

**RECORD OF PROCEEDINGS**  
COUNCIL OF THE CITY OF NORTH CANTON SPECIAL

Minutes of

Meeting

DAYTON LEGAL BLANK, INC., FORM NO. 10148

Held Monday, August 18, 20 03

**CALL TO ORDER**

1. The special council meeting was called to order by President of Council Jon Snyder.

Mr. Snyder: Pursuant to the request of the President of Council, we're holding a special council meeting Monday, August 18, 2003 to consider, without committee minutes, the leasing of the Arrowhead Country Club. Can I get the Finance Director to call the roll please?

Mr. Osborne: Mr. President, may I - I've got a request. I'd like to be excused from this meeting.

Mr. Snyder: Sure.

Mr. Osborne: Thank you.

Mr. Snyder: You're welcome. The record will note that chair - Mr. Osborne has asked to - been excused.

**ROLL CALL**

2. The following members of council responded to roll call: Foltz, Kiesling, Lindower, Magel, McLaughlin and Snyder. Also present were: Mayor Rice, Director of Administration Held, Director of Law Batista, Director of Finance Herr and City Engineer Benekos.

Mrs. Kiesling: Mr. President, can I ask why Mr. Osborne wants to be excused?

Mr. Snyder: Inaudible...

Mr. Osborne: I've already been excused so...

Mr. Snyder: That's entirely up to him. If he doesn't ...

Mr. Osborne: If you're not going to let me speak, I'm not going to vote on issues. Thank you.

Mrs. Kiesling: Alright.

Mr. Batista: Inaudible... marbles and go home.

Mr. Snyder: I need to suspend the rules of council ...

Mrs. Magel: You can say anything you want if it's on point.

Mr. Snyder: since there are no minutes on that meeting. Roy, is that...

Mr. Batista: Yea, you will need a suspension of the rule for a committee report.

Mr. Snyder: May I have a motion to suspend the rules of council to allow consideration of Ordinance 98-03 without committee minutes.

Mr. McLaughlin moved and Mrs. Kiesling seconded to **suspend the rules of council** requiring committee minutes. All members present voting:

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

No: 0

3. Mr. McLaughlin moved and Mrs. Kiesling seconded to **read by title only, first reading** of Ordinance No. 98-03. All members present voting:

Yes: Lindower...

Mrs. Herr: Magel.

Mrs. Magel: Yes. Did you say 98...

Mr. Snyder: 03.

Mrs. Magel: 03. Okay, yes.

Yes: McLaughlin, Snyder, Foltz and Kiesling.

Mr. Batista: Before I give this ordinance a first reading, you will note that the text that was distributed to you calls for the a term of the lease. I think perhaps we ought to amend that to provide for a term to be determined or to be negotiated.

Mr. Snyder: So we need a motion to amend the ordinance 98-03 where it says premises known as Arrowhead Country Club for a term of years to a term...

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Mr. Batista: To be negotiated.

Mr. McLaughlin: Management fee...

Mr. Snyder: To be negotiated and determined by the administration.

Mrs. Magel moved and Mr. McLaughlin seconded to **amend Ordinance No. 98-03**, to read for a term to be negotiated. All members present voting:

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

No: 0

**Ordinance No. 98-03 - First Reading**

Ordinance No. 98-03 authorizing the Mayor of the City of North Canton, through the Board of Control, to enter into a Lease Agreement for the premises known as Arrowhead Country Club for a term to be negotiated and declaring the same to be an emergency.

Mr. Snyder: Well we've pretty well rehashed this. I'm asking you to pass this on an emergency simply for the fact that it is an emergency. We have a 4.2 million dollar asset that will become ours with no one to shepherd it if we don't. And that's basically all I have to say. Any questions on that?

Mr. Foltz moved and Mr. Lindower seconded to **adopt the first reading, as amended**, of Ordinance No. 98-03. All members present voting:

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

No: 0

Mr. McLaughlin moved and Mrs. Kiesling seconded to **suspend the rules, as amended**, for Ordinance No. 98-03. All members present voting:

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

No: 0

Mr. McLaughlin moved and Mr. Foltz seconded to **adopt under suspension of the rules, as amended**, Ordinance No. 98-03. All members present voting:

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

No: 0

Mr. Snyder: One question I have and maybe we have to consider this, tell me if I'm wrong. We now have decided we're going to go ahead and lease this ...inaudible... Is there - do we need to put an additional one, say like the last one there, should this negotiation require more than a two week - I mean you've got a very short window there to negotiate; you have next week is it and then you have a holiday. I mean should we allow for some contingency, should you not be able to meet with those people and hammer that lease out, that Mr. Webb or somebody from the Arrowhead or somebody be brought onto the payroll immediately to take care of that property should the need arise with a five day window. Is that necessary or not necessary?

Mr. Held: Well we feel confident that we will be able to have an organization in place ...

Mr. Snyder: By the 2<sup>nd</sup>.

Mr. Held: By the 2<sup>nd</sup>.

Mr. Snyder: Okay, well that's all...

Mr. Held: Now whether the - you know there's still terms that need to be discussed or finalized with the lease agreement that would remain to be seen. Would - Roy, at that point would we have to - is there somehow that we can have an organization there in place maintaining the golf course and operating while the terms of the lease agreement - if they're not met by September 2<sup>nd</sup>? Like maybe we have a short term agreement with them while we...

Mr. Batista: I think if you've got the lease substantially negotiated, simply advising council where you stand and asking for authority to put someone in charge, even though they don't have the written lease yet, would appropriate.

Mr. Held: Okay.

Mr. Batista: But I can see where ...inaudible...

Mr. Snyder: Inaudible...

Mr. Batista: Well I can remember the agreement with Arrowhead, we were negotiating that right up to the ...

Mr. Held: Right.

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Mr. Batista: eve of the third reading. So...

Mr. Held: Right.

Mr. Batista: Inaudible ... it's just a fact of life.

Mr. Held: Okay, right.

Mr. Snyder: Okay. That's it then. The only other thing I have is one short comment. I will, on Wednesday night, we will be here and any members of council who would like to be here, we'll have a meeting. The meeting has grown somewhat from the residents there - down there and I think Mr. McLaughlin is bringing some residents from the 3<sup>rd</sup> Ward that has had some flood problems.

Mr. McLaughlin: Right. The people along the...

Mr. Snyder: It's Wednesday at 7:00. I don't know what we're ...inaudible... we'll be talking about. Mr. Benekos will provide us with some things and we're trying to get the hydraulic engineer here to talk to them and Mr. Held will be in attendance.

Mr. McLaughlin: Mr. President, thank you for allowing us. But we - you know we're going to set and listen to your meeting and hopefully afterwards we'd like to set and talk to Richard Regula about our problem over there on the Nimishillen and the flooding situations. I know you've been very adamant about getting...

Mr. Snyder: You're just going to plagiarize our ideas.

Mr. McLaughlin: Yea, just about - just about. We - you know like my constituent said, you take care of one side of town, you didn't take care of the other side.

Mr. Snyder: Okay, that's fair enough.

Mrs. Magel: As Council of the Whole ... you're both right.

ADJOURN:

Mr. Snyder: May I have a motion to adjourn this meeting?

Mr. McLaughlin moved and Mrs. Kiesling seconded to adjourn the special council meeting. All members present voting:  
Yes: Kiesling, Lindower, Magel, McLaughlin, Snyder and Foltz.  
No: 0

PRESIDENT OF COUNCIL

ATTEST:

DIRECTOR OF FINANCE