

RECORD OF PROCEEDINGS

Minutes of COUNCIL OF THE CITY OF NORTH CANTON

PUBLIC HEARING

Meeting

DAYTON LEGAL BLANK, INC., FORM NO. 10148

Held Monday, August 18, 6:30 p.m. 20 03

The public hearing was called to order Monday, August 18, 2003 at 6:30 p.m., by President of Council Jon Snyder.

Council members present for the public hearing: Foltz, Kiesling, Lindower, Magel, McLaughlin, Osborne and Snyder. Also present were (arrived a few minutes into the public hearing): Mayor Rice, Director of Administration Held, Director of Law Batista, Director of Finance Herr and City Engineer Benekos.

Notice is hereby given that a public hearing will be held by the Council of the City of North Canton on Monday, August 18, 2003 at 6:30 p.m. in the Council Chamber at North Canton City Hall.

The hearing is with regard to the proposed vacation of portions of McKinley Avenue SE, Hartman Street SE and Alley No. 41 and the Bitzer Street SE. Additional Street Dedication with respect to the construction of the YMCA proposed parking lot.

Final action thereon, according to law, will be taken by the Council of the City of North Canton subsequent to the date of said public hearing.

Mr. Snyder: I'd like to call to order the public hearing in regard to the proposed vacation of portions of McKinley Avenue SE, Hartman Street SE and Alley 41 and Bitzer Street SE, with respect to the construction of the YMCA proposed lot. Chairman Magel.

Mrs. Magel: Yes, for the audience I will speak as fast as I can because I want to hear from you. I know you don't want to hear our voices. This is a public speaks. Unfortunately we have - council has been on vacation. This is our first day back. I have two public speaks today. So as for the "Y" it will be from 6:30 to 6:45. I would like - that's a 15 minute window, to try to break into seven and a half minutes for pro - that you're for the vacation of McKinley, Hartman and Alley No. 41. And then I'd like to cut it off for the nos - if anyone would like to speak against it. So without further ado, I don't want to cut into your time, so let's start right away. I'd like to introduce Paul Beinlich of the YMCA and I asked him to speak first on behalf of this so he could explain what's going on.

Paul Beinlich: Do you want me to come to the mic?

Mrs. Kiesling: Yea.

Mrs. Magel: Oh yea, anybody who would like to speak has to come to the microphone, say your name and address.

Mr. Beinlich: Inaudible ... my face.

Mrs. Magel: No just say your name...

Mr. McLaughlin: Just say your name ...inaudible...

Mr. Beinlich: Alright. And I'm speaking as a representative of the YMCA. I want to make everybody aware of what it is that we're proposing to do. I think most people understand that this is a vacation hearing. Correct?

Mrs. Magel: Yes.

Mr. Beinlich: And we presented and passed out some material that could be helpful to everybody to help them understand a little bit better what kinds of things have been done leading up to this point and what kinds of facts have been happening in growth at the YMCA and in needs at the YMCA. So therefore, you have some background as to exactly why it is that we're requesting what we're requesting. Our feeling is really two points of issue to us - two key points, and that is the safety of the YMCA patrons and Hoover employees who are constantly crossing McKinley Street in our particular area that we're talking about. And the other issue that we have to address and that is the critical need for additional parking that we have had for a number of years and for those people who live in and around that area probably understand that issue. So that's why we're here. We want to keep the facts simple and the information simple. So we just want to move forward on this proposal. I would also add that by no means, although our goal and we would like to be able to do this by winter, which is our busiest season, but we understand that there is a number of issues that are still not totally taken care of. And our intention is not to start any kind of construction or work on anything until we have all the issues handled. Beyond that I guess that's about all we have to say at this point.

Mrs. Magel: Would anyone else like to speak for?

Mr. Snyder: Inaudible...

Barb Bennett: My name is Barb Bennett. I'm with Hammontree and Associates, Engineers and Surveyors - I'm also representing the YMCA. I'm in favor of the project, not only as a paid consultant, but also a mother with two small children and knowing the need for a safe access, pedestrian way and additional parking. I'm also available to answer questions that the general public may have and/or the committee. I've brought with me a couple of displays to highlight the proposed parking layout and also highlight the proposed vacations through the parking lot for view and examination for the committee and general public.

Mr. Foltz: Inaudible... I'll put it on the chair.

Unidentified: You could turn the chair around.

Mrs. Magel: I had one question. You could point it out to me Doug. The green space that's on McKinley could you - yes, could you tell me linear - how long - how many feet that is - approximately?

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Ms. Bennett: Yea, I think it's .228 acres. I don't have the linear footage listed on this particular plan. I do have it in my file and will be able to answer that in a few minutes here.

Mrs. Magel: Okay.

Ms. Bennett: The green highlight is the proposed vacations. The blue highlight is the proposed dedication of Bitzer realignment. This also includes property that Hoover Company or Maytag Company owns on both sides of Hartman.

Mr. McLaughlin: And one thing to remember that McKinley coming off of East Maple will not be - you have access into that parking lot. That will not be closed.

Ms. Bennett: Inaudible...

Mr. McLaughlin: A lot of people thought that was closed from East Maple into that, but it will not. Only up to the what do you want to say, the door or the start of the parking lot there.

Mrs. Magel: Point that out Doug.

Mr. Foltz: What's that?

Mrs. Magel: Follow that down.

Mr. Foltz: Inaudible...

Mrs. Magel: That you can get...

Mr. McLaughlin: Inaudible... yea...

Mrs. Magel: right. Now you'll be able to get from McKinley.

Mr. McLaughlin: Yea, from McKinley Avenue.

Mr. Foltz: Inaudible...

Mrs. Magel: From East Maple.

Ms. Bennett: Inaudible... East Maple.

Mrs. Magel: There you go.

Mr. Foltz: Right here.

Mrs. Magel: And you can still get into the parking lot.

Mr. McLaughlin: Right.

Mr. Foltz: Just follow the arrows. Inaudible... come back around. Inaudible...

Ms. Bennett: The Hoover Company has public right of way on their access to their parking lot.

Mr. Osborne: I'd like to make a comment on the map, along with Mr. Beinlich's comments. I do not see how this will benefit the Hoover Company employees. The vacation is, looks like several hundred feet back from East Maple. Now I know they have a visitors parking there on the corner, the a - that'd be the southwest corner. Are you going to tell me they're going to get out of their cars and walk south down to this vacated portion...

Mrs. Magel: Mr. President...

Mr. Osborne: crossover East Maple...

Mrs. Magel: I need the public to be able to speak ...inaudible...

Mr. Osborne: and then back down.

Unidentified: Thank you.

Mr. Osborne: Well she said she's open for questions.

Mrs. Kiesling: Well we can do it through committee.

Mrs. Magel: Yea, we can do that in...

Mr. Osborne: Okay, that's fine.

Mr. Foltz: You want to turn this around in case there was any ...inaudible... We've all seen enough...

Mrs. Magel: Yes.

Mr. Foltz: inaudible... the public wants...inaudible...

Mrs. Magel: Yea. Did you have anything else with your other one you wanted to point out to us?

Ms. Bennett: No mam, this is just the same schematic without the color highlights.

Mrs. Magel: Okay.

Ms. Bennett: Thank you.

Mrs. Magel: Thank you. Anyone else like to speak? Come up to the microphone, name and address please.

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Charlie Grandjean: I work as volunteer on the board at the YMCA or with the YMCA. My appeal this evening is strictly on the safety issue with the vacation. I work with and have for many years, with the YMCA coaching and what have you and on any given Saturday you may or may not know, there's probably anywhere from 2,000 to possibly 3,500 people crossing that street whether the weather is fair, poor or terribly poor. So I just want to make sure everybody understands that there - that's a highly crossed area going into the back of the YMCA. And I'll tell you a real quick story and I know we're under a time line. A year ago my niece exited the back end of the YMCA. And you know granted every parent should always have a constant eye over their children. However, she thought she looked both ways and a car was coming south on McKinley as she stepped out and she had to be pulled back or she'd be critically injured. And I'm sure that's happened many times that we don't even know about. So I'll close with that in mind. But that's my appeal, it's always been my appeal that as the YMCA grows and the membership grows having the access or not having the access of that street open would greatly greatly help us. Thank you.

Mrs. Magel: Alright, I think at this time I'm going to have to hear from - is there anyone who would like to speak against this? Sir, come to the microphone, state your name and address.

Jim Blaine: My name is Jim Blaine. I'm a resident of McKinley Avenue. Let me first say, residents of McKinley Avenue have been meeting about this for several months now. We are not against vacating the street in anyway. We think it's a wonderful idea. We - we're 100 percent behind it, but we're not willing to railroad it and push it through quickly without getting the proper things taken care of. We've worked very closely with Paul, several other council members and as well as ODNR and some critical issues have been brought to light that nobody in the Planning Commission first in the planning of this, had ever knew anything about. It was tried to be - yes it's got to be done, but we're just going to do it and then all then all this bad stuff is going to hit us in the face afterwards and much of it was to the detriment of the City of North Canton. ODNR has several lines in that area, one has an open emergency case on it right now. There's a void that - in the intersection in question here that goes 9 feet to the east and 12 feet to the west of the test bore that they've done. And they were - as a matter of fact the City Engineer or the people that were doing this were instructed by ODNR not to pull the casing until it was remediated. This Thursday somebody saw fit to pull the casing and put cold patch in the hole; when we have a potential for a sink hole at any time. There are several other sink holes in the area that ODNR was not advised of. They've been advised of it as of today. I was on the phone with them today. They are coming back to do some extensive other surveys right in the same area. There is a thing - we have already talked to Paul as far - and he's willing to change a few things on the drawing, such as vacating the alley. There's no need for that. All that does is bottle up the alley. It's a one way alley. I live on one corner of that alley. There's no way - there's no way you can get two cars through there. There are residents that live on that street, there's no way for them to get out if you vacate it. You made it a one way street how many years ago?

Unidentified: 20.

Mr. Blaine: 20 years ago. Because there's not room for two cars. So if you close one end of it off people can go home but they're never leaving.

Mrs. Magel: You talking about...

Mr. Blaine: I mean there's more thought that's got to go into this place...

Mr. Foltz: Which alley?

Mr. Blaine: Inaudible... before we just go barrel heading ahead...

Mrs. Magel: Are you talking about Alley No. 41?

Mr. Blaine: Yes.

Mrs. Magel: Okay. Is there anyone else? I got about 2, 3 minutes. Thank you. Sir.

Guy DeSantis: My name is Guy DeSantis. I live at 414 McKinley, a couple houses down from Mr. Blaine. My main concern or two - one is the alley, vacating the alley. He's correct, pretty much you cannot - it's a one way, you cannot actually exit. If you actually vacate that alley there's no way to get out other than through the alley that runs east and west and it's very difficult to make a turn to get out of that alley. And it's very narrow, if there's a car there it blocks you from getting out and it's virtually impossible. And I don't think that alley was ever meant to not be an exit.

Mrs. Magel: Would you point that out to council on that map please?

Mr. DeSantis: Sure. Inaudible... right here this way...

Mrs. Magel: Okay.

Mr. DeSantis: The alley runs like that and then it's ... right there. Now I'm not sure if the engineer originally thought you know we'd block that off. I don't think they're opposed to leaving it open...

Mrs. Magel: Okay.

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Mr. DeSantis: but you'd have to talk to them about it.  
Mrs. Magel: We'll definitely look into it.

Mr. DeSantis: My only other concern, is I noticed in the discussion about 4 way stop sign - four stop signs. We feel that that's unnecessary and it would cause traffic to backup in front of neighbor's houses and also the backup in front of that east, west alley. You wouldn't be able to - they wouldn't be able to get out unless they turned around and went the other way. So we would like another alternative. Possibly leaving it - I think there's two stop signs that originally ...inaudible... instead of four. Okay, that's my two main concerns.

Mrs. Magel: Thank you very much.

Mr. DeSantis: Okay, thank you.

Mrs. Magel: Maybe one more minute if anybody else would like to speak.

Mark Hipp: My name is Mark Hipp. I live on Fairhart Avenue, which is just around the corner from McKinley. I worked with Paul and met with the rest of the neighbors and we've had quite a bit of discussion. And my big concern is, one, the mines. Those need to be taken care of. I was working when the garbage truck fell into Bitzer, I saw that. That was not properly taken care of and it caused another problem a few months later. The second one is this - may I show you on this map?

Mrs. Magel: Yes.

Mrs. Kiesling: Definitely.

Mr. Foltz: Yea. Inaudible... turn it this way.

Mr. Hipp: And we talked about this the other day. This area right here, originally they were talking about just painting stripes on it and I suggested that we move these parking spaces right here over and divert traffic around there so we don't have cars just racing into and straight up into the parking lot.

Mrs. Magel: Right.

Mr. Hipp: I've talked to the Fire Chief and he feels if this moved over into this area and nothing else is changed here, it will even give him greater access for his large trucks. That's all.

Mrs. Magel: Alright. Well I would like to thank any and all of you for the input for the yeses and the nos. I will have to go on to my second meeting right now. However, I would like all of you - to invite all of you to stay. My second meeting will occur - will end at 7:00. We will begin our regular council of the whole and your particular McKinely Avenue will be spoke in committee and you're second up on the agenda and then you could hear our response to your input. So you're welcome to stay. We will be discussing, as a council now. But again, I thank the public for coming and speaking and informing us. Mr. President.

Mr. Snyder: Thank you.

Mrs. Magel: I need to gavel and go to...

The public hearing ended at 6:45 p.m.

PRESIDENT OF COUNCIL

ATTEST:

DIRECTOR OF FINANCE