

**MINUTES OF THE MEETING OF MARCH 1, 2004**

*The regular meeting of Canton City Council was held on Monday, March 1, 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 3 Councilmember Richard A. Mallonn II, 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:***

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

1 COUNCILMEMBER ABSENT: (DAVID DOUGHERTY)

**AGENDA CORRECTIONS & CHANGES**

PRESIDENT DENCZAK: Agenda Corrections or Changes, Members of Council, you're being asked to suspend Rule 22A to add Ordinances 5 through 7. You're being asked to suspend Rule 24B to add Resolutions 30 through 32. You're being asked to amend Ordinance 9er, ordinance 9. The Chair will recognize 22A. Member.....

MEMBER CASAR: Mr. President, I move that Rule 22A be suspended so we add Ordinances, or resolutions number 5, Ordinances 5 through 7 for second reading; seconded.

PRESIDENT DENCZAK: Moved and seconded to suspend Rule 22A to add Ordinances 5 through 7 for their second readings. Are there any remarks?... If not, roll call vote please.

NO REMARKS

ROLL CALL: 11 YEAS, 0 NAYS

PRESIDENT DENCZAK: Ordinances 5, 6, and 7 are a legal part of your agenda.

MEMBER CASAR: Mr. President, I move we suspend Rule 24B to add Resolutions 30, 31 and 32 to tonight's agenda; seconded.

PRESIDENT DENCZAK: Moved and seconded to suspend Rule 24B to add Resolutions 30, 31, 32 to the agenda. Are there any remarks?... If not, roll call vote please.

NO REMARKS

ROLL CALL: 11 YEAS, 0 NAYS

PRESIDENT DENCZAK: Resolutions 30, 31 and 32 are a legal part of your agenda.

**MINUTES OF THE MEETING OF MARCH 1, 2004****PUBLIC HEARINGS**

PRESIDENT DENCZAK: We have a scheduled public hearing for 7:30pm. It's a request by Nick Streamo Jr. to vacate a portion of Lawn Avenue from the north line of 14<sup>th</sup> Street SW, north 135 feet to the north line of Lot 5933 and a portion of 14<sup>th</sup> Street SW from the west line of Dueber Avenue SW west to the north line of US Rt. 30. The Planning Commission recommends approval. The chair opens the public hearing now in regards to this matter. Is there anyone in the audience wishing to speak for or against this vacation, please come forward. State your name and address please.

MS. BIERY: My name is Sabrina Biery. I live at 1377 Park Avenue SW. Okay. I am one of the few young adults living on Park Avenue SW. Like many of my friends, I like to play outside in the summer. All right. We do have a back yard, but I have a 7 month old puppy and it's kinda hard to play with her, without nipping at my heels. Sometimes we play in the back alley, although it isn't big enough to play in, really, just for cars to go in and out. So we go on to Park and play sometimes, like tennis or volley ball. We really care for him and we watch over each other's shoulders for coming cars. I like to ride my bike around the block, but since there are no sidewalks, I ride in the street. Now I ride on the edge of the street unless I'm turning to go up Lawn or somewhere else. Then, I look in front and behind, if there are any cars. One day I almost got hit by some idiot who was driving at top speed when he saw me coming around to turn. I am not only the, I am not the only one who has almost got hit by a car. Over the 7 years that we've lived on Park, I've noticed some stray cats, stray dogs, and even some neighbors almost get hit by a car, by just crossing the street. It's pretty dangerous to cut, to cut through to avoid the light on Dueber Avenue. I'm 13 years old, going on 14. I am a good student. I'm on honor roll and I've won 2 awards the past grading period. I have been raised to be proud and to speak for a worthy cause. Some day I want to say that I've helped future engineers, presidents, secretaries and other opportunists by helping close Park and Lawn SW for safety and for progress expansion of Dumont Seed Co. We need more people like me to get involved. Please vote to close Park and Lawn to save people's lives and to bring Nicholas Streamo's dream to life. He was like the uncle I never had. I loved him. Everyone here, for the closing of the road, dearly loved him also, his daughters Sherese and Tana Streamo, his son Nicky, and my mother Diane. Thank you for your time in this important issue.

PRESIDENT DENCZAK: Is there anyone else in the audience wishing to speak for or against this vacation, please come forward... Anyone else in the audience wishing to speak for or against this vacation, please come forward... Is there anyone else in the audience wishing to speak for or against this vacation, please come forward... Apparently not, the Chair declares the public hearing over in regards to this matter. The matter now rests in the hands of Council. The ordinance will follow later this evening.

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

PRESIDENT DENCZAK: No one signed up for public speaks for ordinances or resolutions for adoption.

**INFORMAL RESOLUTIONS**

PRESIDENT DENCZAK: Informal resolutions excusing members, Member Casar.

MEMBER CASAR: Mr. President, I move that member Dougherty be excused from tonight's city council meeting; seconded.

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PRESIDENT DENCZAK: Moved and seconded that Member Dougherty be excused. Are there any remarks?... If not, roll call vote please.

NO REMARKS

ROLL CALL: 11 YEAS, 0 NAYS

***PRESIDENT DENCZAK CALLED UPON CLERK OF COUNCIL VANCKUNAS TO READ RESOLUTIONS #30, 31 AND 32 BY TITLE, AS SHOWN BELOW. THE RESOLUTIONS ARE ON FILE IN THEIR ENTIRETY IN THE COUNCIL OFFICE WITH THE AGENDA ITEMS FILE DATED MARCH 1, 2004.***

30. INTERGOVERNMENTAL & PUBLIC SERVICE COMMITTEE: OBJECTING TO THE ISSUANCE OF D2, D2X LIQUOR PERMIT TRANSFER REQUESTED BY LORRAINE A. BOYLE, DBA HOLLAND INN LOCATED AT 827 10<sup>TH</sup> STREET NW. - ADOPTED BY COUNCIL

MEMBER CASAR: Mr. President, I move we adopt Resolution #30; seconded.

PRESIDENT DENCZAK: Moved and seconded that you adopt Resolution #30. Are there any remarks on this Resolution?... Very well, by voice vote, all those in favor signify by saying aye. Those opposed no.

NO REMARKS

RESOLUTION 30 ADOPTED BY UNANIMOUS VOICE VOTE

PRESIDENT DENCZAK: Resolution #30 is adopted.

31. INTERGOVERNMENTAL & PUBLIC SERVICE COMMITTEE: OBJECTING TO ISSUANCE OF NEW C1, C2 LIQUOR PERMIT REQUESTED BY TAP INVESTMENTS LLC, DBA AP LOCATED AT 903 12<sup>TH</sup> STREET NE. - ADOPTED BY COUNCIL

MEMBER CASAR: Mr. President, I move we adopt Resolution #31; seconded.

PRESIDENT DENCZAK: Moved and seconded that you adopt Resolution #31. Are there any remarks on this Resolution?... Very well, by voice vote, all those in favor signify by saying aye. Those opposed no.

NO REMARKS

RESOLUTION #31 ADOPTED BY UNANIMOUS VOICE VOTE

PRESIDENT DENCZAK: Resolution #31 is adopted.

32. PERSONNEL COMMITTEE: APPROVING THE MAYOR'S APPOINTMENT OF CLINT ZOLLINGER TO THE FAIR EMPLOYMENT PRACTICES BOARD FOR A 3 YEAR TERM RETROACTIVE TO 1/1/04 AND EFFECTIVE THROUGH 12/31/06. - ADOPTED BY COUNCIL

MEMBER CASAR: Mr. President, I move we adopt Resolution #32; seconded.

PRESIDENT DENCZAK: Moved and seconded that you adopt Resolution #32. Are there any remarks under this

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Resolution?... Very well, by voice vote, all those in favor signify by saying aye. Those opposed no.

NO REMARKS

RESOLUTION #32 ADOPTED BY UNANIMOUS VOICE VOTE

PRESIDENT DENCZAK: Resolution #32 is adopted.

**COMMUNICATIONS**

PRESIDENT DENCZAK: Members of Council, under Communications, at one time I had asked that all communications were received as read and referred. Now because all of you have a copy of the agenda, you will know where all the referrals are made to. Anyone here wants inquire, wants to know, they can check on the agenda. The last meeting, Clerk Vanckunas read the Resolutions one by one at my request and I made the referrals. In the interest of saving time, if there's no objection from Council, the Chair will simply say received and read and referred under communications. If there are no objections, we'll save a little time doing it that way.

***ALL COMMUNICATIONS WHICH FOLLOW, LISTED BY AGENDA TITLE, ARE ON FILE IN THEIR ENTIRETY IN THE COUNCIL OFFICE WITH THE AGENDA ITEMS FILE DATED MARCH 1, 2004.***

121. BUILDING DEPARTMENT, CITY OF CANTON: MONTHLY INCOME REPORT FOR THE MONTH OF JANUARY 2004. - RECEIVED & FILED
122. COMMUNITY DEVELOPMENT & PLANNING DEPARTMENT, CITY OF CANTON, SHEILA K THARP-BARRINO, DIRECTOR: REQUEST TO ADD O.229/2003 TO THE LIST OF ORDINANCES TO BE RATIFIED & RE-AUTHORIZED THAT WERE NOT COMPLETED IN 2003. - RECEIVED & FILED (DONE-SEE ORDINANCE NO. 15/2004)
123. HEALTH COMMISSIONER, CITY OF CANTON, ROBERT PATTISON: NOTICE OF POLICY APPROVAL AUTHORIZING HEALTH COMMISSIONER TO ACT ON BEHALF OF BOARD OF HEALTH IN ADMINISTERING PROVISIONS OF ORC SEC 3707.04 TO 3707.32 REGARDING QUARANTINE & ISOLATION AND INCLUDING COPY OF SAID POLICY. - RECEIVED & FILED
124. LIQUOR CONTROL DIVISION (STATE OF OHIO), 6606 TUSSING ROAD, PO BOX 4005, REYNOLDSBURG, OHIO 43068-9005: REQUEST FOR TRANSFER OF D1 LIQUOR PERMIT FROM BEE & J LAUNDRY DBA SUDS N MORE SUDS TO R & S HARVEY OF STARK COUNTY LLC DBA SUDS DUDS, ETC LOCATED @ 3130 TUSCARAWAS STREET. - INTERGOVERNMENTAL & PUBLIC SERVICE COMMITTEE
125. LIQUOR CONTROL DIVISION (STATE OF OHIO), 6606 TUSSING ROAD, PO BOX 4005, REYNOLDSBURG, OHIO 43068-9005: REQUEST FOR NEW C1, C2 LIQUOR PERMIT BY TAP INVESTMENTS LLC DBA AP LOCATED @ 1600 30<sup>TH</sup> STREET NORTH. - INTERGOVERNMENTAL & PUBLIC SERVICE COMMITTEE

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126. LIQUOR CONTROL DIVISION (STATE OF OHIO), 6606 TUSSING ROAD, PO BOX 4005, REYNOLDSBURG, OHIO 43068-9005: REQUEST FOR NEW C1, C2 LIQUOR PERMIT BY TAP INVESTMENTS LLC DBA AP LOCATED @ 2130 CLEVELAND AVENUE. - INTERGOVERNMENTAL & PUBLIC SERVICE COMMITTEE

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127. LIQUOR CONTROL DIVISION (STATE OF OHIO), 6606 TUSSING ROAD, PO BOX 4005, REYNOLDSBURG, OHIO 43068-9005: REQUEST FOR NEW C1, C2 LIQUOR PERMIT BY TAP INVESTMENTS LLC DBA AP LOCATED @ 903 12<sup>TH</sup> STREET NE. - INTERGOVERNMENTAL & PUBLIC SERVICE COMMITTEE (See Informal Resolution #31)
128. MAYOR JANET WEIR-CREIGHTON: REQUESTING CONFIRMATION OF APPOINTMENT OF CLINT ZOLLINGER TO THE FAIR EMPLOYMENT PRACTICES BOARD FOR A 3 YEAR TERM RETROACTIVE TO 1/1/03 AND EFFECTIVE THROUGH 12/31/06. - PERSONNEL COMMITTEE (See Informal Resolution #32)
129. PLANNING COMMISSION, CITY OF CANTON, SHEILA K THARP-BARRINO, SECRETARY: RECOMMENDING APPROVAL OF I-1, LIGHT INDUSTRIAL ZONING FOR FORD/REPUBLIC/GEORGETOWN ANNEXATION AREA. - LAW DEPARTMENT. PUBLIC HEARING SCHEDULED 4/5/04 @ 7:30 PM
130. PLANNING COMMISSION, CITY OF CANTON, SHEILA K THARP-BARRINO, SECRETARY: RECOMMENDING APPROVAL OF REQUEST BY COOPER & ASSOC FOR SERVICE DIRECTOR ELLSWORTH TO VACATE PORTIONS OF MADISON CT SE, TO REPLAT ALL OR PARTS OF LOTS 1705-1710, A PREVIOUSLY VACATED 14' ALLEY & THE VACATED PORTION OF MADISON CT, AND TO DEDICATE MADISON CT EXTENSION. - PUBLIC SAFETY & THOROUGHFARES COMMITTEE
131. PLANNING COMMISSION, CITY OF CANTON, SHEILA K THARP-BARRINO, SECRETARY: RECOMMENDING DENIAL OF ZONE CHANGE REQUEST BY SARTA FROM B-5 TO PB-1 TO PERMIT MEETINGS OF THE VOLUNTARY FAMILY SUPPORT SERVICES - LAW DEPARTMENT. PUBLIC HEARING SCHEDULED 4/5/04 @ 7:31 PM
132. REED, DENNIS & CAROL, 705 RAFF ROAD SW, CANTON, OHIO 44706: REQUEST TO REZONE LOT 30741 LOCATED AT 705 RAFF RD SW FROM R-1A TO PB-1 TO PERMIT MEETINGS OF THE VOLUNTARY FAMILY SUPPORT SERVICES. - PLANNING COMMISSION
133. SAFETY DIRECTOR BERNARD L. HUNT, CITY OF CANTON: REQUEST TO AMEND SECTION 133.05 OF THE CODIFIED ORDINANCES BY ESTABLISHING A FEE FOR THE USE OF FIRE DEPT PERSONNEL, AMBULANCE, EQUIPMENT & SUPPLIES FOR SPECIAL EVENTS. - JUDICIARY COMMITTEE
134. SERVICE DIRECTOR TAD ELLSWORTH, CITY OF CANTON: REQUEST TO VACATE A PORTION OF MADISON COURT SE SOUTH OF 3<sup>RD</sup> STREET SE TO THE NORTH RIGHT-OF-WAY LINE OF THE WHEELING & LAKE ERIE RAILROAD. - PLANNING COMMISSION
135. VFW POST 3417, MATHEWS JOSEPH, 1836 8<sup>TH</sup> STREET NE, CANTON, OHIO 44705: REQUEST TO REZONE PART OF OUTLOTS 181 & 182, PART OF LOT 14326 & LOT 14325 LOCATED AT 1836 8<sup>TH</sup> STREET NE FROM R1-A TO PB-3 TO PERMIT A NEW VFW POST & PARKING. - PLANNING

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## COMMISSION

**ORDINANCES & FORMAL RESOLUTIONS FOR FIRST READING**

PRESIDENT DENCZAK: We're not under Ordinances and Formal Resolutions for their 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 ORDINANCES #1 THROUGH AND INCLUDING #4 FOR THE FIRST TIME BY TITLE & ANNOUNCED THE REFERRAL, AS FOLLOWS.***

- #1 (1<sup>ST</sup> RDG) AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO A COMMUNITY REINVESTMENT AREA AGREEMENT WITH SHAWN O'BRIEN PROPERTIES, LLC TO PROVIDE REAL PROPERTY TAX EXEMPTIONS TO CONSTRUCT AN INDOOR SKATE PARK IN THE WARD 4 COMMUNITY REINVESTMENT AREA; AUTHORIZING THE GRANTING OF TEN YEAR REAL PROPERTY TAX EXEMPTIONS; AND DECLARING THE SAME TO BE AN EMERGENCY.  
Referred to Community & Economic Development Committee
- #2 (1<sup>ST</sup> RDG) AN ORDINANCE AUTHORIZING THE MAYOR TO FILE AN APPLICATION WITH HUD FOR COMMUNITY DEVELOPMENT FUNDS IN THE AMOUNT OF \$2,300,000.00 FOR PROPERTY ACQUISITION; AUTHORIZING THE MAYOR TO EXECUTE APPLICATION AND GRANT AGREEMENTS WITH HUD AND TO ACCEPT AND ADMINISTER FUNDING; AUTHORIZING THE AUDITOR TO ESTABLISH THE 2233 FUND WITH NECESSARY APPROPRIATIONS AND TRANSFERS; AND DECLARING THE SAME TO BE AN EMERGENCY  
Referred to Marketing & Development Grant and Community & Economic Development Committees
- #3 (1<sup>ST</sup> RDG) AN ORDINANCE AUTHORIZING THE DIRECTOR OF PUBLIC SERVICE TO ADVERTISE, RECEIVE BIDS AND ENTER INTO CONTRACT FOR THE LEASE OF TWO BACKHOE LOADERS FOR THE WATER DEPARTMENT; AND DECLARING THE SAME TO BE AN EMERGENCY  
Referred to Finance Committee
- #4 (1<sup>ST</sup> RDG) AN ORDINANCE AUTHORIZING THE DIRECTOR OF PUBLIC SERVICE TO ADVERTISE, RECEIVE BIDS AND ENTER INTO CONTRACT FOR THE ROOF AND RETAINING WALL REPAIRS AT JACKSON POOL; AUTHORIZING THE CITY AUDITOR TO ESTABLISH THE 4560 JACKSON POOL IMPROVEMENT FUND; AMENDING APPROPRIATION ORDINANCE NO. 1/2004, AS AMENDED, BY MAKING THE SUPPLEMENTAL APPROPRIATIONS HEREIN DESCRIBED; AND DECLARING THE SAME TO BE AN EMERGENCY  
Referred to Public Property Capital Improvement and Finance Committees

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**ORDINANCES & FORMAL RESOLUTIONS FOR SECOND READING**

PRESIDENT DENCZAK: Ordinances and Formal Resolutions for the second reading.

***NOTE: PRESIDENT DENCZAK CALLED UPON CLERK VANCKUNAS TO READ THE FOLLOWING ORDINANCES #5 THROUGH AND INCLUDING #7 FOR THE SECOND TIME BY TITLE, AS FOLLOWS.***

**RULE 22A WAS SUSPENDED TO ADD #5 THROUGH #7:**

- #5 (2<sup>ND</sup> RDG) AN ORDINANCE APPROVING AND ACCEPTING THE REPLATTING OF LOT 42208 AND OUTLOT 1035; APPROVING AND ACCEPTING THE DEDICATION OF PART OF 55<sup>TH</sup> STREET NE; AND DECLARING THE SAME TO BE AN EMERGENCY
- #6 (2<sup>ND</sup> RDG) AN ORDINANCE AUTHORIZING THE DIRECTOR OF PUBLIC SERVICE TO ADVERTISE AND RECEIVE BIDS FOR THE SALE OF ONE PARCEL OF CITY-OWNED REAL PROPERTY NO LONGER NEEDED FOR MUNICIPAL PURPOSES AND AUTHORIZING THE DIRECTOR OF PUBLIC SERVICE TO CONVEY SAID PROPERTY TO THE HIGHEST BIDDER.
- #7 (2<sup>ND</sup> RDG) AN ORDINANCE APPROVING A CANTON CITY WATER MAIN EXTENSION TO PERRY TOWNSHIP; AUTHORIZING THE DIRECTOR OF PUBLIC SERVICE TO ENTER INTO CONTRACT FOR THE EXTENSION OF SAID WATER MAIN; AND DECLARING THE SAME TO BE AN EMERGENCY

**ORDINANCES AND FORMAL RESOLUTIONS FOR THIRD READING**

PRESIDENT DENCZAK: Ordinances and Formal Resolutions for the third and final reading.

***NOTE: PRESIDENT DENCZAK CALLED UPON CLERK VANCKUNAS TO READ THE FOLLOWING ORDINANCES #8 THROUGH AND INCLUDING #15 FOR THE THIRD & FINAL TIME BY TITLE, AS FOLLOWS.***

- #8 (3<sup>RD</sup> RDG) **ADOPTED AS ORDINANCE NO. 22/2004** VACATING A PORTION OF 14<sup>TH</sup> ST SW & LAWN AVE SW; AND DECLARING THE SAME TO BE AN EMERGENCY  
**PUBLIC HRG HELD 3/1/04 @ 7:30 PM**

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

PRESIDENT DENCZAK: Moved and seconded that you adopt Ordinance #8. Are there any remarks under this Ordinance?...

MEMBER PRATER: Mr. President, I started working on this ordinance with the Streamo family shortly after January

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1<sup>st</sup>. This is an issue that has been before Council and has been worked on for a couple of years now. I drug Service Director Ellsworth out on a Saturday morning that was a little brisk, to say the least, and we handled the remaining issues. As the Ward Councilman down there, I support this vacation and I respectfully ask Council to support this as well.

PRESIDENT DENCZAK: Are there any other remarks?... If not, roll call vote please.

NO REMARKS

ROLL CALL: 10 YEAS, 0 NAYS, 1 ABSTENTION  
(BERNABEI ABSTAINED)

PRESIDENT DENCZAK: Ordinance #8 is adopted.

**#8 ADOPTED AS ORDINANCE NO.22/2004**

#9 (3<sup>RD</sup> RDG) **ADOPTED AS ORDINANCE NO. 23/2004** AN ORDINANCE AMENDING EXHIBIT A TO ORDINANCE NO. 164/2001, AS AMENDED, THE CLASSIFICATION PLAN AND GENERAL SALARIES FOR ALL MANAGEMENT AND NON-BARGAINING UNIT EMPLOYEES OF THE CITY OF CANTON; AND DECLARING THE SAME TO BE AN EMERGENCY

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

PRESIDENT DENCZAK: Moved and seconded that you adopt Ordinance #9. Are there any remarks under this Ordinance?

MEMBER CASAR: Mr. President, I move we amend ordinance #9 per copy all Councilmen have in front of them; seconded.

**AMENDMENT:** 75CV LAW DEPARTMENT, CIVIL DIVISION 75-30-01

**146 CHIEF COUNCIL (P-T)\* # OF EMPLOYEES-1 SALARY: \$28,000-69,900 (E)**

**\*EFFECTIVE JANUARY 1, 2002 AND EACH CALENDAR YEAR THEREAFTER, ATTORNEYS IN THESE POSITIONS SHALL RECEIVE AUTOMATIC ANNUAL COST OF LIVING ADJUSTMENTS IN AN AMOUNT EQUAL TO THE ANNUAL INCREASE FOR THE PREVIOUS CALENDAR YEAR IN THE CONSUMER PRICE INDEX-ALL URBAN CONSUMERS INDEX (CPI-U) FOR ALL ITEMS OF THE INDEX. IF THE SALARY OF ANY EMPLOYEE OCCUPYING ONE OF THE ABOVE CLASSIFICATIONS EXCEEDS THE SALARY RANGE MAXIMUM DUE TO THESE ADJUSTMENTS, THE SALARY RANGE MAXIMUM WILL AUTOMATICALLY BE INCREASED BY THE MOUNT NECESSARY TO MEET SAID SALARY.**

PRESIDENT DENCZAK: Moved and seconded to amend Ordinance #9 per the copy before each of you. The question before you now is the amendment. Are there any remarks under the amendment?

LAW DIRECTOR MARTUCCIO: Thank you, Mr. President. Members of Council, this amendment reduces the upper range of the salary range for the part-time position of Chief Counsel in the Law Director's Office. As you recall, this ordinance is designed to officially increase the hours of Mr. John Coury from 20 hours a week to 30 hours a week. The extra 10 hours being paid at its current straight time rate. This is an experiment designed to see if we can save at

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least half the cost it would take to replace Mr. Hunt--although Mr. Hunt is irreplaceable, and he was pirated away by a higher power--this is designed to save at least half the money it would cost to replace him with another employee and pay that extra employee fringe benefits. Should it not work, we'll come back to the drawing board but at least this is something we would like to attempt this year. We believe that's a savings of at least \$15,000 as per the Auditor's calculations. The reason for the reduction, the upper end of the range was, the figures seemed very high for a part-time position and this will more accurately reflect what he would be paid at 30 hours a week and allow a little room in case he had to do some extra hours or if this continued into a second year and that second year saw a 2 or 3 percent raise, which none of our attorneys have seen for 3 years, by the way. Thank you.

PRESIDENT DENCZAK: Are there any other remarks under the amendment?... The question you're voting on now is the amendment. By voice vote, all those in favor signify by saying aye. Those opposed no.

NO REMARKS

AMENDMENT APPROVED BY UNANIMOUS VOICE VOTE

PRESIDENT DENCZAK: The amendment is passed. The question you're voting on now is the Ordinance as amended. Are there any remarks under this Ordinance as amended?... If not, roll call vote please.

NO FURTHER REMARKS

ROLL CALL: 10 YEAS, 1 NAY

PRESIDENT DENCZAK: Ordinance #9 is amended and has been adopted..

**#9, AS AMENDED, ADOPTED AS ORDINANCE NO.23/2004**

#10 (3<sup>RD</sup> RDG) **ADOPTED AS ORDINANCE NO.24/2004** AN ORDINANCE AUTHORIZING THE LAW DIRECTOR TO ENTER INTO CONTRACT WITH THE BELOW-NAMED CITIES AND VILLAGES TO PROVIDE LEGAL REPRESENTATION CONCERNING THE PROSECUTION OF CRIMINAL CASES AND RELATED MATTERS BY THE CITY PROSECUTOR'S OFFICE; AND DECLARING THE SAME TO BE AN EMERGENCY

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

PRESIDENT DENCZAK: Moved and seconded that you adopt Ordinance #10. Are there any remarks under this Ordinance?... Very well, roll call vote please.

NO REMARKS

ROLL CALL: 11 YEAS, 0 NAYS

PRESIDENT DENCZAK: Ordinance #10 is adopted.

**#10 ADOPTED AS ORDINANCE NO. 24/2004**

#11 (3<sup>RD</sup> RDG) **ADOPTED AS ORDINANCE NO. 25/2004** AN ORDINANCE AUTHORIZING THE MAYOR AND/OR DIRECTOR OF PUBLIC SERVICE TO EXECUTE AND FILE AN APPLICATION WITH THE OHIO DEPARTMENT OF NATURAL RESOURCES, RATIFYING SAID APPLICATION; PROVIDING LOCAL PARTIAL FUNDING; AND DECLARING THE SAME TO BE AN EMERGENCY

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

PRESIDENT DENCZAK: Moved and seconded that you adopt Ordinance #11. Are there any remarks under this Ordinance?... Very well, roll call vote please.

NO REMARKS

ROLL CALL: 11 YEAS, 0 NAYS

PRESIDENT DENCZAK: Ordinance #11 is adopted.

**#11 ADOPTED AS ORDINANCE NO. 25/2004**

#12 (3<sup>RD</sup> RDG) **ADOPTED AS ORDINANCE NO. 26/2004** AN ORDINANCE AUTHORIZING THE DIRECTOR OF PUBLIC SAFETY TO ACCEPT AND EXECUTE THE FEDERAL EMERGENCY MANAGEMENT AGENCY'S ASSISTANCE TO FIREFIGHTERS GRANT; AUTHORIZING THE CITY AUDITOR TO DEPOSIT THE PROCEEDS OF SAID GRANT INTO THE 2813 FIREFIGHTERS ASSISTANCE GRANT FUND; AMENDING APPROPRIATION ORDINANCE 1/2004, AS AMENDED, BY MAKING THE SUPPLEMENTAL APPROPRIATION HEREIN DESCRIBED; AND DECLARING THE SAME TO BE AN EMERGENCY

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

PRESIDENT DENCZAK: Moved and seconded that you adopt Ordinance #12. Are there any remarks under this Ordinance?... Very well, roll call vote please.

NO REMARKS

ROLL CALL: 11 YEAS, 0 NAYS

PRESIDENT DENCZAK: Ordinance #12 is adopted.

**#12 ADOPTED AS ORDINANCE NO. 26/2004**

#13 (3<sup>RD</sup> RDG) **ADOPTED AS ORDINANCE NO. 27/2004** AN ORDINANCE AMENDING APPROPRIATION ORDINANCE NO. 1/2004, AS AMENDED, BY MAKING THE SUPPLEMENTAL APPROPRIATION HEREIN DESCRIBED; AND DECLARING THE SAME TO BE AN EMERGENCY

MEMBER CASAR: Mr. President, I move we adopt Ordinance #13; seconded.

PRESIDENT DENCZAK: Moved and seconded that you adopt Ordinance #13. Are there any remarks under this Ordinance?... Very well, roll call vote please.

NO REMARKS

ROLL CALL: 11 YEAS, 0 NAYS

PRESIDENT DENCZAK: Ordinance #13 is adopted.

**#13 ADOPTED AS ORDINANCE NO. 27/2004**

#14 (3<sup>RD</sup> RDG) **ADOPTED AS ORDINANCE NO. 28/2004** AN ORDINANCE AUTHORIZING THE DIRECTOR OF PUBLIC SERVICE TO ENTER INTO MODIFICATION #1 WITH

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NORTHWEST CONSULTANTS, INC. IN AN AMOUNT NOT TO EXCEED \$4,654.00 FOR THE GUILFORD AVENUE NW BRIDGE REPLACEMENT PROJECT, GP 1075; AMENDING APPROPRIATION ORDINANCE NO. 1/2004, AS AMENDED BY MAKING THE TRANSFER HEREIN DESCRIBED; AND DECLARING THE SAME TO BE AN EMERGENCY

MEMBER CASAR: Mr. President, I move we adopt Ordinance #14; seconded.

PRESIDENT DENCZAK: Moved and seconded that you adopt Ordinance #14. Are there any remarks under this Ordinance?... Very well, roll call vote please.

NO REMARKS

ROLL CALL: 11 YEAS, 0 NAYS

PRESIDENT DENCZAK: Ordinance #14 is adopted.

**#14 ADOPTED AS ORDINANCE NO. 28/2004**

#15 (3<sup>RD</sup> RDG) **ADOPTED AS ORDINANCE 29/2004** AN ORDINANCE AUTHORIZING THE DIRECTOR OF PUBLIC SERVICE TO ENTER INTO A CHANGE ORDER WITH NICKEL EXCAVATING, INC. IN AN AMOUNT NOT TO EXCEED \$87,735.75 FOR EXTENSIVE EXCAVATION WORK FOR THE CANTON TRAIN STATION SITE DEVELOPMENT PROJECT; AND DECLARING THE SAME TO BE AN EMERGENCY

MEMBER CASAR: Mr. President, I move we adopt Ordinance #15; seconded.

PRESIDENT DENCZAK: Moved and seconded that you adopt Ordinance #15. Are there any remarks under this Ordinance?... Very well, roll call vote please.

NO REMARKS

ROLL CALL: 10 YEAS, 0 NAYS, 1 ABSTENTION  
(BERNABEI ABSTAINED)

PRESIDENT DENCZAK: Ordinance #15 is adopted.

**#15 ADOPTED AS ORDINANCE NO. 29/2004**

**ANNOUNCEMENT OF COMMITTEE MEETINGS**

PRESIDENT DENCZAK: Announcement of Committee Meetings please.

MEMBER MALLONN: Mr. President, Public Property Capital Improvement and Finance will meet next Monday at 6:45.

MEMBER HAWK: Mr. President, Finance will meet Wednesday at 1:30 in the Caucus Room.

PRESIDENT DENCZAK: 1:30?

**MINUTES OF THE MEETING OF MARCH 1, 2004**

MEMBER HAWK: Correct sir.

MEMBER WEST: Marketing and Development and... will meet on Monday at 6:50.

MEMBER CARBENIA: Mr. President, Community and Economic Development will meet next Monday at 6:30.

PRESIDENT DENCZAK: Any others?... That's it?...

MEMBER BERNABEI: Mr. President, with regard to the Finance Committee meeting on Wednesday at 1:30, I would indicate to any members of Council who are interested, that this will be our first exposure to discussion of the annual appropriations issue. I would anticipate this would be a relatively lengthy meeting. Debbie, I would ask that you, Clerk of Council, that you please make sure that anybody interested in this, to include specifically union heads, be given notice of this.

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

PRESIDENT DENCZAK: Public speaks, open forum, city business only. We have one person signed up, Jeff Hailey.

MR. HAILEY: Jeff Hailey, 391 Orchard Street.

PRESIDENT DENCZAK: Go ahead sir.

MR. HAILEY: As President of the Canton Professional Firefighters Association, on behalf of its membership, I'm here to object to the closing a fire station or any further reduction of our Fire Department. Over the last 18 months, the services provided by the Canton Fire Department has been reduced by the hiring freeze, reduction in authorized strength and reduction in monies budgeted to the Fire Department. Medic units and engine companies have been closed throughout the year, all of this in the midst of increased concern over national security and the ability of first responders to deal with them. Fire and EMS runs continue to increase and fire deaths in Canton are 3 times the State and National average. All of this while the Fire Department decreases. Since the late 1960's the authorized strength of the Fire Department has been cut by 25 firefighters. At that time, the authorized strength was 191. Today the authorized strength is 176, with our actual manpower of 166. This number includes several on extended leave due to illness and injury and 3 firefighters serving our nation in the Middle East. While Joe Concatto was Chief and the City was practicing deficit spending, he did not down-size. In fact, he added a fourth medic unit. He added the position of EMS Supervisor, Safety Officer and convinced Council to increase our authorized strength to 200. Since moving to the 8<sup>th</sup> floor of City Hall, he's trying to take all this away, even with the 3 million dollars found at the end of last year. When Mayor Creighton was elected, we all anticipated change. We had no idea the change would be for the worse. The closing of any station will increase response times, increase damage to structures and personal property and put Canton citizens and its Firefighters at a greater risk. The citizens of Canton pay for and deserve better than this. Without safety and security, your constituents may as well have nothing. Thank you.

**MISCELLANEOUS BUSINESS**

PRESIDENT DENCZAK: We're now under Miscellaneous Business. Is there any miscellaneous business?

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MEMBER CASAR: Mr. President, if I may, I'd like to give a verbal report on the Canton Community Improvement Corporation. Joe Carbenia and myself were appointed members of this Board by Mayor Creighton and we met Wednesday and it's going to be my intention and also Member Carbenia's to give a verbal report to Council the first meeting after such meeting and also when we receive the minutes, every member of Council will receive the minutes of what transpired in the previous CICC meeting. In the meeting on Wednesday the 25<sup>th</sup>, the point of business was on January 31<sup>st</sup>, the CCIC Board approved a \$305,000 deferred loan to American Property Global Partners. As of the meeting Wednesday afternoon, they didn't comply with the, all criterias of the grant, or loan I should say. First of all, deferred, deferred loan is the all of the criterias are met, then the loan would be forgiven. In other words it would be like a grant. But as of Wednesday, they were not, and I think the Mayor said she was in co-op, was in communications with this particular person and I think they were forthcoming. And the main one would be, is making prevailing wage and because they actually started construction before they received the grant, they had to go back and get all the records to see if they, indeed, did comply. So, if they did, they will receive that money. If not, it will be put back into the pool and then be used for other community development projects, economic development projects. The second matter of business was Olympco Incorporated which is located at 2125 Harrison Avenue and they asked for a \$75,000.00, 3 percent grant, loan to be paid back in 10 years. The money would be used for new machinery, equipment and the total project cost would be \$418,000.00. The project will retain 40 full-time, 80 full-time jobs and create additional, an additional 68 full-time jobs. This, the loan was granted. The third one was for McGram Paper Incorporated which is going to be located at the old Danner Press Building. They are in the process of purchasing this building now and once it's purchased for, I think about a \$2.2 million, the project will be on its way. This company, this particular company is relocating in Canton from Watertown, New York and they are asking for a \$94,000.00 deferred loan. There again I'll explain what a deferred loan is. If all criterias are met, it will be considered a grant, they won't have to pay it back. The project cost is estimated at \$3.3 million. The project will retain 14 full-time jobs in the city and create an additional, I'd say an additional 30 jobs, full-time decent paying jobs because they'll be moving their executives in from New York so that will probably be a little bit better than a normal hourly wage worker job. The deferred \$94,000.00 grant was awarded. The next one on the agenda was Evolution Skate Park, Skate Park, which is at 216 Navarre Road SW and they are asking for \$350,000.00 of 3 percent interest for 10 years which is \$150,000 the first year, \$100,000 the second year and \$100,000 the third year. The total project cost is estimated to be 1 point 20, 1 point, \$1,250,000.00 for the skate park and this will consist of skate board pole with ramps, BMX bicycle tracks and designated areas for in-line skating, traditional roller skating and lounges. The project will create 4 new jobs. Many questions were asked that day and I just want to get into a few of them. I stated I didn't have any problem, as I said, I didn't have any problem with the project whatsoever. The only problem I had, it was the financing part that I think that normally, with this CIC grant for this type of venture is \$50,000.00 and I said I would be willing to go with that even though I felt it was a risky project. Mr. O'Brien who is the originator, the architect or the owner of this particular project, said this particular sport is growing to a \$2 billion industry and it will soon be an Olympic sport. Mr. O'Brien said the indoor skate park in Florence, Kentucky paid off a \$750,000.00 loan in one year. I then asked Mr. O'Brien if this type of facility is that successful, why ask for \$150,000 this year, an additional \$100,000 next year and an additional \$100,000 the third year? Many questions could not be answered such as CIC spent, can they spend money they don't have. In other words, they have X number of dollars left in the pool from last year and they haven't received the money from the government, federal government this year yet which is short-coming, which should be arriving in April. And I think there's like \$140,000.00 left. First of all, when that money hits, the Community Development Department sends it to Council and we as Council, we dedicate or appropriate it to whichever departments we see that it should go to and Community Development, they're asking for \$600,000 this year. My question was how can we spend money that, how can they spend money next year or the year after when in reality they don't have it until it comes in from the Federal government, number 1, and this Council, number 2, appropriates it

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to such department. So, that was one of the questions that had to be answered. And, at this, another question I asked is does this meet all the block grant requirements pertaining to Federal funding? In other words, are the criterias there, are they met, will they be met? Sheila Barrino, the Community & Economic Development Director is researching and will get back to this Board. And because of these unanswered questions, the project was tabled until the questions were answered. And, that was basically, the meeting was adjourned at that particular point, and I thought the meeting was basic, I thought this project was until we met again, would be taken up again. But, as I read, a few comments if I may Mr. President, I read in the local newspaper yesterday that I needed to get out more or invest in a calendar and I don't understand why they said invest in a calendar because he said something about, he rambled on about the good old days are gone and so forth and etc. in this particular article. And, like I said, I really don't understand why that has anything to do with me, other than because maybe I questioned they financial feasibility of such a project and so I guess that's why he thought that I was behind the times. I said I was in favor of the project, as I said earlier, and that I would support it for the \$50,000.00. We'd have to take into consideration, but you'd have to take into consideration individuals who wrote this report. You know, he's an authority on everything and in my opinion doesn't know too much of anything, but I'd say on this particular matter, I'm on the right side because if he takes one side, the other side's usually the right side. And, that's my opinion also. He went on to say that I was applying a 1950's, 1960's jock mentality to what Canton kids need. Well my answer to that, to those remarks is, in my opinion, this particular project, I was looking at, I was looking at the City of Canton, the bottom line is what's good for the City of Canton, which, which I feel, which we all should be looking at, not just because it's a project that we would like to have, but can we afford it? And, in this particular case, as we all know, is what we've gone through the last couple years has been pretty tough and we just want to make ends meet and we want for economic development, we want jobs. And, that's my number 1 question on this project, is because it's only going to create 4 jobs. As I said earlier, the Olympic Company with 68 new jobs, McGram was 48 new jobs, this is only 4 new jobs. So, what the city needs is, is no doubt about it, is jobs. At a cost of \$350,000.00, we would only be getting 4 jobs and a very risky project at the least. In fact, Mr., in Mr. O'Brien's own words, he stated, I admit, this is a financial risk. This is a roll of the dice and hope you win. To the right of the article in the paper yesterday, I will never roll the dice with taxpayer's money and I am not trying to preserve a long-lost yesterday. On the contrary, I'm trying to preserve the financial situation the City of Canton, especially for the taxpayers of Canton, and that's all I was trying to do and that's all I intend to do as a member of this Council and also as a member of the CCI Board. And, if that's, that's using a 50's, 50's-60's jock mentality, then so be it and if Member Carbenia, if you have anything to answer, any questions in regards to or add anything to it, I'd appreciate it.

PRESIDENT DENCZAK: Member Casar, one moment, Members of Council, I see the looks on some of your faces that a Council member has 3 minutes to speak. There is no specific rule in your rules, and when there is no specific rule in your rules, the Chair refers to Robert's Rules of Order. And, there's a Robert's Rules of Order, that when the Chairman feels that somebody has something important to say, you can extend their time limit. I felt that you had something important to say, as the Chairman, so I allowed you more than 3 minutes. At the risk of being criticized in the newspaper myself again, that's the reason I allowed you speak longer. When I feel any Member of Council has something important to say, every Member of Council, everyone in the audience should hear what that person has to say, this Chair will extend their time limit. We went to Robert's Rules. Member Carbenia...

MEMBER CARBENIA: Mr. President. I would like to say that Don, or, Member Casar, has made a very good report. It's pretty hard to give you any more information that's already, that he already gave you. One thing about the newspaper, most of you are talking about the newspaper, if you're like me, you don't read it, you don't have worry about that newspaper. You guys always read that thing and let it upset you. Don't read it, don't worry about it.

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PRESIDENT DENCZAK: It doesn't upset me Member Carbenia, I just want to work the cross word puzzles in it.  
(LAUGHTER)

MEMBER CARBENIA: Well, they have them in other papers. But I do have a question for the Mayor if I could. Under the ordinances, under first reading tonight, you do have an ordinance down here for, for the O'Brien project, if we can call it that. And, I thought that that was tabled at the CCIC meeting. And, if it was tabled, I don't think we should have went forward with it.

MAYOR CREIGHTON: Mr. President, this is for the Community Reinvestment Area, to create the CRA.

MEMBER CARBENIA: Yes, but it's on a project that we've put a hold on, tabled.

PRESIDENT DENCZAK: Member Ellsworth....I mean ....

SERVICE DIRECTOR ELLSWORTH: Mr. President, this doesn't have anything to do with the loans that the CCIC was considering. This is to establish a Community Reinvestment Area, where that property is.

MEMBER CARBENIA: Well, I beg to differ. It mentions the skate park and if they want money from the city and I don't, and for them to get the money or have to go through the CCIC, and the Community Reinvestment Program.

SERVICE DIRECTOR ELLSWORTH: Mr. President, may I ask that Manuel Patterson come forward to speak to Council tonight.

PRESIDENT DENCZAK: That's up to Council to make that motion. The Service Director wishes to have a person speak before Council. Only Councilmembers can move to allow somebody else to speak and you must specify that time limit. Does anyone wish to allow? Member Diamond.

MEMBER DIAMOND: Mr. President, I move to allow him to speak.

PRESIDENT DENCZAK: Can I recognize somebody else? Who did just call? Member Mallonn.

MEMBER MALLONN: Mr. President, I move that we give Mr. Mandwel Patterson 5 minutes to speak in regards to Member Carbenia's questions; seconded.

PRESIDENT DENCZAK: Moved and seconded to give him, five minutes, did you say Member Mallonn, to speak?

MEMBER MALLONN: Five minutes, yes.

PRESIDENT DENCZAK: Any remarks?... Roll call vote please.

NO REMARKS

ROLL CALL: 11 YEAS, 0 NAYS

PRESIDENT DENCZAK: Sir, you have 5 minutes.

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MR. PATTERSON: I won't take that much time. The CRA tax abatement that is currently on the agenda, needs to be basically approved by this Council prior to any construction taking place. This was, this application was made, I believe, in November to put the tax abatement in place, prior to the project coming to, be coming to fruition. To address your question, the CIC and the tax abatement are completely separate. In order for the project to move forward, we have to have the tax abatement in place. Mr. O'Brien can't start construction on anything prior to the abatement being in place. That's why it's on your agenda right now.

LAW DIRECTOR MARTUCCIO: Mr. President, while there's a pause, if I can interject a little more information, Mr. Carbenia. The ordinance that's had its first reading tonight is before you pursuant to State Law. The area in which the O'Briens propose to build this project is already a Community Reinvestment Area, as of July 17, 2000 when this City Council designated it to be so. The State that approved it as a CRA through the Director of the Ohio Department of Development, under State Law, in order for someone to participate in an agreement to get tax abatement that Mandwel's referring to, in order to get a real estate property tax exemption, this Council will have to authorize that to take place. This Council is being asked to allow Mr. O'Brien through his corporation to take part in such an agreement. Simultaneously, the Canton City School Board, which is the effected Board, is being asked to consider a resolution to also allow for a certain level of tax exemptions. If they don't, it goes to 50 percent. Otherwise this Ordinance proposes a higher tiered reduction, a hundred percent for some years, then 80-60, 40-20 etc. over a period of 10 years. So what that, this will be explained in more detail, obviously next week in your Committee meeting, this particular ordinance and the formula in it but this is before you by State Law.

MR. PATTERSON: Correct.

MEMBER ZACHARY: Mr. President. If I could just ask Mr. Patterson a question regarding the actual dollar figure that was thrown out earlier. Is that a solid figure of \$350 or has that changed?

MR. PATTERSON: Well, as I had sent communication to the CIC Board members, Mr. Casar, Mr. Carbenia, the Mayor and of course you, Ms. Zachary, initially, the project was estimated that the, our contribution from the CIC would be \$350,000.00 in the form of a low-interest loan for 10 years. Currently, as Mr. O'Brien has informed me, those numbers will change. It will be a lesser amount, but we are still looking to, you know, do the financing and try to move the project forward.

MEMBER WEST: Mr. President, did you say 10 years or was that 3 years? Because I heard earlier 3 years.

MR. PATTERSON: No, it's a, it's a, it was the original proposal of \$350,000.00 over a 3 year period. Year 1 would be a 150, year 2 would be 100 and year 3 would be another 100. This was worked out with the bankers, First Merit Bank. They wanted to really partner with this project. It was worked out so that we were able to allocate funding accordingly and not have a \$350,000.00 hit on the CIC in one year for that loan.

MEMBER WEST: What's the lower amount?

MR. PATTERSON: The lower amount currently is, stands at \$250,000.00.

MEMBER WEST: Then what is the break-down of that?

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MR. PATTERSON: That, we haven't worked that out yet.

MEMBER WEST: One more quick question. Then, did, I heard Member Casar say something about a deferred loan. Is that separate from the \$350,000 loan?

MR. PATTERSON: No. Originally in my communication of today, because we were trying to, you know, be steadfast and move the project along. Mr. O'Brien had requested a \$150,000.00 deferred loan. The problem with the deferred loan for a project like this is that typically, economic development practice is to give a deferred loan contingent upon job creation and payback through their income tax. So, therefore, if the CIC Board were to approve a deferred loan of this magnitude, I had put in my recommendation that this would be the only one we would do of that nature.

PRESIDENT DENCZAK: Mr. Patterson, I'm sorry but your 5 minutes time is expired. Members of Council...

MEMBER ZACHARY: Mr. President, because this is a project that will support efforts to give kids in Canton something to do, I am supporting this project. I did have reservations, initially, as Mr. Patterson and Mr. O'Brien can both tell you, because I didn't feel I had enough information at that time to support it, but since then I have met with Mr. O'Brien, I've met with Mr. Patterson several times, and, I think we've gotta start somewhere. And I'd just like to go on record as saying that, that we have got to start somewhere because I interact with kids, at least in my ward, and they're crying out for something to do and what a perfect venue. Thank you.

PRESIDENT DENCZAK: Does Council wish to let the gentlemen remain standing?... Sir, you're excused. Is there any other miscellaneous business?

MEMBER HART: Mr. President, yeah, just today, as many of you know I teach at Crenshaw Middle School and I did an unofficial survey this morning on the announcements and out of approximately 840 students that we have at Crenshaw Middle School, I received about 230 positives that the kids would use this facility and are really pretty excited with the, with the number of kids at lunch time and out in the hallway that just stopped me and asked me how big the jumps would be and, what are they called, pipes or whatever they do. And, you know, they, they really seemed extremely excited because we hear kids talk about roller skating going up to North Canton, going here and going there. And again, this is an excellent opportunity, even though we're not looking at a lot of jobs in terms of more jobs created, I guess I'm thinking if there's 230 kids at Crenshaw, 230 kids at Lehman and 230 kids at Souers and 230 kids at the other, Hartford and the other elementaries, we could be looking at an opportunity for, a place where literally a few thousand kids could frequent each month and keep them safe and give them a good place to play and a place for family recreation, which is sorely needed here. Thank you.

MEMBER DIAMOND: Mr. President. I'm going to make an attempt at two issues. One, CIC dollars are for both community and economic development. This skate park is an investment in our community. It's the private citizens coming in and helping the city develop a facility for children to use and I am 100 percent in support of that. Our kids need activities. Everybody doesn't have the skills to play baseball, everybody doesn't have the skills to play basketball. Skating is something that a lot of children who don't have a variety of other sports-oriented skills may be able to do and we need to offer something to somebody that isn't just planned, organized sports. So, I applaud Mr. O'Brien for helping this community and the CIC is there to help develop our community and this is an excellent, excellent example that, to look at \$100,000.00 per year to invest in our youth through these economic dollars to meet, does not seem like a large

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investment for the return that I believe we will get. That's all I have to say about that.

PRESIDENT DENCZAK: Member Diamond, how did your voice improve so fast?

MEMBER DIAMOND: Mr. President, (*LAUGHTER-REFERRING TO HER LARYNGITIS*) I have another speech I have to give if I can get it out, so I can't answer you right now.

PRESIDENT DENCZAK: Is there any other miscellaneous business?

MEMBER DIAMOND: Mr. President, this is directed to Mayor Creighton. I want to thank you and thank your Administration for involving me in talks both with the Administration and the Fire Department regarding the rumors of closing station 10. The Mayor, neither the Mayor nor the Safety Director has the authority to close any fire stations, only the Fire Chief does and you allowed me to meet with him, to take the concerns of my residents to him, and give him my, my beliefs on this subject as to why station 10 should not be closed. I appreciate that. I am hopeful that Chief Scott will take into consideration all the discussions and make a decision to allow station 10 to remain open. I would ask you if you know when he will make that decision?

MAYOR CREIGHTON: Mr. President, the answer to your question Councilwoman Diamond is tomorrow morning at 8 am there is a press conference at station number 1 and the announcement will be made at that time.

MEMBER DIAMOND: Thank you.

MEMBER CARBENIA: Mr. President.... (*inaudible*)

PRESIDENT DENCZAK: Member Carbenia?....

MEMBER CARBENIA: If I may, in the, about the closing of the stations, I'm glad that the Chief has listened to all the Council. It fell on deaf ears, I don't know what you're thanking him about because he didn't listen to no one.

PRESIDENT DENCZAK: Member Bernabei, were you asking for the floor?

MEMBER BERNABEI: Yes sir. Mr. President, I am keeping an open mind on the O'Brien skate park. I have reviewed some of the loan documents and have not had an opportunity to review all of, all of them. I think it is a very good potential project for the city. At the same time, I want to thank members Casar and Carbenia for scrutinizing the \$350,000.00 loan. I think that we all have to remember that \$350,000.00, particularly at this point of our economic condition is a lot of money and is the taxpayers' money. I think what we need to do, is to look at that money, look how it's being used but also look at the security that's involved in this transaction. I believe we've already heard 3 potential scenarios as to how this \$350,000.00 is either going to be loaned, loaned or deferred or otherwise. I think it's important that the CIC and its Executive Director meet with Mr. O'Brien and the banks and come to a final conclusion as to what that loan package is gonna be and then present that information and make it available to all of us so that we can understand it.

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

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MEMBER BERNABEI: Mr. President, one last item. Tomorrow is Election Day. Issue 15, the Canton City School District levy is on the ballot. As we are all aware, this issue is of critical importance to the schools. Issue 15 is also of critical importance to the financial condition and health of the City of Canton and to our neighborhoods. Please vote yes on Issue 15.

PRESIDENT DENCZAK: Is that a paid political announcement?

MEMBER BERNABEI: A paid political announcement and I stand by it.

PRESIDENT DENCZAK: (*inaudible*)

MAYOR CREIGHTON: And I second it.

PRESIDENT DENCZAK: Is there any other miscellaneous business?

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

PRESIDENT DENCZAK: Moved and seconded that you adjourn. Roll call vote please.

NO REMARKS PERMITTED ON THE MOTION TO ADJOURN

ROLL CALL: 11 YEAS, 0 NAYS

ADJOURNMENT TIME: 8:34 P.M.

ATTEST:

APPROVED:

DEBRA VANCKUNAS  
CLERK OF COUNCIL

RAY DENCZAK  
PRESIDENT OF COUNCIL

