

MINUTES OF THE MEETING OF MAY 17, 2004

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

The regular meeting of Canton City Council was held on Monday, May 17, 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 R. A. Mallonn, followed by the Pledge of Allegiance led by President of Council Ray Denczak.

PRESIDENT DENCZAK: Roll call please.

ROLL CALL TAKEN BY CLERK OF COUNCIL VANCKUNAS:

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

1 COUNCILMEMBER ABSENT: (JOE CARBENIA)

PRESIDENT DENCZAK: Before we salute the flag in Pledge of Allegiance, the Chair's gonna ask that you all observe a moment of silent prayer for the passing away recently of Patricia (*PAUSE, PRESIDENT DENCZAK FINDS IT HARD TO CONTINUE*)... Patricia Horowitz, whose husband just passed away recently. He was a former County Prosecutor and recently elected as Probate Judge. So please take a moment and give a silent prayer for the family.

(A MOMENT OF SILENCE WAS OBSERVED FOR THE PASSING OF PATRICIA HOROWITZ)

PRESIDENT DENCZAK: Thank you.

AGENDA CORRECTIONS & CHANGES

PRESIDENT DENCZAK: Thank you, Member Mallonn. Members of Council, to bring your agenda up to date, you're being asked to suspend Rule 22A to add the second reading of Ordinances #19 through and including #23. You're being asked to suspend Rule 24B to add Resolutions 63 and 64. Member Casar, the Chair will recognize Rule 22A suspension.

MEMBER CASAR: Mr. President, I move we suspend Rule 22A to add Ordinances #19 through 23 on tonight's agenda; seconded.

PRESIDENT DENCZAK: Moved and seconded to suspend Rule 22A to add the second reading of Ordinances #19 to #23 to the agenda. Are there any remarks...? If not, roll call vote please.

NO REMARKS

ROLL CALL: 11 YEAS, 0 NAYS

PRESIDENT DENCZAK: Rule 22A has been suspended and Ordinances #19 to 23 are a legal part of your agenda. Member Casar, the Chair will now recognize Rule 24B suspension.

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MEMBER CASAR: Mr. President, I move we suspend Rule 24B to add Resolutions #63 and 64 to tonight's agenda; seconded.

PRESIDENT DENCZAK: Moved and seconded to suspend Rule 24B to add Resolutions 63 and 64 to the agenda. Are there any remarks?... If not, roll call vote please.

NO REMARKS

ROLL CALL: 11 YEAS, 0 NAYS

PRESIDENT DENCZAK: Rule 24B has been suspended and Resolutions 63 and 64 are a legal part of your agenda.

PUBLIC HEARINGS

PRESIDENT DENCZAK: There are no scheduled public hearings at this time.

PUBLIC SPEAKS (ORDINANCES OR RESOLUTIONS FOR ADOPTION ONLY):

PRESIDENT DENCZAK: Public Speaks, Ordinances and Resolutions for adoption. We have two people signed up in regards to this public speaks portion. First speaker, Louise Hawkins.

MS. HAWKINS: *(INAUDIBLE, MICROPHONE WAS NOT ON--THE SPEAKER'S NAME IS LOUISE HAWKINS OF 1104 - 6TH STREET SW & HER SUBJECT MATTER IS THE LIQUOR LICENSE AT 6TH & COOK SW)* ...It deteriorated over the years. Just a few years ago, there's been an improvement, a great improvement, but we still are trying to improve it a lot more. With this proposal that's planned to come into the area will take away that improvement, and I am totally against it. That's all I have to say.

PRESIDENT DENCZAK: The next speaker is Constance Brown.

MS. BROWN: President of Council, Mayor, and Members of Council, I'm Constance Brown. I live at 620 Bachert Court SW. That is about three blocks from the proposed Boyd's Drive Thru at Cook and 6th. Over the last nine years we have seen a great improvement in the area. We're taking steps forward to cleaning up the area and improving our neighborhood, and we feel very strongly that having another drive thru or liquor establishment in our area would definitely step us backwards. We do not have a history of handling these things well in our community. So we would ask that you very strongly consider rejecting the request for the liquor license. I do have a couple of questions for Council. Is it true that if Council denies the liquor license that the State could grant a state liquor license?

PRESIDENT DENCZAK: Do we have a representative from the Law Department here?... Can somebody answer -- oh, yes.

SAFETY DIRECTOR HUNT: Mr. President. Ma'am, if City Council objects to the issuance of this liquor license, the individual requesting the liquor license has the ability to appeal that to the Liquor Commission in Columbus in which case, if he would lose that again, he has to go to Common Pleas Court, and that is the only route for him if he is denied.

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MS. BROWN: Thank you. If by some chance he received a positive ruling at the second stage that you mentioned there, is there anything else that Council can do to keep the establishment out of our community?

SAFETY DIRECTOR HUNT: Mr. President. Ma'am, what a City Councilmember does in a situation like this when they have objected, they will contact the police vice unit, they will run a history of that address to determine how many calls we've had. We will also -- the Councilmember usually also goes door to door and talks to individuals and lets them testify at the hearing, and finally, the Councilmember also checks with the Health Department, Zoning and Code Department because often times there are other violations that the City can go forward on and bring forward in our case.

MS. BROWN: Thank you. That helps to clarify it a great deal. Thank you, Mr. President.

INFORMAL RESOLUTIONS

PRESIDENT DENCZAK: Informal Resolutions. Excusing members, Member Casar.

MEMBER CASAR: Mr. President, I move that Member Carbenia be excused from tonight's meeting; seconded.

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

NO REMARKS

ROLL CALL: 11 YEAS, 0 NAYS

PRESIDENT DENCZAK: Let the journal show that Member Carbenia is excused.

PRESIDENT DENCZAK CALLED UPON CLERK OF COUNCIL VANCKUNAS TO READ RESOLUTIONS #62 THROUGH AND INCLUDING #64 BY TITLE, AS SHOWN BELOW. THE RESOLUTIONS ARE ON FILE IN THEIR ENTIRETY IN THE COUNCIL OFFICE WITH THE AGENDA ITEMS DATED May 17, 2004.

62. COUNCIL-OF-THE-WHOLE: URGING OHIO GENERAL ASSEMBLY TO AMEND HB 12 TO EXTEND BAN ON CARRYING CONCEALED WEAPONS TO PARKS & SWIMMING POOLS. - ADOPTED BY COUNCIL

MEMBER CASAR: Mr. President, I move we adopt Resolution #62; seconded.

PRESIDENT DENCZAK: Moved and seconded that you adopt Resolution #62. 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 #62 ADOPTED BY UNANIMOUS VOICE VOTE

PRESIDENT DENCZAK: Resolution #62 is adopted.

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below)

282. COMMUNITY DEVELOPMENT & PLANNING DEPARTMENT, CITY OF CANTON: LETTER OF REQUEST TO WITHDRAW LEGISLATION TO ACQUIRE A PERMANENT EASEMENT FROM KEVIN HIGH ON CITY LOT #24630. - COMMUNITY & ECONOMIC DEVELOPMENT AND FINANCE COMMITTEES (See O#11 RETAINED IN CMTE 5/10/04)
283. HEALTH BENEFITS ADMINISTRATOR ROSE BRESSON, CITY OF CANTON: APRIL MONTHLY COMPARATIVE REPORT OF INSURANCE CLAIMS & JAN-APR 2004 PAID CLAIMS & COMPARATIVE REPORT . - RECEIVED & FILED
284. LIQUOR CONTROL COMMISSION, STATE OF OHIO, 77 S HIGH ST, 18th FL, COLUMBUS OHIO 43266-0565: NOTICE OF JUNE 10, 2004 HEARING DATE @ 11:30 AM IN COLUMBUS FOR APPEAL OF D-5 LIQUOR PERMIT RENEWAL FOR JIMMY E. BALL DBA BALLROOM LOCATED AT 331 CLEVELAND AVE NW. - INTERGOVERNMENTAL & PUBLIC SERVICE COMMITTEE
285. PLANNING COMMISSION, CITY OF CANTON, SHEILA K. THARP-BARRINO, SECRETARY: RECOMMENDING APPROVAL OF REQUEST BY ATTORNEY JOHN WERREN FOR DOYLE SMITH TO REPLAT LOTS 24501-24503 & 27078 INTO 2 RECONFIGURED LOTS EAST OF GOBEL AVE ON SOUTH SIDE OF GEORGETOWN RD NE. - PUBLIC SAFETY & THOROUGHFARES COMMITTEE
286. SERVICE DIRECTOR TAD C. ELLSWORTH, CITY OF CANTON: INFORMING COUNCIL OF EMERGENCY REPAIR NEEDED TO 60" BRICK TRUNK STORM SEWER & MANHOLE DUE TO THE PARTIAL & SUDDEN COLLAPSE OF PAVEMENT AT 12TH ST NW & MONUMENT RD NW. - RECEIVED & FILED
287. SERVICE DIRECTOR TAD C. ELLSWORTH, CITY OF CANTON: REQUEST FOR \$70,000 SUPPLEMENTAL APPROPRIATION FROM THE UNAPPROPRIATED BALANCE OF THE 2414 RECYCLE OHIO GRANT FOR SUBMISSION OF 2003-2004 RECYCLE GRANT. - MARKETING & DEVELOPMENT GRANT AND FINANCE COMMITTEES
288. SERVICE DIRECTOR TAD C. ELLSWORTH, CITY OF CANTON: REQUEST APPROVAL OF \$13,470 CHANGE ORDER #2 WITH R G SMITH COMPANY INC. TO COMPLETE REMOVAL OF SLUDGE FROM 2 DIGESTERS @ WPCC & REQUEST \$13,470 SUPPLEMENTAL APPROPRIATION FROM THE 5410 SANITARY SEWER FUND. - FINANCE COMMITTEE
289. SERVICE DIRECTOR TAD C. ELLSWORTH, CITY OF CANTON: REQUEST APPROVAL OF WATER MAIN EXTENSION ON PERRY HILLS DRIVE, WENTWORTH ROAD, NAVE STREET & STONEBRIAR CIRCLE SW AS REQUESTED BY PROPERTY OWNER. - ENVIRONMENTAL & PUBLIC UTILITIES COMMITTEE
290. SERVICE DIRECTOR TAD C. ELLSWORTH, CITY OF CANTON: REQUEST APPROVAL TO ENTER INTO PURCHASE AGREEMENT WITH MYTHICS, INC FOR 18 NEW ORACLE LICENSES & TO

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CONVERT CURRENT LICENSING TO 2 FULL SERVER LICENSES FOR AUDITOR'S OFFICE & UPGRADING OF UTILITY BILLING LICENSES THROUGH STATE CONTRACT PRICING. - FINANCE COMMITTEE

291. STARK COUNTY COMMISSIONERS, 110 CENTRAL PLAZA S, CANTON, OHIO 44702: SUBMITTING CITY OF CANTON PETITION TO ANNEX 1.92 ACRES LOCATED IN PLAIN TOWNSHIP KNOWN AS 'AUTO ELECTRIC SERVICE COMPANY ANNEXATION AREA'. - ANNEXATION COMMITTEE

ORDINANCES & FORMAL RESOLUTIONS FOR FIRST READING

PRESIDENT DENCZAK: We're now under Ordinances 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 ORDINANCES #1 THROUGH AND INCLUDING #18 FOR THE FIRST TIME BY TITLE & ANNOUNCED THE COMMITTEE REFERRALS, AS FOLLOWS.

- #1 (1ST RDG) AN ORDINANCE WAIVING THE ANNUAL ADJUSTMENT TO THE BASE SEWER RATE AS ESTABLISHED BY THE CONSUMER PRICE INDEX PURSUANT TO SECTION 947.06, SEWER RATES, OF THE CODIFIED ORDINANCES OF THE CITY OF CANTON; AND DECLARING THE SAME TO BE AN EMERGENCY
Referred to Environmental & Public Utilities Committee
- #2 (1ST RDG) AN ORDINANCE WAIVING THE ANNUAL ADJUSTMENT TO THE BASE SANITATION RATE AS ESTABLISHED BY THE CONSUMER PRICE INDEX PURSUANT TO SECTION 975.08, SANITATION RATES, OF THE CODIFIED ORDINANCES OF THE CITY OF CANTON; AND DECLARING THE SAME TO BE AN EMERGENCY
Referred to Environmental & Public Utilities Committee
- #3 (1ST 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 (EARL LUTTNER ZONE CHANGE)
Referred to 2nd Rdg. next agenda
- #4 (1ST 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 (NATIONAL DRIVER TRAINING SCHOOL ZONE CHANGE)
Referred to 2nd Rdg. next agenda
- #5 (1ST RDG) AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO AN ENTERPRISE ZONE AGREEMENT WITH STELCO, LLC AND SLESNICK STRUCTURAL STEEL TO PROVIDE REAL AND PERSONAL PROPERTY TAX EXEMPTIONS TO CONSTRUCT

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A NEW WAREHOUSE/DISTRIBUTION BUILDING; AUTHORIZING THE GRANTING OF 75% TEN YEAR REAL AND PERSONAL PROPERTY TAX EXEMPTIONS; AUTHORIZING THE AUDITOR TO MAKE PAYMENTS TO THE CANTON BOARD OF EDUCATION AS REQUIRED TO BE PAID PURSUANT TO SECTION 5709.82(C) AND (D) OF THE REVISED CODE; AND DECLARING THE SAME TO BE AN EMERGENCY
Referred to Community & Economic Development & Finance Committees

#6 (1ST RDG) AN ORDINANCE AUTHORIZING THE MAYOR AND/OR DIRECTOR OF PUBLIC SERVICE TO ENTER INTO CONTRACT WITH THE CANTON CITY SCHOOL DISTRICT TO PROVIDE A GRANT IN AN AMOUNT NOT TO EXCEED \$30,000.00 FOR THE EARLY CHILDHOOD EDUCATION PROGRAM; AND DECLARING THE SAME TO BE AN EMERGENCY

Referred to Community Economic Development & Finance Committees

#7 (1ST RDG) AN ORDINANCE AMENDING ORDINANCE NO. 17/89, AS AMENDED, AUTHORIZING THE MAYOR TO ENTER INTO AN AMENDED CONTRACT WITH THE CANTON COMMUNITY IMPROVEMENT CORPORATION TO ADMINISTER ADDITIONAL COMMUNITY DEVELOPMENT BLOCK GRANT FUNDS IN AN AMOUNT NOT TO EXCEED \$600,000.00; AND DECLARING THE SAME TO BE AN EMERGENCY

Referred to Community & Economic Development & Finance Committees

#8 (1ST RDG) AN ORDINANCE AUTHORIZING THE MAYOR AND/OR DIRECTOR OF PUBLIC SERVICE TO ENTER INTO CONTRACT WITH THE CANTON SYMPHONY ORCHESTRA ASSOCIATION TO PROVIDE A GRANT IN AN AMOUNT NOT TO EXCEED \$41,415.00 FOR THE 2004 CONCERT IN THE PARK; AND DECLARING THE SAME TO BE AN EMERGENCY

Referred to Community & Economic Development & Finance Committees

#9 (1ST RDG) AN ORDINANCE AUTHORIZING THE MAYOR AND/OR DIRECTOR OF PUBLIC SERVICE TO ENTER INTO CONTRACT WITH THE DOMESTIC VIOLENCE PROJECT, INC. TO PROVIDE A GRANT IN AN AMOUNT NOT TO EXCEED \$200,000.00 FOR THE PURCHASE OF MISCELLANEOUS FURNITURE AND EQUIPMENT; AND DECLARING THE SAME TO BE AN EMERGENCY

Referred to Community & Economic Development & Finance Committees

#10 (1ST RDG) AN ORDINANCE AUTHORIZING THE MAYOR AND/OR DIRECTOR OF PUBLIC SERVICE TO ENTER INTO A CONTRACT WITH THE YWCA TO PROVIDE A GRANT IN AN AMOUNT NOT TO EXCEED \$300,000.00 FOR THE PURCHASE OF A BOILER SYSTEM; AND DECLARING THE SAME TO BE AN EMERGENCY

Referred to Community & Economic Development & Finance Committees

#11 (1ST RDG) AN ORDINANCE AUTHORIZING THE MAYOR AND/OR DIRECTOR OF PUBLIC SERVICE TO ENTER INTO CONTRACT WITH THE YMCA TO PROVIDE A GRANT IN

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AN AMOUNT NOT TO EXCEED \$27,000.00 FOR ESSENTIAL SERVICES; AND
DECLARING THE SAME TO BE AN EMERGENCY

Referred to Community & Economic Development & Finance Committees

- #12 (1ST RDG) AN ORDINANCE AUTHORIZING THE MAYOR AND/OR DIRECTOR OF PUBLIC SERVICE TO ENTER INTO CONTRACT WITH THE YMCA TO PROVIDE A GRANT IN AN AMOUNT NOT TO EXCEED \$235,000.00 FOR A NEW SPRINKLER SYSTEM; AND DECLARING THE SAME TO BE AN EMERGENCY

Referred to Community & Economic Development & Finance Committees

- #13 (1ST RDG) AN ORDINANCE AUTHORIZING THE MAYOR AND/OR DIRECTOR OF PUBLIC SERVICE TO ENTER INTO A ONE-YEAR CONTRACT WITH THE CANTON SYMPHONY ORCHESTRA ASSOCIATION TO PROVIDE A GRANT IN AN AMOUNT NOT TO EXCEED \$40,000.00 FOR THE CHILDREN'S ARTS CONNECTION PROGRAM; AND DECLARING THE SAME TO BE AN EMERGENCY

Referred to Community & Economic Development & Finance Committees

- #14 (1ST RDG) AN ORDINANCE AUTHORIZING THE DIRECTOR OF PUBLIC SAFETY TO ACCEPT A GRANT IN THE AMOUNT OF \$2,124.83 FROM THE OHIO DEPARTMENT OF PUBLIC SAFETY FOR THE FIRE DEPARTMENT; AMENDING APPROPRIATION ORDINANCE NO. 1/2004, AS AMENDED, BY MAKING THE SUPPLEMENTAL APPROPRIATION HEREIN DESCRIBED; AND DECLARING THE SAME TO BE AN EMERGENCY

Referred to Marketing & Development Grant & Finance Committees

- #15 (1ST RDG) AN ORDINANCE AUTHORIZING THE DIRECTOR OF PUBLIC SAFETY TO MAKE APPLICATION FOR AND ACCEPT A GRANT IN AN AMOUNT NOT TO EXCEED \$36,607.00 FROM THE OFFICE OF THE GOVERNOR'S HIGHWAY SAFETY REPRESENTATIVE FOR A SELECTIVE TRAFFIC ENFORCEMENT PROGRAM; AND DECLARING THE SAME TO BE AN EMERGENCY

Referred to Marketing & Development Grant & Finance Committees

- #16 (1ST RDG) AN ORDINANCE AUTHORIZING THE MAYOR AND/OR DIRECTOR OF PUBLIC SERVICE TO CONVEY 86 SQUARE FEET OF VACANT PARK LAND TO ODOT; AND DECLARING THE SAME TO BE AN EMERGENCY

Referred to Public Property Capital Improvement Committee

- #17 (1ST RDG) AN ORDINANCE AMENDING APPROPRIATION ORDINANCE NO. 1/2004, AS AMENDED, BY MAKING THE SUPPLEMENTAL APPROPRIATIONS AND INTERFUND TRANSFERS HEREIN DESCRIBED; AND DECLARING THE SAME TO BE AN EMERGENCY

Referred to Community & Economic Development & Finance Committees

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- #18 (1ST RDG) AN ORDINANCE AUTHORIZING THE DIRECTOR OF PUBLIC SERVICE TO ADVERTISE, RECEIVE BIDS AND ENTER INTO CONTRACT FOR THE WOODLAND AVENUE NW RELIEF STORM SEWER PROJECT, GP 1062; AND DECLARING THE SAME TO BE AN EMERGENCY
Referred to Environmental & Public Utilities Committee

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 #20 THROUGH AND INCLUDING #23 FOR THE SECOND TIME BY TITLE, AS FOLLOWS. ORDINANCE #19 WAS RETAINED IN COMMITTEE.

RULE 22A WAS SUSPENDED TO ADD #20 THROUGH #23:

- #20 (2ND RDG) AN ORDINANCE APPROVING AND ACCEPTING THE FINAL RECORD PLAT OF COLONIAL VILLAGE IN THE CITY OF CANTON; AND DECLARING THE SAME TO BE AN EMERGENCY
- #21 (2ND RDG) AN ORDINANCE AUTHORIZING THE DIRECTOR OF PUBLIC SAFETY TO ACCEPT A DONATION OF \$500.00 FROM BRAD A. BLACK, VICE PRESIDENT OF DOWNTOWN FORD; AMENDING APPROPRIATION ORDINANCE NO. 1/2004, AS AMENDED, BY MAKING THE SUPPLEMENTAL APPROPRIATION HEREIN DESCRIBED; AND DECLARING THE SAME TO BE AN EMERGENCY
- #22 (2ND RDG) AN ORDINANCE AUTHORIZING THE DIRECTOR OF PUBLIC SAFETY TO ADVERTISE, RECEIVE BIDS AND ENTER INTO CONTRACT FOR THE PURCHASE OF SEMI-AUTOMATIC HANDGUNS AND MISCELLANEOUS ITEMS FOR THE POLICE DEPARTMENT; AND DECLARING THE SAME TO BE AN EMERGENCY
- #23 (2ND RDG) AN ORDINANCE AUTHORIZING THE DIRECTOR OF PUBLIC SERVICE TO ADVERTISE, RECEIVE BIDS AND ENTER INTO A LEASE OF COMMERCIAL SPACE LOCATED AT 215 WEST TUSCARAWAS STREET; AND DECLARING THE SAME TO BE AN EMERGENCY

ORDINANCES AND FORMAL RESOLUTIONS FOR THIRD READING

PRESIDENT DENCZAK: We're now under Ordinances and Formal Resolutions for the third and final reading. Number 24 please.

NOTE: PRESIDENT DENCZAK CALLED UPON CLERK VANCKUNAS TO READ THE FOLLOWING

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ORDINANCES #24 THROUGH AND INCLUDING #27 FOR THE THIRD & FINAL TIME BY TITLE, AS FOLLOWS.

#24 (3RD RDG) **ADOPTED AS ORDINANCE NO. 82/2004** AN ORDINANCE ESTABLISHING THE FAIR MARKET VALUE OF REAL PROPERTY IN CONJUNCTION WITH THE FEDERAL CAMPUS PROJECT; AUTHORIZING THE MAYOR AND/OR CHIEF OF STAFF TO NEGOTIATE AND PURCHASE SAID PARCELS AT THE ESTABLISHED FAIR MARKET VALUE; AND DECLARING THE SAME TO BE AN EMERGENCY

MEMBER CASAR: Mr. President, I move that we adopt Ordinance #24; seconded.

PRESIDENT DENCZAK: Moved and seconded that you adopt Ordinance #24; are there any remarks under this ordinance?... Very well, roll call vote please.

NO REMARKS

ROLL CALL VOTE: 11 YEAS, 0 NAYS

PRESIDENT DENCZAK: Ordinance #24 is adopted.

#24 ADOPTED AS ORDINANCE NO. 82/2004

#25 (3RD RDG) **ADOPTED AS ORDINANCE NO. 83/2004** AN ORDINANCE APPROVING AND ACCEPTING THE REPLATTING OF PARTS OF LOTS 3303, 3304, 3305 AND 13039, PARTS OF OUT LOTS 397 AND 405, PART OF BELLE BORDNER'S ALLEY AND PART OF THE VACATED ALLEY AT BELDEN AVENUE N.E.; AND DECLARING THE SAME TO BE AN EMERGENCY

MEMBER CASAR: Mr. President, I move that we adopt Ordinance #25; seconded.

PRESIDENT DENCZAK: Moved and seconded that you adopt Ordinance #25; are there any remarks under this ordinance?... Very well, roll call vote please.

NO REMARKS

ROLL CALL VOTE: 11 YEAS, 0 NAYS

PRESIDENT DENCZAK: Ordinance #25 is adopted.

#25 ADOPTED AS ORDINANCE NO. 83/2004

#26 (3RD RDG) **ADOPTED AS ORDINANCE NO. 84/2004** AN ORDINANCE APPROVING AND ACCEPTING THE REPLATTING OF PARTS OF LOTS 1674, 1675 AND 1676; AND DECLARING THE SAME TO BE AN EMERGENCY

MEMBER CASAR: Mr. President, I move that we adopt Ordinance #26; seconded.

PRESIDENT DENCZAK: Moved and seconded that you adopt Ordinance #26; are there any remarks under this ordinance?... Very well, roll call vote please.

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NO REMARKS

ROLL CALL VOTE: 11 YEAS, 0 NAYS

PRESIDENT DENCZAK: Ordinance #26 is adopted.

#26 ADOPTED AS ORDINANCE NO. 84/2004

#27 (3RD RDG) **ADOPTED AS ORDINANCE NO. 85/2004** AN ORDINANCE AUTHORIZING THE DIRECTOR OF PUBLIC SERVICE AND/OR THE DIRECTOR OF PUBLIC SAFETY TO ADVERTISE, RECEIVE BIDS AND ENTER INTO CONTRACT(S) FOR THE PURCHASE OF VARIOUS MOTOR VEHICLES AND OTHER ITEMS OF RELATED EQUIPMENT FOR VARIOUS CITY DEPARTMENTS; AUTHORIZING THE DIRECTOR OF PUBLIC SERVICE AND/OR THE DIRECTOR OF PUBLIC SAFETY TO ALTERNATIVELY PURCHASE SAID VEHICLES AND EQUIPMENT PURSUANT TO REVISED CODE SECTIONS 125.04 AND/OR 5513.01; AND DECLARING THE SAME TO BE AN EMERGENCY

MEMBER CASAR: Mr. President, I move that we adopt Ordinance #27; seconded.

PRESIDENT DENCZAK: Moved and seconded that you adopt Ordinance #27; are there any remarks under this ordinance?... Very well, roll call vote please.

NO REMARKS

ROLL CALL VOTE: 11 YEAS, 0 NAYS

PRESIDENT DENCZAK: Ordinance #27 is adopted.

#27 ADOPTED AS ORDINANCE NO. 85/2004**ANNOUNCEMENT OF COMMITTEE MEETINGS**

PRESIDENT DENCZAK: Announcement of Committee Meetings please.

MEMBER CASAR: Mr. President, Community & Economic Development and Finance Committee will meet at 5:45 next Monday, the 24th of May.

MEMBER MALLONN: Mr. President, Environmental & Public Utilities Committee will meet next Monday at 6:30.

MEMBER DOUGHERTY: Mr. President, Public Property Capital Improvement will also meet that evening at 6:30.

MEMBER WEST: Mr. President, Marketing & Development Grant & Finance Committees will be meeting at 6:00. (LATER CHANGED TO 6:30 P.M.)

PRESIDENT DENCZAK: Mayor Creighton, you're in the process of seeking a new employee for the Community & Economic Development Director, is that correct?

MAYOR CREIGHTON: Yes, Mr. President.

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PRESIDENT DENCZAK: Okay. There's rather a large number of things that came down for the Community Economic Development Committee this particular agenda. Was there any reason for that amount of requests coming before Council if you're in the process of hiring a new development director?

MAYOR CREIGHTON: Mr. President, are you speaking of the \$600,000.00?

PRESIDENT DENCZAK: I'm speaking of all of them that came...

MAYOR CREIGHTON: All of them?

PRESIDENT DENCZAK: Yeah.

MAYOR CREIGHTON: Most of those are actually routine. We've, Community Improvement, have given those monies in the past and those were ones that I had already explored and felt that they needed to be brought back down.

PRESIDENT DENCZAK: Okay. This is not gonna harm your interviewing for...

MAYOR CREIGHTON: That is correct. That is correct.

PUBLIC SPEAKS (OPEN FORUM--CITY BUSINESS ONLY)

PRESIDENT DENCZAK: Public Speaks, Open Forum. We have one person signed up, Valerie Kirkland.

MS. KIRKLAND: Hi, my name is Valerie Kirkland. I live at 1317 41st Street NW. The only reason why I am down here tonight is just to inform everyone, apparently there has been a lot of concerns with the drainage project and the road construction that's supposed to be taking place sometime next year. There was several of us, just because we are the residents of that area, we did a survey regarding the sidewalks. There was a lot of elderly people that stated they did not want them, so we thought if we would just take a tally to see in that area how many wanted it and did not want it, that the majority could possibly rule on it. Apparently someone had taken this to heart and it's pretty sad to me that the residents in my community cannot work together with everyone sitting here in front of me. This is not about a vendetta, it's about what the residents want. If it wasn't for the residents, nobody would be here today, and this is a community that I want my kids to grow up and be proud of, and you know, being able to keep the streets and other areas in our community maintained. So again, this is not anything to do with a specific person or people. This is just that hopefully we can all act like adults and address this as a community. Thank you.

PRESIDENT DENCZAK: Madam, what-- be more-- Madam, please be more specific. Where is this located?

MS. KIRKLAND: Ward 8.

PRESIDENT DENCZAK: On 48th Street?

MS. KIRKLAND: 41st.

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PRESIDENT DENCZAK: You live on 41st?

MS. KIRKLAND: Yes, sir.

PRESIDENT DENCZAK: And the road project is on 41st?

MS. KIRKLAND: It's going to be, yes.

PRESIDENT DENCZAK: Yeah, okay.

MS. KIRKLAND: The grant was already approved.

PRESIDENT DENCZAK: Okay. Okay. Thank you.

MISCELLANEOUS BUSINESS

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

MEMBER PRATER: Mr. President. Yes, I'd like to announce that Ward 5 has organized a clean up day this Saturday in conjunction with a neighborhood group and an Eagle Scout candidate who needed a community service project. We put together a big clean up project. We've got some businesses helping us out. I'd like to thank the Mayor for her helping us out with some equipment, and I'd like to invite anyone who had some time to give Saturday. I think I can find a pair of gloves to fit just about anybody. So if you need more information, please see me. Thank you.

PRESIDENT DENCZAK: Now don't forget to get the one at 2416 38th Street.

MAYOR CREIGHTON: Mr. President, I happened to be driving by your house the other day and I actually saw you bending over and picking up some trash in your front yard. *(LAUGHTER)* I did. I swear I did. I wanted to take a picture just so-- But, while I have the microphone, Mr. President, may I say something else?

PRESIDENT DENCZAK: Now, I just got zapped by this woman and I got zapped by this woman *(MAKING REFERENCE TO INAUDIBLE COMMENTS MADE BY CLERK OF COUNCIL)*.

MAYOR CREIGHTON: It's your lucky night.

PRESIDENT DENCZAK: When you said I bent over, she *(MEANING CLERK OF COUNCIL)* said that's my best side. *(LAUGHTER)* What a dysfunctional Council I have here.

MAYOR CREIGHTON: Mr. President, may I address another issue?

PRESIDENT DENCZAK: You bet you can.

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MAYOR CREIGHTON: Several weeks ago, there were some residents that spoke about a house on 2nd Street NW that was housing sexual predators, and I want to preference my remarks first by saying that I understand that we must find places for people to reside. My big hang up was that there were eight people living in a single family residence, all of which were sexual predators. I'm happy to tell you tonight that they are all gone. But what concerns me, ladies and gentlemen, and Councilmembers especially, they're gone, they've moved somewhere else, okay, but that's what concerns me. I want all of you to please be diligent and let me know if they are moving in large numbers to another home. Again, I'm not trying to impede their ability to live somewhere, but if it's a single family residence, I don't think that we should tolerate that. So, I just want you to know that they're gone from 2nd Street, but I'm not sure yet where they have gone.

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

PRESIDENT DENCZAK: This meeting is adjourned.

ADJOURNMENT TIME: 8:03 P.M.

ATTEST:

APPROVED:

DEBRA VANCKUNAS
CLERK OF COUNCIL

RAY DENCZAK
PRESIDENT OF COUNCIL