

RECORD OF PROCEEDINGS

Minutes of

COUNCIL OF THE CITY OF NORTH CANTON

REGULAR

Meeting

DAYTON LEGAL BLANK, INC., FORM NO. 10148

Held Monday, January 13, 7:00 p.m. 20 2003

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 Rev. Tom Douce, Interfaith Campus Ministry.

Mr. Snyder: Thank you Reverend.

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, Lindower, Magel, McLaughlin, Osborne and Snyder. Also present were: Mayor Rice, Director of Administration Held, Director of Law Batista, Assistant Director of Law Treadon, Director of Finance Herr, City Engineer Benekos and Clerk of Council Bittle.
5. Consideration

Minutes of Council Meeting: 11/25/02
Minutes of Organizational Meeting: 12/2/02
Minutes of Council Meeting: 12/9/02
Mayor's Court Receipts: November, 2002

Mr. Snyder: I request consideration of the minutes of the council meeting of 11/25/02. Is that the one that had a correction on it?

Mr. Osborne: I believe that's the one there, yea and 12/9.

Mr. Snyder: Prior to that let me say two things on the meeting of 11/25/02, there has been a denoted change. Mr. Osborne said that he said that "because we should use this to extensively research the water", of course that word use has been changed - it was - it wasn't in there, that was added. And the minutes of December the 9th, Mr. Osborne says, "yea, he quoted in here" as well as quoted - it came from singular to plural. So with that I would like the consideration of 11/25, 12/2/02, 12/9/02 and the mayor's court receipts of November, 2002, with the noted exception of those two changes. Is there...

Mr. McLaughlin moved and Mr. Osborne seconded to accept the minutes of the council meetings, organizational meeting and mayor's court receipts as presented, with the noted changes. All members present voting:

Yes: Kiesling, Lindower, Magel, McLaughlin, Osborne, Snyder 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 January 6, 2003.

Ordinance, Rules & Claims Committee: Refer to the minutes on file in the Council Office of the Ordinance, Rules & Claims Committee meeting held December 18, 2002.

Park & Recreation Committee: Refer to the minutes on file in the Council Office of the Park & Recreation Committee meeting held January 6, 2003.

Personnel & Safety Committee: Refer to the minutes on file in the Council Office of the Personnel & Safety Committee meeting held January 6, 2003.

Water, Sewer & Rubbish Committee: Refer to the minutes on file in the Council Office of the Water, Sewer & Rubbish Committee meeting held January 6, 2003.

Mrs. Magel: Mr. President...

Mr. Snyder: Mrs. Magel.

Mrs. Magel: did you say Ordinance, Rules & Claims 1/6/03.

Mr. Snyder: No mam, I said 12/18. Have those rules been held back? Are those minutes there or are they...

Mrs. Bittle: 1/6/03 should...

Mr. Snyder: 1/6, yea that would of been last Monday on the...

Mr. McLaughlin: Inaudible...

Mrs. Bittle: Right. They should be in with the rest.

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Mr. Snyder: I'll also include the minutes as presented...

Mrs. Bittle: 1/6/03 is in the packet.

Mr. Snyder: 1/6/03. Now you may make your statement Mrs. Magel. You have a...

Ordinance, Rules & Claims Committee: Refer to the minutes on file in the Council Office of the Ordinance, Rules & Claims Committee meeting held January 6, 2003.

Mrs. Magel: Okay. I spoke with Council and I believe there's - I have four votes that would not accept these committee reports for Ordinance, Rules & Claims for committee meeting of 1/06/03. In that there's a statement, proposed zoning ordinance. The proposed zoning ordinance was discussed, which it was. A public hearing on the zoning ordinance, minus the PRD, which we're going to be discussing I guess next, scheduled for March 3, 2003, is correct. The PRD to be discussed/approved by May 1st, I believe discussed is about how far we went. I don't think we said approved. And I don't know of anyone who discussed the public meeting on the PRD to be considered by May 1st. That's my recollection that everything's fine up to the word discussed. We never said we'd approve it by May 1st or have a public hearing by May 1st. And I did speak to council members and I think there's at least four that have the same recollections that I do. Inaudible...

Mr. Snyder: Are - is it - are you asking that those be changed as you...

Mrs. Magel: Yes, please.

Mr. Snyder: Chairman Osborne, you have any comment on this?

Mr. Osborne: So you want to remove the word approved by May 1st?

Mrs. Magel: And also the public hearing.

Mr. Osborne: Inaudible...

Mrs. Magel: On the PRD to be considered by May 1st

Mr. Osborne: We can do that. There was so much confusion and offers to do this and offers to do that.

Mrs. Magel: That'd be fine ...inaudible...

Mr. Osborne: But I think it was clear that we would be discussing the PRD by May 1st.

Mr. Snyder: That's correct.

Mrs. Magel: Yes, yes.

Mr. Osborne: That's fine with me.

Mrs. Magel: Good.

Mr. Snyder: Madam Clerk, did you get that...

Mrs. Magel: So then the...

Mrs. Bittle: So we're going to remove the word approved.

Mr. Snyder: Yes mam and the...

Mrs. Bittle: public hearing sentence - the whole sentence.

Mr. Snyder: We'll remove that also.

Mr. Osborne: That's fine.

Mr. Snyder: Because that will have to be established as the date to coincide with the code.

Mrs. Magel: Thank you.

Mr. Snyder: You're welcome.

Mr. Osborne: You're very welcome.

Mr. Snyder: Is there any other comment? If not with the motion and second to change that Ordinance, Rules & Claims of 1/6/03, the other minutes will stand as presented and the ordinance, rules will - and may I have motion to that affect?

Mr. McLaughlin moved and Mr. Foltz seconded to accept the committee report minutes, with the noted changes to the Ordinance, Rules & Claims Committee minutes, as presented. All members present voting:

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

No: 0

7. Motion to Divide the PRD from the Zoning Ordinance

Mr. Snyder: Next I need a motion - I request a motion to divide the PRD from the present zoning book to - consequent to what we just spoke of that the PRD would be considered separately from the original proposed white zoning book that we have, so that we can continue to work on that and continue to discuss and work on the PRD separate from the rest of the zoning.

Mr. McLaughlin: Motion to...

Mr. Osborne: May I make a comment here?

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Mr. Snyder: Yes sir, you can as soon as I make a motion and there's a second...

Mr. Osborne: Okay.

Mr. Snyder: I'll open it to discussion.

Mr. Snyder: Is there motion Mr. McLaughlin?

Mr. McLaughlin: Yea, motion to divide the PRD from zoning ordinance.

Mr. Snyder: Is there a second?

Mrs. Magel: Second.

Mr. Snyder: Now discussion.

Mr. Osborne: Okay, I'd like to - after that meeting we had of January 6th, I took the information discussed in council to Mr. Hemminger and he continues to want to work toward trying to keep this together. Now as I understood it in the meeting, we were going to schedule the public hearing to discuss strictly the main body of the code. But we were going to have an ongoing discussion of the PRD.

Mr. Snyder: That's correct.

Mr. Osborne: So I was wanting to try and follow - keep both of these goals in mind. And frankly, with further discussions here, because we had three council members unable to attend the committee meeting back in December, we have another committee meeting scheduled for Wednesday, and I felt, based on Mr. Hemminger's concerns, that we could simultaneously be discussing two of these and if everybody were able to come to an understanding prior to the May 3rd public hearing...

Mrs. Kiesling: March...

Mr. Osborne: we could continue to keep it together. If not, we would just march ahead with the main body of the code. So...

Mr. Snyder: Well I think the purpose...

Mr. Osborne: And we can go ahead and do this. I guess if everybody's concerns are addressed between now and then, I guess we can - if we undo it, we can do it back. So I - that's all I'm going to say.

Mr. Snyder: Any other discussion?

Mrs. Magel: Only that if we have this vote and there is a motion to divide and go further with the rest of the zoning, I hope we're doing this in good faith and we go forward with the rest of the book and not have to fight one more time about a PRD.

Mr. Snyder: Well I would hope...

Mrs. Magel: Next Wednesday or any other time.

Mr. Osborne: Well let me just say this...

Mrs. Magel: We need to advance the other book and...

Mr. Snyder: Now wait ...inaudible... let's...

Mrs. Magel: let this vote be in good faith.

Mr. Osborne: Okay, I'd like to just say there is no fighting here. We're trying to provide people with technical expertise who can answer council members' questions. We had Kris Hopkins here back in December, we had Gene Hemminger here and we had the Chairman of the Planning Commission here. We're strictly trying to answer council's concerns and questions. There is no fight here. If someone has a good suggestion - we've already made a couple modifications and Mr. Hemminger is including them in his list to council. So we have a list of questions that have been addressed and changes that he is to be making. So this is not a contentious process here. I'm just simply trying to bring technical people in front of council, cause we're layman ...inaudible... this code. It's a legal document. Is that correct Mr. Treadon - per say?

Mr. Treadon: Yes.

Mr. Osborne: So I'm simply bringing the expertise in front of the council and each person's going to have a chance to say well I have a concern here or I have a concern there. And if there's general agreement we'll make a modification. There's no contention here. So I - it's an education process. We're layman and I'm just bringing the expertise in front of council.

Mr. Snyder: Mr. Osborne, if I may sum it up sir. I think - what the point and please I have great respect for my colleagues, but what they want to do is simply consider the two pages submitted, that Mrs. Magel worked on, you worked on, get the white book, the large part, minus the PRD done, approved through the public hearing and simultaneously as time allows, if there would be time prior to the public hearing, to work on your PRD. After the public hearing we will work on it individually and come to some resolution to it no later than May 1. It's not going to die, it's just not considered as a whole pie at one time. We feel that...

Mr. Osborne: Well that's fine.

Mr. Snyder: and that - we'll eventually address it. It's not being lost. It's...

Mr. Osborne: Well this is not my PRD though ...inaudible...

Mr. Snyder: No. I'm - I agree - I say that...

Mr. Osborne: And these two pages include issues with the PRD.

Mr. Snyder: Right.

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Mr. Osborne: So...
Mr. Snyder: Well we'll a - we'll address them accordingly.
Mr. Osborne: Okay, that's fine.
Mr. Snyder: So if I may I'll call the roll on the motion to divide the PRD.

All members present voting:
Yes: Magel, McLaughlin, Osborne, Snyder, Foltz, Kiesling and Lindower.
No: 0

8. Recognition of Visitors

Mr. Snyder: Thank you. At time we'll recognize anyone in the audience wishing to speak to the council. If you have some questions of anything or you'd like to speak on anything, please step forward, state your name and address for the record. Sir.

Dick Fano: My name is Dick Fano. I live 1382 Elmwood SW. I'm in Jon's ward, Ward 4. And I've been attending council meetings and there's a few things that's been bothering me. Number one, I've been trying for - I own the business in North Canton at the hobby shop - 9th and North Main. And I've had water problems there since day one that I've been there - the street floods. And for three administrations that's gone through here nobody has done anything for me as a businessman or as a voter or resident in this town. So what I'm trying to come up is I would like to see that street done this year. If you're talking about putting a \$135,000.00 signal light up at Wilbur and I know that it's because Swenson's is going up there, there's not - they don't have any more traffic up there than I have that passes the hobby shop. And then I see in the book that you're talking about being a partner with the YMCA for \$375,000.00. I want the street fixed. And I'd like to - like Rick says over there I'd like it to put on emergency - just have it done. Now I've waited - I've been in business there for about 18 years. And the better part of 12 years I've gone through John Boyajian, I've gone through Revoldt, I've gone through everybody and I had absolutely nothing done. So if you care to look at some pictures that I can show you of the flooded area, I'll pass them around and show you what it is. I got some dates on them.

Mr. Foltz: Thanks...
Mr. Fano: Inaudible... In fact there was one councilman at one time that drove up to the flood, backed up, turned around and went through Donatos so he wouldn't have to go through the water. So I don't have much more to say. I just - I'm tired of hearing about water, I'm tired of hearing about Oster and the PRD is becoming the big thing now and I just - like I said I'm tired of it. So that's all I have to say. You can look at the pictures and when you're done I'll pick them up.

Mrs. Magel: Is this specifically 9th?
Mr. Fano: It's the east side of 9th Street. The west side is done.
Mrs. Magel: Okay.
Mr. Fano: And Doug's end is done. And Dave's is not done. And the street is cracking, it's sinking, they've redone the storm sewer one time and I'm just a - the neighbors there, I try and get a couple of them to come here. Really my business is on Main Street...
Mrs. Magel: Correct...
Mr. Fano: but the parking lot on the side, when that water fills up it goes against the building, it comes down into the foundation and I just think I waited long enough.

Mr. Snyder: Dick, isn't the situation, if I recall, when we had that claim on the insurance, your parking lot as well as 9th Street on that side is lower than Main Street and the water washes naturally towards your property. Am I not correct in that?

Mr. Fano: If you go to 10th Street and 7th Street it all comes down...
Mr. Snyder: Comes down.
Mr. Fano: to 9th Street and it comes on this side. The other side the west side doesn't have a problem.
Mr. Snyder: As well as the water that comes down out of the park.
Mr. Fano: Yea.
Mr. Snyder: That's one of the major problems is the water comes out of the park has a natural flow because the park is higher again than your building parking lot and that - there's just no place for the storm water to go except the lower part of your parking lot.
Mr. Fano: That's right.
Mr. Osborne: Yea, it's a big mound up there. It's kind of like Middlesworth ... all that high ground and the water just comes down.
Mr. Fano: Before Long John Silvers was there my understanding from a couple of the neighbors that was a retention or a catch basin. And then Long John Silvers got it and they built it up a little bit. But even when Long John Silvers was there they got water in their front door. And now Donatos built a little higher so puts everything in my direction.
Mr. Snyder: Onto your yard, yea. But I do know that you know I - cause I've been there as we had a couple claims - insurance claims there. And you're - that property just is down then the

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water ...inaudible... in the park. It's able to go across Main, because Main the crown of the road is higher than your thing. So I'm sure that...

Mr. Fano: And that claim you're talking about was I have had sewage in that basement - raw sewage, three times. The last time was the worst. And I put a claim in to North Canton for \$2800.00 for cleaning, for stuff that I lost and the city graciously gave me \$500.00. Now since then I've seen - I know of two homes on Glenwood that had sewage in, they got full claim. And the lady that had her driveway disrupted there, she - it was going to be a partial claim, she got full claim. So it doesn't make me a happy camper.

Mrs. Magel: How many times a year would something like this ...inaudible...

Mr. Fano: Well honey it all depends on the - on the...

Mrs. Magel: Well I know but...

Mr. Fano: on the rain.

Mrs. Magel: I understand that.

Mr. Fano: But...

Mr. Osborne: Once is too many times.

Mr. Fano: probably a good - pardon...

Mr. Osborne: Once is too many times. Right?

Mr. Fano: Yea.

Mrs. Magel: Yea, I know. But what would it be...

Mr. Fano: You - I would say two - two times...

Mrs. Magel: Well here - here you have dates.

Mr. Fano: At least two times...

Mrs. Magel: Okay.

Mr. Fano: a year it will fill in when we get those big gully washes.

Mr. McLaughlin: Can I ask a question? The Engineer, if you could, could you do one of two things when you have some time? Could you shoot some elevations to see how - what the elevations are from going down the street into Main Street, one. And number two, hypothetically, if the project - what the project so called estimate, ballpark figure would cost to fix it with storm sewers and everything else. Just if you'd be so kind to let council know.

Mr. Lindower: That's one of the streets that I've requested in my ward.

Mr. McLaughlin: Yes.

Mr. Lindower: As a matter of fact that's probably the only request I've put in. Because that street is paved and curbed and guttered. Now...

Mr. McLaughlin: He has.

Mr. Fano: What got me off is when I talked to you before Christmas and you said well we're going to put this on 2004. I don't want to wait another year. I don't feel I should wait another year. I have a business. I have been in this town for like I said 18 years. Inaudible...a successful business. I'm one of the owners of Heggys candy in town. I'm just tired of being treated the way I have. So that's it.

Mr. Osborne: This is unbelievable. I didn't know this existed.

Mr. McLaughlin: Hey Jim.

Mr. Fano: Well if you look at those pictures, some of those pictures have that little red house in the background and I purchased that property and I changed it over and done what I had to do. And that was another fiasco that I had. When they did that side of the street, they closed the parking lot for a month. It was my daughter's business - she lost a month's worth of business. So I've been very patient with everything that goes on in this town.

Mr. McLaughlin: Go ahead.

Mr. Benekos: This - part of the problem is the elevations, as was stated. We looked at it preliminarily with the retention basin study and downstream, the 7th Street retention basin at trying to get the water out. We're going to finish that study up this year. But we have been looking at it. But we don't have a quick answer for it.

Mr. Fano: See, I understand. But I want to make you understand something too. When they did the west side of 9th Street they put in I don't know like a 4 foot catch...

Mr. Foltz: Catch basin.

Mr. Fano: Inaudible... But on my side of the street they only have one about this big.

Mr. Lindower: It's a storm sewer.

Mr. Fano: So you can't ...inaudible... the old cliché about putting ten pounds in five pounds don't work.

Mr. Benekos: Right...

Mr. Fano: There's only one catch drain there ...inaudible... So if I get all the water from everywhere else, one catch basin is not going to get it in a pipe this big.

Mr. Benekos: Right. I think the problem, as I understood it previously, was the elevations. In the elevation we couldn't get the water across the street with the elevations that were available. But we'll look at in more detail.

Mr. Fano: Well you'll never get it over there unless you put bigger pipes in and more catch basins. That I know for sure.

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Mr. Snyder: Thanks Dick.
Mr. Fano: Okay, thank you.

Mr. Osborne: I didn't realize things like that even happen in North Canton. This is pretty horrendous

Mr. Snyder: Is there anyone else in the audience that wish to speak to the council this evening? If so please step forward, state your name. Nobody? Alright, first item under old business is...

OLD BUSINESS:

9. Mr. McLaughlin moved and Mrs. Magel seconded to **read by title only, third reading** of Ordinance No. 123-02. All members present voting:
Yes: McLaughlin, Snyder, Foltz, Kiesling, Lindower and Magel.
No: Osborne.

Mr. Treadon: 23?

Ordinance No. 123-02 - Third Reading

Ordinance No. 123-02 repealing Ordinance No. 99-02 which authorized the sale of real property owned by the City of North Canton and adopted by the Council of the City of North Canton on October 14, 2002.

Mr. Snyder: Inaudible...familiar with this particular piece of property. The potential buyer exercised their right to not purchase the property. Consequently we are voiding the ordinance and removing it from the books. And that's about it. Any other question on that? If not...

Mr. McLaughlin moved and Mr. Foltz seconded to **adopt the third reading** of Ordinance No. 123-02. All members present voting:
Yes: Snyder, Foltz, Kiesling, Lindower, Magel and McLaughlin.
No: Osborne.

NEW BUSINESS:

10. Mr. McLaughlin moved and Mr. Foltz seconded to **read by title only, first reading** of Ordinance No. 1-03. All members present voting:
Yes: Snyder, Foltz, Kiesling, Lindower, Magel, McLaughlin and Osborne.
No: 0

Ordinance No. 1-03 - First Reading

An ordinance accepting City Out Lot 299 in the Washington Square Allotment, within the corporate limits of the City of North Canton, for public green space purposes.

Mr. Snyder: Chairman Foltz.

Mr. Foltz: Yea, as we discussed the last committee meeting this is that retention area there in the McKinley Development/Washington Square area - better known as Washington Square area. So I'd like to move this forward here for a first reading approval. I'll make a motion to accept.

Mr. Foltz moved and Mr. McLaughlin seconded to **adopt the first reading** of Ordinance No. 1-03. All members present voting:
Yes: Foltz, Kiesling, Lindower, Magel, McLaughlin, Osborne and Snyder.
No: 0

11. Mr. McLaughlin moved and Mrs. Kiesling seconded to **read by title only, first reading** of Ordinance No. 2-03. All members present voting:
Yes: Kiesling, Lindower, Magel, McLaughlin, Osborne, Snyder and Foltz.
No: 0

Ordinance No. 2-03 - First Reading

Ordinance No. 2-03 authorizing the Mayor of the City of North Canton, through the Board of Control, to enter into a Stark County Jail Housing Agreement by and between the City of North Canton (North Canton) and the Board of Commissioners of Stark County (Commissioners); effective January 1, 2003 through December 31, 2004 and declaring the same to be an emergency.

Mr. Snyder: Chairman Lindower.

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Mr. Lindower: Yes, this is a - excuse me, as we discussed last week, this is the contract to house prisoners booked into the Stark County Jail under the Ohio Revised Code. The \$80.00 fee would be assessed on people who are booked into the jail on city ordinance. I ask that we pass this on an emergency. And I'd like to say that I'm request that the Council sends a letter to Sheriff Swanson as well the County Commissioners requesting the removal of those fees provided the sales tax is either imposed or passed. Thank you.

Mr. Snyder: Okay...

Mr. McLaughlin moved and Mr. Osborne seconded to **adopt the first reading** of Ordinance No. 2-03. All members present voting:
Yes: Lindower, Magel, McLaughlin, Osborne, Snyder, Foltz and Kiesling.
No: 0

Mr. McLaughlin moved and Mr. Lindower seconded to **suspend the rules** for Ordinance No. 2-03. All members present voting:
Yes: Magel, McLaughlin, Osborne, Snyder, Foltz, Kiesling and Lindower.
No: 0

Mr. McLaughlin moved and Mrs. Kiesling seconded to **adopt under suspension of the rules** Ordinance No. 2-03. All members present voting:
Yes: McLaughlin, Osborne, Snyder, Foltz, Kiesling, Lindower and Magel.
No: 0

12. Mr. McLaughlin moved and Mrs. Kiesling seconded to **read by title only, first reading** of Ordinance No. 3-03. All members present voting:
Yes: Osborne, Snyder, Foltz, Kiesling, Lindower, Magel and McLaughlin.
No: 0

Ordinance No. 3-03 - First Reading

Ordinance No. 3-03 amending Section 2. of Ordinance No. 92-02 by an increase of seventy thousand (\$70,000.00) dollars in the amount appropriated for the metallization and painting of the inside and outside of the Wash Water Tower at the Water Treatment Plant and declaring the same to be an emergency.

Mr. Snyder: Chairman McLaughlin.

Mr. McLaughlin: Back in 2002 we had this on for - we approved it for 85,000 out of account no. 7551. But during our 2003 budget, which we are finally getting around to it, the project had increased so we need to add \$70,000.00. And also the engineer requested that we put it on emergency.

Mr. McLaughlin moved and Mrs. Magel seconded to **adopt the first reading** of Ordinance No. 3-03. All members present voting:
Yes: Snyder, Foltz, Kiesling, Lindower, Magel, McLaughlin and Osborne.
No: 0

Mr. McLaughlin moved and Mrs. Kiesling seconded to **suspend the rules** for Ordinance No. 3-03. All members present voting:
Yes: Foltz, Kiesling, Lindower, Magel, McLaughlin, Osborne and Snyder.
No: 0

Mr. McLaughlin moved and Mrs. Magel seconded to **adopt under suspension of the rules** Ordinance No. 3-03. All members present voting:
Yes: Kiesling, Lindower, Magel, McLaughlin, Osborne, Snyder and Foltz.
No: 0

13. Mr. McLaughlin moved and Mrs. Kiesling seconded to **read by title only, first reading** of Ordinance No. 4-03. All members present voting:
Yes: Lindower, Magel, McLaughlin, Osborne, Snyder, Foltz and Kiesling.
No: 0

Ordinance No. 4-03 - 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 and the Mayor to enter into a contract for the Water Tower #2 Rehab project and declaring the same to be an emergency.

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Mr. Snyder: Chairman McLaughlin.

Mr. McLaughlin: This is part of the 2003 budget. We estimated this project to cost about \$875,000.00.

Mr. Snyder: Okay...

Mr. McLaughlin moved and Mrs. Magel seconded to **adopt the first reading** of Ordinance No. 4-03. All members present voting:
Yes: Magel, McLaughlin, Osborne, Snyder, Foltz, Kiesling and Lindower.
No: 0

Mr. McLaughlin moved and Mrs. Kiesling seconded to **suspend the rules** for Ordinance No. 4-03. All members present voting:
Yes: McLaughlin, Osborne, Snyder, Foltz, Kiesling, Lindower and Magel.
No: 0

Mr. Snyder: May I have a motion to - is that the adoption or is that the suspension? I...
Mrs. Bittle: That was the suspension.
Mr. Snyder: May I have a motion to adopt under the suspension of rules Ordinance No. 4-03?

Mr. McLaughlin moved and Mrs. Magel seconded to **adopt under suspension of the rules** Ordinance No. 4-03. All members present voting:
Yes: Osborne, Snyder, Foltz, Kiesling, Lindower, Magel and McLaughlin.
No: 0

14. Mr. McLaughlin moved and Mrs. Magel seconded to **read by title only, first reading** of Ordinance No. 5-03. All members present voting:
Yes: Snyder, Foltz, Kiesling, Lindower, Magel, McLaughlin and Osborne.
No: 0

Ordinance No. 5-03 - First Reading

An ordinance authorizing the Mayor of the City of North Canton, through the Board of Control, to enter into contracts, pending final approval of the Ohio EPA/DEFA, for the Water Treatment Plant Upgrade and declaring the same to be an emergency.

Mr. Snyder: Chairman McLaughlin.

Mr. McLaughlin: The contract was bided out in two different ways. It was bided out per plumbing, electrical, heating and also in the ...inaudible... the completion of the unit. And it came out to be that "A", "B", "C" and "D" were a little cheaper. "A" was 4.398 million dollars, Contract "B" was for the electrical for 809,795, Contract "C" was part of the plumbing at 129,800 and "D" was for the heating, ventilation and air, it turned out to be 7 - 70,914 - for a total \$5,409,009.00. That's what we're looking at for Ordinance No. 5-03.

Mr. McLaughlin moved and Mrs. Kiesling seconded to **adopt the first reading** of Ordinance No. 5-03. All members present voting:
Yes: Foltz, Kiesling, Lindower, Magel, McLaughlin, Osborne and Snyder.
No: 0

Mr. Snyder: May I have motion to adopt the first reading of Ordinance No. 5-03?

Mr. McLaughlin: So moved.
Mrs. Magel: Second.

Mrs. Bittle: I'm sorry, didn't we just adopt the first reading? I think you went to suspend...
Mr. Snyder: Well I'm - I beg your pardon. I need a motion to suspend the rules. I never spent five million in my life, made me a little nervous.

Mrs. Magel: Hey Rick, you know I'm thinking you're spending a lot money here tonight.

Mr. Snyder: Yea, we're just blowing through this money like we have it. I need a motion to suspend the rules for 5-03.

Mr. McLaughlin moved and Mr. Foltz seconded to **suspend the rules** for Ordinance No. 5-03.

Mr. McLaughlin: I think we need - I we need Boyajian back with a lottery ticket here. Let's all give him some money quick.

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All members present voting:
Yes: Kiesling, Lindower, Magel, McLaughlin, Osborne, Snyder and Foltz.
No: 0

Mr. McLaughlin moved and Mr. Foltz seconded to **adopt under suspension of the rules** Ordinance No. 5-03. All members present voting:
Yes: Lindower, Magel, McLaughlin, Osborne, Snyder, Foltz and Kiesling.
No: 0

15.
- Mr. McLaughlin moved and Mrs. Magel seconded to **read by title only, first reading** of Ordinance No. 6-03. All members present voting:
Yes: Magel, McLaughlin, Osborne, Snyder, Foltz, Kiesling and Lindower.
No: 0

Ordinance No. 6-03 - First Reading

An ordinance authorizing the Mayor of the City of North Canton, through the Board of Control, to enter into an Agreement with the Stark county Board of County Commissioners for the replacement of the waterline in conjunction with the Stark County Portage Street improvement project.

Mr. Snyder: Chairman McLaughlin.

Mr. McLaughlin: This is the design phase of the project and funding for construction will be requested in the year 2004. This along with the other legislation is also requested on emergency by the Engineer.

Mr. Benekos: Right. 6-03 does not need to be an emergency, but I would assume in order to pass 7-03 on emergency you would want 6-03 on emergency.

Mr. McLaughlin: I just - yea I just went off your notes that you passed on to council, emergency requested under "x". So...
Mr. Benekos: Great...
Mr. McLaughlin: and I - like I said I just always check with you to make sure that that's what you want.

Mr. Snyder: Are you requesting that we amend the agenda Mr. McLaughlin?
Mrs. Magel: Yea, we have to.
Mr. McLaughlin: Do you - do you want.
Mr. Treadon: You have to amend the ordinance.
Mr. Snyder: Ordinance - to read an emergency?
Mr. McLaughlin: Do you need the emergency?
Mrs. Kiesling: Well...
Mr. Snyder: Well they're a companion piece of legislation.
Mrs. Kiesling: Next - yea.
Mr. McLaughlin: I'd prefer - okay, I'd prefer to do it that way. But I'm just asking...
Mr. Benekos: Yea, the agreement doesn't need to be an emergency. But we do want to get started on the design on emergency. So I would think we would need them both to be.
Mr. McLaughlin: Then let's - let's...
Mr. Benekos: We would need to enter the agreement.
Mr. McLaughlin: Inaudible...both under emergency.
Mrs. Magel: We ...inaudible... decline it if we didn't agree to it.

Mr. McLaughlin: Then let's go with the emergency. Just keep it on.

Mr. Snyder: Is that a motion? Is there a second to amend the Ordinance 6-03 to include an emergency?

Mrs. Magel: Second.

All members present voting:
Yes: Magel, McLaughlin, Osborne, Snyder, Foltz, Kiesling and Lindower.
No: 0

Mr. McLaughlin moved and Mr. Foltz seconded to **adopt the first reading, as amended**, Ordinance No. 6-03. All members present voting:
Yes: McLaughlin, Osborne, Snyder, Foltz, Kiesling, Lindower and Magel.
No: 0

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Mr. McLaughlin moved and Mr. Foltz seconded to **suspend the rules, as amended**, for Ordinance No. 6-03. All members present voting:
Yes: Osborne, 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. 6-03. All members present voting:
Yes: Snyder, Foltz, Kiesling, Lindower, Magel, McLaughlin and Osborne.
No: 0

16. Mrs. Kiesling moved and Mr. McLaughlin seconded to **read by title only, first reading** of Ordinance No. 7-03. All members present voting:
Yes: Foltz, Kiesling, Lindower, Magel, McLaughlin, Osborne and Snyder.
No: 0

Ordinance No. 7-03 - First Reading

An ordinance authorizing the Mayor of the City of North Canton, through the Board of Control, to enter into a professional service agreement for the design of the Portage Street waterline replacement from I-77 to Whipple Avenue, and declaring the same to be an emergency.

Mr. Snyder: Mr. McLaughlin.

Mr. McLaughlin: This is out of fund 7552, for the amount of \$25,000.00.

Mr. McLaughlin moved and Mrs. Magel seconded to **adopt the first reading** of Ordinance No. 7-03. All members present voting:
Yes: Kiesling, Lindower, Magel, McLaughlin, Osborne, Snyder and Foltz.
No: 0

Mr. McLaughlin moved and Mrs. Kiesling seconded to **suspend the rules** for Ordinance No. 7-03. All members present voting:
Yes: Lindower, Magel, McLaughlin, Osborne, Snyder, Foltz and Kiesling.
No: 0

Mr. McLaughlin moved and Mrs. Magel seconded to **adopt under suspension of the rules** Ordinance No. 7-03. All members present voting:
Yes: Magel, McLaughlin, Osborne, Snyder, Foltz, Kiesling and Lindower.
No: 0

17. Mr. McLaughlin moved and Mr. Foltz seconded to **read by title only, first reading** of Ordinance No. 8-03. All members present voting:
Yes: McLaughlin, Osborne, Snyder, Foltz, Kiesling, Lindower and Magel.
No: 0

Ordinance No. 8-03 - First Reading

An ordinance authorizing the extension of a waterline for a distance of approximately 2,292 linear feet to Saint James Place No. 8, located in part of the Southeast and Southwest quarters of Section 32, Township 12 (Lake Township), Range 8, Stark County, Ohio, in accordance with plans and specifications approved by the North Canton City Engineer and declaring the same to be an emergency.

Mr. Snyder: Chairman McLaughlin.

Mr. McLaughlin: This is one that came before council. Jim said that everything was checked out and that they would like to have it on emergency. They're looking at 12,004 - 12,400 gallons average per day and during peak they figured about 62,000. So it's a new water customer coming in the City of North Canton.

Mr. McLaughlin moved and Mr. Foltz seconded to **adopt the first reading** of Ordinance No. 8-03. All members present voting:
Yes: Osborne, Snyder, Foltz, Kiesling, Lindower, Magel and McLaughlin.
No: 0

Mr. McLaughlin moved and Mr. Foltz seconded to **suspend the rules** for Ordinance No. 8-03. All members present voting:
Yes: Snyder, Foltz, Kiesling, Lindower, Magel, McLaughlin and Osborne.
No: 0

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- Mr. McLaughlin moved and Mr. Foltz seconded to **adopt under suspension of the rules** Ordinance No. 8-03. All members present voting:
Yes: Foltz, Kiesling, Lindower, Magel, McLaughlin, Osborne and Snyder.
No: 0
18.

Mr. McLaughlin moved and Mr. Foltz seconded to **read by title only, first reading** of Ordinance No. 9-03. All members present voting:
Yes: Kiesling, Lindower, Magel, McLaughlin, Osborne, Snyder and Foltz.
No: 0

Ordinance No. 9-03 - First Reading

Ordinance No. 9-03 amending TITLE THREE - Utilities, CHAPTER 921, Sewer Code, Section 921.04 SEWER CONNECTIONS; PERMIT; FEE. of the Codified Ordinance of the City of North Canton by the addition of paragraph (d).

Mr. Snyder: Mr. McLaughlin.

Mr. McLaughlin: Yea, this will clarify what portion of the sewer is responsible to the homeowner and what portion is responsible for the city. And Jim come up with the idea and it does spell it out in clear language what they - what's their responsibility. And I think it will solve a lot of problems around town.

Mr. McLaughlin moved and Mr. Foltz seconded to **adopt the first reading** of Ordinance No. 9-03. All members present voting:
Yes: Lindower, Magel, McLaughlin, Osborne, Snyder, Foltz and Kiesling.
No: 0
19.

Mr. McLaughlin moved and Mr. Foltz seconded to **read by title only, first reading** of Ordinance No. 10-03. All members present voting:
Yes: Magel, McLaughlin, Osborne, Snyder, Foltz, Kiesling and Lindower.
No: 0

Ordinance No. 10-03 - First Reading

An ordinance authorizing the Mayor of the City of North Canton, through the Board of Control, to enter into a professional service agreement for engineering services to design the Applegrove waterline project, Sunset to Freedom, and declaring the same to be an emergency.

Mr. Snyder: Chairman McLaughlin.

Mr. McLaughlin: This is out of our capital improvement fund of 7229 and it's been budgeted for \$19,700.00.

Mr. McLaughlin moved and Mr. Foltz seconded to **adopt the first reading** of Ordinance No. 10-03. All members present voting:
Yes: McLaughlin, Osborne, Snyder, Foltz, Kiesling, Lindower and Magel.
No: 0

Mr. McLaughlin moved and Mr. Foltz seconded to **suspend the rules** for Ordinance No. 10-03. All members present voting:
Yes: Osborne, Snyder, Foltz, Kiesling, Lindower, Magel and McLaughlin.
No: 0

Mr. McLaughlin moved and Mr. Foltz seconded to **adopt under suspension of the rules** Ordinance No. 10-03. All members present voting:
Yes: Snyder, Foltz, Kiesling, Lindower, Magel, McLaughlin and Osborne.
No: 0
20.

Mr. McLaughlin moved and Mr. Foltz seconded to **read by title, only first reading** of Ordinance No. 11-03. All members present voting:
Yes: Foltz, Kiesling, Lindower, Magel, McLaughlin, Osborne and Snyder.
No: 0

Ordinance No. 11-03 - First Reading

An ordinance authorizing the Mayor of the City of North Canton, through the Board of Control, to enter into an agreement for the purchase of one (1) new 2003 Ford 3/4 Ton Pickup Truck, for use by the Water Treatment Plant, within the purview of the Ohio Cooperative Purchase Act, or, in the alternative, authorizing the Board of Control, through the Director of Administration, to advertise and receive bids according to specifications now on file in the office of the Director of Administration and the Mayor to enter into a contract for the purchase of one (1) new 2003 Ford 3/4 Ton Pickup Truck for use by the Water Treatment Plant and declaring the same to be an emergency.

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Mr. Snyder: This item is a - part of the appropriation ordinance for 2003, ...inaudible...that truck at the Water Treatment Plant. And it will first be bid through the Ohio Cooperative Purchase agreement ...inaudible... local truck dealer. Any questions on that?

Mrs. Magel: Just a comment. It comes from item no. 6850 for \$25,000.00.

Mr. Snyder: Okay, appreciate that. Any other comments? If not...

Mr. McLaughlin moved and Mrs. Kiesling seconded to **adopt the first reading** of Ordinance No. 11-03. All members present voting:
Yes: Foltz, Kiesling, Lindower, Magel, McLaughlin, Osborne and Snyder.
No: 0

Mr. McLaughlin moved and Mrs. Magel seconded to **suspend the rules** for Ordinance No. 11-03. All members present voting:
Yes: Kiesling, Lindower, Magel, McLaughlin, Osborne, Snyder and Foltz.
No: 0

Mr. McLaughlin moved and Mrs. Magel seconded to **adopt under suspension of the rules** Ordinance No. 11-03. All members present voting:
Yes: Lindower, Magel, McLaughlin, Osborne, Snyder, Foltz and Kiesling.
No: 0

Mr. Snyder: At this time I would like a motion to amend the agenda to allow for Ordinance No. 12-03 ...inaudible... the respective authorization to bid the Arrowhead Country Club through Finance & Property without minutes.

Mr. McLaughlin moved and Mrs. Kiesling seconded to **amend the agenda**. All members present voting:
Yes: Magel, McLaughlin, Osborne, Snyder, Foltz, Kiesling and Lindower.
No: 0

Mr. Snyder: One thing I forgot to do, I believe we'll have to do that on an emergency basis due to the time constraint so it'd be effective for the bidding deadline of the 31st of January.

Mr. Treadon: Do we have an ordinance prepared for that?
Mr. Snyder: I don't believe.
Mrs. Bittle: No we do not.

Mr. Snyder: Is that - is that acceptable to do it that way?
Mayor Rice: Does that need an ordinance or just like a voice vote to...
Mr. Treadon: Pardon me.
Mayor Rice: Do you need an ordinance or just a voice vote to proceed? Because it'd have to...
Mr. Treadon: I think you just can do a resolution - a one time resolution to authorize council to proceed with the bidding process for the...

Mr. Snyder: And then we'll use that number for the actual...
Mr. Treadon: Right.
Mr. Snyder: or we can use it on something - on the next one. How do I get that off there now just...

Mrs. Bittle: Will this be an actual piece of legislation tonight? I mean will I be preparing 12-03?

Mr. Treadon: Well with the time constraints - this is the 31st right?
Mr. Snyder: That's correct.
Mr. Treadon: Are we going to have time to...
Mr. Snyder: Well we could - what I would have to have is a special meeting next Monday night, which would be the 20th...
Mrs. Kiesling: No, it'd be Tuesday...
Mr. Snyder: Tuesday, I'm sorry...
Mrs. Kiesling: the 20th.
Mr. McLaughlin: It'd be Tuesday because Monday's a holiday.
Mr. Snyder: That's right. Or we could do it actually...

Mr. Treadon: I would suggest you have a special meeting because you're going - are you going to call an executive session too?

Mr. Snyder: Well how about this, the Monday prior to bid deadline is the 27th, which is a normal council meeting and then I could call an executive session prior to that meeting. Cause that way I could avoid a special meeting.

Mr. Treadon: So you don't need to do anything tonight.

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Mr. Snyder: No. And I don't - actually while I'm thinking of it, although I think for a - the fact is we will enter into a...

Mr. Treadon: You can make a bid with a contract proposal.

Mr. Snyder: Right. And we will do that on the - we will only meet in executive session to determine the actual bid price. And then we'll come back out and vote on it as an emergency basis the ordinance to authorize the process ...inaudible...

Mr. Treadon: Proposal.

Mr. Snyder: Proposal.

Mr. McLaughlin: Is there enough time once it passes emergency to be effect...

Mr. Snyder: Well as the mayor - as soon as the mayor signs it...

Mr. Treadon: Pass it, as soon as the mayor signs it, it's effective.

Mr. McLaughlin: Okay.

Mr. Snyder: So that way he would...

Mr. Treadon: The emergency provision merely does away with the 30 day referendum period.

Mr. McLaughlin: I thought we still had to wait a waiting period of a couple... Okay, that's fine. I just thought I'd just clarify it and make sure. Make sure he's not going to get on his back again or anything else like that.

Mr. Foltz: If he has to sign it with a crayon he will sign that. Right?

Mrs. Kiesling: We'll just take it to him in the hospital.

Mayor Rice: I think I have ten days.

Mr. McLaughlin: Just got to keep him healthy for another week and a half.

Mr. Foltz: We'll put something in his arm...inaudible...move it. Don't worry about it.

Mr. Treadon: So do you have a resolution? Do you have a motion to...

Mr. McLaughlin: Concerned about your health sir.

Mr. Snyder: There is presently a motion...

Mayor Rice: Thanks Rick.

Mr. Treadon: I would suggest that you withdraw the motion and withdraw the second.

Mr. Snyder: Okay.

Mrs. Bittle: We actually had a vote. We had a motion, second and a vote on that.

Mr. Snyder: It's not too indicative ...inaudible... it doesn't give us much borrowing authority.

Mrs. Magel: Well wait a minute. Can we change that? What are we doing with Rick's?

Mr. Snyder: Well that's 2-...

Mrs. Magel: That's not an ordinance either.

Mr. McLaughlin: Inaudible...no, no...

Mr. Snyder: That's a - we can change...

Mr. McLaughlin: Change...

Mr. Snyder: 12-03 to Rick. But we first have to get this one off.

Mrs. Bittle: Rescind? A motion to rescind our motion to amend?

Mr. Snyder: Well...

Mr. McLaughlin: A motion to amend.

Mr. Snyder: We only amended the agenda.

Mrs. Magel: What pickle did you get us in?

Mr. Treadon: Oh, was that just a motion to amend the agenda? Is that all you were doing?

Mr. McLaughlin: Right.

Mrs. Kiesling: Yes, it was a motion to amend it.

Mr. Treadon: Well you've discussed it...

Mrs. Kiesling: Which we need to amend it anyways for the alley.

Mr. Treadon: That'd be the end of it.

Mrs. Kiesling: Vote no.

Mr. McLaughlin: Yea.

Mr. Foltz: Just took no action on it.

Mrs. Bittle: Okay.

Mr. Foltz: No action, move on.

Mr. Treadon: You need to take no action.

Mr. Snyder: Well that's the end of 12-03.

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Mr. Lindower: Just erase it.

Mr. Snyder: So now we need a motion for 13-03, Street & Alley. Correct?

Mr. McLaughlin: Right.

Mrs. Kiesling: Okay.

Mr. McLaughlin: So moved.

Mrs. Bittle: We don't need - we don't need legislation...

Mr. Snyder: Oh we don't...

Mrs. Bittle: to send it to the Planning Commission.

Mr. Snyder: We just forward it.

Mr. McLaughlin: Not even a resolution?

Mrs. Bittle: We just forward a letter.

Mr. McLaughlin: Okay.

Mrs. Bittle: And ask to their...

Mr. Snyder: Okay.

Mrs. Bittle: cause it goes to them first. So you need a - you don't need legislation.

Mrs. Magel: Do we need a voice vote?

Mr. Snyder: It's a good thing, I got tired of reading all those numbers anyway. You know I think...

Mr. Treadon: Bottom line is...

Mrs. Magel: Do we need a voice vote.

Mr. Treadon: you don't need to do anything further.

Mrs. Bittle: Just if - just a roll call vote to send it over.

Mr. Snyder: We'll do a roll call vote to send this to the Planning Commission for the request of a vacation instituted by the City for Alley No. 4.

All members present voting:

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

No: 0

Mr. Snyder: Okay.

Mr. Lindower: We're back to square one.

REPORTS:

Mr. Snyder: We're here at the end here. Is there any ...inaudible... we have any report from the Assistant Director of Law?

Mr. Treadon: I have no report.

Mr. Snyder: Director of Finance.

Mrs. Herr: No report.

Mr. Snyder: Director of Administration.

Mr. Held: No report.

Mr. Snyder: Mr. Mayor.

Mayor Rice: No report.

Mr. Snyder: Mr. Engineer.

Mr. Benekos: Yes.

Mr. Snyder: Oh you found something...inaudible...

Mr. Benekos: What I'm passing out is the work plan for the Engineering Department for 2003 for your review and comment and your edification. One thing I did notice as I grabbed these this afternoon is that we failed to put on the appendices - there's three appendices. If you read through it or you note that and I'll get those to you in your mailboxes tomorrow. So that - that's all I had. Thank you.

Mr. Snyder: Madam Clerk.

Mrs. Bittle: No report.

REPORTS - COUNCIL:

Mr. Snyder: Mr. Foltz.

Mr. Foltz: No report.

Mr. Snyder: Mr. Lindower.

Mr. Lindower: No report.

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Mr. Snyder: Mr. McLaughlin.
Mr. McLaughlin: No report.

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

Mr. Snyder: Mrs. Magel.

Mrs. Magel: Hate to break a roll here, but I just wanted to let council know that I received a letter from the 911 system, as we had spoke before, signed by Mr. Ed Cox. Subject matter, there was another situation occurred with a mixup between the Eastons. I told him that I would bring this to council because I thought we had some council members that may not of even have been aware that we discussed this. The discussion was to change the name of Easton to East Maple all the way down to Market. And I think where we left off was we need a - what we were told was we need a petition.

Mr. Snyder: That's correct.

Mrs. Magel: And just haven't received one yet. But that's where we stand. But I did want to leave...

Mr. Snyder: There's one prepared - I don't know that it's been executed yet.

Mrs. Magel: Or signed or...

Mr. Snyder: Yea.

Mrs. Magel: Okay.

Mr. Snyder: That's the only thing you have to do.

Mrs. Magel: Well I - I gave him my word I would let council know I received this letter and considered yourself noticed.

Mrs. Kiesling: Can I read it?

Mrs. Magel: Sure. That's all.

Mr. Snyder: Thank you. Mr. Osborne.

Mr. Osborne: Concerning the renaming, I did take the liberty to talk to Walsh this week. They only maintain two months supply of letterhead on hand. And given the fact that the post office can deliver mail to a residence with more than one address for up to a year, I really think that renaming should be expedited. Secondly, we've spent a lot of money here tonight. I know accumulation of a lot of these water expenditures are probably more than a quarter million dollars above original estimates. And I'd just like to indicate that you know we all know where the revenues come from - water revenues and I really would heartedly endorse looking at water rates and making a token adjustment so we can stay ahead of the expenditures here. As we all know the last time we discussed this there had only been one water rate increase in sixteen years. And it's going to take awhile to swallow that and catch up.

Mr. Snyder: Excuse me. It just was the way you...

Mrs. Magel: Inaudible...the use of words.

Mr. Osborne: Well like I said this is a lot of money we spent tonight. And if we want to continue to do these good projects, which I heartedly endorse, the revenues have to be there to support it. I'm in the process now of looking at fee structures within the permits department and I'd like to report that it's been 18 years since there has been any fee adjustment here in the city. So it's easy to spend the funds, but we need to monitor the influx of funds to the city. So that's all my comments. Thank you.

Mr. Snyder: I appreciate it. A couple things. Number one, as you know next Monday is Dr. Martin Luther King, which is a national holiday that City Hall is closed. Council rules say that if the city building is closed we'll meet the day after. So we'll meet Tuesday, at 7:00 p.m. - council of the whole. The other thing is I know and I didn't think of it till just now, but as we were speaking, I'm sure a lot of you will be asked by your own constituency as well as the people in the city how do we justify the purchase of Arrowhead Country Club. Well I would ask the Engineer, if it's possible, prior to the meeting of the 27th, if you could give us at your best guess, not an exact number, but your best guess as the actual impact environmentally to our infrastructure, to project it if it was planned for minimal housing or to the maximum housing that the code would allow or what would happen if it remained green space. And the approximate estimated cost of putting that infrastructure in. As you know it's bordered by Salway, Heatherwood, Wilkshire, Jonathan. Streets, with the exception of Heatherwood and Jonathan are in great need of repair, both structurally. Salway is not a structurally sound street, I don't know that it could accommodate that type of traffic without a total rebuild as well as the sanitary and storm water detention mechanisms that have to be built. And I'm sure that figure will approach - as you know the favorite project I have at Middlesworth is almost 3.1 million total. And I don't think that's in itself near 60 acres - the whole Middlesworth allotment. So we're talking 104 acres and what impact it could have on the city financially. Because no matter what would happen to Arrowhead it would be our responsibility to bring the roads and infrastructure to the quality that they would need. The developer, should that happen, would only be responsible for the interior portion of the - so that number alone could almost justify the purchase of Arrowhead Country Club. As well as - again it's 104 acres of pristine ground and the last ...inaudible... presently within the structural city limits. And I think every resident would appreciate that.

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Although I know there's people that there's other things that probably need addressed as well. Unfortunately they seem to all come at once. However, I know the Mayor's assured me in conversation he's moving towards different ways of putting that together. So - but I would ask if that could be done. And I appreciate that. And I'm sorry for burdening you with that on such short notice.

FINAL CALL FOR NEW BUSINESS:

Mr. Snyder: Is there anybody in the audience that would like to speak to the council prior to our close? If so please step forward, state your name and address. Seeing none. There be no other business I'll entertain a motion to adjourn.

ADJOURN:

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

The meeting ended at 8:00 p.m.

PRESIDENT OF COUNCIL

ATTEST:

CLERK OF COUNCIL