

RECORD OF PROCEEDINGS

Minutes of

COUNCIL OF THE CITY OF NORTH CANTON

REGULAR

Meeting

DAYTON LEGAL BLANK, INC., FORM NO. 10148

Held Monday, October 24, 7:00 p.m. 2005

CALL TO ORDER:

1. The meeting was called to order at 7:00 p.m. by President of Council Jon Snyder.
2. The opening prayer was delivered by President of Council Jon Snyder.
3. All present recited the Pledge of Allegiance.

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

ROLL CALL:

4. The following members of Council responded to roll call: Foltz, Kiesling, Lane, Lindower, Peters, Sarbach and Snyder. Also present were: Mayor Rice, Director of Administration Miller, Director of Law Pusateri, Director of Finance Herr, City Engineer Benekos and Clerk of Council Kalpac.

5. Consideration:

Mr. Snyder: You were given a copy of the minutes of the council meeting of 10/10/05. If there are no additions or redactions, I'll entertain a motion to adopt as presented.

Mr. Sarbach moved and Mr. Peters seconded to accept the minutes of the council meeting of October 10, 2005, as presented.

All members voting present:

Yes: Kiesling, Lane, Lindower, Peters, Sarbach, Snyder, and Foltz.

No: 0

6. Committee Reports:

Community & Economic Development Committee: Refer to the minutes on file in the Council Office of the Community & Economic Committee meeting held October 17, 2005.

Street & Alley Committee: Refer to the minutes on file in the Council Office of the Street & Alley Committee meeting held October 17, 2005.

Finance & Property Committee: Refer to the minutes on file in the Council Office of the Finance & Property Committee meeting held October 17, 2005.

Water, Sewer & Rubbish Committee: Refer to the minutes on file in the Council Office of the Water, Sewer & Rubbish Committee meeting held October 17, 2005.

Mr. Sarbach moved and Mr. Peters seconded to accept the committee reports as presented.

All members voting present:

Yes: Lindower, Peters, Sarbach, Snyder, Foltz, and Kiesling.

No: 0

Abstained: Lane

7. Recognition of Visitors:

Mr. Snyder: Thank you. Prior to public speaks I would like to say one thing so that it gets read in the record and everybody wishing to address the council understands. It is the prerogative of the President of the Council to entertain any public speaks. I will not entertain anybody to come to this podium to either antagonize, defame, or slander either a member of the council, the administration, or anybody seeking public office. This is not the forum for said address. So I'd ask you to please honor my wishes. I do have the power by both city charter and the rules of council, I will have you removed from this room if you violate those rules. I apologize, I am not an antagonistic individual, but it's an election year, there's things been said that are either rumor, truth, or what, it's not our decision. We operate for the City of North Canton. We do not operate in a form of rumor and slander. So I would ask you when you do address this body to please act like a lady and a gentleman and please refrain from anything that is not the business of the City of North Canton. What goes on in other - other parts - in private industry, take it up with the people in private industry. And I - I know everybody would like - and I hope everybody can respect my opinion on that, as well as the council and administration. We do not want to get into a situation where tempers flare and we say things that are not true or not substantiated or not being able to prove. So I appreciate you bearing with me on that. And I apologize if I've offended anybody, that was not my intention, but I must make that perfectly clear at this time. Thank you. Now at this time is there anybody in the audience wishing to speak to the council this evening? Please step forward and state your name and address for the record.

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Unidentified: You scared them off. You scared them off Jon.

Mr. Snyder: Seeing none, then I will move on. May I have a motion to by title only the first - third reading of Ordinance No. 192-05?

OLD BUSINESS

8. Mr. Lane moved and Mr. Sarbach seconded to **read by title only, third reading** of Ordinance No. 192-05. All members voting present:
Yes: Lindower, Peters, Sarbach, Snyder, Foltz, Kiesling, and Lane.
No: 0

Ordinance No. 192-05 – Third 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 and the Stark County Board of Commissioners for maintenance of sections of road wherein mutual responsibilities exist.

Mr. Snyder: Chairman Lane?

Mr. Lane: We have discussed this several weeks ago, and have continued to discuss it every couple of weeks. Now this is the third reading. This is the Applegrove/ Pittsburgh area. And what this basically does is put into, I guess a more formal order, of what's going to be happening up there as snow plows are needed and we cross each others' boundaries. So it just basically sets everything into a - into a formal contract. So I would move we adopt the third reading.

Mr. Lane moved and Mr. Peters seconded to **adopt the third reading** of Ordinance No. 192-05. All members voting present:
Yes: Peters, Sarbach, Snyder, Foltz, Kiesling, Lane, and Lindower.
No: 0

9. Mr. Sarbach moved and Mrs. Kiesling seconded to **read by title only, third reading** of Ordinance No. 196-05. All members voting present:
Yes: Sarbach, Snyder, Foltz, Kiesling, Lane, Lindower, and Peters.
No: 0

Ordinance No. 196-05 – Third Reading

An ordinance authorizing the Director of Administration of the City of North Canton to seek quotes for Cleaning Services for the period February 1, 2006 through January 31, 2008 for the City of North Canton and for the Mayor of the City of North Canton to be authorized, through the Board of Control, to enter into a contract for said cleaning services.

Mr. Snyder: Again, this contract is coming up. We're trying to be a little more proactive in getting a head start on it. That way we don't have to pass it in an emergency method. So it's basically - there's normally two or three people that bid on it each time and - that they've done it and we've - it's been the same person I think in the last six years or so. And if there's no questions of council may I have a motion to adopt the third reading of Ordinance 196-05?

Mrs. Kiesling moved and Mr. Lane seconded to **adopt the third reading** of Ordinance No. 196-05. All members voting present:
Yes: Snyder, Foltz, Kiesling, Lane, Lindower, Peters, and Sarbach.
No: 0

10. Mrs. Kiesling moved Mr. Peters seconded to **read by title only, second reading** of Ordinance No. 203-05. All members voting present:
Yes: Foltz, Kiesling, Lane, Lindower, Peters, Sarbach, and Snyder.
No: 0

Ordinance No. 203-05 – Second Reading

An ordinance accepting the application for the annexation of certain territory, known as the B.P./East Maple Annexation, containing 0.765 acres of land, more or less, and also known as being part of the Northeast Quarter of Section 16, Township 11 (Plain Township), Range 8, Stark County, Ohio, to the City of North Canton.

Mr. Snyder: Chairman Kiesling.

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Mrs. Kiesling: Yes, this is the second reading of our B.P./ East Maple Annexation in the - off of Market Avenue. And I move to accept.

Mrs. Kiesling moved and Mr. Lane seconded to **adopt the second reading** of Ordinance No. 203-05. All members voting present:

Yes: Kiesling, Lane, Lindower, Peters, Sarbach, Snyder, and Foltz.

No: 0

NEW BUSINESS

11. Mr. Sarbach moved and Mr. Peters seconded to **read by title only, first reading** of Ordinance No. 204-05. All members voting present:

Yes: Lane, Lindower, Peters, Sarbach, Snyder, Foltz, and Kiesling.

No: 0

Ordinance No. 204-05 – First Reading

An ordinance authorizing the Director of Administration of the City of North Canton to advertise and receive bids according to specifications now on file in the office of the Director of Administration for the cleaning of five sludge lagoons and one wash water lagoon at the North Canton Water Treatment Plant; and for the Mayor of the City of North Canton to be authorized, through the Board of Control, to enter into a contract for the same.

Mr. Snyder: Chairman Sarbach.

Mr. Sarbach: These are annual items that come up. We need to clean those out. I believe there's a line item of about fifty thousand dollars (\$50,000) and the administration anticipates it will be about forty thousand dollars (\$40,000) to do this. And with that I move we adopt the first reading of Ordinance No. 204-05.

Mr. Sarbach moved and Mr. Peters seconded to **adopt the first reading** of Ordinance No. 204-05. All members voting present:

Yes: Lane, Lindower, Peters, Sarbach, Snyder, Foltz, and Kiesling.

No: 0

REPORTS:

Mr. Snyder: Before we get reports; we've had a request come from the administration relative to the Dogwood Shelter. And for the month of November they've received a request from the Chamber of Commerce for their equestrian event. Which I believe is right around Thanksgiving time. Mayor is that correct?

Mayor Rice: Right.

Mr. Miller: November 26th.

Mr. Snyder: Right and they – we were good enough last year - they asked and we supported it. They used that shelter to stage, I believe, their horses and different things that the people that enjoy them and seen them the last couple years. So we're asking that we waive that rental fee. It does by ordinance require four affirmative votes of the council. So I'm asking you again for leave of the rental fee. Is there any questions?

Mr. Sarbach: This wasn't for the horses, these are for the riders?

Mr. Snyder: For the riders and I think they use it probably for the equipment.

Mr. Sarbach: Good, good, good.

Mr. Snyder: The horses are closer to 7th Street, near the cul-de-sac ...

Mr. Sarbach: Yea ...inaudible...

Mr. Snyder: right down around the corner there.

Mr. Sarbach: Yea, good fertilizer ...inaudible...

Mr. Snyder: Is that – any questions? Does anybody have any problems with - Chairman of Parks, Mr. Foltz, any problems?

Mr. Foltz: No.

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Mr. Snyder: Okay. May I have a motion to do that?

Mr. Foltz moved and Mr. Lindower seconded to waive the rental fee for Dogwood Shelter for the Chamber of Commerce equestrian event to be held November 26, 2005.

Mr. Snyder: Call the roll please.

All members voting present.

Yes: Lindower, Peters, Sarbach, Snyder, Foltz, Kiesling, and Lane.

No: 0

REPORTS

Mr. Snyder: Director of Law.

Mr. Pusateri: No report Mr. President, thank you.

Mr. Snyder: Thank you. Director of Finance.

Mrs. Herr: No report.

Mr. Snyder: Director of Administration.

Mr. Miller: No report.

Mr. Snyder: Thank you. Mr. Mayor.

Mayor Rice: Just one quick thing for council. We've talked a lot about the CIC this year. And of course as we all know it's going to be a valid issue here in November.

Previously I announced to council and the public that the mayor has two appointments on this - on the CIC Board. And announced before John Wray, who is the Vice President of Finance and Business at Walsh University, was one appointee. Today I just want to let you know my second appointment to that is going to be a Mike Gallina, Superintendent of the North Canton City Schools. You know as we go forward in economic development efforts obviously the school plays a very - they have a definite vested interest in what we do from economic development standpoint. So it's important to work together with the schools as we have in the past. So by Mr. Gallina, Superintendent, joining the CIC, that ensures really that the city schools will play an active role in our decisions through the CIC. They are - as everybody knows our top three employers are the Hoover Company, the city schools, and Walsh University. So I wanted to make sure we got someone qualified out of those areas that can represent a significant section of our - of our employee - employment base here in the city. So I've talked to Mike, he's agreed to serve, and is looking forward to it.

Mr. Snyder: Good.

Mr. Sarbach: Good.

Mayor Rice: So those - those will fill my two appointees on the CIC Board.

Mr. Snyder: You know not to step on your foot Mayor. We do have several names I know. And I would think it may be helpful to the issue maybe if council, prior to the election, we appoint our second person - our person actually, one person we have. And possibly, you know over the next day or so, if you have any additional names. I know the majority of you were good enough to send names in and we haven't - that we could do. Unfortunately, our rules don't require - we don't meet next Monday, it's the fifth Monday. But we will be meeting Monday prior to the election and if - possibly we may be able to firm that up. So maybe I'll give each of you a call here in the next couple days and see if you have another name. But I do appreciate that information and we'll - we'll...

Mayor Rice: I think that would be a good idea. So the people in the community, as they vote on election day, they know who these - the type of quality individuals we're - we all plan to have on the CIC Board because it is a very important - a very important board. So...

Mr. Snyder: Well we'll try to fulfill that obligation prior to that. Thank you.

Mayor Rice: That's all.

Mr. Snyder: Thank you sir. Mr. Engineer.

Mr. Benekos: No report.

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Mr. Snyder: Madame Clerk.
Mrs. Kalpac: No report.

REPORTS – COUNCIL:

Mr. Snyder: Mr. Foltz.
Mr. Foltz: No report.

Mr. Snyder: Mr. Lindower.
Mr. Lindower: No report.

Mr. Snyder: Mr. Lane.
Mr. Lane: No report.

Mr. Snyder: Mrs. Kiesling.
Mrs. Kiesling: No report.

Mr. Snyder: Mr. Peters.
Mr. Peters: No report.

Mr. Snyder: Mr. Sarbach.

Mr. Sarbach: Yes. I've had it called to my attention about a potential traffic problem at the school driveway on 7th Street. It's reported that it's getting worse. The student drivers taking right-of-way that's not really theirs. I don't know if the Police Department is the place to correct it or if the school system is the place to correct it. But I would ask the administration to look into that. And if you decide it's not here I'd be happy to take it to the school system and go that direction. I know that if their people do violate the traffic laws, they are subject to having their driver's license revoked. And it seems they can enforce those kind of things much easier than our Police Department can. So if you would discuss that with the Chief and see what - which way you would like to go with that...

Mr. Miller: Okay.

Mr. Sarbach: I'd be happy to help if you go the other way...
Mr. Miller: Okay.

Mr. Sarbach: and talk to the people at the school.
Mr. Miller: Okay.

Mr. Sarbach: Thank you.

Mr. Snyder: I have nothing.

FINAL CALL FOR NEW BUSINESS

Mr. Snyder: Final call for business, anyone wishing to speak to the council? If not may, I have a motion to adjourn.

ADJOURN:

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

Yes: Peters, Sarbach, Snyder, Foltz, Kiesling, Lane, and Lindower.

No: 0

The meeting adjourned at 7:14 p.m.



PRESIDENT OF COUNCIL

ATTEST:



CLERK OF COUNCIL