safety Committee meeting held October 15, 2001.

Street & Alley Committee: Refer to the minutes on file in the Council Office of the Street & Alley Committee meeting held October 15, 2001.

Water, Sewer & Rubbish Committee: Refer to the minutes on file in the Council Office of the Water, Sewer & Rubbish Committee meeting held October 15, 2001.

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

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

No: 0

7. Recognition of Visitors

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

Lee Kopp: My name's Lee Kopp. I represent the owner, family and business of 935 Schneider Street SE. I would like to state for the record, that contrary to the letter from Attorney Goldthorpe dated November 11, 1999, our zoning is being reduced from Plain B-1, or North Canton GB-A, to Office Business, OB. Per the request of Chairperson Kiesling, we sent a description of the services we have provided in our facility for over twenty years to Mr. Hemminger, Superintendent of Permits and Inspections. We are in receipt of a letter from him dated October 15, 2001 stating that each of those services is permitted in Office Business and is a conforming use. We will accept this letter and the Office Business zoning with the understanding that our services and facility are fully conforming, and that neither we, nor any further users or owners, will have any problems regarding the services and facility being conforming uses. Therefore, I would formally request that all three of the previously mentioned letters be entered into the official record of this meeting (attached to original minutes as Exhibit "A", Exhibit "B" and Exhibit "C"). As you all know, this issue should never have taken nearly seven months to resolve. Neither our services, nor our facility has changed in that time. However, we appreciate and sincerely thank this council for its patience and hard work toward this amicable and peaceful resolution. My family and I thank you.

RECORD OF PROCEEDINGS

Minutes of COUNCIL OF THE CITY OF NORTH CANTON REGULAR

Meeting

DAYTON LEGAL BLANK, INC., FORM NO. 10148

Held Monday, October 22, 7:00 p.m., 2001 (YEAR)

Mr. Snyder: Thank you sir.
Mrs. Kiesling: Thank you.
Mr. Snyder: Is there anyone else in the audience wishing to speak? Alright...

OLD BUSINESS:

- 8. Mr. McLaughlin moved and Mr. Sarbach seconded to read by title only, second reading of Ordinance No. 121-01. All members present voting: Yes: McLaughlin, Sarbach, Snyder, Wiley, Foltz, Kiesling and Magel. No: 0

Ordinance No. 121-01 - Second Reading

An ordinance authorizing the Mayor of the City of North Canton, Ohio, through the Board of Control, to enter into an agreement by and between the City of North Canton and the City of Canton for the purpose of providing legal representation by the City of Canton through its Law Department and Prosecutor's Office with regard to the prosecution of criminal cases and other related matters as provided for therein in the Canton Municipal Court.

Mr. Snyder: This is a two year contract that takes care of our prosecution at the municipal court level. It represents about a three and one half percent increase over the prior 24 months. And at this time may I have a motion to adopt the second reading of Ordinance No. 121-01?

Mr. McLaughlin moved and Mrs. Kiesling seconded to adopt the second reading of Ordinance No. 121-01. All members present voting: Yes: Sarbach, Snyder, Wiley, Foltz, Kiesling, Magel and McLaughlin. No: 0

NEW BUSINESS:

Mr. Snyder: May I have a motion to remove from the table Ordinance No. 71-01?

Mr. McLaughlin moved and Mrs. Kiesling seconded to remove from the table Ordinance No. 71-01. All members present voting: Yes: Snyder, Wiley, Foltz, Kiesling, Magel, McLaughlin and Sarbach. No: 0

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

Ordinance No. 71-01 - First Reading

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

Mr. Snyder: Chairman Kiesling.

Mrs. Kiesling: This is the property up over off of Schneider that we annexed earlier this year. We've been trying to zone since earlier this year. We finally come to an agreement and we're going to go forward.

Mr. McLaughlin: Mr. Chairman, I'd like to say a couple comments real quick. I'm glad Mr. Kopp has - we did reach an agreement, I'm glad he's been patient. Thank you very much. He is -- if anybody's seen that building over there, it's magnificent. It's a -- it's a -- really, it's a \$1,000,000.00 piece of investment - it's irreplaceable. And we're just glad he's part of the City of North Canton. But thank you for indulging us and waiting this long.

Mr. Snyder: Any other comment?

Mr. McLaughlin moved and Mrs. Kiesling seconded to adopt the first reading of Ordinance No. 71-01. All members present voting: Yes: Foltz, Kiesling, Magel, McLaughlin, Sarbach, Snyder and Wiley. No: 0

RECORD OF PROCEEDINGS

Minutes of

COUNCIL OF THE CITY OF NORTH CANTON

REGULAR

Meeting

DAYTON LEGAL BLANK, INC., FORM NO. 10148

Held

Monday,

October 22,

7:00 p.m.

2001

(YEAR)

10. Mr. McLaughlin moved and Mr. Sarbach seconded to **read by title only, first reading** of Ordinance No. 126-01. All members present voting:
Yes: Kiesling, Magel, McLaughlin, Sarbach, Snyder, Wiley and Foltz.

Ordinance No. 126-01 - First Reading

An ordinance to provide for a transition salary for the Director of Administration and the newly appointed Director of Administration, by establishing the position of Director of Administration in Training for the period of November 1, 2001 to December 31, 2001 and declaring the same to be an emergency.

Mr. Snyder: Chairman Wiley.

Mr. Wiley: This is to allow the new director of administration to work with John Boyajian in a transition period; much as we had Julie work with Marge when she took over as director of finance. This is a -- we're requesting an emergency on this so that it's in place for November 1 when hopefully we'll have the new director of administration submitted and approved by us.

Mr. Snyder: May I have a motion to adopt the first reading...

Mr. Sarbach: I have one question.

Mr. Snyder: Oh, excuse me.

Mr. Sarbach: If this person is not appointed till say later in the year, or later in the month of November, it will be prorated for the month or does he get the whole month's salary?

Mr. Wiley: Can we do that Julie? I mean if he's not hired till November...

Mrs. Herr: No, he'll get paid just for when he starts. So...

Mr. Sarbach: Prorated for when he starts.

Mr. Wiley: Right.

Mrs. Herr: paid the bi-weekly pay. So it will be prorated based on his starting date...

Mr. Sarbach: Okay, thank you.

Mrs. Herr: or her.

Mrs. Kiesling: Thank you.

Mr. Snyder: Any other comment?

Mr. McLaughlin moved and Mrs. Kiesling seconded to **adopt the first reading** of Ordinance No. 126-01. All members present voting:

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

No: 0

Mr. McLaughlin moved and Mr. Sarbach seconded to **suspend the rules** for Ordinance No. 126-01. All members present voting:

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

No: 0

Mr. McLaughlin moved and Mrs. Kiesling seconded to **adopt under suspension of the rules** Ordinance No. 126-01. All members present voting:

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

No: 0

11. Mr. McLaughlin moved and Mrs. Kiesling seconded to **read by title only, first reading** of Ordinance No. 127-01. All members present voting:

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

No: 0

Ordinance No. 127-01 - First Reading

An ordinance authorizing the Mayor of the City of North Canton, through the Board of Control, to enter into an agreement by and between the City of North Canton, Ohio, ("City") and the Township of Plain, Ohio, ("Plain Township") to provide for the installation of a waterline from Cleveland Avenue to Lydford Street and declaring the same to be an emergency.

Mr. Snyder: Chairman Sarbach.

Mr. Sarbach: Yes, this is the agreement with Plain Township and us for this out of city waterline we want to run up there behind the Fishers store. And on advice of our counsel, we'd like to give this just its first reading tonight. We haven't got all the l's dotted and the t's crossed and got - that draft agreement has not been placed into its own standing. So we just want to give it the first reading so we can get a full copy to everyone in time to give it a second reading and then pass on emergency hopefully in two weeks. This will stand for the companion legislation, which the next item on it. With that I would move that we give the first reading to Ordinance No. 127-01.

RECORD OF PROCEEDINGS

Minutes of COUNCIL OF THE CITY OF NORTH CANTON REGULAR

Meeting

DAYTON LEGAL BLANK, INC., FORM NO. 10148

Held Monday, October 22, 7:00 p.m.

2001

(YEAR)

Mr. Sarbach moved and Mr. McLaughlin seconded to **adopt the first reading** of Ordinance No. 127-01. All members present voting:

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

No: 0

12. Mr. Sarbach moved and Mr. McLaughlin seconded to **read by title only, first reading** of Ordinance No. 128-01. All members present voting:

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

No: 0

Ordinance No. 128-01 - First Reading

An ordinance authorizing the Board of Control of the City of North Canton, through the Director of Administration, to advertise and receive bids according to specifications now on file in the office of the Director of Administration for the Whitewood Street Waterline Extension Project and declaring the same to be an emergency.

Mr. Snyder: Chairman Sarbach.

Mr. Sarbach: This is the legislation that the first - the previous legislation would authorize it be done by the previous and this is the work to be done. And this has been slightly modified to say to advertise and receive bids and not to enter into a contract at this time till we have everything taken care of. So with that I will move that we adopt the first reading of Ordinance No. 128-01.

Mr. Sarbach moved and Mr. McLaughlin seconded to **adopt the first reading** of Ordinance No. 128-01. All members present voting:

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

No: 0

13. Mr. Sarbach moved and Mr. McLaughlin seconded to **read by title only, first reading** of Ordinance No. 129-01. All members present voting:

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

No: 0

Ordinance No. 129-01 - First Reading

Ordinance No. 129-01 amending Appendix "A" of Ordinance No. 114-2000, Appropriation Ordinance of the City of North Canton, by the addition of a computer for the administrator's office and declaring the same to be an emergency.

Mr. Snyder: That's pretty self explanatory. Under the new administrator, whomever it may be, would probably want to come into the age of 2002. And the Mayor says he needs - he or she needs a computer. So...

Mr. Sarbach: So he can talk to him directly, right?

Mr. McLaughlin: Do want one of those cardboard images on John's desk like they do at the Office Max stores?

Mr. Sarbach: Yea and that intimidates him. That's why he's not here tonight.

Mr. McLaughlin: I mean...

Mayor Rice: That's about what it is Rick.

Mr. McLaughlin: Okay.

Mr. Snyder: May I have - may I have a motion...

Mrs. Magel: Inaudible...

Mr. Snyder: Oh, excuse me Kathy.

Mrs. Magel: May I...

Mr. Snyder: Sure.

Mrs. Magel: For the record, it's for the amount of 2,100.

Mr. Snyder: Yea.

Mrs. Magel: Thank you.

Mr. Snyder: You're welcome.

Mr. Sarbach moved and Mr. McLaughlin seconded to **adopt the first reading** of Ordinance No. 129-01. All members present voting:

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

No: 0

RECORD OF PROCEEDINGS

Minutes of

COUNCIL OF THE CITY OF NORTH CANTON

REGULAR

Meeting

DAYTON LEGAL BLANK, INC., FORM NO. 10148

Held

Monday, October 22,

7:00 p.m.

2001

(YEAR)

Mr. Sarbach moved and Mr. McLaughlin seconded to **suspend the rules** for Ordinance No. 129-01. All members present voting:

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

No: 0

Mr. Sarbach moved and Mr. McLaughlin seconded to **adopt under suspension of the rules** Ordinance No. 129-01. All members present voting:

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

No: 0

14. Mr. Sarbach moved and Mr. McLaughlin seconded to **read by title only, first reading of** Ordinance No. 130-01. All members present voting:

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

No: 0

Ordinance No. 130-01 - First Reading

An ordinance authorizing the Mayor of the City of North Canton, Ohio, through the Board of Control, to enter into a contract for the installation of a security fence at the Water Treatment Plant, without advertisement and competitive bidding, at a cost not to exceed thirty thousand (\$30,000.00) dollars; and declaring the same to be an emergency.

Mr. Snyder: As we discussed last Monday evening, the Mayor and the Water Superintendent, the police and fire safety have done a thorough investigation and this simply puts a safety net around our water treatment plant. And it's one of a few things that they've devised or are putting into place. And any questions on that?

Mr. Sarbach: Have we looked in at -- have we heard back from any potential funding source from the federal government on this? We haven't heard anything in the last couple weeks about...

Mayor Rice: Those areas are all being looked into - opportunities...

Mr. Sarbach: But there's no more developments than before.

Mayor Rice: No, I don't - I know Congress has been considering, from my understanding, is some legislation that may provide - may provide...

Mr. Sarbach: Okay.

Mayor Rice: some funding for local communities in regard to specifically protecting under the circumstances, their water facilities. So we are monitoring that and if funds become available we will certainly be applying for those.

Mr. Sarbach: Okay, thank you.

Mr. Snyder: Okay...

Mr. McLaughlin moved and Mrs. Kiesling seconded to **adopt the first reading of** Ordinance No. 130-01. All members present voting:

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

No: 0

Mr. McLaughlin moved and Mr. Foltz seconded to **suspend the rules** for Ordinance No. 130-01. All members present voting:

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

No: 0

Mr. McLaughlin moved and Mr. Foltz seconded to **adopt under suspension of the rules** Ordinance No. 130-01. All members present voting:

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

No: 0

Mr. Snyder: Thank you.

Mr. Sarbach: Mr. Chairman...

Mr. Snyder: Sir.

Mr. Sarbach: Before you go on to reports I was wondering - we had a letter a couple weeks ago from the school, I believe some student, regarding a pep rally and parade. I don't know that, that takes councilmanic action, but it did come to council. Mr. Mayor we don't need to approve that, that's something the Police Department can handle?

Mayor Rice: No, they're going to have their annual Spirit Rally Thursday night up to the school. I think it's at - I was thinking it was 8:00. Do you know when that it Donny? I've got the time in my office. I don't remember time off - 7, 8:00 something like that. Where they parade off up to the high school...

Mr. Sarbach: Okay.

0175
RECORD OF PROCEEDINGS

Minutes of COUNCIL OF THE CITY OF NORTH CANTON REGULAR

Meeting

DAYTON LEGAL BLANK, INC., FORM NO. 10148

Held Monday, October 22, 7:00 p.m., 2001
(YEAR)

Mayor Rice: in preparation of the big game Friday night.

Mr. Sarbach: Yes, the big, big game.

Mayor Rice: The big, big, big game.

Mr. McLaughlin: Let the Council Office know tomorrow so I know when I call in; I thought it was 7:00.

Mayor Rice: Could be Rick. I don't...

Mr. McLaughlin: Could be wrong, I just don't...

Mayor Rice: 7, 8:00 something like that.

Mr. Foltz: I think it was in your packet last week.

Mayor Rice: You don't know Don, when it is?

Mr. Wiley: Not off the top of my head.

Mr. Sarbach: I bet somebody out here knows. Do you know what time it is Thursday night?

Mr. Foltz: The rally Thursday.

Mr. Sarbach: The rally.

Mr. Foltz: We parade down the...

Mr. McLaughlin: Come on, where's the school spirit?

Unidentified: For Hoover - our rally?

Mr. Sarbach: Yes.

Mr. McLaughlin: Hoover rally.

Mayor Rice: Okay.

Unidentified: I have never...inaudible...

Mr. Foltz: Somebody - somebody call her.

Mrs. Kiesling: That's pretty funny.

Mr. McLaughlin: Team spirit out there.

Mrs. Kiesling: You guys might want to find out.

Mr. Wiley: They're listening as closely as I always thought they were.

Mr. Sarbach: I was just confirming that it did not need any council action to do this.

Mr. Snyder: Thank you.

Mrs. Kiesling: That's pretty funny, they don't know.

Mr. Wiley: What game?

Mayor Rice: It's evidently a secret rally.

Mr. Sarbach: It's a secret.

Mrs. Kiesling: I guess so.

Mr. Snyder: Yea.

Mr. Wiley: Who are we playing?

Mrs. Magel: There's a rally?

Mayor Rice: We're going to sneak up on them Friday.

Mr. Sarbach: Thank you Mr. Chairman.

REPORTS:

Mr. Snyder: Any report from the Director of Law?

Mr. Batista: Question I had of Engineer, on that Whitewood Street advertisement and receiving bids. Since we're not going to enter into a contract, do you think it would be advantageous to move forward with those bids? Where do you stand on having your specifications ready? Should we...

Mr. Benekos: Yea, we are preparing those. Well, the developer is having the consultant prepare those.

Mr. Batista: Okay, so this can sit for another two weeks...

Mr. Benekos: Yea.

Mr. Batista: with no problem. Okay. I have no report.

Mr. Snyder: Thank you. Director of Finance.

Mrs. Herr: No report.

Mr. Snyder: Mr. Mayor.

Mayor Rice: Just one item. As, I guess it was just last week, when the J Group made their presentation, one of the things we've been working on is trying to get the State Director of Development into town to host him here in the City of North Canton. We got word late last week he is going to be in town actually tomorrow for several other stops and he is going to be -- we're

RECORD OF PROCEEDINGS

Minutes of

COUNCIL OF THE CITY OF NORTH CANTON

REGULAR

Meeting

DAYTON LEGAL BLANK, INC., FORM NO. 10148

Held

Monday, October 22,

7:00 p.m.

2001

(YEAR)

going to host a brief, informal reception and discussion with, his name is Mr. Bruce Johnson, he's the new Director of Development for the State of Ohio, here tomorrow morning at 8:30 in the morning at the Civic Center. Just a small group of North Canton and certainly if anyone on Council is interested in stopping by you're more than welcome to do so. Sorry for the short notice, but these guys have very busy schedules and you don't get much notice. But he will be here tomorrow starting in North Canton and then moving on - has several other appointments throughout the County. This is a rare opportunity to meet the State Director of Development and Dave was instrumental in making this happen. I could tell you some good stories about that off the record, but I mean he did a fabulous job in two weeks of getting that guy here.

Mr. Snyder: Super.

Mayor Rice: But...

Mr. Sarbach: 8:30?

Mayor Rice: 8:30 at the Civic Center...

Mr. Sarbach: Thank you.

Mayor Rice: tomorrow morning for just an informal welcome. It's nice to have him and the City of North Canton be able to have him here as a guest of our's.

Mr. Snyder: Good.

Mayor Rice: That's all.

Mr. Snyder: Thank you. Mr. Engineer, any report.

Mr. Benekos: No report.

Mr. Snyder: Madam Clerk.

Mrs. Bittle: No report.

REPORTS - COUNCIL:

Mr. Snyder: Member Foltz.

Mr. Foltz: A couple things, maybe Mayor Rice can answer. Halloween is still on as scheduled, correct?

Mayor Rice: Yes sir.

Mr. Foltz: Okay. And recycling information...

Mrs. Kiesling: Yea, when's that going to be...

Mr. Foltz: do we know when that's going to be mailed out to our residents?

Mayor Rice: It's being prepared as we speak. We should get it back, boy, maybe even tomorrow; and it's going to be all done.

Mr. Foltz: Okay.

Mayor Rice: All our staff then is -- it's being printed and folded, then all we're going to do is stuff it in the envelope and get it out. We've got an initial instructional letter going out to people. It should hit - get mailed out this week.

Mr. Foltz: Okay, so might get it over the weekend.

Mayor Rice: As soon as it comes back I'll get you copies of it and I'll pass them out to Council and get them all in your -- so you see what's going out.

Mr. Foltz: I've gotten some questions...

Mayor Rice: We'd like to follow that up with something else, you know...

Mr. McLaughlin: I've just got a quick question.

Mayor Rice: Down the road a little bit.

Mr. McLaughlin: Is it still November 1st is the kickoff date?

Mayor Rice: November 5th.

Mr. Foltz: 5th.

Mayor Rice: Which is a Monday. We wanted to start on a Monday and that's the first Monday in the month. So they picked November the 5th - is the day. There's also an article and a writeup in the Our Town, that should be out or will be out before that date. So we got a writeup and some information in Our Town, we're doing a mailing to every trash customer.

Mr. Foltz: I think the paper did a nice job with it also. But I've told people to go ahead and start saving it, you know, if they'd like to.

Mayor Rice: It's something if we want to continue to build on it, we're going to have to continue to do a lot of educational. We're looking into possibly doing some things in the schools; especially in the grade schools and that to get that information home.

Mr. Foltz: Good.

Mayor Rice: Kids are -- the little ones are great to take those things home.

Mrs. Kiesling: Definitely.

0077
RECORD OF PROCEEDINGS

Minutes of COUNCIL OF THE CITY OF NORTH CANTON REGULAR

Meeting

DAYTON LEGAL BLANK, INC., FORM NO. 10148

Held Monday, October 22, 7:00 p.m., 2001
(YEAR)

Mayor Rice: to mom and dad and make sure they do it right. So we could take advantage of that.
Mrs. Kiesling: They don't forget.
Mr. Foltz: Do the little milk cartons qualify Mayor?
Mayor Rice: Milk cartons for what?
Mr. Foltz: Yea, you know with the school lunches.
Mrs. Kiesling: For cardboard.
Mr. Foltz: We'll have to research that.
Mayor Rice: Yea.
Mr. Foltz: We'll kick it off with that.
Mayor Rice: Exactly.

Mr. Snyder: Member Sarbach.

Mr. Sarbach: Mayor on those lines, are we going to use our web site as a means of educating people or having it available if people want to bring it up? Is it currently going to be on the web site now or is that someplace down the road yet?

Mayor Rice: We're going to try to get something on it, but to be honest with you that's one key thing for the - one key responsibility for whoever the administrator is going to be...

Mr. Sarbach: Okay.

Mayor Rice: is to better utilize and update our web site.

Mr. Sarbach: Yea, I realize that we're doing it out of house now so there's a lag time and a ...inaudible...that...

Mrs. Herr: That's correct. There's only certain changes that we can make in house, everything else has to go to our, you know, web host.

Mr. Sarbach: Is it the plan to have that more controlled and more immediate notification of that site sometime in the future?

Mayor Rice: I would like to see us...

Mr. Sarbach: Is that your goal?

Mayor Rice: do a better job of more frequent updates...

Mr. Sarbach: Great, you would have my support on that and I'm...

Mayor Rice: and monitor that a little better.

Mr. Wiley: Yea.

Mayor Rice: Because I've got - that's one thing we've gotten a lot of comments from -- from the residents that more current information...

Mr. Sarbach: Exactly.

Mr. Wiley: Yea, cause...

Mayor Rice: more changes, upgrades, that type of stuff. And I can honestly tell you...

Mr. Wiley: Chris Thomas'

Mayor Rice: I'm not the person to do it.

Mr. Sarbach: Yea, I believe the Police Department.

Mr. Wiley: Yea, Chris Thomas is still listed as councilman at large.

Mrs. Kiesling: No, that's under northcanton.com.

Mr. Sarbach: No that's...

Mrs. Kiesling: You need to go under northcantonohio.com is our web site.

Mr. Sarbach: That's Mrs. Magel's web site. It's not quite up to snuff...inaudible...

Mr. Wiley: Oh, I didn't know that.

Mrs. Kiesling: Yea that's her's - northcantonohio is...

Mr. Sarbach: That's another issue. We have no control over that.

Mr. Wiley: Oh, well I'll have to chart that one out

Mrs. Kiesling: And a lot of people are confused. I've had two phone calls.

Mrs. Magel: I don't get paid for that.

Mrs. Kiesling: I've had two phone calls in the last week about that.

Mr. Wiley: Oh, okay.

Mrs. Kiesling: So it's very confusing.

Mr. Sarbach: The other item I had was just to commend the Administration and Engineering Department. I had a couple cul-de-sacs in my ward that we finally got resurfaced and some of them rebuild after 25 and 28 years. And they was completed in a timely fashion after it was started and the job looks great and I thank them for that - doing it timely. Thank you. That's all I have.

Mr. Snyder: Chairman McLaughlin.

Mr. McLaughlin: Just one question. Tom, if you would so kindly put the alley behind the shopping complex where Cathy's - that rug place by our tennis courts, that little alley through there, if you'd put that on the list next year for paving I'd appreciate it. I just - I don't know what it's called, I cannot think of the name of it. But it's right by the - it's right by the Walgreen's store.

Mayor Rice: By the Goodwill - behind the Goodwill.

Mr. Sarbach: Cole isn't it - it's Cole.

RECORD OF PROCEEDINGS

Minutes of

COUNCIL OF THE CITY OF NORTH CANTON

REGULAR

Meeting

DAYTON LEGAL BLANK, INC., FORM NO. 10148

Held

Monday, October 22,

7:00 p.m.

2001

(YEAR)

Mr. McLaughlin: Is it Cole?

Mr. Sarbach: I think it's Cole, isn't it?

Mr. McLaughlin: The sign -- if there was a sign, it's not up there anymore marking...

Mayor Rice: Yea.

Mr. McLaughlin: that - what alley it is.

Mayor Rice: Yea.

Mr. McLaughlin: but that hasn't been paved in a long...

Mr. Snyder: I think that's private property.

Mr. McLaughlin: No, that's an alley.

Mr. Snyder: Is it a dedicated alley?

Mr. McLaughlin: We paved it about 15 years ago.

Mr. Sarbach: Oh, that's not Cole then.

Mr. Snyder: I believe that belongs to Cain and also belongs to...

Mr. McLaughlin: Could we find out if it is?

Mayor Rice: Yea, we'll check it out.

Mr. McLaughlin: I just want to get it on because it's getting -- it's getting a little...

Mr. Snyder: Is there anybody there votes there or what?

Mr. Wiley: Yea.

Mr. McLaughlin: As the -- as the water's coming down...

Mayor Rice: I was going to say, who's complaining, the fish from the tanks?

Mr. Wiley: You're cynic.

Mr. McLaughlin: Inaudible...go fishing in the pond one day.

Mr. Foltz: There must be a sign in the yard.

Mr. Snyder: It was tough getting that sign in that concrete. Member Kiesling.

Mrs. Kiesling: No report after that.

Mr. Snyder: Member Magel.

Mrs. Magel: No report.

Mr. Snyder: Member Wiley.

Mr. Wiley: Yea, I have a couple of things. Judge Zielasko you had - Judge, you had asked me about a hearing on that property off of Applegrove Street a couple of weeks ago. Did you get notice that, that hearing's going to be November 7th, I think?

Judge Zielasko: I know that now.

Mr. Wiley: Here. Okay, alright. And I was delighted to drive down Main Street today and not encounter barrels; I'm glad.

Mr. Benekos: Give us a couple weeks.

Mayor Rice: We're starting another project...

Mr. Wiley: Yea. And did I see the foundation is being poured for the lights on Salway?

Mr. Snyder: Yes, they are over there.

Mr. Benekos: I -- they were supposed to be, if they were that's good.

Mr. Wiley: Okay, good. Okay, good. I saw that. That's great news. Thank you Jim. That's all I have.

Mr. Sarbach: Are the posts in yet for the that light or are we still waiting for that?

Mr. Benekos: No, they'll put in all the underground, get the new...

Mr. Sarbach: Alright.

Mr. Benekos: protectors cut in as soon as the posts come and then they'll be able to settle.

Mr. Sarbach: Very good. Thank you.

Mr. Snyder: Okay. I have nothing...inaudible...

FINAL CALL FOR NEW BUSINESS:

Mr. Snyder: Anybody -- last call for bus --Sam...

Sam Brenton: My name is Sam Brenton from Westfield SW. You've got a message on your phone in case you didn't hear it.

Mr. Snyder: I got it today - yes, thank you. About the truck and the bus...

RECORD OF PROCEEDINGS

Minutes of COUNCIL OF THE CITY OF NORTH CANTON REGULAR

Meeting

DAYTON LEGAL BLANK, INC., FORM NO. 10148

Held Monday, October 22, 7:00 p.m., 2001
(YEAR)

Mr. Brenton: Just as soon as that happened I went and dialed 2121 and got the right time. That woman and that guy - that school bus did everything to stop like within a foot broadsiding that truck. She couldn't see him and he couldn't see her. So what little bit they did down there you got to -- like I said a match started. This guy over here wants to know where that peg is; I know where it is. Let him come down and talk to me because that's got to be cleaned out. You got it started there Mr. Mayor and I appreciate that; after all these years. Now you guys didn't hear me talk about that fireplug down around the other corner for about two years now. I'm going to tell you why. For the last two years I've been going out to the county fair everyday that it's open. And when you walk up there at the main exhibition there's a fire truck, ambulances and we discussed that. And they can hardly believe when I explained to them that, that fireplug is boxed in. And I ain't going to tell you what the decision of the guys come to, including me. But I won't mention it no more because I'm getting ready to retire. Because pretty soon I'm going to 65 years old and I figured it's time to resign. I might be back here one more time to talk, but like I said you can always say that Sam wasn't the one who didn't give a shit. And I'm going to tell you that right now, because Sam does give a shit. Thank you.

Mr. Snyder: Thank you Sam...

Mr. Sarbach: Thanks Sam.

Mr. Snyder: we appreciate it.

Mr. McLaughlin: I've got one question for Sam. On his -- on the five year plan, where does his street fall on? I'm just -- I'm just kind of curious, because you know...

Mr. Snyder: It doesn't I don't think.

Mr. McLaughlin: He's been out there for awhile

Mr. Snyder: and I just think

Mr. McLaughlin: I just want to see if it's on the five year plan and where's it at?

Mr. Snyder: It's probably...

Mr. McLaughlin: I would like to see something hopefully in the future. I mean it's not...

Mr. Snyder: Unfortunately I think we have a very short memory. We have - there's a lot of streets in the 4th Ward that need done.

Mr. McLaughlin: Yes, yes, very much so.

Mr. Snyder: We have very little capital as you'll when you get to capital. So to add or move a street...

Mrs. Kiesling: The street...

Mr. McLaughlin: Well, I don't want to move it...

Mr. Snyder: Well...

Mr. McLaughlin: I just want to -- I don't want to move it up - don't want to move it up...

Mr. Snyder: touch anything once they're in place, we don't want to do that again. Just...

Mr. McLaughlin: Again, I don't want to move it up. I just want to see where they are...

Mr. Snyder: Just all have to tighten our belt a little bit and take it day by day.

Mrs. Kiesling: 2004.

Mr. McLaughlin: 2004?

Mr. Snyder: 2004, Sam.

Mr. Brenton: I won't - no problem - I won't be around then.

McLaughlin: Well I'm trying Sammy...

Mr. Brenton: Inaudible...I'll be 80 years old man.

Mr. McLaughlin: I'm trying to get it up there before.

Mr. Wiley: You'll be in Florida.

Mayor Rice: Hey Rick, we can move it up to 2003 if you give up the alley.

Mr. Snyder: Yea.

Mr. McLaughlin: I'll give up the alley for you Sammy.

Mr. Brenton: If I can say one more thing; maybe two. But anyhow, on that other curve, that was just as blind.

Mr. McLaughlin: Yea.

Mr. Brenton: So one day the snow plow went down around and I just happened to be out there. So I'm shoveling his snow back in the street. So when he come back around he stopped and he said boy I wish somebody would do something about that curb, because it was blind. And you come up there with a truck load of salt and that plow, you know, you've got to floor that thing. And if you can't see, you can't floor it. And that thing is really bogged down coming up there. So I worked on the guy that owned that property and you come around that curb now you could see. Because I didn't go up and ask him I worked on him until he went out there and did it. But another time a cruiser stopped out there and he asked me what that curb was out there for. I said well, you know, when you do something for a mayor and he wants to pay you back, he'll pay you the rest of your life. But anyhow, he said it scared the hell out of him because if another car is coming down and they're coming up, there ain't no room. And he did, he said it scares him to come up there when there's two cars out there. So nothing I can do about that because, you know, when a pay off is a pay off to me. So anyhow...

RECORD OF PROCEEDINGS

Minutes of

COUNCIL OF THE CITY OF NORTH CANTON

REGULAR

Meeting

DAYTON LEGAL BLANK, INC., FORM NO. 10148

Held

Monday, October 22,

7:00 p.m.

2001

(YEAR)

Mr. Snyder: Thanks Sam. Anyone else wishing to speak before the Council?

Mrs. Bittle: Excuse me.

Mr. Snyder: Yes mam.

Mrs. Bittle: We should probably remind everybody there's no meeting next week.

Mr. Snyder: Yes, this is fourth meeting we've had. The council rules only require that we meet four times in a month. So next Monday will be no meeting. The next meeting will be on November 5th, which is a working meeting and it's the last meeting before the election. So next week everybody can stay home.

Mr. Wiley: Thank you Mary Louise.

Mrs. Kiesling: Yea.

ADJOURN:

Mr. McLaughlin: Motion to adjourn.

Mr. Snyder: Yes. Is there a motion to adjourn - that is your motion. Is there a second?

Mr. Sarbach: Second.

Mr. Snyder: Roll, please.

All members present voting:

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

No: 0

The meeting ended at 7:34 p.m.

PRESIDENT OF COUNCIL

ATTEST:

CLERK OF COUNCIL

BROWN, LUNDGREN & GOLDTHORPE

ATTORNEYS AT LAW
849 WEST MAPLE STREET
HARTVILLE, OHIO 44632

CHARLES E. BROWN
DAVID J. LUNDGREN
CHRISTOPHER J. GOLDTHORPE
ANDREW L. ZUMBAR

TELEPHONE: (330) 877-6111
FAX: (330) 877-0313

ALLIANCE OFFICE
526 East Main Street
Alliance, Ohio 44601
TELEPHONE: (330) 821-2516
FAX: (330) 821-5521

e-mail address: blglaw@alliancelink.com

November 11, 1999

Mr. Lee Kopp
935 Schneider Road, NE
North Canton, Ohio 44720

Re: Gaslight Circle Annexation

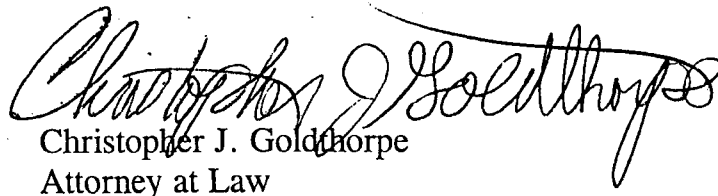
Dear Mr. Kopp:

Enclosed is a map of the area, which may be annexed to North Canton, depending upon the outcome of Plain Township's Appeal. Mayor Revoldt has indicated that he will be available to discuss the zoning of this area with you. Mayor Revoldt did indicate to me that he is not aware of any situations in the last 17 years where annexed property was rezoned for a more restrictive use. The City's position is that to do so might constitute a form of reverse condemnation of the property and therefore not permissible. In fact, the City is very hopeful that the annexation will be upheld in the Court of Appeals because the area offers a good balance of residential and commercial property.

I would encourage you to contact Mayor Revoldt with any further questions you might have.

Very truly yours,

Brown, Lundgren & Goldthorpe


Christopher J. Goldthorpe
Attorney at Law

CJG:cj

Enclosure

Lee R. Kopp
935 Schneider
North Canton, Ohio

Gene Hemlinger
Zoning Department
City of North Canton
North Canton, Ohio 44720

September 27, 2001

Dear Mr. Hemlinger,

I have been asked by council member Marcia Kiesling, to send you descriptions of the various professional services performed at 935 Schneider Street S.E. This is provided below. We request that the city notify us in writing that these are conforming uses under the Office Business category of North Canton zoning prior to council voting to accept the Planning Commission recommendation establishing this property's zoning as "OB" Office Business.

Sincerely,

Lee R. Kopp



Professional Services:

Music, sound, imaging, computer, and artistic composition, arrangement, engineering, production, and recording sales and services. Including, but not limited to; design, analysis, instruction, rehearsal, performance, mixing, mastering, broadcasting, advertising, marketing, duplication, and preservation.

Counseling Services

Professional Offices and Office Rental

Residential and Apartment Rental



City of NORTH CANTON, OHIO

145 NORTH MAIN STREET, 44720

October 15, 2001

Lee R. Kopp
935 Schneider
North Canton, Ohio 44720

Dear Mr. Kopp:

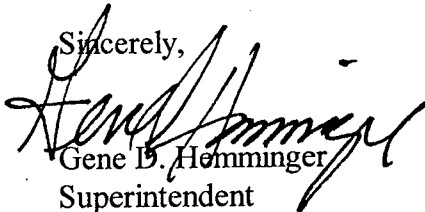
I have reviewed the list of professional services you offer at your business, located at 935 Schneider.

After consultation with the Law Department, I am of the opinion that each is a permitted use in an Office Building (OB) zoning district, and would therefore be considered conforming uses should the zoning of this property be designated Office Building (OB).

Thank you for your assistance with this matter.

Should you have questions or require additional information, please advise.

Sincerely,


Gene B. Hemminger
Superintendent
Permits & Inspection

GDH/jj

*Make part
of reg. memo.*