

# 3233 RECORD OF PROCEEDINGS

Minutes of

COUNCIL OF THE CITY OF NORTH CANTON

REGULAR

Meeting

DAYTON LEGAL BLANK, INC., FORM NO. 10148

Held Monday, May 12, 7:00 p.m. 20 03

## 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. Eli Klingensmith, Zion United Church of Christ..
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, Director of Finance Herr, City Engineer Benekos and Clerk of Council Bittle.

5. Consideration

Minutes of Council Meeting: 4/14/03  
Minutes of Public Hearing: 4/21/03

Mr. McLaughlin moved and Mrs. Kiesling seconded to approve the minutes of the council meeting and minutes of the public hearing as presented. All members present voting:  
Yes: Kiesling, Lindower, Magel, McLaughlin, Osborne, 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 Development Committee meeting held May 5, 2003.

**Finance & Property Committee:** Refer to the minutes on file in the Council Office of the Finance & Property Committee meeting held May 5, 2003.

**Ordinance, Rules & Claims Committee:** Refer to the minutes on file in the Council Office of the Ordinance, Rules & Claims Committee meeting held May 5, 2003.

Mr. McLaughlin moved and Mr. Osborne seconded to approve the committee report minutes as presented. All members present voting:  
Yes: Lindower, Magel, McLaughlin, Osborne, Snyder, Foltz and Kiesling.  
No: 0

7. Recognition of Visitors

Mr. Snyder: Thank you. Two things. Prior to our public speaks, we have some guests with us. As you know, I asked the director - or the City Engineer a couple weeks ago to bring us an update of the water distribution system and he has been gracious enough to bring two representatives from Finkbeiner, Pettis and Strout and we're going to look at that first. But I'd also be remised if I did not ask you all in joining to me to wish Mr. McLaughlin a happy 50<sup>th</sup> birthday, he just had and I wanted everybody to know that. I appreciate that, thank you.

Unidentified: You look older...

Mr. McLaughlin: Thanks.

Mr. Snyder: Your mother asked me if I'd do that since...

Mr. McLaughlin: Oh yea...

Mr. Snyder: nobody else would do that.

Mr. McLaughlin: She humiliated me enough with that buzzard in the front yard.

Mr. Snyder: Mr. Benekos, if you'd like to you can introduce your two guests.

Mr. Benekos: Thank you. As Mr. Snyder mentioned, representatives from Finkbeiner, Pettis and Strout are here - this is Bob McNutt and Doug Harris. About a year and a half ago we commissioned Finkbeiner to do a computer model of our water distribution system. Since that time they have completed that. Part of their commission was to do a report, which you have in front of you. We've been using the model for about a year or longer in developing of priorities in our water distribution system, helping us make decisions and so forth. It's been a very useful tool and we expect it to be so - continue - to continue to be a useful tool in the future. Bob here is going to explain a little bit about a water distribution system and how we've utilized it and some recommendations they've put in their report here. With that I'll turn it over to Bob.

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Bob McNutt: Thanks Jim. I guess first of all I want to extend a thank you to the Council and the Administration. First of all for hiring our firm to do this important study for the city. Thank you to the City Engineer Jim Benekos, who has put together a lot of effort in pulling together the various committee meetings that we've had, the various work sessions in order to develop this model and present it for you this evening. Also with me from our firm is Doug Harris back here. He's also been very instrumental in putting together the study for the city. So with that, this is intended to be just a brief overview. Can everybody hear me okay? Okay, this is just intended to be a brief overview for you of what a computer model is, what a distribution system is and for your own benefit we've provided a copy of the slide presentation to each member of council. In the amount of time that we have, this is basically the agenda we're going to go over. I'm going to breeze through this again with just a big overview for you, talk a little bit about what is a model, who uses it, what do we do with it and then leave a few minutes at the end here for you to throw out any questions if you have them. Let me start off by explaining a little bit about what a model is so that we can kind of define these terms. Think of a word picture, your water distribution model is kind of ... life blood of your city - of your community. Much as your heart, your arteries and your veins are the life blood of your body. With that analogy what we want to talk about is this term transmission grid. That's the big arteries if you will. The big pipes in your system that take the water from your source or your heart in your body, out to the extremities. The distribution grid then is the smaller pipes that carry the water down to your streets to the individual homeowner. Very much like your smaller capillaries and veins here. With that we have this one term that we want to define and that's head loss. It's kind of again using a heart analogy and our veins analogy. As your veins get clogged up with you know cholesterol or that type of stuff, your heart has to pump harder to get the blood there. Well that similar thing happens in your distribution system with settlement of iron and manganese type deposits on your pipe walls, it creates a more difficult time to get that water again from your source to where it's going. So I want to kind of draw that word picture for you. We've got a few other acronyms here just for your benefit, as we go through you're going to see these a little bit more. So what is a model? Again, I painted one word picture. What do you think when you hear this idea of a model? Could be something like this, my little daughter modeling her mom's clothes. But in the water distribution systems that's not what we're talking about. A model is a mathematical representation of your real world system and your pipes and nodes out there. Many programs also have the capability such as this one, to do a graphical representation. So what is our model? It's really an imitation of the real thing, you know numerical, we're trying to crunch the data. It's composed of a couple key elements. Your physical system are your pipes, your pumps, your tanks. The loading model is who uses the water and where. How much water is going into which section of your system. And on some systems we go to the next level which is water quality modeling, but for North Canton we did not do that. The model is used by a lot of different groups. So far in the city we used this model in - with the Engineering Department, with their treatment department, distribution department, a little bit with planning and the Fire Department as well. There's a lot of people who benefit from this valuable tool. And the one thing I'm going to say several times is that this model is just that, it's a valuable tool to be used both today and as we look into the future. The real value of this is it permits us the capability to analyze your system, see what's going on, find for the existing system today, find out where are our deficiencies. Again, are our arteries clogged up here that's causing our system to pump harder to try to get the water out to wherever we want it to go? We run these what if scenarios to look at what if we change a pipe or a pump or a tank. Again, the real value of the model is that we can do this in the office before we ever take the backhoe out and start digging a hole and thus avoid a lot of mistakes. The overall benefit then is understanding our entire system as a whole. We're looking at the entire system, not just one street or one neighborhood and we can see how that street impacts or how that water main and the overall system impacts everything in that system. We have several other things we do and for the benefit of time I'm going to kind of breeze through some of these. There's a lot of operational issues that we can analyze. For every model we look at seven key issues - our pressures, how much head loss, how our fire flows are going? Again, how is our system set up for reliability, redundancy, etc. and we look at where are the current problems today. You know do we have a main or section main with a lot of main breaks? Well we can analyze that, see what's going on and find the best solution for it. As I said before, the real key with this is this is a master planning tool, a tool that the city is currently using. With this we can look ahead also to the future as developers start coming in to us. Where do they want to build? By looking at it ahead of time, as we have done, we can map out what makes sense for that neighborhood or that area. You know is this an area of regular distribution, again the small pipes? Or is this a key area that we need one of the big arteries or the transmission grids? We can know that ahead of time so when the developers come in we have the plan together and that's of major benefit here. Some additional benefits - We can start looking at how each of these new subdivisions impact our existing system. Is it a good idea to add a new subdivision? Or, are they going to cause a strain that we need them to pony up the money, and an example, to fix something else that's not wrong now, but would be if their demand comes in on our system. We use this tool also in the area of emergency planning. What happens if we have a major main break? What happens if, you know we hope terrorism never happens, but with this type of tool, with the vulnerability assessments, a regulatory requirement at this time, this type of a tool will help us in being able to see what's going to happen and how to isolate an issue or incident if it does occur. Some side door benefits of this is the data management tool. The information on our system are pipes, values, etc. How much infrastructure do we have? The financial people, again get involved with this GASB34. You know this model has data in it that tells us the length of pipes and all that type of stuff that

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can be useful then in your accounting software. To summarize the master planning, this little guy is trying to look out in the future. As we know, none of us can really tell what's going to happen 10, 20, 30 years down the road. But this again provides us a tool to say if that happens, what do we need to be doing. With this also we can start putting together some preliminary cost analyses, so we have an idea of the financial responsibility or the financial burden as well. We looked at your system. The report that we provided to each member of council here tonight, has some very good reading by the way. Now I might be slightly biased, but if you're really into water distributions, it makes some excellent reading. If you're not, it will help cure your insomnia. We have in our report, the general findings of our existing system is in Chapter 5. We go through an example and I just want to point out an example here today, it's something that the city is currently undertaking. On Portage Street we found some existing deficiencies, both an operational issue with a lot of main breaks - it had a high head loss, that's the clogged feeling if you will, and it was a major liability and redundancy issue where part of our network was set up to carry the transmission grid or the big piping through and we just needed to complete it. When we look at stressing our system, this is about as technical as I get, we have a lot of head loss here. It relates then to pressure drop, which relates to fire flow issues as you continue down. Through our analyses we're replacing that main with a 12 inch and you can see it's a 90 plus reduction in the amount of pressure loss that we have. With this we've prioritized the improvements or some of them in the report for you. In Tables 8 and 9 at the end of Chapter 7 have some detailed recommendations for the city's consideration. Chapter 7 is all about the recommendations. I put a few of the general recommendations up here for council and the administration's issues to start looking at - you know minimum main size 8 inch for example - some more recommendations. I could spend an half an hour on this slide alone. There's a lot of information here. A lot of things we need to do to manage our distribution system to keep it at its peak performance. And the guy that is exercising here for example - exercising your valves, just one keep component of that. It's just like the brakes on your car, when you hit a traffic issue you want to hit those brakes you want to know that that car is going to stop you. Well that's what exercising the valves is all about. When you need to shut that down in a water emergency, you need to know that that valve is going to stop that water for you. There's a lot of issues here again how to maintain and manage your system that are becoming more important with upcoming regulations and upcoming standards from the American Waterworks Association that you're going to need to start looking into more fully. Now this is all good standard practice, but some of them are going to be required coming up pretty soon. Growth - again Chapter 6 we go over what we looked at in growth. Projections - they're just that projections. We don't know what's going to happen necessarily. We don't know where your growth is going to happen. We can make good engineering decisions on that, which we have done. Now if your system expands, as we've looked at in the report, again we have a good planning tool to say where we need to do the big pipes versus smaller, regular distribution pipes. But that's just there for you if that's where your plans are as a council, as an administration. That's a great planning tool. To summarize again, we've got this tool; its been developed, it's been calibrated, we know it works. The city has already been using this tool. We've done a lot of stuff even during the development phase as we've created the model, as we've calibrated it and the city has done a lot of improvements. Starting to do some of the plans, Portage Street for example. Tweak some of the booster pumping station set points over Brumbaugh, so that the pumping station will operate better. So it's a tool that's currently being used. It's currently being used to set your priorities for some water main improvements as well, going on last year, several that happened and also this year. The city can prioritize improvements. We gave you some basic ideas, you need to look through those and see if they make sense to you and carry that out. Again, managing your growth. The city should never, in a sense, be behind the 8 ball that you're playing crisis catchup. You know, oh this development wants to come in over here. Can we handle that? How we going to do it? With this tool those are not questions. The question is what do we want over there? And we can analyze it and we can determine that answer for ourselves. But what's the ultimate goal? I mean why do this model besides keeping ourselves from making big mistakes in the future? What's the ultimate goal? Inaudible... the administration, your engineering, distribution and treatment departments are trying to better your system today for the drinking needs of today and the fire protection needs of today, as well as planning for what may happen in the future. Now I know I ran through this in a pretty fast pace, but we just wanted to give you a real brief overview. Please read the reports. I think they're wonderful, but I'm biased again. And if you have any questions I guess I'll just open it up to that at this point.

Mr. Osborne: I have a question for you.

Mr. McNutt: Yes sir.

Mr. Osborne: Right here. Do you see any major deficiencies? Are you prepared to address those now or - It's obvious the model is quite comprehensive and does a lot of neat stuff. Do you see major deficiencies?

Mr. McNutt: There's a whole list of deficiencies in Table 8. We've grouped them in different areas. There are some fire protection issue concerns - that'd be Tables 8 and 9 in Chapter 7. We kind of lumped them and we prioritized them and I don't have right on the top of my head what they are, but priority number one works for fire protection. A lot of your smaller pipes, 4 inch mains for example, they're just not designed for fighting fire. Now again if that's the city's - administration's goal is to provide that fire protection, then that gives you the opportunity to say hey let's focus on that area, whatever that area happens to be. But yea, there are deficiencies - I've yet to see a system that doesn't have them. But that's just my 15 years experience doing this.

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Mr. Osborne: Do you have any comments on our South Main storage tank? The location - I have some concerns that it's ...

Mr. McNutt: Well let's...

Mr. Osborne: located in a very low area and I understand it's been a little bit of a difficulty managing and dealing with it.

Mr. McNutt: It's been an issue. But part of this study was to give the city some ideas on how to best utilize that storage and pumping station. And we've provided a recommendation in the report and I don't have the particulars again on the top of my head, but it is in I think Chapters 5 and 7 on how to better operate that. And the city has been doing some of those operational issues from your treatment and your distribution departments.

Mr. Osborne: You said the deficiencies are located in Chapter 8?

Mr. McNutt: Chapter 7. There is no Chapter 8.

Mr. Osborne: 7, okay. I'm sorry. Yea, I couldn't find an 8.

Mr. McNutt: Yea, Tables 8 and 9 at the very end of the chapter has the tables of recommended improvements.

Mr. Osborne: Okay. Thank you.

Mr. McNutt: Table 8 would be current system and Table 9 for the future.

Mr. Osborne: Thank you.

Mr. McNutt: Any others? Well thank you very much for this opportunity, we appreciate it. And thanks again.

Mr. Snyder: Thank you.

Mr. McLaughlin: Thank you.

Mrs. Kiesling: Thank you.

Mr. Snyder: At this time we'll recognize anyone in the audience wishing to speak before the Council. If you wish to speak please step forward, state your name and address for the record.

Michael Sahadi: Good evening Mr. Mayor, various members of the Administration, Mr. Snyder, members of Council. By now my face should look familiar and so should my name to each of you, as each of your names and faces are familiar to me. For the record my name is Michael Sahadi. Spelled S A H A D I. I live at 104 Walsh Avenue. Before I begin this evening and tell you why I'm here, I'd like to reminisce a little bit and visit with you how I got here in the first place. Back last June, my son who is a boy scout, was working on his Citizens of the Community merit badge. And one of the many requirements is to attend a council meeting, which we both attended. In that council meeting, at the end of the meeting, I introduced my son to Council President Snyder and that was the first time that I met Council at Large Chuck Osborne. After a brief discussion I told Mr. Snyder that one of my clients had some things that he wanted to discuss with him and the four of us, along with my client, all found our way eventually down on the Strip at Starbucks drinking our respective beverages and munching on cookies and exchanging stories. In the course of the evening Mr. Snyder turned to me and said, hey Ricky McLaughlin needs to talk to you. I asked him what about and he says well, he has a medical facility that's looking for a building or land to put a building on that's coming into the area. I turned to my client, I looked at him I said, you interested in this? He says, go ahead and check it out, run with it. I contacted Rick, who is my councilman, and Rick told me, he says, really I don't have a medical facility, I thought maybe you might have one to go on a piece of property that the mayor is selling outside the city called Oster. At that time I had no idea what Oster was or where it was located. In the course of that conversation he said, well you know a lot of people who develop property and so forth, you know anybody who wants this? And I told him I said well let me check with them and I'll get back to you. Am I right Rick?

Mr. McLaughlin: A little. There's a little few differences, but go ahead.

Mr. Sahadi: Well at the end of my conversation here you can correct me. As a result I came back to him a couple days later and I told him I says I made several phone calls and believe it or not one of my clients does wish to develop some property and is interested in this. So I said we have to set up the time, because I know nothing about this project, for you to meet with them and go over the details. Prior to that meeting Mr. Snyder showed up at my home and said Rick can't make it he has other obligations, I'm going to go in his place. At that point in time an alarm should of went off in my head and it didn't. And we met with Mr. Dan Bontrager up in Uniontown, had a very cordial meeting. Mr. Bontrager had a lot of questions. He said he needed maps, needed to look at things, get an idea what the property was like and we left it at that. Shortly thereafter I had a conversation with Chuck Osborne. He asked me what was happening with this property and that - and asked about the purchaser or the potential purchaser of this property. And I told him, I said well he's still waiting on maps and everything. He said why don't we run up and meet with him? And I said fine. We met with him. Him and Dan got along real well together. He told Dan he'd get back with him with some maps and various information. In the

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meantime I had joint phone call with Mr. Snyder and Mr. McLaughlin on the phone and Mr. McLaughlin said, look if Chuck Osborne is involved I'm backing out of this. Okay, I don't want to have anything to do with it. That's the last I heard of Mr. McLaughlin. It wasn't the last that I had heard of Mr. Snyder though. The next thing I know I got a phone call saying they wanted to meet with the Mayor, that's Mr. Bontrager, and at the previous evening that conversation or that meeting was cancelled and that they restructured that meeting for the next morning at 9:30. I said do you want me to show up and meet with them also? He says that's a good idea if you want to come along if you've got the time. So that's when I showed up here right across the hall. It's also the first time I had met David Held. Never having met David Held before, he came out, he was very congenial, shook my hand, introduced himself, talked for a minute, thought nothing else of it, he was very relaxed, went back behind closed doors. When Mr. Bontrager and his assistant or associate showed up, Mr. Osborne, Mr. Bontrager, Mr. Yoder and myself proceeded to go to the meeting and the young lady behind the door said, sorry Chuck, only those people who are interested in the property are allowed in there - Mr. Bontrager and Mr. Yoder. I said, wait a minute here. I says I'm the - I'm responsible for this, I'd like to at least sit in the meeting before I hand them off to the Mayor. She said she'd be right back. A couple minutes later Mr. Held come back very distressed, looked like he was under pressure; and, bear in mind I've had the prospective of time to look back at this situation and review it and play it back and forth in my mind. In a very few quick seconds Mr. Held and I got into an argument - a very pitched argument, pointing fingers at each other and I walked away from that meeting feeling very angry and upset. That's the second alarm that should of went off in the back of my head and it didn't. Why was this man so angry with me? I just met him five minutes ago. He doesn't know me and I don't know him. But I'd like to set this conversation aside and direct my conversation right over to Mr. Held. It's been a year, Mr. Held, since I've talked to you. I've had a long time to think about what happened. Again, I don't know you and you don't know me. However, I did check into you quite a bit and I looked into your background and the people that I know that are my friends, people that I take advice from and listen to, all said very good things about you. And this evening I'd like to say to you, it's unfortunate that situation took place and I'm willing to forgive and forget and go on with everything. And hopefully that we can start all over again and possibly be friends and acquaintances. Is that okay with you?

Mr. Held: That's fine.

Mr. Sahadi: Fine. Going back to what happened, Mr. Osborne got on the phone and talked to, I believe, Marcia Kiesling...

Mrs. Kiesling: Probably.

Mr. Sahadi: and also Jon and described what happened. We made several attempts to get information from the administration and they all failed. I did finally send a letter out to each one of you on council describing that event, as you recall and that's when the next alarm should of went off in the back of my head. No one on Council did anything to look into that matter. Why was it we were denied information? And what about that incident with Mr. Held? All of you were derelict in your responsibilities to find out what happened. I am a citizen in this community and I wasn't treated very well. And the apology I got from Mr. Rice, oh really wasn't an apology. It talked around the issue, but it didn't address the issue. That's when the next alarm went off. Because I sat back here in council and I came up and I described that meeting to everybody and said I only got seven days to research this property. No one -- and I see Mr. DeHoff is in the back of the room here -- no one is going to buy a piece of property with seven days notice without first looking at it a little bit, especially the kind of money that we're talking about. There's wetland issues, there's flood plain issues, zoning, easements, utilities, a variety of issues that need to be discussed, before anybody can put any type of bid on a piece of property. I go through this with developers all the time when they come to me for financing or finding someone who'll help partner with them on a project. No one came to my aid, not even Mr. Snyder, who showed up on the first meeting with Mr. Bontrager. He sat quietly. That's when the alarm should of went off the second or third, fourth time in the back of my mind - it never happened. As we pursued this we kept on getting stonewalled. Finally we're sitting in the back and council at another meeting, it was the first reading of the sale of property of Oster to Canton Christian Fellowship. As I sat back there and listened to them read the ordinance and begin to vote on it, Mr. Bontrager came - looked over at me and said, if I offered them 1.7 million dollars right now, could I buy this property. And I said, Dan, I think you're a little late, they just sold it. With that he got up and walked out and I was very irrate because of that. But as I sat there in the audience, I paged through this little blue book called the City Charter and low and behold right down there in the Charter was the words referendum. And as I read it and kept reading it over and over again, I wanted to know more about it. I counseled with Mr. Chuck Osborne several times about it. I wanted to know how a referendum worked. This was my idea from the beginning. It was my idea to the end to do the referendum. I put that referendum together and it was successful. And during that period of time in which I was gathering signatures, I was suffering from kidney stones, but I went out in the evening, okay, and I talked to people and I didn't get out every night because I wasn't feeling good. But as a result, people were very open to me. And out of all the signatures that I gathered, only six people in the city that I spoke to failed to sign that referendum. Three of them made political contributions to the administration and I understood that, they didn't want to go against that and three of them had no idea what the referendum was about and what they was involving themselves in. As a result, I almost had a 100 percent participation for this referendum. And that should tell council something about the sale of Oster, they don't want it sold. But let me go a little further, I was threatened by several individuals. First of all when that hit the papers I got a call from Council President Snyder who was very angry and told me that he was going to go to the paper and tell everybody that I was going to take the church and

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move them to a client's property. And I said that's not true. He said, oh yes it is and I intend to expose you for it. I said Jon, you're making a mistake, I had nothing to do with that. If they go someplace it's not my fault. He pursued and I told him, I said make sure you spell my name correctly, because I always like to see my name spelled correctly in the paper and then when you're done my legal counsel and I will pursue it. And with that he basically said are you threatening me? Which is ludicrous because he was the one who called me up and threatened me. I agreed to meet with the church, their legal emissary, if you'd like to say that, somebody that I knew for a long time. We sat down and we talked and a veiled threat came my way. Do you know Mr. Sahadi, actually they called me Michael, that selling real estate without a license is a felony? And I said yes, but I'm not selling real estate. Well you could fool me they said. And I said well I'm wrapped with attorneys, I meet with them everyday, I've got more legal paper laying in my office than I care to even look at from different projects, from different things that I'm doing with people. I said go ahead, if you have problem bring it on, you can talk to my legal people. With that they dropped it, they moved on and they said well there's 5,000 people in this congregation. They're going to look at you as being the person who rained on their parade, that made sure that they never got their church. And I said no, they're innocent in this deal and so am I. I was lead to believe that we could buy this property or at least put a bid on it and we were denied that process. They don't need to look at me. They need to look at the administration and Council President for their dismay. With that he pursued and he said well one of the people in this church is a very religious man and he'd like to see this church built. And I told him I said that's fine, I says I can appreciate that. I says, but I don't wear my religion on my shirt sleeve. I too value religion, but I live my religion. I only want to treat people like they should be treated and expect that same respect in return. With that feeling he came back and he said well, I know you've been working on this pretty hard and probably expended some money on it and you stand to lose some money because if this deal doesn't go through. Is there anyway you could be made whole on this? I looked at him and I said look, I said if you're bribing me or offering to buy me out, I'm not for sale. No one can write that check. And with that we terminated our conversation. We went our separate ways. I said that that referendum was successful. It was successful because people had a lot of questions that council - and I blame council for this, not so much the administration, you are the fiduciaries of the city's property, and when you failed to ask questions, to investigate or at least reason through something, and just pass something sight unseen, there's a problem there. I'd like to know how many of you have ever walked Oster - actually been out? I know Mr. Lindower has, when he was a police officer. Obviously I know Mr. Osborne has. Have you Mr. Foltz?

Mr. Foltz: Years ago - three or four years ago.

Mr. Sahadi: Three or four years ago. Mrs. Kiesling:  
Mrs. Kiesling: Never.

Mr. Sahadi: How say you Mrs. Magel?

Mrs. Magel: Yea, I walked...

Mr. Sahadi: Have you been out there?

Mrs. Magel: Yea, I walked around the property.

Mr. Sahadi: You have been. See where the property's at, you know how big the property is from that standpoint. Have you really looked at the property?

Mrs. Magel: Yes sir.

Mr. Sahadi: Did you see there's piles of waste on that property when you were out there? Because that waste has been out there for a number of years. That came from the city. If a developer or a company put toxic waste or pollutants on property, okay, they'd be fined by the EPA. They'd be shut down - they'd be thrown in jail. But the city did that to its own property. So if there's problems with the water, which there isn't, the city only has to reflect backwards and look into itself because they dumped there, nobody else. I look back now at this referendum; I'm happy I did it. I didn't do it for noble reasons. I didn't do it because I was civic minded. I did it because I was in business, I was going to make a buck. But my focus changed as I talked to people and I went door to door and they had questions. Why aren't we drilling the water out of there? Why do we have to sell that property? I didn't have any answers for them. And if they have those questions, ladies and gentlemen, it's because you didn't answer those questions properly for them. You didn't do your job properly. Do any of you know how much water the city sells outside - to outside entities and individuals outside the city? You know how much volume of water we sell - how many millions of gallons? Can you answer that question here? Any of you?

Mr. Foltz: I can speculate.

Mr. Sahadi: No, I want to know...

Mr. Foltz: No, I can't give you an exact figure.

Mr. Sahadi: No - okay, I'm trying to ...inaudible...

Mr. Foltz: I'd say 60 percent of our distribution goes outside use.



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Mr. Sahadi: Do you know how much they make per gallon on that?

Mr. Foltz: How much the city makes?

Mrs. Magel: We've just been through all of that.

Mr. Foltz: Yea, two and a half times what we sell it for basically.

Mr. Sahadi: It's a lot of money isn't it?

Mr. Foltz: Yes it is.

Mr. Sahadi: Okay...

Mr. Foltz: Inaudible...

Mr. Sahadi: How many sources of revenue does the city have?

Mr. Foltz: Plenty of revenue sources. I mean I'm not...

Mrs. Magel: Let's not get into a test.

Mr. Sahadi: No no no no, this is - I'm asking a question because it's important what I have to say Mrs. Magel. Okay. I'm not chastising you here. I'm just saying, it makes its sources through taxes and the sale of water. Am I correct?

Mr. Foltz: Yes - two of our main ones, right.

Mr. Sahadi: and various fees ...inaudible...

Mr. Foltz: Two of our main ones, right.

Mr. Sahadi: Okay. I recently went out and talked to Canton Water Department. They were very kind to me. I sat down and I asked them about their water problem, their situation, where their wells are located. Not too far from Oster there's a collection well and there's various other wells and some of these wells have a high flow rate, over 2,000 gallons a minute. That's over 3,000 gallons a day, 110 million gallons a year. And even if you made just a nickel on a gallon of water coming from one of those wells, that's 5 million dollars. That's enough to refurbish the water plant, pay for that \$1,500,000.00 no bid contract pipeline and also pay for Arrowhead. I also had the opportunity to talk to Warstler Landscaping. I asked them if they had wells on their property, which is adjacent, right up against, Oster property. They have several wells. All their wells - they're drinking the water and it's clean. And in fact they went through some great expense testing their wells when they found out there was contamination or thought to have contamination on the Oster property. Their wells came back clean. Then I went and talked to a hydrologist - somebody who was very respected, somebody who was very well qualified, somebody who knows the area, knows Oster, knows the City of Canton very well, they told me the water on Oster is clean. If there are contaminants, they're low level contaminants. With a flow rate of over 2,000 gallons a minute, those contaminant levels, which are measured in parts per billion, dropped tremendously, till they're nonexistent. I'm not saying they don't exist, but they're nonexistent. In fact there's more problems with the water on Dressler than there is on Oster. And I have to sit back now having thought about this and looking at this project, why are we selling Oster? If it's a great source of income, which the city does need, and it's also a great source of water for our city, because that's the currency that we're going to be traveling in the future and using as we go forward and expand and reach out and try to annex in companies and real estate into the city, we have to offer them good safety forces, good schools and good water. And if we don't have good water or if we don't have the ability to provide water, and we're tethered to somebody else's water system, we can't expand, because that water is better than money. When I heard that Oster was up for sale again, I was livid, because I thought maybe some common sense may have settled into council and this administration. Your request for monies shouldn't be - come from stripping the city of its assets. We're about to lose a lot of jobs here because of Hoover. It's only a shadow of itself that it used to be. In today's paper they talked about - I believe it was today's paper, they talked about more jobs and the possibility that what happens with Maytag is also going to happen with Hoover. It's just not the revenue that we lose from taxes, how much water do we sell Hoover? We're going to lose that revenue too. Looking back I find out that this property is tethered to Arrowhead - the two are joined at the hip. Somewhere, someplace from various people that I talked to told me that the church, who has a right to locate where they can and build their church, I have no problem with that whatsoever, was interested in Arrowhead. Someone some place, I don't know who and I don't want to speculate at this time, diverted them to Oster in exchange not to buy Arrowhead. If that's the case, the spin that goes on about the bad water, that this is a nonperforming asset, isn't true. It's important that we already spent the money on that water pipeline that we connect it to Arrow - to Oster and start pumping the water out of there as fast as possible. We need to keep Oster for future annexation, for future income and for future water. If an ordinance is passed to sell this property again, I will deliver in front of Council whatever required signatures, in record time, to do another referendum. Because I feel it's important that we keep Oster. Thank you.

Mr. Snyder: Thank you. Anyone else in the audience wishing to speak to the Council?

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Ronald Kindy: Good evening. My name is Ronald Kindy. Residing at 9 Bentley SE, North Canton, 44709. I am please to address City Council, Administration and other guests on behalf of the North Canton TAP organization. About 15 members of an ad-hoc committee made up of TAP members, City Administration, Chamber representatives and service clubs, have studied the idea and need for a community sign. This committee spent several years investigating the value, need, benefits, suggested location, rules, purpose and its administration. Members have also made contacts and visitations to other communities who utilize a community sign. Our community is blessed with many service organizations that significantly contribute to enjoyment of life in our great city. Yet I tell you first hand that every one of these service organizations is handicapped in getting out their messages to our residents in a timely cost effective way, without being in violation of our city's sign ordinance. We are all obviously aware of the good they do and because of our acceptance and gratitude for what they do, we the city all look the other way when the signs of community service notices show up throughout our city. These signs, however in good cause, detract from our community's beauty with sign clutter. One organization sees it and soon they all do it and it's nearly impossible to control. The community sign should greatly reduce, if not totally eliminate the sign clutter and giver permits department an avenue of enforcement without alienation. We have mentioned the value and benefit to our community residents and our service organizations and yet likely one of the biggest and most important benefactors of the community sign will be the City Administration itself. The number of times of need for rapid conveyance of information to our residents from the city government in low cost, timely way is probably going to prove invaluable. It is truly a win win for all. In addition, we have mailed and solicited letters of support from many service organizations and also their commitment of financial assistance to defray some of the cost. We deliberately chose not to solicit their endorsements until after council's first reading. The returns will be shared with council in the near future. I am here tonight to express great delight in the fact that the community sign is about to become reality. We believe that every resident and visitor to the City of North Canton will reap great rewards from the community sign. Thank you and we urge your adoption.

Mr. Snyder: Mr. Kindy, if I may sir, one privileged question. Did I understand your statement that after the supposed first reading that you'll be in a position to tell this council how much financial support the community organizations are going to give it? Did - I'm not trying to put you on the spot that, but did I understand that correctly?

Mr. Kindy: Well I'm on the spot.

Mr. Snyder: Yea.

Mr. Kindy: The letters have gone out. Again, we did not want to do it and jump start the system.

Mr. Snyder: Right.

Mr. Kindy: But yes, we will be back with commitments.

Mr. Snyder: I appreciate that. Thank you sir.

Mr. Kindy: Thank you.

Mr. Snyder: Anybody else wishing to speak to the council? Mam, step forward, state your name and address for the record.

Kathy Dunlap: Good evening. I'm Kathy Dunlap, the President of the North Canton Chamber of Commerce. 121 South Main, North Canton. And I'm here also to reiterate what Mr. Kindy just spoke of, the community sign. My position in the Chamber - we do take many many phone calls from people throughout the community and those that are not in the community wanting to know what's happening, events that are going on and a community sign would enhance this community greatly. Our Town publication is wonderful and this is a fairly new publication, but it's only published once a month. My job with that publication is to bring all of the events together from all of the clubs and organizations for the community. I do that as a favor to the Our Town publication. However, that doesn't cover all the bases of events that might be happening in between the publication of that. And since we don't have a daily paper, we are really limited to what we can get out to the public. A community sign would also help us to draw people from outside of our community as they drive through our town, which would probably bring a lot of people to our events that might not otherwise come. So I just came to encourage your consideration to this sign for the community. Thank you.

Mr. Snyder: Thank you for your ... Anyone else in the audience wishing to speak? Madam, step forward, state your name and address for the record.

Del Pucci: My name is Del Pucci. I live at 1338 East Maple Street. I believe the city spent millions of dollars upgrading Main Street here and it is beautiful. So many comments about Main Street, the lights, the flags and so forth. I have to disagree with this sign. I mean if it was an appropriate small sign. I mean that can be visible from the street, but not a 10 x 10 foot sign. This sounds like a billboard. And I know down in Canton they're trying to get rid of signs on Tuscarawas because it gets out of hand. So if City Hall puts a 10 x 10 foot, I believe that was the size I heard, out front here, what's that going to stop everyone down the street wanting to put larger signs. I drove down there today and they're all small signs. I don't know what our sign ordinance is, but I believe it's not for a billboard. And I disagree with it - that size of a sign. I have one other question. I've been out of town, but I had seen in the back



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papers that Bob-O-Link was to be developed and they were talking about a sewer going in. I'm not quite sure what I read, but it said something about a pressure line - a pump station being put in because it would be most cost effective. Some of you well know I went through problem on East Maple Street with a pump station - two pump stations I believe it was and pressure lines and so forth and what problems that caused on Maple Street and the adjoining properties. I don't think that should be allowed at Bob-O-Link. I think it should be a regular sewer put in and eliminate a lot of future problems. Thank you.

Mr. Snyder: Thank you mam. Anyone else wishing to speak? Seeing none, may I have a motion to amend Ordinance No. 49-03, as presented?

OLD BUSINESS:

Mrs. Kiesling moved and Mr. McLaughlin seconded to **amend Ordinance No. 49-03, as presented**. All members present voting:

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

No: Osborne.

Mr. Snyder: Director of Law Batista, do you have that amendment sir? Do you know - are you - you have it there so you're familiar with it?

Mr. Batista: No, I have not had a chance to look at it. It only came this evening.

Mr. Snyder: I do know that the language...

Mrs. Kiesling: Our attorney, Jim Mathews ...inaudible...

Mr. Snyder: Yea, the language has been changed. But I mean as far as you need to amend read into the record prior to reading of the ordinance? Inaudible...my question...

Mr. Batista: I think probably Council ought to be advised of what the amendment is.

Mr. Snyder: Chairman Kiesling, would you be so kind to do that?

Mrs. Kiesling: Yes.

Mr. Snyder: And point that out so it's in the record.

Mrs. Kiesling: Yes, last Tuesday I found out - let me start over - today I found out last Tuesday, the Township Trustees met in an emergency meeting to discuss the CEDA for the first time and in their discussions they decided they would like a portion of a sentence deleted. So they spoke with our attorney and their attorneys and at this point, I know the Mayor received it today, I believe he's onboard with it. The change is, for the record, the first sentence in Section 2. The first sentence now will read: The City and the Township each agree to attend any hearings regarding the CEDA. This sentence previously read: City and Township each agree to attend any hearings before the Board of Stark County Commissioners and the Township will assist the City in the annexation of the property into the City. The Trustees were not comfortable with the word assist the City in an annexation, which I guess I can agree with. So as far as our attorneys our concerned and McKinley Development, that was absolutely fine with taking out that portion of the sentence and that's the amendment to the final draft of the CEDA tonight. Any questions? Dave...

Mr. Lindower: No.

Mrs. Kiesling: Chuck?

Mr. Osborne: No...

Mrs. Kiesling: You're on my committee that's why I asked. Anybody else?

Mrs. Magel: Yea, that line that we discussed is deleted and remains deleted from the last time?

Mrs. Kiesling: Yes, nothing else is changed from last Monday. This is the only change from last Monday.

Mrs. Magel: Okay and then that other addition that was in here is also out...

Mrs. Kiesling: Yes, everything has remained the same from third draft, this is now the fourth draft I believe.

Mrs. Magel: I've lost count. Let me - just one last question.

Mrs. Kiesling: Pretty much...

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Mrs. Magel: From - I don't even know if it was last Monday,  
 Mr. Snyder: The Monday before.  
 Mrs. Magel: Or two Mondays ago.

Mrs. Kiesling: We - well last Monday we did talk about the...  
 Mrs. Magel: deletion of that...

Mr. Snyder: That's right. Yea and that was deleted.

Mrs. Kiesling: Deletion of a sentence, addition of a sentence - addition of two sentences about the trees.

Mrs. Magel: This is word for word, except for this change?

Mrs. Kiesling: Correct.

Mr. Snyder: Section 2 - right.

Mrs. Magel: Got it.

Mrs. Kiesling: It is word for word from draft three.

Mrs. Magel: Thank you.  
 Mrs. Kiesling: You're welcome.

Mr. Snyder: Thank you. Director of Law, will read that ...inaudible... third reading, as amended.

Mrs. Bittle: You need a motion. Mr. President, we need a motion.  
 Mr. Snyder: Motion - oh, we need a motion. May I have a motion to read Ordinance 49-03, third reading, as amended, to first sentence in Section 2 the first sentence will read: The City and Township each agree to attend any hearings regarding the CEDA.

8. Mr. McLaughlin moved and Mrs. Kiesling seconded to **read by title only, third reading, as amended**, of Ordinance No. 49-03. All members present voting:  
 Yes: McLaughlin, Snyder, Foltz, Kiesling, Lindower and Magel.  
 No: Osborne.

**Ordinance No. 49-03 - Third Reading**

Ordinance No. 49-03 authorizing the Mayor of the City of North Canton, through the Board of Control, to enter into a Cooperative Economic Development Agreement and Annexation Agreement ("CEDA"), by and between the City of North Canton, Stark County, Ohio ("City") and Plain Township Board of Township Trustees ("Township").

Mr. Snyder: Chairman Kiesling.

Mrs. Kiesling: As I've stated, this is the cooperative economic agreement between the Township and the City for the south course of the Sanctuary. McKinley Development owns it and they are going to develop it. It will be annexed into the city after all our public hearings and things we need to do with the Township Trustees. And from what I understand, the Trustees are meeting again next Tuesday night to hopefully pass the same agreement. And this will be our third and final reading and then we can start setting public hearings.  
 Mr. Snyder: Fine...

Mr. Osborne: I'd like to make a couple comments here if I may Mr. President.  
 Mr. Snyder: Please.

Mr. Osborne: I have not changed my stance on this. This CEDA is a community economic development agreement and there is no economies shared in this between Plain Township and North Canton. This is a - they're all developer issues. It's a fantastic project. I would work to see that it comes into the city and promote. But again, I don't want to put this halo of CEDA over it. A CEDA is designed to divide up revenue that's already being generated from a planned annexation and divide it among the township so they're not impacted and harmed. This is designed to allow them to design their budgets over about a 12 year period to accommodate the loss of revenue. And there is no loss of revenue because there's no revenue being generated from this property at this time. There are processes already in place that have been used time and time again - petition for annexation before the commissioners, Planning Commission procedures, rezoning if necessary before council, public hearings. All the mechanisms are in place. So I see no value to this. And although it's an excellent development. I know a lot of people don't want to see virgin property developed, but I only have to ask them where do they

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expect their children or their grandchildren to live. They would have to move out of the community. So we hate to see green space developed. But if it's developed in a planned deliberate manner, the city grows, our children and grandchildren have places to live, we have homes that older citizens can, in this case, move into because they have less green space to maintain as far as their actual property. So I just want to make it clear, it's an excellent development, but I am not going to put this label CEDA on it and act like it's been blessed by Pope Paul. So thank you.

Mrs. Magel: Mr...

Mr. Snyder: Any other comments?

Mrs. Magel: Mr. President, I have been given the assurance, I hope, that all these procedures are - will be carried out.

Mr. Snyder: Well Member Magel, that's a good point. But they by -- both by our own charter and by the agreement that we're about to approve, hopefully, we are bound by to do that. Every procedure will be followed as you were promised and as you've reported to your constituency. There'll be no circumvention of planning, zoning or subdivision regulations.

Mrs. Magel: Thank you.

Mr. Snyder: If there are no other questions...

Mr. McLaughlin moved and Mrs. Kiesling seconded to **adopt the third reading, as amended**, of Ordinance No. 49-03. All members present voting:

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

No: Osborne.

Mr. Snyder: Thank you.

9. Mr. McLaughlin moved and Mrs. Kiesling seconded to **read by title only, third reading** of Ordinance No. 50-03. All members present voting:

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

No: 0

**Ordinance No. 50-03 - Third Reading**

Ordinance No. 50-03 repealing Ordinance No. 2940, as amended, known as the Zoning Ordinance for the City of North Canton, Ohio, and to revise and enact a new Zoning Ordinance as Chapters 1121-1191 of the Codified Ordinances of the City of North Canton to promote the public health, safety, convenience and prosperity or general welfare by implementing those regulations provided for in Sections 713.06 through and including 713.15 of the Revised Code, including, but not limited to, the use of buildings and other structures and land for institutional, residential, business, industrial, and other uses; by regulating the area and dimension of lots, yards and other open spaces; by regulating and restricting the location, bulk, height, design and land coverage of buildings; by regulation and limiting the density of population; and for the aforesaid purposes to establish districts of such classification, number and dimensions as may be considered for the implementation of comprehensive planning and to provide regulations and procedures for administration, amendment and enforcement thereof.

Mr. Snyder: Chairman Osborne.

Mr. Osborne: Thank you Mr. President. Okay, this is our third and final reading of the city's new zoning ordinance. This has been in progress for approximately six and a half years. For the last year and a half I have headed up the chairmanship of this committee. Prior to that, Vice Chairperson Magel held this chairmanship for two years. She put considerable work on it. I have basically been a liaison just trying to get it to council and get it passed. I am glad to see we have something that's a little more airtight as far as the desires of the citizens to protect themselves from unplanned or unwanted development. And I'm happy that we can get this passed tonight. It will be effective in 30 days, which will be June 12<sup>th</sup> and will provide the city a little more clear cut definitions as far as some of its zoning requirements. This is just a document we can start working with. It's not something that's carved in stone. We can improve on it, we can modify it. It's not going to be a perfect document, but we can mold it as issues come up to the city and hopefully implement them in a proper pace instead of ... for years like we have in the past. That's all I have. Thank you.

Mr. Snyder: Thank you. Any comment?

Mrs. Magel: I would like to thank Jim Benekos and Gene Hemminger, they're the ones who did the bulk of the work. They're the ones that had the years of knowledge. I came in representing

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the people to say if there was something out of line that the people just couldn't live with, that's when I would step in. But they gave their expertise and I can assure everyone, I'm sure this isn't perfect. We probably missed something here. I also asked Roy to look at the procedures and I believe Roy has a comment right now.

Mr. Batista: Yea, I've looked them over and I don't see anything that's inconsistent with state statute.

Mrs. Magel: Good.

Mr. Batista: I did not have the opportunity to compare in depth with our old ordinance.

Mrs. Magel: Okay.

Mr. Batista: I think the only thing I would mention to council is I saw two items when I was looking at the conditional use and similar uses provisions, section - it's Chapter 1177 of the ordinance. It does give an appeal from the Planning Commission to Council on both conditional use permits and similar use designations. I actually think that the appeal to council on the similar use is a good idea, because similar uses effectively establishing a new zoning classification. On the conditional use, the whole thrust of my understanding was - the whole thrust of this ordinance was to make conditional uses more extensive. Conditional uses have very limited application under the old ordinance. I don't have - take exception to having an appeal on conditional uses. I just wanted to point it out. And the other item I did notice is it's just a little housekeeping item, but under similar uses, it's - one of the conditions is that the proposed use not be prohibited in any other district and I'd kind of like to chat with Gene Hemminger about that, but it's certainly no reason to hold up the ordinance. To delete that one short sentence would be rather simple ... necessary. The only other item to ask council's permission and I think I would ask that by voice vote after the passage of this ordinance, is that Mary Louise and I have the authority to make any clerical - corrections of any clerical errors in the text of the ordinance after it's adopted.

Mr. Osborne: I wouldn't have any problem with that.

Mr. Batista: Which is very normal for a - when you get into an extensive codification like this you just - And the other thing was that I gave Mary Louise the job of proof reading this thing and if looks could kill I wouldn't be up here tonight.

Mr. Osborne: Thank you Mr. Law Director.

Mr. Snyder: Director of Law Batista, a reason I might point out, if you might not of probably been at that meeting when that was asked that conditional uses have - at least have the ability for the proponent to appeal to the council. As you will probably very well remember, on a piece of property that we annexed to the city a couple years ago we did have a problem on the conditional use. And it just gives the comfort zone to the council that we can control that because to give carte blanche for a conditional use, even though it - as long as there's not more than 25 percent of building changed, it opens up sometimes to things that are not really the healthiest as far as the residents. So that's the reason why. So it's more a selfish thing than...

Mr. Batista: Oh yea, I ...

Mr. Snyder: Yea.

Mr. Batista: I said I didn't take exception to it...

Mr. Snyder: No, I just wanted to clarify that that's why that was there. There be any other comment...

Mrs. Magel: The clerical changes, will you be letting us know what they are?

Mr. Batista: Yea, I think...

Mrs. Magel: Okay.

Mr. Batista: Mary Louise will...

Mrs. Magel: No problem.

Mr. Osborne: That's all I have Mr. President.

Mr. Snyder: Thank you very much...

Mr. Osborne moved and Mrs. Magel seconded to **adopt the third reading** of Ordinance No. 50-03. All members present voting:

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

No: 0

Mr. Batista: I'd like to have a motion on that ...inaudible...

Mr. Snyder: Yes. May we have a motion to permit the Director of Law and the Clerk of the Council to make, at their discretion or opinion, any clerical changes in the actual text, with so changes being noted and distributed to council?

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Mr. Osborne moved and Mr. Foltz seconded to **authorize the Director of Law and Clerk of Council** to make clerical changes in the actual text, with so changes being noted and distributed to council. All members present voting:

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

No: 0

Mr. Snyder: Thank you.

10. Mr. McLaughlin moved and Mrs. Kiesling seconded to **read by title only, third reading** of Ordinance No. 55-03. All members present voting:

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

No: 0

**Ordinance No. 55-03 - Third Reading**

An ordinance authorizing the Mayor of the City of North Canton, through the Board of Control, to enter into a franchise contract for a three (3) year period commencing July 1, 2003 and terminating June 30, 2006, for the collection of residential garbage, rubbish, recyclables and yard waste in the City of North Canton.

Mr. Snyder: Chairman McLaughlin.

Mr. McLaughlin: Our garbage rates are pretty much the same for the next three years. But the exception is they'll be collecting more of your waste - yard waste and everything else like that, and our leaf program and everything else like that, it's built into the rate. So it is a very good rate for the next three years.

Mr. Snyder: Any other comments of council? If not...

Mr. McLaughlin moved and Mr. Lindower seconded to **adopt the third reading** of Ordinance No. 55-03. All members present voting:

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

No: 0

11. Mr. McLaughlin moved and Mrs. Magel seconded to **read by title only, second reading** of Ordinance No. 63-03. All members present voting:

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

No: 0

**Ordinance No. 63-03 - Second 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, through the Board of Control, to enter into a contract for the resurfacing, repaving, replacement, repair and preventative maintenance of certain streets and alleys within the corporate limits of the City of North Canton.

Mr. Snyder: Chairman Magel.

Mrs. Magel: Yes, this is the infamous yearly road work. This year we're asking for \$250,000.00 in asphalt and I believe it was \$35,000.00 in concrete. And this is our - is it 25? Okay, I'm sorry.

Mr. Snyder: Chairman Magel, may I point out one thing? The Mayor - I had a conversation with him today regarding a few things and he told me that by next Monday, at least a week prior to the final vote, you'll all be in possession of the projected streets and that you supposedly sent him. So you'll get a list of streets and - Him and the engineer have worked on that from the submission of the different council people. So we will have a list...

Mrs. Magel: By next Monday ... Council of the Whole?

Mr. Snyder: Yes ...inaudible... Mayor, am I correct on that?

Mayor Rice: Jim assures me he'll be ready to go by next Monday night.

Mr. Snyder: So we'll have it a week in advance and...

Mrs. Magel: That's very good.

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Mayor Rice: His guys are working on that.

Mrs. Magel: I appreciate that, thank you.

Mr. Snyder: So you'll know what you're voting on. So you won't be voting blind.

Mrs. Magel: Then I highly recommend this second reading and then we'll discuss when we get the list next week.

Mr. Snyder: Yes, that'll be prior to – Is there any other comment on that? If not...

Mr. McLaughlin moved and Mr. Foltz seconded to **adopt the second reading** of Ordinance No. 63-03. All members present voting:

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

No: 0

NEW BUSINESS:

12. Mr. McLaughlin moved and Mr. Foltz seconded to **read by title only, first reading** of Ordinance No. 67-03. All members present voting:

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

No: Osborne.

**Ordinance No. 67-03 - 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, through the Board of Control, to enter into a contract for the purchase and installation of a community sign and landscaping at North Canton City Hall.

Mr. Snyder: Okay, you were given a copy last Monday night. This is the first reading, you heard Mr. Kindy say after the first reading he'll be in a better position to tell us as we motor along in this. However, I should point out of that \$50,000.000, \$15,000.00 is earmarked for landscaping for the front of City Hall no matter what we do relative to the sign. So approximately we're looking for authorization for 35,000 max towards the sign. So I just want you to know of those two figures that we will landscape to go along to give the aesthetic value to the front of the building that we have done. So...

Mr. McLaughlin: Mr. President, can you break that out like 35 for the sign, 15 for the landscape?

Mr. Snyder: Absolutely, if you'd like it that way. I'm sure - am I correct Mayor in...

Mayor Rice: Those are the estimates...

Mr. Snyder: Right.

Mayor Rice: we've received so far. So...

Mr. McLaughlin: If you don't mind breaking it out like that I have no problem with it. If it's okay with you.

Mr. Batista: We can have the ordinance amended before the next reading.

Mr. Snyder: Yea, wait and you'll see - at that point...

Mr. McLaughlin: Okay.

Mr. Snyder: you'll know what type of community support that you have. So if it's okay Mr. McLaughlin, this first reading we'll read it with 50...

Mr. McLaughlin: That's fine. I'll go with the first reading.

Mr. Snyder: Then we'll break it out as they move closer to it. But I just thought that I would point that out to you. Are there any other comments?

Mr. Osborne: Ah, yes...

Mrs. Kiesling: I have a question.

Mr. Osborne: Go ahead Mrs. Kiesling.



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REGULAR

Meeting

DAYTON LEGAL BLANK, INC., FORM NO. 10148

Held Monday, May 12,

20 03

Mrs. Kiesling: Just - did you all receive that letter from Mr. Daniluk in our packet? Actually it was very enlightening. I appreciate it. I had Mary Louise pull the minutes from March 13, 2000, when the Chamber did come up and speak, like Mr. Kindy did here tonight. And I just have some questions for those of you on council, cause I don't know the ...inaudible... even Mayor Rice, you were on council at that point. You talked about the sign, but then it was to come out of committee the next week and nobody brought it out of committee and it hasn't been spoken of in three years. So I just want to know why we have - essentially have the same concerns - safety, where we were placing it, I assume the cost. It looks - it came up - went up \$10,000.00, which I don't know if landscaping was involved three years ago and the need for it. And who was going to control it, that definitely a big issue in the minutes. Marge Loretto talked about Mary Louise controlling it or Council, and the Chamber originally thought they were going to control it, but that was really the only discussion involved in the whole meeting. None of you talked amongst yourselves at all. And then it wouldn't even - didn't even come out of committee the next week and it has not been spoken of since. So I guess I'm asking the five - four of you, five of you, what happened? Why didn't you want it then and why all of a sudden do you want it? What has changed?

Mayor Rice: If you want me to start Marcia...

Mrs. Kiesling: Sure.

Mayor Rice: Number one, this is not the same proposal that was brought out at that point in time. I don't remember all the specifics of that ...

Mrs. Kiesling: Well there's not really much specifics.

Mayor Rice: This is a new - I recall there were different locations talked about back then, as I recall. I think one of them - one of the more prolific discussions was down at the fire house and there was a lot of concern by the Fire Department, they weren't crazy about having it out front. So the location is new, up here to my understanding. Again that was...

Mrs. Kiesling: No in the minutes it does talk about it coming here actually.

Mayor Rice: Yea well they talked, as I recall -- and I think that was pretty much when I was just coming back onto council when that thing ...

Mrs. Kiesling: Okay.

Mayor Rice: was happening, so I think I got in in the middle of it, so ...

Mr. Snyder: Mayor...inaudible...

Mayor Rice: I can't speak what happened at that - at that point in time.

Mrs. Kiesling: There was only one meeting. That's why it was so strange.

Mayor Rice: But this is not a request coming out of what was tabled before, because I don't have that information actually of what was presented back at that point in time.

Mr. McLaughlin: I'd like...

Mayor Rice: This is a new - a new plan that's been put together by engineers, by architects, along with people from the community and this is what, as I think, Mr. Kindy mentioned, over a number of years. This is not anything that's new, they've talked about this for years.

Mrs. Kiesling: Obviously.

Mayor Rice: I am trying to get it in a form that would be, you know acceptable to people. As I mentioned last week, the safety concerns according to our Police Chief and Fire Chief, they have no safety concerns about this and its location currently. The cost is something that's going to be - I think the nice benefit of it is this is a - truly a community project where you're going to have participation from the community. Not only do they support it vocally, but they plan to support it financially and we don't get that very often. So I think that speaks volumes for their commitment and desire for this asset to the city. And it's not something that the city is going to pay for 100 percent. We're going to have - we're going to partner with our civic groups in the local community to do that. So the issue of - under our plan here, the control will go where I think it's appropriate, because according to our Charter, last time I checked, the responsibility of the management of the buildings and facilities and properties of the city lies in the - under the Director of Administration - I think that's where this clearly belongs. So that's kind of where we're at, but this is not - I don't want you to think this is necessarily related...

Mrs. Kiesling: No actually I didn't think that.

Mayor Rice: to that. It is in a way, but we're not - we started from scratch on this.

Mr. Lindower: Inaudible...

Mrs. Kiesling: Yea, sure.

Mr. Lindower: I'm pretty confident that after the first reading, according to Mr. Kindy, that we're going to have some community involvement as far as the financial cost of this sign. I'm interested in knowing what that's going to be. As far as the responsibility for the usage of that sign and the legality and so forth of the information put on there, I concur Mayor Rice that the Director of Administration should possibly be fully held responsible for that. As well as having that put into a written policy and procedure, which the city is in the process right now of upgrading the policy and procedure manual for the city. So once

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that's put in there and approved by everyone, I think that the control should be no issue after that. I understand where that problem or where the question comes into play as to what information can you put on there, what type of information will be also displayed and so forth, but I think if it's put into a written policy and procedure with the city it should be controlled.

Mr. Snyder: Now Mrs. Kiesling you asked the question and if I recall that came out of the Ordinance and Rules Committee at that time.

Mrs. Kiesling: It was you, Kathy and Chris Thomas.

Mr. Snyder: Exactly. And if I recall, and I would defer to my colleagues, cause I did not read the minutes...

Mrs. Kiesling: They're really...inaudible...

Mr. Snyder: but at that particular time we were embroiled in a law suit with someone we'd leased some property to. We were - just been notified that there was a ... we had just come through a potential poisoning of our water and something else was going on at this same time. And I think we felt at that time that there was no real pressing issue to advertise ...inaudible... problems the city - we're having. We needed to find some positive and I'm not saying that lightly. But I think it was a request of Mayor Revoldt and we did have a presentation by an architectural firm for the design, but the timing was just not and I think my colleagues Doug and Rick and Kathy will hold me to that on it. But I think we were just in the middle of that and we just dropped it and forgot all about it I think.

Mr. McLaughlin: That was part of it. Plus we always had the - if I remember right we had the crisis of the week with everything coming back from the Water Department, every week...

Mr. Foltz: Yea.

Mr. McLaughlin: we had a new crisis coming in saying we needed \$10,000.00 or \$15,000.00 for this, this needs to be repaired. And at that time we felt that everything for the Water Department was much more important than the sign. So that's - I sure - I'm thinking the same as you. I remember the weekly crisis we used to have over there and what the Water Department needed and everything else like that. So...

Mr. Snyder: Yea, we were having some problems, but that's what it was.

Mrs. Magel: Inaudible...

Mr. Osborne: I'd like to make some - I'm sorry, go ahead Mrs. Magel.

Mrs. Kiesling: I'm not done yet either Chuck.

Mrs. Magel: I thought Mrs. Kiesling brought up an excellent question.

Mrs. Kiesling: Mr. Daniluk did actually.

Mrs. Magel: That it - it does need to be discussed what was - what happened then and what's here now. And I think I alluded to that whenever I spoke earlier on my feelings about this. For me and I was the committee chairman at the time, it was, as was indicated, Mary Louise was going to be in charge of this at council's discretion. We were responsible for the content. And as Rick had alluded to, there was just nothing but crisis of the week. And there's seven people here and seven people would have seven different opinions and that just - it was dropped. As soon as I had heard that a - and I had mentioned, that the Director of Administration is going to take control of the content and that's what changed for me.

Mrs. Kiesling: Okay. Well that answers my questions. I was just shocked that it never came out of committee after they gave a presentation and I hadn't been to those meetings. I do have another question though, not specifically to the sign, but regarding the sign. Last week the Mayor and I spoke about community and economic development and Oster actually, and you had made the comment of show me some money and I'll show you some opportunities in the community and economic development arena. And honestly I believe this \$50,000.00, even though at this point Mr. Kindy we don't know how much they're going to give us. No letter of intent. I mean I guess if I had letter of intent tonight, knowing how much somebody else was going to contribute, it might change my mind. But I think this \$50,000.00 could be used to produce some jobs here in the city, with the community and economic development like you had said last week. So I'm willing to show you this \$50,000.00 to help go out and produce some jobs as opposed to spending it on landscaping and a sign. And that's my personal opinion, I don't know if it's the opinion of my fellow committee members, but that's how I feel. You struck it home when you said that last week concerning Oster and getting you some money and I know we have some appropriated, but ...

Mr. McLaughlin: We had...

Mrs. Kiesling: I think \$50,000.00 more would probably help a lot. Whether we hired somebody again. Whether we just started giving abatements. If somebody came to us and we threw some money in the Stark Revolving Loan, like we did for Gone Home. There's a lot of opportunities out there to help other people and this sign is not going to bring us any jobs. That's just my thoughts. I understand that the beauty of it and people driving by it and reading what's going in our city and it may attract them to spend some money here, but I don't know that it's going to attract a business.

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Mr. McLaughlin: But you hit the head - the nail on the head. It would of - it would of brought in an economic development person but we chased them away. We had the best guy in - that we could ever possibly have in the world.

Mrs. Kiesling: That's water under the bridge right now.

Mr. McLaughlin: To go back - I know, but I'm just saying...

Mr. Lindower: That's true.

Mr. McLaughlin: you just asked the question. I'm just...

Mrs. Kiesling: And you know what else...

Mr. McLaughlin: I'm just filling ... the questions you just asked.

Mrs. Kiesling: Right.

Mr. McLaughlin: We had the best guy in the world. The best guy to go out there and knock on doors. The best guy to go bring us some jobs...

Mrs. Kiesling: I agree.

Mr. McLaughlin: But we let him slip away.

Mrs. Kiesling: We always have it - we have an opportunity to try again. And the other thing Mr. Snyder brought up was timing. Honestly I don't - you guys you can look at it totally opposite than me - timing. Maybe we do need a sign and maybe some people do think that it will bring us jobs. I just don't get that. So my point is timing is bad. We want to spend 4.2 on Arrowhead and we're going to lose 350 jobs at the Hoover Company. So I'm not quite sure that the timing is right, just as it was three years ago. And that's too bad because it possibly could be a very nice improvement to the front of City Hall, but I'm not quite sure the timing's right.

Mr. McLaughlin: How many of you people last night watched on the channel, on Channel 11, the...

Mrs. Kiesling: I did, it was wonderful.

Mr. McLaughlin: the story about North Canton?

Mr. Foltz: I watched some of it.

Mr. McLaughlin: Alright. What's different today than it is then? When Hoover was in bad shape, Boss made sure he took care of all his people.

Unidentified: Amen.

Mr. McLaughlin: He took care of the community - gave them a community building, gave them a job. If a family needed a house he went out and guaranteed the loan. You know we're - you know everybody's worrying about the Hoover Company. I'm worried about them, but I'm not - everybody's got them down and out. Everybody I've talked to in this community...

Unidentified: I know.

Mr. McLaughlin: is saying they're out of here in five years, four years, they're out of here. Nobody knows that. Nobody knows that for sure. Yes, the world is changing. Yes, they're - people are consolidating. Plants are consolidating to stay alive. But nobody knows what the true future is going to be.

Mrs. Kiesling: I agree completely.

Mr. McLaughlin: They're speculating. You know I get very upset when people go oh two years and the contract's up, they're gone. You don't know that. So shut up and just let nature takes its course. Because it irritates me, nobody knows what the future's going to bring. Had - you know I just had a 50<sup>th</sup> birthday. God I'd love to know if I'm going to live to 80 years old, but I don't know that, it's a fate of God. Mr. Snyder: Be careful there what you wish for.

Mr. McLaughlin: But I'm just saying I'm just - I get so sick and tired of people saying this about the Hoover Company. Leave the Hoover Company alone and let them run their business. Let's worry - you know let's just do our job.

Mr. Lindower: Inaudible...it's going to...

Mrs. Kiesling: That's an interesting point of view.

Mr. Osborne: Rick, we know there's an announcement of 500 jobs that are eliminated. This isn't layoffs, they're not coming back. And I know personally from talking to several Hoover employees, that the bulk of those layoffs are going to hit Hoover Company. You're going to see headlines here in the next six weeks - 300, 350, 400 jobs are eliminated, good salaried paying jobs. There is nothing going to restrain this council obviously. We come along, oh we're going to spend 4.2 million, oh let's spend 50 thousand for a sign. How about some prudence? I mean you look ahead. I mean do they have to knock you upside the head and say hey, these jobs are gone? You're going to see it in the headlines here in a few weeks. And if you talk to any of the unionized employees, I get calls every month. The IP down there, they already cleaned it out and it's up for sale practically. Now I haven't studied the particulars on the sign, somebody said it's 10 foot by 10 foot. It's very close quarters out there, I don't know if it's going to obstruct the traffic views. Let's face the reality of what's going on or at least let's stop and wait a minute. I mean the third vote on this is going to be occurring after these announcements of these job layoffs. Are you still going to vote for spending this for this sign after the headlines have said 375 jobs gone at Hoover?

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Mrs. Kiesling: That's a good idea, why don't we table it for a few weeks till we find out what's going on with Arrowhead, till we find out exactly what's going on with...

Mr. Lindower: I think that they, you know in view of the fact that Mr. Kindy more or less made the statement tonight that with the Chamber of Commerce and so forth and the other business folks here in the city are willing to contribute, but they want to find out what our intentions are. I think we would really defeat that particular progress if we table this thing now. With three readings you know there's another four weeks, which is quite a bit of time to gather some more information on what's going on. I - that's the reason why I support the fact that maybe on the first reading that we should probably go ahead with this, find out just what kind of information is generated from that interest as far as the council and then make a decision later on. We could stop it anytime we wanted to. In regards to worrying about the Hoover Company, I'm concerned. I have a lot of good friends and even relatives that work there that are concerned. However, I don't think that the Hoover Company is going to kill the ... or kill the City of North Canton. It's going to be a loss of revenue, there's no question about it. 9/11 in the United States caused a big panic and obviously people have told the general population of the public to keep on going - to keep moving forward, to not be afraid or not to back off. There's a difference between I think having a little bit of intestinal fortitude and moving ahead as - over - backing down with total fear and stopping all together. I'm concerned like everyone else. I think as far as this one issue of the sign, not to get too far off the track, I think in view of the fact that we can promote more activity - let's take hypothetically the street festival and so forth, any of the Chamber of Commerce events that take place that we can bring money into the city, it's another source of bringing money in. It's not like having a large business move into the city, but obviously I think that it will probably end up on the positive side over a period of time.

Mr. Osborne: Mr. Lindower, we're not talking about intestinal fortitude. We're talking about the public's money here and it's quickly dwindling as we keep spending up here. And I don't know what kind of contribution we're talking from these other individuals. They're going through the same tough times that the entire United States is - the state, the federal level. You know what are they talking about? Sure they may come with a thousand or two, three thousand. How about showing some fiscal responsibility here? Is this something this city desperately needs right now? And if we want to communicate with the public, where is this web site we've talked about here before I even got on council? That's a good way to communicate. People can sit there in their homes and not even have to burn gasoline driving up and down the street and adding to the traffic problems just to see what's going on in their city.

Mr. Lindower: That's another issue, but I agree with you on that. I think a web site should be added also to the informational source for the city. But I don't think that that really deals too much with the sign issue right now.

Mr. Foltz: I'd like to bring a few views to the table here. Are we going to be proactive? Are we going to promote our city? Or are we going to be reactive or pessimistic? I have faith in Mayor Rice and the Administrator looking over this sign. I appreciate Mr. Daniluk's letter. He's a neighbor of mine, been a good neighbor of mine for my time on Werstler. Anything he has to say I seriously consider and I appreciate his letter. And in the same hand, we've had the Chamber of Commerce up here, a TAP Group up here, other civic groups that are going to be involved. These are business and community leaders who want this sign. That in itself tells you it's to help self promote North Canton and North Canton activities, North Canton business.

Mr. Osborne: Well.

Mr. Foltz: I think it's going to be aesthetically well done. I don't think it's going to look like something from Las Vegas. I think it's going to fit in with the surrounding landscape architecturally. If we just go by the draft it's brick, there's planters around it. As Mayor Rice alluded to earlier, \$15,000.00 is going to be spent on the landscaping regardless if the sign goes forward or not with council vote. Okay, so we're down to 35,000 towards our contribution and we're going to get more information in the future. I'm very comfortable voting for this on a first reading. But I just want to - we need to promote our city here and this is something we can do. You're right Rick, I did watch that about Boss Hoover. It was an excellent history. I didn't watch the whole thing. It was an excellent history of North Canton. And one thing that he did was he was innovative.

Mr. McLaughlin: Yes.

Mr. Foltz: And that's one thing I would hope that North Canton is and the surrounding community of Stark County. We're the first one really to do our infrastructure on Main Street. Everyone else has been a follower, we've been a leader. If we have to be the first one to have a community sign, I have faith that we'll do it right and other people will follow our lead, if it's done tastefully, if it's handled the right way. There was always those questions three years ago. I wasn't comfortable with it then. I don't remember what I said on the minutes, if I said anything at all. It probably just stayed in committee.

Mrs. Kiesling: Not really, it stayed in committee.

Mr. Foltz: But everyone was right, we were putting our fingers in the dam, all these leaks were happening everywhere in the city. And now maybe is the best time at all to get something to promote our city positively and this is one way to do it. Is \$50,000.00 a lot - \$35,000.00 a lot of money? Yes it is. Okay, but the results of that spending can be more richly rewarding than the \$35,000.00 investment. Especially when you have all the business and community leaders behind it. I shouldn't say all of them but most of them. And we're going to find out in a couple weeks once those letters are sent out, who is going to contribute towards it in the future. So I agree with Councilman Lindower on that.

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COUNCIL OF THE CITY OF NORTH CANTON

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Meeting

DAYTON LEGAL BLANK, INC., FORM NO. 10148

Held Monday, May 12, 20 03

Mr. Osborne: Well there's been no fiscal responsibility shown on this council since I've been on this council. And Mrs. Kiesling, if that was a motion I second it to table it.

Mrs. Kiesling: Sure ... inaudible... I mean you're...inaudible... we can't do that, there has to be two of us on the committee, right?

Mr. Foltz: Did you make that a motion - is that a motion?

Mr. Snyder: Is that a motion?

Mrs. Kiesling: Sure.

Mr. Foltz: To table it?

Mr. Snyder: Inaudible...please call the roll.

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

Mr. Foltz: I make a motion to accept the first reading.

Mr. McLaughlin: Second.

Mr. Foltz moved and Mr. McLaughlin seconded to **adopt the first reading** of Ordinance No. 67-03.

Mr. Snyder: Please call the roll.

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

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At this point there was a malfunction with the equipment.

13. Mr. McLaughlin moved and Mr. Foltz seconded to **read by title only, first reading** of Ordinance No. 68-03.

Mrs. Magel: 63?  
Mr. McLaughlin: 68-03...  
Mr. Snyder: 68-03...  
Mrs. Magel: Inaudible...

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

**Ordinance No. 68-03 - 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, through the Board of Control, to enter into a contract for rock salt for ice control.

Mr. Snyder: We're trying to get a jump on this so it doesn't have to read as an emergency situation. As well as ...inaudible... coming into the warm weather ...inaudible... But then again if we put our - we got in a situation last year where we bought so much salt ...inaudible... winter and this way we'll be a little early. So we'll ...inaudible... three readings and by our vacation we'll have the rock salt. If anybody has a little snow, call us up we'll be right around the corner. So if there's no comment on that ...

Mr. Osborne moved and Mr. McLaughlin seconded to **adopt the first reading** of Ordinance No. 68-03. All members present voting:  
Yes: Magel, McLaughlin, Osborne, Snyder, Foltz, Kiesling and Lindower.  
No: 0

14. Mr. McLaughlin moved and Mrs. Kiesling seconded to **read by title only, first reading** of Ordinance No. 69-03. All members present voting:  
Yes: McLaughlin, Osborne, Snyder, Foltz, Kiesling, Lindower and Magel.  
No: 0

Held Monday, May 12, 20 03**Ordinance No. 69-03 - First Reading**

An ordinance authorizing the Board of Control of the City of North Canton, through th 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, through the Board of Control, to enter into a contract for chemicals for the Water Treatment Plant.

Mr. Snyder: Again, this is to get a little jump on it. Inaudible...having have our contract - contract expire, and not have to put it on an emergency. I think we have around the first of December on our present contract. But this will go into effect and allow the Director of Administration to seek quotes on that. Any other comments?

Mr. McLaughlin moved and Mrs. Magel seconded to **adopt the first reading** of Ordinance No. 69-03. All members present voting:

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

No: 0

Mr. Snyder: I would entertain a motion to suspend the rules of council subject to committee minutes for Ordinance No. 70-03.

Mr. McLaughlin moved and Mrs. Kiesling seconded to **suspend the rules of council** requiring committee minutes for Ordinance No. 70-03.

Mrs. Bittle: Osborne.

Mr. Osborne: I'd like to just say one thing, I haven't investigated this at all, I'm just trying to rely on the engineer's judgement here.

All members present voting:

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

No: Magel.

Mr. Snyder: Inaudible...amend...

Mr. Batista: You want to amend the agenda to include...

Mr. Snyder: Yes, I want to also amend the agenda to accept the first reading of Ordinance No. 70-03.

Mr. McLaughlin moved and Mrs. Kiesling seconded to **amend the agenda** to include Ordinance No. 70-03. All members present voting:

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

No: Magel.

Mr. Osborne: Inaudible... lost, I'm confused or ...inaudible...

Mrs. Bittle: Amending...

Mr. Snyder: Well she's ...

Mr. Osborne: I'm lost...

Mr. Snyder: we're asking to amending the agenda to allow us to read Ordinance 70-03.

Mr. Osborne: Inaudible...you have nothing down here.

Mr. Snyder: No I - because of the fact when it did - let me - I'm a little out of order here, but let me bring this ...

Mr. Osborne: Inaudible...

Mr. Snyder: Inaudible... the fact...

Mr. Osborne: It's a storm sewer, right?

Mrs. Magel: Yea.

Mr. Snyder: Inaudible... storm sewer ...inaudible...

Mr. Osborne: Inaudible... and that's what I was talking about previously.

Mr. Snyder: There's not a lot of documentation on it and we'll rely with the letter ...inaudible... information...

Mr. Osborne: Inaudible... what letter do you have? I don't have ...inaudible...



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Mr. Snyder: I have a letter from - well you had a letter addressed to me from Mr. Batista ... the request of the Zablo Builders. And he wants to put, I believe, is it two or four, large condominiums or duplex or condominiums along that property. But in exploring it, he discovered from his engineering firm, that they ...inaudible... on a 15 foot sanitary or storm, excuse me, storm water easement, which would come right through the middle of his projected proposed homes. It was abandoned because when the original plot was submitted, it was required there, but they did move that, because the original configuration of Auburn Knolls is not what we have today. As you know, there are no - there's actually no scheme to the way those roads are built or the homes from setbacks and frontages. So it would put the easement right underneath these four properties, which you cannot build on an easement. So he's asking for relief of the easement because it is not going to be used there, there's no intention of using it. And to move ...inaudible... from the easement, he would be ...inaudible... because the city is going to widen South Main. He would be building into a actual situation whereby eminent domain they'll be taking his property. So he's not going to be building in a situation that's ...inaudible... that or the possible loss and have his buildings in to where the city will ask for it...inaudible... their ease - their right of way.

Mr. Osborne: How old is this easement?

Mr. Snyder: The property itself probably dates back - I would say the original plot was amended sometime approximately '77 or '78. Howard Rosenthal originally submitted it.

Mr. Osborne: You can ...inaudible...

Mr. Benekos: I don't know the date that it was submitted.

Mr. Snyder: Sometime in the 70's - mid - mid 70's is when it - Howard Rosenthal originally was going to develop it and then it was sold to Bob Johns and ...

Mr. Osborne: Well, I'd like the City Engineer to explain this. Can you explain it?

Mr. Benekos: The developer came into my office and requested to move the easement from where it was platted on the dedication plat.

Mr. Osborne: The original dedication for the...

Mr. Benekos: Auburn Knolls - correct. As I looked at it, there is no problem with moving the easement, but it - there's no apparent reason for there to be an easement to city. Cause it's basically if you had a storm line running from your house to a ditch behind your house, it's just drainage for the property. The city doesn't need an easement there.

Mr. Osborne: Okay.

Mr. Benekos: So I suggested to them, I said, just might as well go ahead and vacate it as opposed to vacating it and establishing another easement. We don't really want an easement there. That would imply that we would maintain the storm sewer there, which we don't want to do on private property. He said fine. And then I suggested he talk to the Law Director and they proceeded from there. That's why he's here today.

Mr. Batista: It's a condominium development, it's all private issues, it's really...

Mr. Lindower: That configuration was changed from the original plot, I think, wasn't it? The way those buildings are laid out down there. So it actually deems that drainage easement totally unnecessary really.

Mr. Benekos: In that location...

Mr. Lindower: Yea.

Mr. Benekos: Right.

Mr. Osborne: Well what is Mrs. Magel ...inaudible... about that ...inaudible... Mrs. Magel would you like to fill me in so I can understand?

Mrs. Magel: I made my point clear to the Engineer. I'm uncomfortable with the proceedings.

Mr. Osborne: Can you elaborate? I'd like to consider your concerns. I'll listen to everybody, then I'll make a judgement.

Mrs. Magel: If you read the note, this is very minor, I didn't mean to make such an ordeal. It's just something I don't like when procedures are out of order. And I let some people know that I don't like when procedures are out of order. I'm not against this particular sewer easement, I didn't like ...inaudible... happened. The notes from Planning Commission said, vacation of a 15 foot storm sewer easement in Auburn Knolls, developed as requested by North Canton City Council. If you recall this came to North Canton City Council and all we were told was we were bringing ...inaudible... planned. Inaudible...

Mr. Osborne: Is this recently? Is this recently ...inaudible...

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Mr. Snyder: Last Monday...  
Mrs. Magel: Inaudible...

Mr. Osborne: Okay. This doesn't ...inaudible...  
Mrs. Magel: Inaudible...  
Mr. Osborne: Okay.

Mrs. Magel: And yet it indicated that we made a request for this. Inaudible... what I was trying to say a two weeks ago here or last Monday, this belongs in Planning and this belongs in a variance or somewhere. Why this came to the City Council, I felt we were used. It looked like it came here and you requested this. I don't think we, as council, requested this.

Mr. Batista: Well I don't...

Mrs. Magel: Well it's just - it's a matter of procedure.

Mr. Batista: You know I think the genesis of this thing was that Mr. Zablo approached me and asked for the procedure for vacating an easement and that's obviously by ordinance. And I made the recommendation that it be referred to Planning Commission because original Auburn Knolls plat came out of the Planning Commission and I was of the opinion that we were going to vary that plat ...inaudible... reasons for the Planning Commission should have seen. But and that - and I think perhaps it was misunderstanding, miss communication ...inaudible... Planning Commission ... you're absolutely correct.  
Mrs. Magel: Thank you sir.

Mr. Batista: I don't think ...inaudible...the city - the council would have a position on this at all.  
Mrs. Magel: Thank you.  
Mr. Batista: I think we ...inaudible... just simply refer to it Planning, get Planning's recommendation.

Mrs. Magel: And that's all this was. Inaudible... I explained this Jim, this was to be so minor that I wouldn't upset I wouldn't ...inaudible...  
Mr. Batista: Inaudible...  
Mrs. Magel: This was a little bit of a protest vote. I don't mean there'll be...

Mr. Batista: Inaudible... you, I was the one that made the recommendation.

Mrs. Magel: No, I understand Roy. And I thank you for your words - actually you're supporting ...inaudible... It's so technical it's - I just don't want to ever see it again.

Mr. Osborne: Well the Law Director recommended it go out to Planning Commission. It's just a - maybe it's just a formality ... I don't always disagree with the Law Director and I'm going to support the Law Director on this one and I think, you know, it's just a technicality, but ...inaudible...

Mr. Snyder: Inaudible...Planning Commission on Wednesday.  
Mrs. Kiesling: It went.  
Mrs. Magel: It already went.

Mr. Snyder: They already ruled on it. They ruled to vacate it.

Mr. Osborne: Oh, it's already been to planning?  
Mr. Snyder: Inaudible...last Wednesday morning.

Mr. Batista: Yea they moved their - they ... agenda.

Mrs. Magel: That's what I was ...inaudible...

Mr. Batista: I think that's part of ...inaudible...problem ...inaudible...  
Mrs. Magel: Yes ...inaudible...  
Mr. Batista: Inaudible...

Mr. McLaughlin: Because he's dying to start it ...inaudible...

Mr. Batista: Yea and I think really...

Mr. McLaughlin: He's dying to start it ...inaudible...

Mr. Batista: That's really what it was all about. The ...inaudible... developer and as the Engineer has said, we didn't need it - we shouldn't even have it. Because that was a condominium development. I think the only reason we're down there was that we treated that as a subdivision ...inaudible...

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Mr. Foltz: It took three readings on it though.

Mr. Batista: Inaudible... typically ...inaudible... I have that much closure or ...inaudible... by the Planning Commission. Cause of the nature of the beast, at the time Howard Rosenthal came up with that ...inaudible... five years ago, it was somewhat you know maybe ...inaudible... subdivision ...inaudible... private streets. Which is unusual for a condominium, because condominiums are ...inaudible...

Mr. Osborne: Inaudible...

Mr. Batista: Inaudible... the Planning Commission was a very limited...inaudible... in fact there is a specific statute ...inaudible... point, that condominiums are not subdivisions. And because Howard Rosenthal is ...inaudible... things with this it ...inaudible... the Planning Commission ...inaudible... Typically if you had a condominium development ...inaudible... would not be a public street. Inaudible...

Mr. Snyder: Any other comment?

Mr. Osborne: Okay, so if I could just add here then, the ordinance itself, the way it's written ...inaudible... Planning Commission an ordinance is ...inaudible... so it's just the terminology on the agenda for the Planning Commission that seems to ..

Mrs. Magel: Now the fact is it came to council last Monday.

Mr. Osborne: Yea.

Mrs. Magel: It should of went down to Planning.

Mr. Osborne: But ...inaudible... there now?

Mrs. Magel: Yes.

Mr. Osborne: Okay.

Mrs. Magel: This is my concern you can ...inaudible...

Mr. Osborne: Well I just want to hear all sides before I make a judgement. So where we ...inaudible...

Mrs. Bittle: Voting to amend the agenda to include.

Mr. Snyder: Amending the agenda to ...inaudible... the ordinance.

Mr. Osborne: Why is that listed on the agenda as subject to council suspension of the rules?

Mr. Snyder: Because it was not ... to the committee meeting. Inaudible...

Mr. Osborne: Okay. Alright, I guess I'm satisfied.

Mr. Snyder: Inaudible... did we amend the agenda or not amend the agenda?

Mrs. Bittle: I need his vote. I don't have his vote...

Mr. Snyder: Oh, yea ...

Mr. Osborne: Okay, yes ...inaudible...

Mr. Snyder: Alright ...inaudible... ordinance...

#### **Ordinance No. 70-03 - First Reading**

An ordinance authorizing the vacation of a storm sewer easement approximately 15 feet in width and 245.01 feet in length located on Lots No. 5676 and 5677...

Mrs. Bittle: Excuse me ...

Mr. Snyder: Wait a minute, we didn't...

Mrs. Bittle: We didn't...

Mr. Snyder: authorize the reading of...inaudible...

Mrs. Bittle: Right, we didn't have a motion to read...

Mr. Snyder: Hold that thought for a second.

Mr. McLaughlin: Motion to read by ordinance...

Mrs. Magel: Inaudible... should wait till ...inaudible... finished...

15. Mr. McLaughlin moved and Mr. Osborne seconded to **read by title only, first reading** of Ordinance No. 70-03. All members present voting:  
Yes: Foltz, Kiesling, Lindower, McLaughlin, Osborne and Snyder.  
No: Magel.

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(Law Director continued reading Ordinance No. 70-03)

...Lots No. 5676 and 5677 in the Auburn Knolls Condominium Development located within the corporate limits of the City of North Canton.

Mr. Snyder: You know that last person that done that ...inaudible... in the tape. No I'm kidding. Is there any ... inaudible... Is that originally ...inaudible... explain and I don't think I have to elaborate, Roy sent this letter to me because he wanted ...inaudible... council to recommend ...inaudible... Planning Commission ...inaudible...last week. So if there's no other questions on it.

Mr. Osborne: Well can that be attached to the legislation?

Mr. Snyder: Sure.

Mrs. Magel: Does that say council recommended?

Mr. Snyder: No, it was sent to me...

Mrs. Magel: Inaudible...

Mr. Snyder: and then I asked if it was okay with council, cause we sent it to the Planning Commission. Now the interpretation of the Clerk from Planning Commission - I don't think her intention was to confuse us, she just typed it the way she felt ...inaudible... So...

Mrs. Magel: Well I agree...

Mr. Snyder: Yea.

Mr. Osborne: Now they already...inaudible...

Mrs. Magel: Inaudible...

Mr. Foltz: Inaudible...blow out your birthday candles.

Mr. Snyder: So we can put this ... the ordinance and ...inaudible...

Mrs. Magel: Inaudible... saying we recommend this.

Mr. Snyder: Okay, well that's in the minutes so you'll know that. Is there any other questions?

Mr. McLaughlin moved and Mrs. Kiesling seconded to **adopt the first reading** of Ordinance No. 70-03. All members present voting:

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

No: Magel.

Mr. Snyder: Inaudible...we suspended the rules... Where we at here?

#### REPORTS:

Mr. Snyder: Reports - Director of Finance, report?

Mrs. Herr: I have a couple things. I - first of all I gave each of you a copy of the projected revenues for 2004. As per the Charter, it has to be submitted by May 15<sup>th</sup>. So to let you know that that's there. And also want to mention that I did receive a certified copy of Ordinance 61-03 from Mr. Charles Osborne on May 8, 2003 ...inaudible... That's it.

Mr. Snyder: Director of Law.

Mr. Batista: In respect to the report of the Finance Director, apparently there is another referendum petition being circulated in regard to the Arrowhead purchase ...inaudible... The previous circulator it was reported to me was indicating that the city had the intention of buying that golf course and in turn, turn around and sell it for residential development. I think the Mayor strongly object - repudiated that and I think for the record it would be a good idea if council as a whole were polled to see if there's any inclination on council ...inaudible... who at any time has spoken -- foreseeable future to dispose this property for residential development. So there can be no misunderstanding on Administration's ... inaudible.

Mr. Snyder: Okay. While I have the motion to poll the council it's the determination ... of course, I don't know how -- all circumstances being equal... at this present time ... inaudible... 3rd day of December this year if you have any intention of voting in favor of - if we are successful in acquiring the Arrowhead property of voting to sell the property to develop it.

Mr. Osborne: I guess I'd like to add that if we're going to make a motion or a resolution we should be real clear about any kind of development on the property, residential or otherwise.

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Mr. Snyder: Sir, it is presently zoned for park and institution which allows ... and churches. We cannot arbitrarily ... reverse, condemn the present zoning. We don't have that power. We don't have that authority. It is not - it is technically ... ambiguous or technically not zoned for residential property. However, the question is not what Arrowhead chooses to do with their private property. That's their business. We have no authority over Arrowhead Country Club. They can sell it to Molly Stark tomorrow - whoever would buy it. Well they couldn't because they're under contract to us. But the question is only with council vote if we do acquire ownership of Arrowhead Country Club, to sell it for residential development. I think that's what you wanted. Is that not correct?

Mr. Batista: Yes. That was what...

Mr. Snyder: Am I correct in my statement that was...

Mr. Batista: Yes. That was what was ...inaudible...

Mr. Snyder: We cannot vote to prohibit development of that property at ... time. Inaudible... this property is zoned and ... council's ...inaudible...

Mr. McLaughlin: For any housing including Section 8 or anything.

Mr. Snyder: That's correct.

Mr. McLaughlin: I keep hearing that rumor out there too. Inaudible...

Mr. Osborne: Well I'd like to add here, you know council was so appalled when there was the thought of residential development going in there which would impact the city. All everybody talked about was the ...inaudible... or the sewer ...inaudible... It would cost the city itself just to support any development, three to five million dollars.

Mr. Snyder: That's correct.

Mr. Osborne: But you're just isolating the residential development.

Mr. Snyder: Sir, but that...

Mr. Osborne: That should apply to any development.

Mr. Snyder: We have no control over that. This council, at this present time, has no control of what Arrowhead Country Club Corporation decides to do with their property.

Mr. Osborne: Well this council should have something to say. Even though the zoning says you could put a church up there, that zoning ...inaudible ... a church, was your neighborhood church. Not a mega church like is being built today. And I would hope this council would just say wait a minute, we would stop any kind of development ... a huge campus style mega church. You know I would like to read to council a court hearing.

Mr. Foltz: A what?

Mr. Osborne: I ...inaudible...

Mr. Snyder: Mr. Osborne, please - I'd appreciate it if ...inaudible... question and fact sir and care to vote or not vote.

Mr. Foltz: He'll open it up.

Mr. Snyder: Inaudible... dissertation on the zoning of Arrowhead...

Mr. Osborne: But this is very short.

Mr. Snyder: No, sir. I will not permit you to read that...

Mr. Osborne: Inaudible... this council?

Mr. Snyder: I do control this council sir. I'm the president...

Mr. Osborne: Okay, that's fine. I will wait until it's my report ....

Mr. Snyder: Okay. Mr. Foltz.

Mr. Foltz: What are we voting on again?

Mr. Snyder: You're voting whether you would prohibit the city to sell anything for development of residential property or anything that is not presently zoned...

Mr. Foltz: No. I'm voting ...

Mr. Snyder: To never sell the property. Inaudible...

Mr. Foltz: No. I've been on record to support it as a golf course at least 50 times up here. Okay.

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Mr. Lindower: I concur with that in view of the fact that we've got the drainage problem and so forth. So...

Mr. Snyder: Okay.

Mr. McLaughlin: And I concur too. I will never vote for housing on that property.

Mr. Snyder: Mrs. Kiesling.

Mrs. Kiesling: And I will always abstain. So ...inaudible... I'm sorry...

Mr. Snyder: Mrs. Magel.

Mrs. Magel: While I intend, at this moment ...inaudible... golf course, ...inaudible...It's not, I think, ... to have community input and boy ... inaudible...

Mr. Snyder: Well I think that, if I may say so, it's just to dispel ...inaudible...the intention was to dispel some of the rumors that the property was going to be sold and immediately ...inaudible... Mr. Osborne, do you have a vote sir or not?

Mr. Osborne: You're wanting council to say whether they would stop residential development?

Mr. Snyder: Sir do you - that's all ...inaudible... at the request of the Law Director.

Mr. Osborne: Well I would stop that and anything else that was going to be built up there.

Mr. Snyder: That's correct.

Mr. Osborne: And I would hope this council would do the same thing.

Mr. Snyder: Well...

Mr. Osborne: You can't say there's a burden on the community building residential homes and then turn around and say there's no burden on the community if anything else is built up there. It's going to be a burden on the community no matter what is built. I thought the whole goal of all of this was to preserve that green space and that's what I want to do, maintain a golf course up there. There was an entrepreneur businessman...

Mr. Foltz: Here we go again.

Mr. Osborne: Inaudible...interested in continuing golf up there. But they cannot sustain any ...inaudible... greater than two an a half million dollars. Golf wouldn't be profitable beyond that amount.

Mr. Lindower: Inaudible...if we own it, we can control it.

Mr. Osborne: And if we can't bring in an entrepreneur and run it as a golf course, then it needs to be green space. I thought we started out from the very beginning saying we wanted to preserve that area as green space. Now, can I read this now do I have to wait till ... reports?

Mr. Snyder: Wait until reports ...inaudible...

Mr. Osborne: Inaudible...

Mr. Foltz: That's ...

Mr. Snyder: I represent that ward and I would have to simply say that under no circumstances would I support any development ...inaudible... Simply for the fact that to spend any ...inaudible... of the city's money to have to support the infrastructure ... something that we could of had for the betterment of the city and for the recreation and the life style of city. But again, I cannot emphasis ...inaudible... importantly it does not make any different what the property is worth, it is what they - they're private citizens, they own the property, they put it up for sale, they accepted our offer for what the property is worth ... we felt it was worth and that's all I'm going to say. At this time ...inaudible...

Mrs. Magel: Mr. Law Director, I'm totally confused. Are you saying there's two petitions out there?

Mr. Batista: There is a second petition out there.

Mrs. Magel: You have two referendums on the same thing?

Mr. Batista: No, apparently the first circulator abandoned his efforts.

Mrs. Magel: Are we - are...

Mr. Batista: And Mr. Osborne is the second circulator.

Mrs. Magel: Mr. Osborne is not ...inaudible... Mr. Osborne? Inaudible...Peters...



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Held Monday, May 12, 2003

Mr. Batista: What was the fellow's name that ...inaudible...  
Mrs. Magel: Peters.  
Mr. Osborne: Jeff Peters.  
Mr. Batista: Peters.

Mrs. Magel: Now does his signatures count?  
Mr. Batista: Inaudible...maybe not.

Mrs. Magel: If you're a member of seven and four of you, the majority, vote on something, can one of you put a referendum on? Can a council member put a referendum on ...

Mr. Batista: I don't think a councilman loses his position as a citizen ...inaudible...

Mrs. Magel: So much for democracy.

Mr. Osborne: Well the citizens get a chance to vote. It's their money.

Mrs. Kiesling: That's democracy.

Mrs. Magel: Yea but, I know what referendums ...inaudible...

Mr. Snyder: Inaudible... One thing and Madam Clerk, were there not two requests for zone changes on that property? Have they, either one been returned?

Mrs. Bittle: There were two gentlemen that came in and picked up applications, but I don't know that they were for that property.

Mr. Snyder: And the filing deadline would be, so it goes through this ...inaudible...

Mrs. Bittle: 15<sup>th</sup> of May - 15<sup>th</sup> of the month. Correct?

Mr. Snyder: For the residential development of that property.

Mr. Benekos: I think...

Mr. Osborne: And the city has already said they're going to ...inaudible... They're going to uphold their existing zoning - you can't build residential development.  
Mr. Benekos: I didn't say that.

Mr. Osborne: You said it was contiguous.

Unidentified: They're asking for a zone change ...inaudible...

Mr. Osborne: Well I would never vote for a zone change. I don't think anybody else in this town ...inaudible... vote. If you would you've contradicted what you said you...

Mr. Lindower: You just said you'd stop P and I though and it's already zoned for that.  
Mr. Osborne: I'm sorry.

Mr. Lindower: You said that you - we would try and stop P and I and it's already zoned P and I. So would you want to change it?

Mr. Osborne: When did I ever say I would stop P and I?

Mr. Lindower: Well let's put a church up there. What would you do about that?

Mr. Osborne: If it's just a normal little church I guess I'd have no choice.

Mr. Lindower: Inaudible... any size church.

Mr. Osborne: Inaudible... you can't put a ... church up there. I would hope this council and I'm going to give you an example here ...inaudible... where another municipality stopped a huge mega church from going in and it was upheld in the supreme - in the Court of Appeals.

REPORTS:

Mr. Snyder: Director Held ...

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Mr. Held: Yes, I was looking ...inaudible... City Council the property located behind the Girl Scouts that the city does own. ODNR (the Ohio Department of Natural Resources) will be boring test holes into the mines just to do an assessment up there ... property. And we did authorize that ...inaudible... The city would have to provide ...inaudible... When we get the test results back from the assessment we'll let you know.

Mr. Snyder: Mr. Mayor.

Mayor Rice: Two quick things Jon. First of all I'd just like to report, especially Paul Beinlich is here, who I think everybody knows, is Director of the Y - also chaired a very nice project on this past Saturday, sponsored by the Rotary Club, with help from the Chamber and the City. Again another cooperative effort between civic groups and the city. Those are the kind projects you like to do. Inaudible... these groups invested a couple thousand dollars to dogwood trees. I believe the groups, with volunteers from those groups, went out and planted 40 new dogwood trees throughout the City of North Canton - some on the back of City Hall on both sides, a couple at the Library, a couple at the Fire Station, at the Y, out at the ballfields on East Maple. Those type of things cost money, but I think it helps to build pride in the community - in our city. Much like some of the other things we try to do here with a cooperative effort from the city and those things are part of economic development. Number two, in light of all the doom and gloom that every - a couple people want to spew every week, I'm happy to report that - actually a great thanks goes out to Congressman Regula and his effort to secure a water infrastructure improvement grant for the City of North Canton in the amount of \$867,300.00. We've got the paperwork here. We'll be putting that paperwork together to acquire this and we'll be back to council sometime in the near future, hopefully asking council to pass a resolution accepting this money - if it gets four votes.

Mr. Snyder: We'll worry about that.

Mrs. Magel: You never know.

Mayor Rice: Inaudible... water and sewer - the water and sewer project. There is a match to it, 45 percent. The local match was \$7,009.00 match ... all the money we are spending. Inaudible...we understand ...inaudible... all these projects. Inaudible...

Mr. Batista: Inaudible...the plan?

Mayor Rice: We believe so. We're checking that out for sure, but if not that, some of our other projects that are going on. Still I would think for \$867,000.00 - again, to reiterate, most of the credit for that goes off to our congressman who went to bat for the city ...inaudible... So Congressman Regula did a great job for us and helped us out.

Mr. McLaughlin: When we pass that I would like everyone to sign a thank you letter and send it to him for his diligent efforts...

Mayor Rice: Absolutely.

Mr. McLaughlin: for the City of North Canton. Those who don't pass it, then don't sign the letter.

Mr. Osborne: Send him some of your birthday cake.

Mr. Snyder: Mr. Benekos.

Mr. Benekos: Thank you Mr. President. In addition to the water distribution report, you asked ...inaudible... upgrade ...inaudible... How often would you like your report monthly, bi - twice - every two months?

Mr. Snyder: Probably every 60 days would be...

Mr. Foltz: Yea, that's sufficient.

Mr. Snyder: Bi-monthly ... or monthly would be really redundant. That's ... slow process ... like building a house.

Mr. Benekos: That's correct.

Mr. Snyder: So every two months, if it's not a burden ...

Mr. Benekos: No problem.

Mr. Snyder: I appreciate that. Inaudible... Madam Clerk, do you have any comments?

Mrs. Bittle: No report.

REPORTS - COUNCIL:

Mr. Snyder: Mr. Foltz.

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Mr. Foltz: Yea, a couple things Jon. I think everyone read Sunday's paper - Tam O'Shanter is selling their property secured bid, 36 holes. Might no holes there in a couple years - might be 18. I just read the article. I've had no contact with anybody over there. But once again, being a proactive community of North Canton, by purchasing Arrowhead we look at possibly 36 golf holes gone at Tammy, we look at 18 gone at Edgewood, Bob-O-Link has been reduced to 18 from 36 - the Sanctuary and now we have Arrowhead. I think we're in a great position to keep that a golf course. You never know what's going to happen with Meadowlake or Skyland Pines. All it does is show that preserving that area as a golf course, green space, with the water - possible water fields there and I believe this community will step up and support that wholeheartedly if they want to keep it a golf course. If we get through this referendum issue, as unbelievable as that is, I think if we control that property, we keep it golf course, everybody's happy - or park. Everyone knows I'm a park person. And we just give ourselves just more of an opportunity for that to be successful. In light of the all the development going around the different areas of Stark County, meaning the golf courses that are selling and changing hands. Mayor Rice, I did see you at the dogwood trees. I think those are Kousa trees, which are a heartier Chinese branch. We do have a lot of still older hardwoods - I mean dogwoods in the community and I did see you at the tail end walking off the Little League field. We did have a game Saturday morning and it was nice to see those go in. Appreciate your efforts there. That's all I have.

Mr. Snyder: Thank you Mr. Foltz. Inaudible... from that same ...inaudible... wanted to know what the city's thoughts were with development. And I referred him to the Mayor and then ...inaudible... Mr. Lindower.

Mr. Lindower: Yea, I don't know what the difference between a Kousa dogwood tree and one of the other ones, that's more Doug's stuff. Saturday I observed that planting going on, even with the weather the way it was. I think that I'd like to commend the city workers that were out there for a short period of time running from one end of town to the other planting those trees, they did really good job at it. And I'd like for Mr. Held, if he would ... to relay that to the crews that were working out there. I think they did a fine job.

Mr. Snyder: Thank you. Member McLaughlin.

Mr. McLaughlin: Jim, any idea when we're going to start Mississippi or where we at with Mississippi? Is it - the engineering all done with that?

Mr. Benekos: The engineering is not all done. We're about 60 percent done on the engineering.

Mr. McLaughlin: Inaudible...school buses use that. Inaudible... have you heard from ...inaudible... from your letter?

Mayor Rice: Yes. We talked to a couple people. Inaudible...first they were ...inaudible...Doug Belha is the - was listed as the project manager and that's the gentleman that we - Dave and I just sent the letter to. Gene talked to him the other day about the middle of the week - he contacted Gene. Then he had Mr. Barry Black contact me - I'm thinking that was probably Friday, Rick - I think when he called and spoke to me by phone. He indicated a willingness to come in and meet with residents in the area. He did say though you know it's not going to be next week. It's liable to be a couple weeks cause they're in town all the time. But he indicated a willingness to do that and meet with folks down here and talk about their concerns. So he indicated to me on Friday in that discussion that he would check his travel schedule and get back with me on the 8<sup>th</sup> - get back with David ...inaudible...

Mr. McLaughlin: I appreciate that. As I said last week that I know the Planning Commission had the okay to do that, but I would like to see one step included in that process that before they approved that at least a public hearing would be on schedule before the Planning Commission gives their okay on that. I know they can do it anyway, but I would like you know a public hearing so that I think some of this discussion between the residents and the build - the car wash could of been resolved beforehand. And I'd still like to see that process, that public hearing step made kind of a mandatory type thing that before ...inaudible... council ...inaudible... before Planning Commission gives their unanimous vote on it that there is a public hearing - we bring the residents in and let them have a say on it ...inaudible... wish we could of done that ...inaudible...

Mr. Snyder: Mr. McLaughlin, that's a point well taken. However, you might ask the Planning Commission, if they'd hold their meeting at a proper hour. Most residents aren't up at 8:00 a.m. Should people have children or other things and I don't think it's in the best interest of the citizens of North Canton to hold a public meeting at 7:30 or 8:00 a.m. And then on the ...inaudible... to attend a public meeting that would be - I don't think that ...inaudible... situation personally...

Mr. McLaughlin: And I was here last week at 8:00 and I took offense to it to 8:00 in the morning. I think the Planning Commission should meet in the evening. I do take offense to it at 8:00. And I think that we ought to say something to them that we would appreciate their meetings staying in the evenings. It's better for everybody if everybody has a chance to attend and voice their opinion.

Mr. Benekos: They typically have their meetings in the evening. There was a conflict.

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Mr. McLaughlin: But really it should - what they should of done was make another week or whatever - just waited a day or two, whatever they could of done. But to hold a meeting at 8:00 in the morning, to me it's no no.

Mr. Benekos: The car wash was in the evening.

Mrs. Kiesling: Yea.

Mr. Snyder: Member Kiesling.

Mrs. Kiesling: I do agree. Planning Commission meetings at 8:00 are very frustrating. I can't get there. Inaudible... a question for the Mayor. This delegation that we were sending Newton, Iowa, have you ever heard back from CEO Hake? Or what's going on with Maytag?

Mayor Rice: Well I have had other meetings across the street. Since then I did receive a communication just the end ...inaudible... last week from a representative from the Hoover Company indicating that Mr. Briatico was going to have a meeting sometime around the 1<sup>st</sup> of June, it's what he's communicated to me as his time frame ...inaudible...

Mrs. Kiesling: Well I'm sure they gave you ...inaudible... But I'm more than willing to sit down and ...inaudible... community and economic development issues that you brought up last week in the meeting. So anytime feel free. That's it, I'm done.

Mr. Snyder: Thank you. Member Kiesling.

Mrs. Kiesling: That's who I was.

Mr. Snyder: Inaudible...

Mr. McLaughlin: Inaudible...

Mrs. Magel: One of those girls...

Mr. Snyder: Inaudible... Member Magel.

Mrs. Magel: Inaudible... they had their 8:00 meeting ...inaudible...

Mrs. Magel: One thing I wanted to say about the community sign. Inaudible... first go around here. I considered ...strong .... not just community sign, but I ... the administration. I said to you a couple weeks ago, I don't even recall when, that I thank you from cleaning up the front of that -- the top because that was all rusty ...inaudible... So looking at this as a building improvement an improvement ... City Hall overall and it had been neglected for quite awhile. So the second thing was to compliment what you're doing with the actual ...inaudible... \$15,000.00 worth of landscaping, which that's needed at this point. And so then what we're really doing ...inaudible... \$35,000.00 for the community sign. And all three together then will improve that ...inaudible... The other thing is, that President Snyder put in our package the sale of three other recent golf courses. I did some number crunching ... and I broke it down as they did into price per ... and price per acre and I won't bore you with it right now. I gave those numbers to Mr. Snyder and if you'd like to get with him or if you'd like to call me. In comparison, we look good on this 4.2 million dollars.

Mr. McLaughlin: We can ...inaudible...

Mrs. Magel: Okay. Yea, I mean this is three recent ones. And there was a mathematical error that was on the golf course fee. They have 400 - they had \$48,000.00 per hole. A matter of a little 4 missing - it is \$448,000.00 per hole, where ours is 233. I think you'll be interested to see when you breakout the numbers, we look good. That's all. Thank you.

Mr. Snyder: You know Mrs. Magel, to elaborate on your statement, I think and I know I might have to call and find out, but I think that Tam O'Shanter is like 275 to maybe 300 acres. It's in that vicinity it's - which is ...inaudible... 16, doesn't it?

Mrs. Magel: Yea, 275...

Mr. Snyder: Inaudible...significant ...

Mrs. Magel: Tam O'Shanter was 444,000 for a hole.

Mr. Snyder: Inaudible... Mr. Osborne.

Mr. Osborne: Okay, since we brought up the car wash - and I thank you for reminding me. I got call ...inaudible... this afternoon from a gentleman who is very upset about it. There's no way you're going to ...inaudible... car wash in there. It should have never have gone in there. You have narrow streets, it's going to add to a whole gridlock of that intersection, endanger school children, lighting 24 hours all night long. And I ... admit I was quite intrigued last week when I saw Mr. Johnson in the audience. And I almost have to ask you, did the J Group bring that car wash to that corner, Mr. Mayor?

Mayor Rice: J Group does not work for the City of North Canton.

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Mr. Osborne: Well that's a nice little safe answer.  
Unidentified: It's true.

Mayor Rice: I don't supervise the J Group, Mr. Osborne. He has no connection to the City of North Canton.

Mr. Osborne: Did the J Group bring that car wash ... corner ...inaudible... I understand he's not on our payroll. Inaudible...

Mayor Rice: I've got no idea Mr. Osborne, how the car wash found the location they found. I'm assuming they found it through a realtor.

Mr. Osborne: Okay.

Mayor Rice: Once again you're making accusations of some...

Mr. Osborne: No, I'm not ...inaudible...

Mayor Rice: conspiracy out there or something that's just not there.

Mr. Osborne: All I'm saying it was just convenient that Mr. Johnson was here the night that we had rescheduled a rezoning possibly or discussions of rezoning that property. And I ...

Mayor Rice: Was that the only thing on the agenda?

Mr. Osborne: He's not here tonight. Why isn't he here tonight?

Mayor Rice: He's not in town.

Mr. Osborne: Okay, also regarding that corner, I talked with some real estate people, an ice cream parlor wanted to locate there and I understand that was turned down by the Planning Commission and I'd like to know why. That would certainly ...inaudible... much more palatable to the neighborhood.

Mr. Lindower: Did you ask?

Mr. Osborne: Did I ask what?

Mr. Lindower: The Planning Commission. They're not here tonight.

Mr. Osborne: I'm asking this council or this administration.

Mayor Rice: Inaudible...

Mrs. Bittle: Yes they do.

Mayor Rice: I don't understand the acquisitions here. Everybody knows all seven members of City Council get an agenda. If you read your information you know when the Planning Commission meeting is and you should know what's on the agenda - it's all on there. You've got a representative, I assume ... know council used to. I don't know who it is...

Mrs. Kiesling: That was me. I had strep throat that night.

Mayor Rice: Okay. Well whatever. I'm not ...inaudible... I'm just saying everybody's pointing fingers over here and council has just as much you know access to this information. If you go to any Planning Commission meetings, they're open. Everybody gets an agenda.

Mrs. Kiesling: Inaudible... agenda...

Mayor Rice: Huh?

Mrs. Kiesling: Through the packet I think I'm the only one who gets the agenda. Right Mary Louise?

Mrs. Bittle: No, all of council gets the agenda.

Mrs. Kiesling: Inaudible... I...

Mrs. Bittle: you get all the other stuff.

Mr. Osborne: You now I'm just passing it on and ...inaudible... made to jump through many hoops and they finally give up. And that would certainly be better than ...

Mr. Snyder: Inaudible... the Engineer, he attends all the meetings. He said no one ever applied...

Mr. Benekos: We've had some discussions with an architect to develop that. But the prospective developer then ...inaudible... he never made it to the Planning Commission.

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Mr. Osborne: That's kind of what I'm getting at here. They were discouraged - I understand ...inaudible... somebody owns Skyland Pines wanted to put an ice cream parlor there and these brokers, who I happened to run into the other day while I was going door to door, told me the whole story. That they jumped through this hoop and that hoop and finally they just said this isn't worth it. So that would certainly of been a nice drawl for the corner. Certainly better than the car wash. As I mentioned last week, again, this is something that needs to be dealt with. I think whoever makes a presentation or an application to the Planning Commission, needs to be the one who is the owner or the operator of the business. In the minutes of the Planning Commission it was Mr. Rinaldi who was listed as the applicant and he's actually just the seller of the property and had nothing to do with the car wash. So I - and I've spoken to one member of the Planning Commission and he told me they were kind of confused as to who the actual applicant was. So I would think, there should be some policies or procedures to make it clear who is requesting the approvals and the - we should know what businessmen are coming into town and how they intend to operate their business and - before we give approvals. Inaudible...

Mr. Benekos: There's a form that they have to fill out. It lists who the owner is supposed to be, who the developer is and who prepared the plans. That's ...inaudible... and there's also a place to indicate who supposed to receive notification, whether it is the developer, the owner or the plan developer. In all cases the developer doesn't submit the plans ...inaudible... the property owner ...inaudible... the developer and the property owner aren't always the same person. That information was provided. All the members of the Planning Commission had that information, they had it at that time. So if they were confused, probably when you asked them, they probably didn't recall what all was on that form.

Mr. Osborne: Inaudible...

Mr. Benekos: Inaudible... packet of information. That information should be provided to you.

Mr. Osborne: Well Mr. Lane told me he was confused and he had the impression everybody else was in the room confused. Now CT Consultants was the - drew the plans and that's the chairman or President of the Planning Commission abstained. I guess he was involved in the process.

Mr. Benekos: He was involved only that he was a member of CT...

Mr. Osborne: His firm - yea, his firm did the drawings.

Mr. Benekos: Right. But the plans were developed at his Willoughby office, he's in the local office.

Mr. Osborne: Well - so I ... that we're not going to be sending any letter at this point to the Super Wash.

Mr. Lindower: There's been a letter sent.

Mr. Osborne: From council - everybody on council signed it.

Mr. Lindower: You sent one last week.

Mr. Osborne: But Mr. McLaughlin made a suggestion that we all seven members on council were going to sign the letter and send it.

Mr. McLaughlin: Don't bring ...inaudible... Right now I'm just going to wait until the guy comes and he can talk - meet with the residents. We've got that ...inaudible... communication open. The guy said he was going to be here then we can address it that time.

Mr. Osborne: Inaudible...put it off.

Mrs. Kiesling: I tend to agree now that we know they've back...inaudible...

Mr. McLaughlin: I'm not putting nothing off Chuck. The gentleman said...

Mr. Osborne: We should aggressively show them this is not the place for this car wash.

Mr. Snyder: Are you finished ...inaudible... Mr. Osborne engage in ...inaudible... council...

Mr. McLaughlin: I'm sorry.

Mr. Snyder: Members of council. Sir, you have a right to speak, but speak to the whole council.

Mr. Osborne: Well everybody seems to fight me and I'm just responding to their comments. As far as Arrowhead, if this council will unite and control what is happening with both properties. Right now the city is being held hostage. Canton Christian Fellowship and its been talked about, approached Arrowhead two years and ...inaudible... and somehow they were steered to Oster. Again, it's never been really made clear. But they found their way ... Oster property. So it looks like in order to save the 4<sup>th</sup> Ward from development of that beautiful green space...

Mr. Snyder: Careful what you say sir.

Mr. Osborne: I haven't said anything.



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Mr. Snyder: I'm just telling you, be very careful what you say sir.

Mr. Osborne: We were willing to sacrifice the most prolific water source we have in all of Stark County. Now we have zoning. We should be ...inaudible... for zoning. Now I think we should also ...inaudible... quite concerned that we couldn't undertake the infrastructure costs for a housing development, then the same holds true we couldn't stand the infrastructure costs for any kind of developments, let alone this mega church. So if there was unanimous opposition to any of this, they might think twice. And if anything fails, we always have eminent domain. And with eminent domain all this secret stuff - all these secret bids from three years ago, earlier this year, would all be made public. Now if at that point, a judge ruled and awarded that kind of money that would be one thing. But as long as it's zoned and restricted to a golf course property, that's all it could be. I really think we should look and explore into maybe buying a conservation easement from the Arrowhead. Sweeten the pot for anybody that wants to go in there and buy it.

Mrs. Magel: Sweeten ...inaudible...

Mr. Osborne: Whatever offer they can get from a private owner, the city chip in some amount of money to pay for a conservation easement and that would prevent development of the property. Now I'll read you an article that I clipped out last October, never realizing it might come in handy. This is in The Repository, Sunday, October 20, 2002. Court rules against synagogue move. Judges approved zoning ban on churches. Towns trying to control noise and traffic may legally prevent religious groups from opening churches and temples in residential neighborhoods a Federal's Appeals Court ruling. The decision by the ...inaudible... Court of Appeals last week represents a setback to a ... congregation trying to open a synagogue in a Philadelphia suburb. The court overturned a judge's ruling that had struck down a local zoning law in Abington Township that allowed golf courses ...inaudible... but not churches in residential areas. In his opinion the ... judge said large churches or temples can create traffic and parking problems. It also said that while churches were once seen as an integral of most neighborhoods, who do not believe land used by ...inaudible... than religious uses are apparently compatible with family and residential uses. The facts of this case illustrate why religious uses may be in some cases incompatible with a place of quiet seclusion the court added. A ruling - Well that's - that pretty well sums up that. Now knowing that this property was maybe ... several years ago, where was council at that time, where was the administration to develop something to protect our neighborhoods. Zoning should of been tweaked, modified - something done. We have set here like sitting ducks and now what are we doing. We're held hostage here. It's either give up this or we're going to take this. This council has not been proactive. This administration has not been proactive. Thank you. Inaudible.

Mr. Snyder: Well I feel as compelled to answer a couple questions that have been propagated from misstatements and untruths. Number one, the Arrowhead was offered in January of last year four million dollars by the church. They solicited that, the city had nothing to do with it. Inaudible... transaction. Arrowhead is a private entity owned by the stockholders of Arrowhead. And at that point they were turned down and they used a realtor to locate all property within the geographical area of their church so far out, with somebody with at least 100 acres of ground. And at that time the maps that the county had did not show that we did in fact have part of the expressway ramp had taken away 22 acres of the ... acres of our ground. So it did show that we had nearly 100 acres. And the Mayor will ... out, at that time ... he was approached by the church with the fact that we were interested in selling them the property. That's how it started. So it was not solicited by the city or ...inaudible... And relative to this Christian church holding the city hostage by threatening to buy Arrowhead, I don't think ...inaudible... had a meeting with their attorneys twice, and I don't think - was Arrowhead mentioned.

Mr. Batista: Well I don't think they wanted Arrowhead.

Mr. Snyder: No ...inaudible... at this point their statement is if they would - if they don't get what they probably want - and the reason that they're still interested in the property that we have is solely for the fact that this particular pastor of church has a particular fondness of that property ...inaudible... moved on.

Mr. Batista: Inaudible...church.

Mr. Snyder: They liked that expressway.

Mr. Batista: Yea, they like the expressway. Inaudible... about four or five of them right on the north side of the ... all sitting ...inaudible...

Mr. Snyder: But their relative to the ...inaudible... but not the congregations ...inaudible... statement in the law said that you can purchase in perpetuity a scenic easement for the ... protection of the neighborhood. Somebody didn't want to pay 35,000 for a sign, wanted to pay 2 million dollars for a scenic easement, I don't understand the logic in that. That's a - and you keep bringing up these secret bids. Sir, that's a private company. They have no reason to let us know anything - they don't have to. There's no compelling factor no matter if you buy the property or you never buy property, they don't have to tell you the bids or tell you anything about it. We are not buying anything but the land ...inaudible... For a man who practices law without a license, I ...inaudible... point and I want him to understand that. But that's basically all I have to say. And at this time is there anybody else wishing to address the council?

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Mr. Snyder: Inaudible... Mrs. Burnett...

Suzanne Burnett: I'm Suzanne Burnett. I live on Pierce Avenue NW. And I want to tell you that something really wonderful happened in this council meeting tonight and that is the third reading of the garbage pickup, which includes recyclables and leaves. And you know that I'm an enthusiastic participant in that. Communities around us envy us that. I don't know if they envy us anything, but they sure do envy us that pickup. Thanks a lot for doing that.

Unidentified: Alright. You're up...

Mr. Snyder: Thank you. Mr. Bourlas.

Alex Bourlas: Let me take a little deep breath here. My name is Alex Bourlas. I live on 860 7<sup>th</sup> Street NE, North Canton. I've been a resident for about oh 30 some years and I'd like to remain a resident for the rest of my life, hopefully. There is one person that really holds hostage this city and that's Mr. Osborne. And with all due respect sir, I really don't know how you got this far in your life. Really, I really don't. I don't understand your logic. You've been fighting now for the past, let's see, what the last meeting and this meeting what I'm saying is for hours for the car wash. Sir, there's nothing you can do to stop it - it's already done. My grandmother that is dead, ...inaudible... what I'm saying and get a permit for car wash over there, it would put a car wash. Okay. Now could stop that would be you. When you were a chairman for how many - what a year and half, two years, three years for the zoning - right? And last meeting - at last meeting, if I remember correctly, you lifted up the zoning map of North Canton. Well you should of examined that before you passed the zoning. If you were concerned about your citizens in that section there. Because I live close to that, but there's nothing I can do. Okay. And as far as the ice cream cone, I was going to build that. Okay. And your information was way incorrect. The lady changed her mind. Nothing with the city, nothing with the council, nothing with the neighbors, nothing with anybody. Okay. The other thing is is Arrowhead. That's a great idea of the city, they should buy that. But also what I'd like to see is and again people talking about infrastructure, you guys going to spend some money for infrastructure, you going to spend it anyway. The sewer over there is old, the roads are old - you're going to do it anyway. If you're not going to do it today you're going to do it two years from now. So you're going to spend that money. So what I would suggest - it's a great idea go ahead and develop part of that and keep part of that for the green space. Pay for it, that would be to the city for nothing. Okay. So we get a nice park a nice - another swimming pool and another meeting place what I'm saying for nothing. Doesn't cost the city, doesn't cost the resident nothing - not a dime. What's the problem with that? Anybody that bought a house close to that 105 acres not thinking that something was going to be there someday, well they're way mistaken. Because there's no way that if I owned that place that's what I would of done. So and the only person that's really holding this place back is you - really you. Thank you.

Mr. Snyder: Thank you. Anyone else wishing to speak?

Mr. Osborne: I'd like to reply to Mr. Bourlas' comments. It seems like we're flip flopping here. One minute we say it's going to be a burden on the city to develop these roads and sewers and the waters, and it's ...inaudible... you're going to have to do it anyway. So evidently that's not a burden on the city. And then we - here we again have indications that we'll probably going to develop parts of it. There's been two Beacon Journal articles that indicated that if we have a problem with Hoover we can always liquidate. We have Mr. Foltz over here saying the property in this town the value increases just exponentially. Well one way to exponentially increase that value is to rezone and then sell it and I think that's what's coming down the line here. Those citizens are not looking for any development over there. It is beautiful green space and we should leave it in its entirety green space. And if the city had assisted Arrowhead and worked with them and tried to bridge the gap in between what they thought they needed for it and what someone could afford to pay for it as a golf course, maybe something could of been negotiated. It would be nice to see golf stay in this town - professionally run golf stay in this town and have a taxpayer pay taxes to this city. Inaudible... And as far as the ice cream place, I'm just telling you what a ... told me and the trouble and aggravation ... they gave up. And stand up and tell all those neighbors over there there's nothing you can do about that car wash. That doesn't make them feel any better. You wouldn't want that ...inaudible...

Mr. Bourlas: You're the councilman, you stand there and tell them because you're the one that did it.  
Mr. Osborne: Sir, I did not.

Mr. Bourlas: Yes you did. You should of changed that zoning, what I'm saying is, when you had the chance.

Mr. Osborne: Sir...

Mr. Bourlas: Now it's too late.

Mr. Osborne: Sir, for a year they wouldn't even let me go to meetings in town concerning zoning. It's only in the last four months we've been able to move this zoning through and that's only because I let council cut and slash whatever they wanted out of the zoning. Which Mrs. Magel, the former chairman, had ...inaudible... we spent two years developing. I had no input. I couldn't even put in there the sun is going shine on - at all in 2003 in I had wanted to. But ...inaudible...

Mr. Bourlas: Inaudible...

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Mr. Snyder: Inaudible...

Mr. Osborne: So I did want to pass it on to ...inaudible... nothing I could of done.

Mr. Foltz: Jon...

Mr. Osborne: And I had no input on this zoning. I just stood back and said please, let's pass something. So I can't ... be held responsible. And I would of loved to seen the administration come and say, we've got GBB over here and it's an eyesore it should not continue in that area.

Mrs. Magel: Everybody...inaudible...

Mr. Snyder: Alright, thank you. Two things - There's a parade, Memorial Day Parade on the 26<sup>th</sup> at 9:00 a.m. They're requesting your car and driver be there at 8:30 ...inaudible...

Mrs. Magel: Inaudible...

Mr. Foltz: Are we still doing that President Snyder? I thought ...

Mr. Snyder: If you plan on throwing candy please ...inaudible... so that they can put things in front and behind you where the children won't run out...

Unidentified: Take Sarbach...

Mr. Snyder: That's the purpose to that. They want you to know so that they can march with you in areas where there will not be faster moving vehicles should the children decide to run to the curb for the candy that you can't reach with your throw. So please sign that. The other thing on the 26<sup>th</sup> of this month is an observed holiday, Memorial Day, and normally the council ... the council meeting and we're moving the meeting pursuant to the rules of council to Tuesday, 5/27, at 7:00 p.m. Is there...inaudible... Dave...

Mr. Lindower: Inaudible... one other thing I'd like to mention, and maybe you've already mentioned this, EMS is having their open house Tuesday, the 20<sup>th</sup>, from 6 to 9 p.m., and they asked that I reminded everybody about it again tonight. They'd like to have as many of us attend as possible. So I'm going to make an effort to be there myself.

Mr. Snyder: That'd be fine. Is there any other business to come before the council? If not, I'll entertain a motion to adjourn.

ADJOURN:

Mr. McLaughlin moved and Mrs. Kiesling seconded to adjourn the council meeting.

Mr. Snyder: Roll...

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

The meeting ended at 9:43 p.m.

PRESIDENT OF COUNCIL

ATTEST:

CLERK OF COUNCIL