

**MINUTES OF THE MEETING OF JANUARY 12, 2004**

*The regular meeting of Canton City Council was held on Monday, January 12, 2004, at 7:30 P.M. in the Canton City Council Chamber. The meeting was called to order by President of Council Ray Denczak. The roll call was then taken (as follows) by Clerk of Council Debbie Vanckunas. The invocation was given by Ward 9 Councilmember/Assistant Majority Leader Joe Carbenia, followed by the Pledge of Allegiance led by President of Council Ray Denczak.*

PRESIDENT DENCZAK: With a quorum present, the Chair calls this meeting of Canton City Council to order. Roll call please.

***ROLL CALL TAKEN BY CLERK OF COUNCIL:***

12 COUNCILMEMBERS PRESENT: (DON CASAR, JOE CARBENIA, MARY M. BABCOCK, THOMAS M. BERNABEI, GREG HAWK, THOMAS E. WEST, R. A. MALLONN II, KELLY ZACHARY, TERRY PRATER, DAVID R. DOUGHERTY, RICHARD D. HART, & ROSEMARY DIAMOND)

**AGENDA CORRECTIONS & CHANGES**

PRESIDENT DENCZAK: Thank you, Member Carbenia. There are no corrections or additions to your agenda. Your agenda is up to date.

**PUBLIC HEARINGS**

PRESIDENT DENCZAK: There is no public hearing scheduled at this time.

**PUBLIC SPEAKS (ORDINANCES OR RESOLUTIONS FOR ADOPTION ONLY):**

PRESIDENT DENCZAK: No one has signed up for public speaks under ordinances or resolutions for adoption. Somebody has signed up on that page, but that is not required because there's nothing up for adoption except for one ordinance and that's for the first reading.

**INFORMAL RESOLUTIONS**

PRESIDENT DENCZAK: It will not be necessary to excuse members. Let the journal show that all Councilmembers are present. Informal resolutions.

***PRESIDENT DENCZAK CALLED UPON CLERK OF COUNCIL VANCKUNAS TO READ RESOLUTIONS #5 THROUGH #12 BY TITLE, AS SHOWN BELOW. THE RESOLUTIONS ARE ON FILE IN THEIR ENTIRETY IN THE COUNCIL OFFICE WITH THE AGENDA ITEMS FILE DATED JANUARY 12, 2004.***

5. COUNCIL-OF-THE-WHOLE: COMMENDING MICHAEL L. MILLER FOR HIS SERVICE TO THE

**MINUTES OF THE MEETING OF JANUARY 12, 2004**

## CITIZENS OF THE CITY OF CANTON AS DIRECTOR OF PUBLIC SERVICE - ADOPTED BY COUNCIL

MEMBER CASAR: Mr. President, I move we adopt Resolution #5; seconded.

PRESIDENT DENCZAK: Moved and seconded that Council adopt Resolution #5. Are there any remarks?...

MEMBER CASAR: After the vote, I'd like to make a presentation to Mr. Miller.

PRESIDENT DENCZAK: I'm sorry, what did you...?

MEMBER CASAR: I'd like to make a presentation to Mr. Miller. Would that be after the vote?

PRESIDENT DENCZAK: After the vote because it may not pass. (LAUGHTER) I may have to break the tie, but I'll get even. Yes, after it's adopted. Are there any further remarks?... If not, by voice vote all those in favor, signify by saying aye. Those opposed no.

NO REMARKS

RESOLUTION #5 ADOPTED BY UNANIMOUS VOICE VOTE

PRESIDENT DENCZAK: The Resolution is adopted. Mr. Miller, please come forward.

MEMBER CASAR: It's a great honor that Council presents this to you, Mike. I want to say as one individual, I've had an opportunity to serve eight years under you as Service Director. I must say, and I've said this before, I used to say another service director was the best, I must admit you were the best service director I had the privilege of serving under, which I think has been about four. Everything is -- I've read this over, and it's a true test of what you've done for Canton as many years as you've served here. With the knowledge you have, you're a walking encyclopedia, as I've always said, and I just hope that you carry that knowledge somewhere else and serve a city as well as you've served Canton. I want to wish you good luck.

MR. MILLER: Thank you. (APPLAUSE) I won't speak long. Usually I speak long when Councilman Casar asks me a question, so I'll try to keep it short tonight since he didn't ask me one. I wish everybody a happy new year. I appreciate this very much. I've worked with most all of you here over the years. It's been a very good relationship over the years. And, I will continue to be there for you if you want to give me a call and ask a question cause I do have a little bit still up here in the head. Thank you very much. (APPLAUSE)

MEMBER CARBENIA: Mr. President, I'd like to also say, Mike -- now, I can call you Mike instead of Service Director. I'd like to say that you're the only one that I worked with while I was on Council, but I worked with plenty of service directors over my years that I worked for the City, and I think that you're one of the top ones that I ever worked with, most knowledgeable, and I'm sorry to see you go because I think we're losing a big resource, but I know that wherever you go, you'll do a good job. Thanks. You're a good friend.

MEMBER DOUGHERTY: Mike, I want to thank you too for all your help. Of course, you did most of my work in the early hours, one a.m., two a.m., but no matter when I called, he was always there, especially when the newspaper would

**MINUTES OF THE MEETING OF JANUARY 12, 2004**

show up or the cameras from Channel 5. I wanted to make sure I had you right there. But, we've been through allot. Anytime you go through Ward 6, you'll see allot of things you had allot to do with and they'll be there forever. We have some members from the NEAR Group here tonight. They too always appreciated what you've done for them. Attending meetings whenever you needed to...The First Tee...always at the meetings. Never complained about having to go to those meetings, and is just -- we developed a good friendship too and that's what's more important. I appreciate it. Thank you.

MEMBER DIAMOND: Mr. President. Mike, I have the wettest ward in the City and... *(INAUDIBLE COMMENT FROM UNIDENTIFIED VOICE)* Yes, I do. And, no matter how big or small the puddle was, you always came when I called you. You always went to a neighbor's home. You were honest. If you could solve their problem, you told them so. If you couldn't, you also told them that. I'm really at a loss now because you were on my speed dial, you were the person I called every day when it rained, and you will be sorely missed. Thank you.

PRESIDENT DENCZAK: Any other remarks?... Member Bernabei?

MEMBER BERNABEI: In my eleven years as City Law Director, Michael Miller was one of the very finest city officials that I had the pleasure or opportunity to work with. I think as everyone knows, I do not offer my praise lightly. Thank you very much, Michael, for all of your service to the City.

MEMBER HAWK: Mr. President. Mike, I'd like to thank you very much for all the answers you've given to me, for all the help you provided for me when I stepped in this Council. I still have an awful lot to learn and I'll always be thankful for everything that you taught me. Thank you again, Mr. Miller. I appreciate everything that you've done.

PRESIDENT DENCZAK: Any other remarks?... Member Babcock?

MEMBER BABCOCK: *(MEMBER BABCOCK'S REMARKS DID NOT RECORD--MIKE NOT TURNED ON)*

PRESIDENT DENCZAK: Any other remarks?... Mike, I just want you to know that this isn't the same thing they told me back in the Caucus Room, but I wish you the best of luck in the future, and health.

**RECOGNITION OF GIRL SCOUTS FROM TROOP 763**

PRESIDENT DENCZAK: The Chair's been handed a note here that there's two girl scouts in the back of the room from Troop 763. Would you please stand for Council's recognition. *(APPLAUSE)* Thank you for coming.

**RETURN TO INFORMAL RESOLUTIONS**

PRESIDENT DENCZAK: The Chair will now recognize Rule 24B suspension, Member Casar.

MEMBER CASAR: Mr. President, I move we suspend Rule 24B and place Resolutions #6 through #12 on tonight's agenda; seconded.

PRESIDENT DENCZAK: There's a move to suspend Rule 24B to add Resolutions #6 through and including #12 to the agenda. Are there any remarks?... If not, roll call vote please.

**MINUTES OF THE MEETING OF JANUARY 12, 2004**

NO REMARKS

ROLL CALL: 12 YEAS, 0 NAYS

PRESIDENT DENCZAK: Rule 24B is suspended and the Resolutions are a legal part of your agenda. Resolution #6 please.

6. PERSONNEL COMMITTEE: APPROVING THE MAYOR'S RE-APPOINTMENT OF MR. THOMAS BURNS TO THE BOARD OF ZONING APPEALS FOR A 3 YEAR TERM COMMENCING ON 1/1/04 TO 12/31/06. - ADOPTED BY COUNCIL

MEMBER CASAR: Mr. President, I move we adopt Resolution #6; seconded.

PRESIDENT DENCZAK: Moved and seconded that you adopt Resolution #6. Are there any remarks under this Resolution?... If not, by voice vote, all those in favor, signify by saying aye. Those opposed no.

NO REMARKS

RESOLUTION #6 ADOPTED BY UNANIMOUS VOICE VOTE

PRESIDENT DENCZAK: Resolution #6 is adopted.

7. PERSONNEL COMMITTEE: APPROVING THE MAYOR'S APPOINTMENT OF MR. MICHAEL KING TO THE CANTON CONSTRUCTION BOARD FOR A 3 YEAR TERM COMMENCING ON 1/1/04 TO 12/31/06. - ADOPTED BY COUNCIL

MEMBER CASAR: Mr. President, I move we adopt Resolution #7; seconded.

PRESIDENT DENCZAK: Moved and seconded that you adopt Resolution #7. Are there any remarks under this Resolution?... If not, by voice vote, all those in favor, signify by saying aye. Those opposed no.

NO REMARKS

RESOLUTION #7 ADOPTED BY UNANIMOUS VOICE VOTE

PRESIDENT DENCZAK: Resolution #7 is adopted.

8. PERSONNEL COMMITTEE: APPROVING THE MAYOR'S APPOINTMENT OF MS. KATHY LEWIS TO THE CANTON CITY PLANNING COMMISSION FOR A 6 YEAR TERM COMMENCING ON 1/1/04 TO 12/31/09. - ADOPTED BY COUNCIL

MEMBER CASAR: Mr. President, I move we adopt Resolution #8; seconded.

PRESIDENT DENCZAK: Moved and seconded that you adopt Resolution #8. Are there any remarks under this Resolution?... If not, by voice vote, all those in favor, signify by saying aye. Those opposed no.

NO REMARKS

RESOLUTION #8 ADOPTED BY UNANIMOUS VOICE VOTE

PRESIDENT DENCZAK: Resolution #8 is adopted.

**MINUTES OF THE MEETING OF JANUARY 12, 2004**

9. PERSONNEL COMMITTEE: APPROVING THE MAYOR'S APPOINTMENT OF MS. JOANNE MURRAY TO THE CANTON CIVIL SERVICE COMMISSION FOR A 6 YEAR TERM COMMENCING ON 1/1/04 TO 12/31/09. - ADOPTED BY COUNCIL

MEMBER CASAR: Mr. President, I move we adopt Resolution #9; seconded.

PRESIDENT DENCZAK: Moved and seconded that you adopt Resolution #9. Are there any remarks under this Resolution?... If not, by voice vote, all those in favor, signify by saying aye. Those opposed no.

NO REMARKS RESOLUTION #9 ADOPTED BY UNANIMOUS VOICE VOTE

PRESIDENT DENCZAK: Resolution #9 is adopted.

10. PERSONNEL COMMITTEE: APPROVING THE MAYOR'S APPOINTMENT OF MR. TAREK MONEIR TO THE CANTON COMMUNITY IMPROVEMENT CORPORATION COMMENCING ON 1/1/04 TO 12/31/04. - ADOPTED BY COUNCIL

MEMBER CASAR: Mr. President, I move we adopt Resolution #10; seconded.

PRESIDENT DENCZAK: Moved and seconded that you adopt Resolution #10. Are there any remarks under this Resolution?... Very well, by voice vote, all those in favor, signify by saying aye. Those opposed no.

NO REMARKS RESOLUTION #10 ADOPTED BY UNANIMOUS VOICE VOTE

PRESIDENT DENCZAK: Resolution #10 is adopted.

11. PERSONNEL COMMITTEE: APPROVING THE MAYOR'S APPOINTMENT OF MR. CURTIS WERREN TO THE FAIR EMPLOYMENT PRACTICES BOARD FOR A 3 YEAR TERM COMMENCING ON 1/1/04 TO 12/31/06. - ADOPTED BY COUNCIL

MEMBER CASAR: Mr. President, I move we adopt Resolution #11; seconded.

PRESIDENT DENCZAK: Moved and seconded that you adopt Resolution #11. Are there any remarks under this Resolution?... Very well, by voice vote, all those in favor, signify by saying aye. Those opposed no.

NO REMARKS RESOLUTION #11 ADOPTED BY UNANIMOUS VOICE VOTE

PRESIDENT DENCZAK: Resolution #11 is adopted.

12. PERSONNEL COMMITTEE: APPROVING THE MAYOR'S APPOINTMENT OF MR. JOHN LUCAS TO THE FAIR EMPLOYMENT PRACTICES BOARD FOR A 3 YEAR TERM COMMENCING ON 1/1/04 TO 12/31/06. - ADOPTED BY COUNCIL

**MINUTES OF THE MEETING OF JANUARY 12, 2004**

MEMBER CASAR: Mr. President, I move we adopt Resolution #12; seconded.

PRESIDENT DENCZAK: Moved and seconded that you adopt Resolution #12. Are there any remarks under this Resolution?... Very well, by voice vote, all those in favor, signify by saying aye. Those opposed no.

NO REMARKS

RESOLUTION #12 ADOPTED BY UNANIMOUS VOICE VOTE

PRESIDENT DENCZAK: Resolution #12 is adopted.

**COMMUNICATIONS**

PRESIDENT DENCZAK: All Communications are received as read and referred.

***NOTE: ALL COMMUNICATIONS WHICH FOLLOW, LISTED BY AGENDA TITLE, ARE ON FILE IN THEIR ENTIRETY IN THE COUNCIL OFFICE WITH THE AGENDA ITEMS FILE DATED JANUARY 12, 2004.***

3. AUDITOR KIM R. PEREZ, CITY OF CANTON: MONTHLY REPORT BY FUND FOR 12/1/03 - 12/31/03. - RECEIVED & FILED
4. AUDITOR KIM R. PEREZ, CITY OF CANTON: YEARLY REPORT BY FUND FOR 01/1/03 - 12/31/03. - RECEIVED & FILED
5. AUDITOR KIM R. PEREZ, CITY OF CANTON: REQUEST FOR ADDITIONAL AMENDED CERTIFICATE DATED 12/19/03. - CLERK OF COUNCIL
6. AUDITOR KIM R. PEREZ, CITY OF CANTON: REQUEST FOR ADDITIONAL AMENDED CERTIFICATE DATED 12/19/03. - CLERK OF COUNCIL
7. AUDITOR KIM R. PEREZ, CITY OF CANTON: REQUEST FOR ADDITIONAL AMENDED CERTIFICATE DATED 12/31/03. - CLERK OF COUNCIL
8. COMMUNITY DEVELOPMENT & PLANNING DEPARTMENT, CITY OF CANTON, SHEILA K. THARP-BARRINO, DIRECTOR: REQUEST AUTHORITY TO ADVERTISE, RECEIVE BIDS & ENTER INTO CONTRACT FOR REMOVAL OF ASBESTOS AND DEMOLITION OF KRESGE BLOCK. - COMMUNITY & ECONOMIC DEVELOPMENT & FINANCE COMMITTEE
9. DOWNTOWN CANTON SPECIAL IMPROVEMENT DISTRICT, TAREK MONEIR, PRESIDENT, 222 MARKET AVEN, CANTON OHIO 44702: LETTER OF THANK YOU FOR COUNCIL SUPPORT TO THE SPECIAL IMPROVEMENT DISTRICT; REQUEST FOR A NEW COUNCIL MEMBER APPOINTMENT TO S.I.D. BOARD. - COUNCIL-OF-THE-WHOLE
10. LAW DIRECTOR JOSEPH MARTUCCIO, CITY OF CANTON: REQUEST AUTHORIZATION TO

**MINUTES OF THE MEETING OF JANUARY 12, 2004**

APPROVE RECOMMENDATIONS FOR THE CITY'S HEALTH BENEFIT PLAN. - FINANCE COMMITTEE

11. LAW DIRECTOR JOSEPH MARTUCCIO, CITY OF CANTON: SUBMITTING 2 ORDINANCES AUTHORIZING CANTON TO PURCHASE EQUIPMENT, SUPPLIES AND SERVICES FROM STATE OF OHIO, DIVISION OF ADMINISTRATIVE SERVICES, PURSUANT REVISED CODE SECTION 125.04, STATE COOPERATIVE PURCHASING AGREEMENT, & FROM ODOT PURSUANT TO REVISED CODE SECTION 5513.01. - PUBLIC PROPERTY CAPITAL IMPROVEMENT & FINANCE COMMITTEE
12. LAW DIRECTOR JOSEPH MARTUCCIO, CITY OF CANTON: REQUEST LEGISLATION AUTHORIZING SERVICE DIRECTOR TO ENTER INTO \$168,710.00 CONTRACT RENEWAL W/THE OHIO MUNICIPAL LEAGUE JOINT SELF-INSURANCE POOL LIABILITY INSURANCE PROGRAM FOR GENERAL LIABILITY & AUTOMOBILE LIABILITY INSURANCE COVERAGES RETROACTIVE TO 1/1/04 THROUGH 12/31/04. - FINANCE COMMITTEE
13. LIQUOR CONTROL DIVISION, 6606 TUSSING ROAD, PO BOX 4005, REYNOLDSBURG, OHIO 43068-9005: REQUEST FOR TRANSFER OF C1, C2 LIQUOR PERMIT TO RAMDEVPIR LLC., LOCATED @ 3004 17<sup>TH</sup> STREET SW FROM SPEED D FOODS INC. - INTERGOVERNMENTAL & PUBLIC SERVICE COMMITTEE
14. LIQUOR CONTROL DIVISION, 6606 TUSSING ROAD, PO BOX 4005, REYNOLDSBURG, OHIO 43068-9005: REQUEST FOR NEW C1, C2 LIQUOR PERMIT BY BELLA 7 LLC dba MAGGIORES DRIVE THRU #15 LOCATED @ 1037 DUEBER AVE., SW. - INTERGOVERNMENTAL & PUBLIC SERVICE COMMITTEE
15. LIQUOR CONTROL DIVISION, 6606 TUSSING ROAD, PO BOX 4005, REYNOLDSBURG, OHIO 43068-9005 REQUEST FOR NEW C1, C2 LIQUOR PERMIT BY WAYNE EDWARD MARION dba DUEBER DRIVE THRU LOCATED @ 1037 DUEBER AVENUE SW. - INTERGOVERNMENTAL & PUBLIC SERVICE COMMITTEE
16. LIQUOR CONTROL DIVISION, 6606 TUSSING ROAD, PO BOX 4005, REYNOLDSBURG, OHIO 43068-9005: NOTICE OF DENIAL AND REJECTION FOR NEW CLASS C-1-2 LIQUOR PERMIT REQUESTED BY AMEERS, INC. dba IN-N-OUT LOCATED @ 805 MCKINLEY AVENUE SW. - INTERGOVERNMENTAL & PUBLIC SERVICE COMMITTEE
17. LIQUOR CONTROL DIVISION, 6606 TUSSING ROAD, PO BOX 4005, REYNOLDSBURG, OHIO 43068-9005: NOTICE OF HEARING DATE SET FOR 1/12/04 ON ISSUANCE OR TRANSFER OF NEW C1,2 LIQUOR PERMIT REQUESTED BY R & S CONVENIENT MART, INC., dba B & B SUPERMARKET LOCATED @ 636 CHERRY AVENUE NE. - INTERGOVERNMENTAL & PUBLIC SERVICE COMMITTEE

**MINUTES OF THE MEETING OF JANUARY 12, 2004**

18. LIQUOR CONTROL DIVISION, 6606 TUSSING ROAD, PO BOX 4005, REYNOLDSBURG, OHIO 43068-9005: NOTICE OF TENTATIVE HEARING DATE SET FOR 1/26/04 OBJECTING TO C2, 2X, D6 STOCK TRANSFER REQUESTED BY CANTON HORIZON PETROLEUM, INC. dba GASCO EXPRESS MART LOCATED @ 3325 HARMONT AVENUE NE. - INTERGOVERNMENTAL & PUBLIC SERVICE COMMITTEE
19. LIQUOR CONTROL DIVISION, 6606 TUSSING ROAD, PO BOX 4005, REYNOLDSBURG, OHIO 43068-9005: NOTICE TO CANCEL HEARING DATE SET FOR 1/26/04 OBJECTING TO C2, 2X, D6 STOCK TRANSFER REQUESTED BY CANTON HORIZON PETROLEUM, INC. dba GASCO EXPRESS MART LOCATED @ 3325 HARMONT AVENUE NE. - INTERGOVERNMENTAL & PUBLIC SERVICE COMMITTEE
20. LIQUOR CONTROL DIVISION, 6606 TUSSING ROAD, PO BOX 4005, REYNOLDSBURG, OHIO 43068-9005: NOTICE OF TENTATIVE HEARING DATE SET FOR 1/26/04 OBJECTING TO A NEW C1, 2 LIQUOR PERMIT REQUESTED BY DWS, INC. dba SHORB DRIVE THRU LOCATED @ 829 12<sup>TH</sup> STREET NW. - INTERGOVERNMENTAL & PUBLIC SERVICE COMMITTEE
21. LIQUOR CONTROL DIVISION, 6606 TUSSING ROAD, PO BOX 4005, REYNOLDSBURG, OHIO 43068-9005: NOTICE TO CANCEL HEARING DATE SET FOR 1/26/04 OBJECTING TO A NEW C1, 2 LIQUOR PERMIT REQUESTED BY DWS, INC. dba SHORB DRIVE THRU LOCATED @ 829 12<sup>TH</sup> STREET NW. - INTERGOVERNMENTAL & PUBLIC SERVICE COMMITTEE
22. MAYOR RICHARD D. WATKINS (RE-SUBMITTED BY MAYOR JANET WEIR-CREIGHTON), CITY OF CANTON: REQUEST AUTHORIZATION TO APPROVE VARIOUS AMENDMENTS & CHANGES TO THE COLLECTIVE BARGAINING AGREEMENT BETWEEN THE CITY OF CANTON AND AFSCME LOCAL 2449 AND AFSCME COUNCIL 8 RE: HEALTH INSURANCE. - PERSONNEL COMMITTEE
23. MAYOR RICHARD D. WATKINS, CITY OF CANTON: RETURNING SIGNED ORDINANCE 265/2003 RE: AUDITOR OFFICE PERSONNEL. - RECEIVED & FILED
24. MAYOR JANET WEIR CREIGHTON, CITY OF CANTON: REQUEST TO AMEND CLASSIFICATION PLAN FOR MANAGEMENT AND NON-BARGAINING UNIT EMPLOYEES, MAYOR'S OFFICE, TO ADD POSITION OF CHIEF OF STAFF, GRADE 1. - PERSONNEL COMMITTEE
25. MAYOR JANET WEIR CREIGHTON, CITY OF CANTON: NOTICE TO APPOINT BERNARD HUNT TO POSITION OF DIRECTOR OF PUBLIC SAFETY; REQUEST TO WAIVE RESIDENCY REQUIREMENT SECTION 737.01 OF THE OHIO REVISED CODE FOR DIRECTOR OF PUBLIC SAFETY. - PERSONNEL COMMITTEE
26. MAYOR JANET WEIR CREIGHTON, CITY OF CANTON: NOTICE TO APPOINT JENNIFER DRLIK TO POSITION OF ASSISTANT TO THE MAYOR EFFECTIVE JANUARY 1, 2004; REQUEST TO

**MINUTES OF THE MEETING OF JANUARY 12, 2004**

WAIVE SECTION 151.14 TO ALLOW TRANSFER OF 36 DAYS SICK LEAVE FOR ASSISTANT TO THE MAYOR. - PERSONNEL COMMITTEE

27. MAYOR JANET WEIR CREIGHTON, CITY OF CANTON: REQUESTING CONFIRMATION OF RE-APPOINTMENT OF MR. THOMAS BURNS TO THE BOARD OF ZONING APPEALS FOR A 3 YEAR TERM COMMENCING ON 1/1/04 TO 12/31/06. (See Resolution #6) - PERSONNEL COMMITTEE
28. MAYOR JANET WEIR CREIGHTON, CITY OF CANTON: REQUESTING CONFIRMATION OF APPOINTMENT OF MR. MICHAEL KING TO THE CANTON CONSTRUCTION BOARD FOR A 3 YEAR TERM COMMENCING ON 1/1/04 TO 12/31/06. (See Resolution #7) - PERSONNEL COMMITTEE
29. MAYOR JANET WEIR CREIGHTON, CITY OF CANTON: REQUESTING CONFIRMATION OF APPOINTMENT OF MS. KATHY LEWIS TO THE CANTON CITY PLANNING COMMISSION FOR A 6 YEAR TERM COMMENCING ON 1/1/04 TO 12/31/09. (See Resolution #8) - PERSONNEL COMMITTEE
30. MAYOR JANET WEIR CREIGHTON, CITY OF CANTON: REQUESTING CONFIRMATION OF APPOINTMENT OF MS. JOANNE MURRAY TO THE CANTON CIVIL SERVICE COMMISSION FOR A 6 YEAR TERM COMMENCING ON 1/1/04 TO 12/31/09. (See Resolution #9) - PERSONNEL COMMITTEE
31. MAYOR JANET WEIR CREIGHTON, CITY OF CANTON: REQUESTING CONFIRMATION OF APPOINTMENT OF MR. TAREK MONEIR TO THE CANTON COMMUNITY IMPROVEMENT CORPORATION COMMENCING FROM 1/1/04 TO 12/31/04. (See Resolution #10) - PERSONNEL COMMITTEE
32. MAYOR JANET WEIR CREIGHTON, CITY OF CANTON: REQUESTING CONFIRMATION OF APPOINTMENT OF MR. CURTIS WERREN TO THE FAIR EMPLOYMENT PRACTICES BOARD FOR A 3 YEAR TERM COMMENCING ON 1/1/04 TO 12/31/06. (See Resolution #11) - PERSONNEL COMMITTEE
33. MAYOR JANET WEIR CREIGHTON, CITY OF CANTON: REQUESTING CONFIRMATION OF APPOINTMENT OF MR. JOHN LUCAS TO THE FAIR EMPLOYMENT PRACTICES BOARD FOR A 3 YEAR TERM COMMENCING ON 1/1/04 TO 12/31/06. (See Resolution #12) - PERSONNEL COMMITTEE
34. MAYOR JANET WEIR CREIGHTON, CITY OF CANTON: ADVISING THE APPOINTMENT OF MR. STEVE LAMIELL TO THE CANTON PARK COMMISSION FOR A 3 YEAR TERM COMMENCING ON 1/1/04 TO 12/31/06. - RECEIVED & FILED
35. OHIO E.P.A, GREGORY H. SMITH, CHIEF, PO BOX 1049, COLUMBUS, OHIO 43216-1049: NOTICE OF PUBLIC MEETING TO BE HELD ON JANUARY 12, 2004 IN THE OFFICES OF THE OHIO EPA,

**MINUTES OF THE MEETING OF JANUARY 12, 2004**

Room 5A, LAZARUS GOVERNMENT CENTER, 122 SOUTH FRONT STREET, COLUMBUS, OHIO  
RE: CHANGES TO THE 2004 DRAFT WATER POLLUTION CONTROL LOAN FUND PLAN WITH  
COMMENTS BEING ACCEPTED THROUGH 1/12/04. - RECEIVED & FILED

36. REPUBLIC ENGINEERED PRODUCTS, 3770 EMBASSY PARKWAY, AKRON, OHIO 44333-8367:  
ANNOUNCEMENT OF FORMATION OF NEW COMPANY TO PRESERVE REPUBLIC  
ENGINEERING PRODUCTS, INC. - RECEIVED & FILED
37. REPUBLIC ENGINEERED PRODUCTS, 3770 EMBASSY PARKWAY, AKRON, OHIO 44333-8367:  
ANNOUNCEMENT OF BANKRUPTCY COURT APPROVAL TO SELL ASSETS TO PERRY  
STRATEGIC CAPITAL INC REPUBLIC AND PAV REPUBLIC INC.- RECEIVED & FILED
38. SARTA, 1600 GATEWAY BLVD SE, CANTON, OHIO 44707: REQUEST TO REZONE LOT 82  
LOCATED AT 112 CHERRY STREET SE FROM B-5 TO PI-1 IN ORDER TO INSTALL AN  
ELECTRONIC SIGN. - PLANNING COMMISSION
39. SERVICE DIRECTOR MICHAEL L. MILLER (RE-SUBMITTED BY MAYOR JANET WEIR-  
CREIGHTON), CITY OF CANTON: REQUEST TO APPROVE A WATER MAIN EXTENSION ON  
WEST PARK AVENUE NW IN THE VILLAGE OF MEYERS LAKE. - ENVIRONMENTAL & PUBLIC  
UTILITIES COMMITTEE
40. SERVICE DIRECTOR MICHAEL L. MILLER, CITY OF CANTON: SUBMITTING STATUS OF  
CONSTRUCTION OF CANTON TRAIN STATION SITE DEVELOPMENT PROJECT. - RECEIVED  
& FILED
41. SERVICE DIRECTOR MICHAEL L. MILLER, CITY OF CANTON: SUBMITTING STATUS OF  
DECORATIVE STREET LIGHTS PROJECT IN THE AREA OF RIDGEWOOD, HARTER HEIGHTS  
AND WEST PARK. - RECEIVED & FILED
42. SERVICE DIRECTOR MICHAEL L. MILLER, CITY OF CANTON: SUBMITTING STATUS REPORT  
OF ALL MAJOR INFRASTRUCTURE PROJECTS. - RECEIVED & FILED
43. SERVICE DIRECTOR MICHAEL L. MILLER, CITY OF CANTON: SUBMITTING STATUS OF  
EAST/WEST HIKE/BIKE TRAIL THROUGH CITY OF CANTON. - RECEIVED & FILED
44. SERVICE DIRECTOR MICHAEL L. MILLER & SAFETY DIRECTOR JOSEPH J. CONCATTO (RE-  
SUBMITTED BY MAYOR JANET WEIR-CREIGHTON), CITY OF CANTON: REQUEST TO  
AUTHORIZE EMERGENCY LEGISLATION TO COMPLETE VARIOUS CITY CONTRACTS  
PURSUANT TO ORC SECTION 731.48. - FINANCE COMMITTEE
45. SERVICE DIRECTOR MICHAEL L. MILLER & SAFETY DIRECTOR JOSEPH J. CONCATTO (RE-  
SUBMITTED BY MAYOR JANET WEIR-CREIGHTON), CITY OF CANTON: REQUEST TO  
ADVERTISE, RECEIVE BIDS & ENTER INTO CONTRACT FOR SUPPLY ITEMS, MATERIALS &

**MINUTES OF THE MEETING OF JANUARY 12, 2004**

VARIOUS PROFESSIONAL SERVICES EXCEEDING \$15,000 FOR 2004 CALENDAR YEAR. - FINANCE COMMITTEE

46. TREASURER ROBERT C. SCHIRACK, CITY OF CANTON: COMPARATIVE REPORT OF DEPOSITS & PAY INS TO AMBULANCE LOCK BOX ACCOUNT AS OF DECEMBER 2003. - RECEIVED & FILED
47. TREASURER ROBERT C. SCHIRACK, CITY OF CANTON: REPORT OF TREASURER'S OFFICE BANK RECONCILIATIONS AND CITY'S OUTSTANDING INVESTMENTS AS OF DECEMBER 31, 2003. - RECEIVED & FILED
48. TREASURER ROBERT C. SCHIRACK, CITY OF CANTON: COMPARATIVE REPORT OF PARKING METER REVENUE AS OF DECEMBER 2003. - RECEIVED & FILED
49. TREASURER ROBERT C. SCHIRACK, CITY OF CANTON: COMPARATIVE REPORT OF INCOME TAX CASH RECEIPTS AS OF 12/31/03. - RECEIVED & FILED
50. TREASURER ROBERT C. SCHIRACK, CITY OF CANTON: REQUEST TO AMEND CODIFIED ORDINANCES OF CITY OF CANTON, CHAPTER 181 INCOME TAX, RETURN AND PAYMENT OF TAX; REFUND. - JUDICIARY COMMITTEE

**ORDINANCES & FORMAL RESOLUTIONS FOR FIRST READING**

PRESIDENT DENCZAK: We're now under Ordinances and Formal Resolutions for the first reading. Let the journal show that all ordinances are being given their reading as required by State Law. Ordinance #1 please.

***NOTE: PRESIDENT DENCZAK CALLED UPON CLERK VANCKUNAS TO READ THE FOLLOWING ORDINANCE #1 FOR THE FIRST TIME BY TITLE & ANNOUNCED THE REFERRAL, AS FOLLOWS.***

- #1 (1<sup>ST</sup> RDG) AN ORDINANCE AMENDING ORDINANCE NO. 55/77, AS AMENDED, KNOWN AS THE CITY OF CANTON ZONING ORDINANCE; AND DECLARING THE SAME TO BE AN EMERGENCY  
Referred to 2<sup>nd</sup> Reading of the Next Agenda

**ORDINANCES & FORMAL RESOLUTIONS FOR SECOND READING**

PRESIDENT DENCZAK: There are no Ordinances or Formal Resolutions for the second reading, this being the first official meeting of this term.

**ORDINANCES AND FORMAL RESOLUTIONS FOR THIRD READING**

PRESIDENT DENCZAK: There are no Ordinances or Formal Resolutions for the third and final reading for the same reason.

**MINUTES OF THE MEETING OF JANUARY 12, 2004****ANNOUNCEMENT OF COMMITTEE MEETINGS**

PRESIDENT DENCZAK: Announcement of Committee Meetings please.

MEMBER MALLONN: Mr. President, Environmental & Public Utilities will be meeting next Monday evening at six...

PRESIDENT DENCZAK: Next Monday?

MEMBER MALLONN: Yes.

PRESIDENT DENCZAK: That's Martin Luther King Day.

MEMBER MALLONN: On January 26<sup>th</sup> -- I'm sorry, sir -- at 6:45.

PRESIDENT DENCZAK: Any other committees?

MEMBER ZACHARY: Mr. President, the Personnel Committee will be meeting at 6:55 on January 26<sup>th</sup> as well.

MEMBER HAWK: Mr. President, the Finance Committee will meet January 26<sup>th</sup> at 6:45. Thank you.

MEMBER CASAR: Point of information. I just wonder if the committee members realize how many committees we have to report out on, if that's gonna be enough time.

MEMBER HAWK: Mr. President, let me amend my time to 6:15. That will give us time to start through all these finance things.

PRESIDENT DENCZAK: Any other committees?...

MEMBER DOUGHERTY: Mr. President, Public Property Capital Improvement will also meet that evening, 6:15.

PRESIDENT DENCZAK: Any other committees?...

MEMBER CARBENIA: Mr. President, Community & Economic Development will be meeting at 6:15 same day.

PRESIDENT DENCZAK: At this time, the Chair's going to declare a five minute recess.

*(COUNCIL RECESSED AT 7:55 PM. THE MEETING WAS RECONVENED BY PRESIDENT DENCZAK AT 8:00 PM)*

PRESIDENT DENCZAK: Members of Council, you're back in session now. Let's have some decorum here. You're back in session, Members -- who was the last committee that made their announcement?... Community & Economic Development?

**MINUTES OF THE MEETING OF JANUARY 12, 2004**

MEMBER CARBENIA: Mr. President, the Majority Leader's gonna clarify that. Actually, there's no ordinances gonna be there, so we don't really need to have a meeting so I have...

PRESIDENT DENCZAK: No, but this will be clarified under Miscellaneous Business then.

MEMBER CARBENIA: Alright.

**PUBLIC SPEAKS (OPEN FORUM--CITY BUSINESS ONLY)**

PRESIDENT DENCZAK: Public Speaks, Open Forum. We have several people signed up this evening, however, one, two, three, four, five - five persons from NAVE have signed up illegally. Under the new council rules you must -- and I'll read that to you -- "you must print the name, home address, no business or post office, and specific subject matter on which he or she intends to speak. This list shall be available at all times in the Council office. If not completed as required, the Presiding Officer will not recognize that particular speaker." However, I'm gonna be a little lenient with you because there's so many of you here and I'm afraid you'll attack me on my way to the car. (LAUGHTER) I'm gonna allow you to speak this evening, but please bear in mind there's a new council rule that you must list your home address, no post office box or no business address, and your specific subject matter or the Chair will not recognize you. I'd say something else, but it would probably be misquoted in the paper, so I better not. (LAUGHTER) First speaker is Martin Kirsch, Jr. Is Martin Kirsch, Jr. here?

MR. KIRSCH: Hello. My name is Martin Kirsch from 1350 Market Avenue South, and I'm a representative -- one of the NAVE representatives, and also I represent Heartbeats to the City, and I was here last June talking about a condemned house that still borders our community garden. The grass got about chest high and was finally cut by the City the end of November. So, the owner of the property is not taking care of it. The house has been boarded up. The garage is still accessible. I mean, people go in and out of it. There's probably ten or fifteen stray cats in it right now. Earlier this Fall I was doing a group project with some of the kids after school and we went out and I heard meowing. I couldn't even find the kitten that was meowing and I found him about five minutes later in the tall grass and I had to take it to the Humane Society and it was put down because it was diseased and infected. So, you know we have disease-infected animals right next to where we're trying to convince parents to bring their kids for after school projects, and -- I was here -- the address of the house is 1336, and we made inquires about the property, but nothing's gone -- you know, nothing's happened that way, and -- The other issue I'm here for is Mayor Watkins, before he ended his service, agreed to give us the alley in between the property and the garden because we do programs on both and people just fly down the alley. He was gonna seal it off so we could use it as a parking area, and nothing was ever done about that and I was hoping to remind Council and the Mayor and see what can be done about that as well.

PRESIDENT DENCZAK: Whose ward is this in? Ward 4? 4<sup>th</sup> Ward?

SAFETY DIRECTOR CONCATTO: Mr. President. Sir, do you know the name of that alley? You're talking 1336 Market Avenue South, correct?

MR. KIRSCH: Ye. That's the...

SAFETY DIRECTOR CONCATTO: That's the house?

**MINUTES OF THE MEETING OF JANUARY 12, 2004**

MR. KIRSCH: That's the address of the condemned house. The name of the alley is Romy.

SAFETY DIRECTOR CONCATTO: Romy?

MR. KIRSCH: Yeah. It's just a little small one- way...

SAFETY DIRECTOR CONCATTO: Between where and where? Between Market and, or where?

MR. KIRSCH: Romy is in between -- it's an alley that's perpendicular to Market, cause our place is on Market, and it's just in between our community garden and our community center.

SAFETY DIRECTOR CONCATTO: What was we gonna close, or what vacation was gonna be made?

MR. KIRSCH: He was just gonna close it off at the back of our property, the alley, to prevent traffic from coming down because we have a bunch of groups that go back and forth and we do things with Lathrop School.

SAFETY DIRECTOR CONCATTO: Can you give me the street from where to where you thought Romy was going to be closed off?

MR. KIRSCH: It goes from -- where he was gonna close it off was between Market Avenue and I want to say Bates alley, it's a little alley in the back.

SAFETY DIRECTOR CONCATTO: Thank you.

PRESIDENT DENCZAK: The next speaker is...

MEMBER ZACHARY: Mr. President, since that is my ward, I would like to meet with either the Mayor or whoever put this project together before the last councilperson left and figure out what we can do about this situation.

PRESIDENT DENCZAK: Okay. Next speaker is Robert Mushat, is that correct?... M-U-S-H-A-T, 1334 Louisiana? Robert Mushat, looks like, 1334 Louisiana Avenue...? Not in the audience here?... Next speaker is Mark Adams. Is Mark Adams in the audience?... Mark Adams?... The next speaker is Veronica Callahan. Can I have your address please?

MS. CALLAHAN: Good evening. My name is Veronica Callahan and I reside at 3406 34<sup>th</sup> Street Northeast in the City of Canton, Ward 6, and I'm here tonight representing neighborhood leadership, and the section and the department of our group that is here tonight is NAVE. And we'd just like to welcome the new mayor and her administration and all the council personnel that took office this year. And we would just like to again thank the mayor and the prior mayor for all their support and generosity to all our neighborhood groups, and we are here to show our faces and to let our voices be heard. Combined we are 25 neighborhood organizations representing the northwest, northeast, southwest and southeast quadrants of the City of Canton. Today you see just a few of us, but combined we represent over 2500 people. We are grass roots, faith based neighborhood organizations and we have individually and collectively come before Council and we are willing to be before Council on any issues affecting our neighborhoods and the people who reside in our

**MINUTES OF THE MEETING OF JANUARY 12, 2004**

community. We would like to also make you aware that we are here to support you and work with you and we invite each of you to come out to our different neighborhood associations and to be a part. At this time I'd like to represent the members of NAVE that are here with us. Mayor and City Council, I give you NAVE. (APPLAUSE)

PRESIDENT DENCZAK: The next speaker is Ace Gillems.

REVEREND GILLEMS: To the Council, I'm Reverend Ace Gillems. I serve at 1027 9<sup>th</sup> Street here in Canton, the second ward. I'm here also on behalf of NAVE...

PRESIDENT DENCZAK: Reverend, would you give me your home address please.

REVEREND GILLEMS: My home address, 3270 Berrywood Southwest.

PRESIDENT DENCZAK: Thirty-two...

REVEREND GILLEMS: Seventy...

PRESIDENT DENCZAK: Seventy...

REVEREND GILLEMS: Berrywood Southwest. And I'm here in concern with NAVE (*CLEARs HIS THROAT*), excuse me, and some of the problems that are occurring within our neighborhood is that we have a concern with the drug problem. And one of the concerns that really bothers me is that in Ward 2 we find that it is infested with drugs in that area where we serve in our neighborhood. One of the things that we try to do, what the law has tried to do, was to -- more laws on the books, try to write more laws to be enforced, and I think there's enough laws on the books, I think we as citizens have backed down enough to say okay, we're giving up this right, that right, but we still have a drug problem. And because it's not new news, we still have problems within our neighborhood. We have vacant homes in our neighborhoods that are boarded up, and I have one problem right across from my church where a home has been burned, it caught on fire. It's been that way now for almost a year. Nothing has been done. We tried to purchase the home. We ran into problems. But my problem here is that we want to make aware that we feel, I feel I should say, that one of the things that concern me is that if we are going to fight the problems in our neighborhood, the drug problem, I think it's important that we all get involved from a point of prevention. I'm one that believes in prevention more so than treatment. I think an ounce of prevention is worth a pound of cure. And one of the things that I feel is important as we deal with the problem that faces us, is that we deal with the children. In Ward 2 there's many new homes that are being built in Ward 2 through Habitat, through ABCD. There's a great influx of children throughout our city, so how do we deal with those children, is to make them aware also, to provide education. One of the problems I've heard even through this election was that well, we got to bring the problem back to the parents. It is the parents' responsibility. I totally agree, but how do you tell a parent that has been on Welfare, she went out -- or the grandmother is working and she has children in her home that may be eight or nine years old that may come home from school and are there for an hour or two waiting for someone to come home. If we can do things, positive things, as far as -- in the southeast community -- in the southeast we have the Southeast Community Center. Southwest, we have the J. Babe Stearn Center. In the northeast, we have the Northeast Community Center. Also in the northwest, I believe we have the CYC, but we need more positive things of that nature to help work with the children, that we can make them aware, to teach them, to educate them and try to prevent them from being involved in drugs. Yes, we can say it's totally the parents' fault, but I'm a believer that I am my

**MINUTES OF THE MEETING OF JANUARY 12, 2004**

brother's keeper. So I have to decide what am I gonna do to help and what is this Council going to do. I ask this Council to be very compassionate, to be very considerate of the problems that exist. Just because it doesn't make the headlines unless there's a big bust, there is a problem with drugs out...

PRESIDENT DENCZAK: Reverend, your three minutes are up. Bring your remarks to a close.

REVEREND GILLEMS: I'm just about finished. And so I'm saying to you, please help us. Our neighborhoods are important to us. I ask you to be compassionate, to look in areas that we can be pro-active to prevent drug prevention. God bless you.

PRESIDENT DENCZAK: The next speaker is Marge May.

MS. MAY: My name is Marge May. I live at 2307 3<sup>rd</sup> Street Northeast. I'm the chairperson of Concerned Citizens of the Fourth Ward which is a neighborhood association located near the Belden and East Tusc area. One of the problems we have with our neighborhood is that it seems to be going down. We have allot of problems with rentals. My job as code officer, I get around into allot of neighborhoods, and one of the ongoing problems I see is rentals causes the neighborhood to deteriorate. Some of the things we want to address with Council is to -- I'm sorry. Several other things our neighborhood has problems with is the vacant properties which are in poor condition, and it's affecting the value of the neighboring properties. We have drug activities all hours of the day or night and they're getting bolder and bolder. We have no activities for the young adults in the neighborhood. We have no parks. We have no grocery stores, and we have a drainage problem that's been going on for a number of years. We want Community and Economic Development to channel some of their funds into our neighborhood. We want a grocery store, a mini park, and activities for the youth. We also want something done about the drainage problem. Right now 4<sup>th</sup> Street is getting a new drainage -- I live on 3<sup>rd</sup> Street. I've been complaining for twenty years and apparently nothing's gonna be done this year again. We want more visibility from the police department to combat and reduce the drug activity. I speak for all the neighborhood associations that have similar problems in their neighborhood. We want participation and results from our elected Council people in an effort to bring positive change about the neighborhood. Our associations are willing to work with Council to bring about these changes. I'm finished.

PRESIDENT DENCZAK: The next speaker is Constance Brown.

MS. BROWN: Good evening. I'm Constance Brown. I live at 620 Bachert Court Southwest here in Canton, Ohio, and I'm part of SWAN which is the Southwest Association of Neighbors. I'd like to just enlarge a little bit on what has been said about vacant properties. That is a city wide issue. According to the Safety Department, there's probably one more house that's being vacated every day in Canton, and in some cases that is causing a large percentage of vacancies in a specific area where you may have almost as many vacant as inhabited homes. And this of course is a real problem, and not only does it invite crime, which it does, it also causes an aesthetic and cosmetic problem which certainly causes the properties around where people are trying to maintain or maybe they have invested to bring up their property, causes those to deteriorate in value so far as the banks are concerned. And one of the problems that is also here in the City is, even though in some cases the Safety Department has come out and boarded up a home, we are still finding within a few hours those boards are being knocked off, those homes are being illegally entered, aluminum siding is being pulled off and taken to the recyclers. You know, it's just a discouraging situation. My question to you is, is there a way that the City could monitor vacant properties more effectively? Would there be a department that we in the neighborhoods could notify

**MINUTES OF THE MEETING OF JANUARY 12, 2004**

as a home becomes vacant so that the City could possibly send out more law enforcement just to check out these properties from time to time? Or maybe also to keep a time frame as the length of time a property has been vacant. Would it be possible for the citizens of the community, and maybe find out why a property is vacant. At this point, unless you're a part of the gossip ring in the community, you may not know that the bank has foreclosed or somebody else has lost something through a tax lien, or in some cases, a personal issue. So, you know, how do we find out those things, and how can we -- how long can the City just let a property deteriorate for whatever reason before, you know, some changes are required? Those are some of the questions I would have and hope that Council could address. Thank you.

PRESIDENT DENCZAK: You can rest assured this Council is looking into that very seriously through Member Hawk. Final speaker is Wendy Bodenschatz.

MS. BODENSCHATZ: Good evening. My name is Wendy Bodenschatz, 1919 32<sup>nd</sup> Street Northwest, from the Mount Vernon neighborhood, and I promise not to talk about porn tonight. Tonight I'd like to talk about the zoning issues that we have in the City, not just in northwest, but in every quadrant of the City. One of the things that Mrs. Creighton said during her campaign, and as she was sworn into office on January 1<sup>st</sup>, was she believes in teamwork. We all want to be part of your team. Include us, keep us in your loop, we promise to do the same. And we do. We do call. And Joe can probably attest to that, both of them (*CHUCKLES*). We have one zoning inspector and unfortunately Darla was thrown into that position when layoffs had to happen and Rick moved to a new position. She obviously doesn't have the knowledge that Rick had and left with, and she's trying as hard as she can, but she is one person. There's 80,000 people in the City of Canton and hundreds of acres in the City of Canton. We have one of each of you for every ward we all live in, so how about a zoning inspector for each ward? Is there a possibility that more than one zoning inspector can happen with this new Council? It is not possible for the City to continue to zone and zone correctly and enforce its zoning ordinances with one person. Is there a possibility that we can add another, several other, zoning inspectors to that department?

PRESIDENT DENCZAK: Does anybody from the administration want to respond to that?

SAFETY DIRECTOR CONCATTO: Mr. President, I'm sure there's allot of areas in the City at this point in time that we need to add personnel. Code enforcement could be one I can think of off the top of my head. Police department and fire department could be two other ones that I can think of. Certainly in good times we would have a zoning inspector, possibly an assistant zoning inspector. Unfortunately, I do not believe this year is the time we can add personnel. And, we certainly would prioritize that. Darla's doing an excellent job...

MS. BODENSCHATZ: Um-hum, she is.

SAFETY DIRECTOR CONCATTO: ...as the zoning inspector and I have very few complaints coming from the community about the work there. So, although I believe you come with a good idea, I don't know we could provide one in each ward, but this is a very difficult time, but something that we would certainly put on the list of things that we need to look at. There's allot of our departments that are let me say understaffed at this time and that we need to set a priority. Thank you.

MS. BODENSCHATZ: And I do understand that and I appreciate that. So at this point then, do we advise our neighborhood associations to continue to call Council or zoning or you?

**MINUTES OF THE MEETING OF JANUARY 12, 2004**

SAFETY DIRECTOR CONCATTO: Well, you're always -- Mr. President, if I can answer. You're always welcome to call me, and you usually do and that's fine.

MS. BODENSCHATZ: Yeah. (*CHUCKLES*).

SAFETY DIRECTOR CONCATTO: I don't know that you would -- call your councilman if you wish, but certainly call the zoning inspector if it's a zoning issue...

MS. BODENSCHATZ: Okay.

SAFETY DIRECTOR CONCATTO: And if you don't get the response that -- I'm not gonna say the wrong -- a response you don't like may be the response you get, but you're more than welcome to call me also.

MS. BODENSCHATZ: Okay. Great. And just one announcement on behalf of NAVE, we all usually meet the second Monday of every month over at the Unizan Building with the Stark Community Foundation and we know that Mondays are usually your meeting nights, but we encourage all of you, especially those of you who are new to City Council, to come and visit us so that we too may be able to be more familiar with you and you may become more familiar with our organizations.

MEMBER WEST: Mr. President, what time did you say?

MS. BODENSCHATZ: I'm sorry. We meet from five to seven in the Unizan Building the second Monday of every month.

PRESIDENT DENCZAK: Next time you come wear your official jersey. (*LAUGHTER*) Your three minutes are up also. (*LAUGHTER*) Okay. That ends the public speaks portion.

**MISCELLANEOUS BUSINESS**

PRESIDENT DENCZAK: We are now under Miscellaneous Business. Is there any Miscellaneous Business?... Member Casar?

MEMBER CASAR: Mr. President, I'd like to clarify our new rule 22B, and I'll read it and I'll try to explain it like I did at Committee Caucus this evening. 22B which states, "All matters which require further action by Council shall first be referred by the Presiding Officer to the proper committee or committees, appointed department heads, elected officials or to the Clerk of Council for filing. Upon approval and initialing of the matter by the committee or committees chairperson, they shall send matters to the Law Department for preparation of necessary legislation. Law Department shall submit the request and this ordinance to the Clerk of Council for inclusion on the next agenda." So, basically what it says, like I thought I said earlier -- that I know the committee chairman called committee meetings for next, the 26<sup>th</sup>, and not to say you cannot have a committee meeting at any time as long as you call it according to the Sunshine Rule, but you can't act on an ordinance that really you don't have yet. You could have a committee meeting on your communication, but there if you send it to the Law Department, he has the original, so actually you can start that procedure tonight. You can initial it, hand it to the Law Department, hand it to Debbie, and she'll make sure that it gets

**MINUTES OF THE MEETING OF JANUARY 12, 2004**

gone, so the next week when it comes down, you can requ-- the ordinance will be submitted on the agenda and then it will be referred to your committee and then you can have the proper committee assignment on it, or committee hearing on it. I hope that clarifies things. So, in essence you don't have to have any committee meetings next week other than Ordinance #9 and #11 which has to do with the insurance purposes for the City of Canton, and those are Finance Committee which will have to have the committee meeting and also suspend rules and pass that because it has to be passed by the end of the month.

PRESIDENT DENCZAK: Everybody understand that now?

MEMBER DIAMOND: Mr. President, the communications that come down to the committees, are they given to the Chair people?

PRESIDENT DENCZAK: Yes, they are.

MEMBER DIAMOND: Okay. I'm a Chair person and I have several committees, or I have several ordinances or several communications, and I didn't receive any communications.

CLERK VANCKUNAS: Mr. President, if I may. That's my fault. We only handed out communications which were referred to committees and requested legislation. Those communications were mostly from the Ohio Division of Liquor Control, and they're notification by nature.

MEMBER DIAMOND: Mr. President. Madam Clerk, do they require a committee meeting?

CLERK VANCKUNAS: Mr. President. No, they do not require a committee hearing unless a member of Council wishes to object to a liquor permit in his particular ward.

MEMBER DIAMOND: Mr. President. Madam Clerk, each communication that deals with a specific establishment in a specific ward, those have been sent to each representative, is that correct?

CLERK VANCKUNAS: Mr. President. Yes, that is correct, and as these liquor permit applications come in from the Liquor Control Board, the Member of Council is given a courtesy copy at the time they come in with a sheet asking for their signature whether they wish to object or not.

PRESIDENT DENCZAK: Is there any other miscellaneous business?...

MEMBER ZACHARY: Mr. President, since this is the first real meeting for at least three of the new councilmembers, I would like to just address two things. Number one, as we seek to transition and move our individual wards as well as the City forward, I would ask that the neighborhood groups that are represented here tonight understand that some of us have been left a few hot potatoes, but we are going to be working on the issues in our wards to the best of our ability, and I think we all signed up for the long haul and we're gonna work as hard as we can to make things happen. I would ask for your patience with us as we find out exactly what's going on. Don't hesitate to call us as well. And another thing I'd like to point out is the fact that the problems that -- most of the problems that were addressed tonight are largely concentrated in Wards 2 and 4, so I'm asking for Council I guess in a public forum to maybe expedite those issues to

**MINUTES OF THE MEETING OF JANUARY 12, 2004**

the forefront and work with us to help resolve some of these issues for our constituents. Thank you.

PRESIDENT DENCZAK: Any other miscellaneous business?...

MEMBER CASAR: Mr. President, just a point of information with regards to what my comments were, I just wonder if any of the committee chairman wish to cancel their committee meetings for the 26<sup>th</sup>.

MEMBER ZACHARY: Personnel Committee can cancel their meeting for the 26<sup>th</sup> at this point.

PRESIDENT DENCZAK: Let the Chair expedite this matter. Is everybody that specified a committee meeting wish to withdraw their committee time for the 26<sup>th</sup> of January?

MEMBERS CARBENIA: Aye.

MEMBER HAWK: Yes.

MEMBER DOUGHERTY: Yes.

PRESIDENT DENCZAK: And make it clear that you can pass out your communication tonight or tomorrow.

MEMBER HAWK: Mr. President, we've been asked to pass two pieces of legislation in an emergency situation without the three readings, so therefore we're going to have to have a committee meeting for the Finance Committee on these two issues. Is it the wish of Council to hold it here during the meeting, just recess and have the committee meetings and then waive the three readings and pass that, or do you want to sit down and have a separate committee meeting? We can have it right here on Council floor if you need to.

PRESIDENT DENCZAK: Whatever you want. Once you give the Law Department your okay to prepare the legislation...

MEMBER HAWK: They got that okay. I've signed this.

PRESIDENT DENCZAK: Then when it comes down, it'll be down in time for the next agenda which is two weeks from now and then you can have an in-house committee meeting if you want. It's up to you, you're the chairman. Or you can schedule a committee meeting...

MEMBER HAWK: We can hold an in-house during Council.

PRESIDENT DENCZAK: This is just a little simple common sense. You know, it's up to your judgment. It's like a football official on the judgment plate.

MEMBER HAWK: We'll hold it right here. We'll take care of it all in one sweep.

PRESIDENT DENCZAK: There'll be no instant replays though. So, Member Hawk, what time will your committee

**MINUTES OF THE MEETING OF JANUARY 12, 2004**

meeting be?

MEMBER HAWK: We will have an in-house during the -- on the 26<sup>th</sup>.

PRESIDENT DENCZAK: So that's the only official meeting will be in regards to those ordinances...

MEMBER HAWK: Yes, sir.

PRESIDENT DENCZAK: ...requested by the Law Department. Okay. Is there any other miscellaneous business?... Any other miscellaneous business?... Any other miscellaneous business?...

MEMBER MALLONN: Mr. President, I move we adjourn.

MEMBER CARBENIA: I object.

PRESIDENT DENCZAK: We have a new majority leader. (LAUGHTER) Moved and seconded -- was it seconded?

MEMBER CARBENIA: I'm waiting for Don.

PRESIDENT DENCZAK: You did not receive a second, Member Mallonn.

MEMBER CASAR: Mr. President, I move we adjourn; seconded.

PRESIDENT DENCZAK: Moved -- now, it's moved and seconded that you adjourn. Roll call vote please.

NO REMARKS PERMITTED ON THE MOTION TO ADJOURN                      ROLL CALL: 12 YEAS, 0 NAYS

ADJOURNMENT TIME: 8:31 P.M.

ATTEST:

APPROVED:

DEBRA VANCKUNAS  
CLERK OF COUNCIL

RAY DENCZAK  
PRESIDENT OF COUNCIL

