

MINUTES OF THE MEETING OF JUNE 7, 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, June 7, 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 5 Councilmember Terry Prater, 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, JOE CARBENIA, MARY M. BABCOCK, THOMAS M. BERNABEI, GREG HAWK, THOMAS E. WEST, RICHARD A MALLONN II, KELLY ZACHARY, TERRY PRATER, RICHARD HART, & ROSEMARY DIAMOND)

1 COUNCILMEMBER ABSENT: (DAVID DOUGHERTY)

AGENDA CORRECTIONS & CHANGES

PRESIDENT DENCZAK: Thank you, Member Prater (*REFERRING TO INVOCATION*). Agenda Corrections and Changes. You're being asked to suspend Rule 24B to add Resolutions 66 and 67 to the agenda. Member Casar, the Chair will now recognize that motion.

MEMBER CASAR: Mr. President, I move we suspend Rule 24B and add Resolution #66 and 67 to this evening's agenda; seconded.

PRESIDENT DENCZAK: Moved and seconded to suspend Rule 24B to add Resolutions 66 and 67 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 66 and 67 are a legal part of your agenda. You're being asked to suspend Rule 22A to add the second reading of Ordinances 6 through and including #12. The chair will recognize that motion now, Member Casar.

MEMBER CASAR: Mr. President, I move that Rule 22A be suspended to add Ordinances 6 through and including #12 on this evening's agenda; seconded.

PRESIDENT DENCZAK: Moved and seconded to suspend Rule 22A to add Ordinances 6 through 12 to the agenda. Are there any remarks?... If not, roll call vote please.

NO REMARKS

ROLL CALL: 11 YEAS, 0 NAYS

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PRESIDENT DENCZAK: Rule 22A has been suspended and Ordinances 6 through and including #12 are a legal part of your agenda.

PUBLIC HEARINGS**PUBLIC HEARING #1 ZONE CHANGE REQUEST BY CHARLES WEBSTER FOR EARL LUTTNER**

PRESIDENT DENCZAK: We had two scheduled public hearings at this time, Members of Council. The first one was scheduled for 7:30. It's a request by Charles Webster for Earl Luttner to rezone 516 McGregor Avenue NW from R-1A to PI-1 for industrial and storage uses. The Planning Commission recommends denial. The Chair now opens the public hearing in regards to this matter. Is there anyone in the audience wishing to speak for or against this rezoning, please come forward.. . Is there anyone in the audience wishing to speak for or against this rezoning, please come forward.. . Is there anyone in the audience wishing to speak for or against this rezoning, please come forward... (*AS SPEAKER APPROACHES THE MICROPHONE*) State your name and address please.

MR. SCHMIDT: Tom Schmidt, 1338 5th Street NW.

PRESIDENT DENCZAK: Go ahead.

MR. SCHMIDT: I'd like to voice my opinion against this rezoning. (*SLIGHT PAUSE AS MICROPHONE IS ADJUSTED*) I'd like to voice my opinion against this rezoning, sir.

PRESIDENT DENCZAK: Okay. You have anything to say about it, or...

MR. SCHMIDT: Well, it's quite nebulous as to what the intended use is. I mean, depending on what the use is, I mean, it could be anything they want to bring into that residential neighborhood so I think it's -- I can't be for something that there's no details on.

PRESIDENT DENCZAK: Okay. Council will consider that.

MR. SCHMIDT: Thank you.

PRESIDENT DENCZAK: U-mmm. Anyone else in the audience wishing to speak for or against this rezone, 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 HEARING #2, ZONE CHANGE REQUEST BY NANCY RALLS FOR NATIONAL DRIVER TRAINING SCHOOL

PRESIDENT DENCZAK: We had a scheduled public hearing for 7:31 PM. It's a request by Nancy Ralls for National Driver Training School to rezone 3319 West Tuscarawas Street from PB-3 to PB-1 for an office building. The Planning Commission recommends approval of this zone change. Is there anyone in the audience wishing to speak for or against this zone change, please come forward... (*AS SPEAKER APPROACHES THE MICROPHONE*) State your name and address please.

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MR. DECHIARIA: My name is David DeChiaria. I live at 233 Bellflower Avenue NW. I am not opposed to this. I am in favor of the National Driver School holding classes at 3319 West Tusc. I believe Bernie and Nancy's school will fit nicely into our neighborhood much as the Bride's Gazebo did for years. I do have a couple questions regarding zoning at Harter Heights. If I can ask Council them.

PRESIDENT DENCZAK: Go ahead.

MR. DECHIARIA: If not for the efforts of myself and many Harter Heights residents a few years back, we would not be here tonight discussing this issue because the address 3319 would be a Walgreens Drug Store, as well as much of the 100 block of Bellflower Avenue. This fight to save the Bellflower Avenue happened not once, but twice, with a huge corporation. Thankfully, Harter Heights residents won both times with the help of City Council denying a zone change to fully commercial. I, as well as many of the residents, want to keep the frontage from Valleyview to Roslyn as it is. My concern now that WalMart is coming to the Canton Center Mall, outbuildings and businesses pop up around the WalMarts, and I feel this may increase the pressure to develop the land that fronts Harter Heights. My question to City Council is, are all the properties along West Tusc from Valleyview to Roslyn zoned in the same way as 3319, which is each new business that moves in applies for a zone change? My other question is, we now have many positive things happening in our City thanks to the energy of the new Mayor, and a positive thing I would like to see is Harter Heights labeled historic much like Ridgewood is and the West Park neighborhood areas are. How can Harter Heights obtain this title? Many homes including 3319 West Tusc are near 100 years old, and once they're demolished, they are gone forever. I would see nothing historic in a Walgreens or Wal anything at the end of my street or any street along Harter Heights.

PRESIDENT DENCZAK: Is there anybody here from the Planning Commission?

MEMBER MALLONN: Mr. President, I would like to just respond to Mr. DeChiaria. Mr. DeChiaria, I can assure you as long as I am a council member representing Ward 3 and the Harter Heights area, there will not be any Walgreens or Burger Kings or things like that coming in a residential neighborhood. Each business if they wanted to locate in that area would have to go in front of the Planning Commission and the Board of Zoning Appeals to get that approved, and I can assure you that I would be there fighting for the residents of Ward 3 to not let that happen. Thank you.

LAW DIRECTOR MARTUCCIO: Mr. President, I can echo Member Mallonn's remarks. I'm not sure exactly what the zoning is along that entire strip you described without a map, but if any entity comes in and wants to change that zoning, what you might call spot zoning, if they want to do what you're up here speaking for tonight, it would have to go through procedural due process. It would have to go through those bodies that Member Mallonn referred to. It wouldn't happen without full public hearing and an opportunity to respond.

SERVICE DIRECTOR ELLSWORTH: Mr. President, I am a member of the Planning Commission. Whether or not Harter Heights has the official distinction of a historic neighborhood, I consider it a historic neighborhood, and I think -- you know, I certainly, as a member of the Planning Commission, would want to maintain the integrity of that beautiful neighborhood.

MAYOR CREIGHTON: Mr. President. Mr. DeChiaria, first of all, direct answer to your question, please call me tomorrow and I will provide you with a map so you can see what the zoning is along West Tuscarawas, and as a resident

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of Harter Heights, I think that the one suggestion that I have to our neighborhood, and I don't have time to do it, is that someone organize the Harter Heights neighborhood just as the other neighborhoods in the City have organized. It provides you an opportunity to get your points across, to express your views. There's a lot of power when everybody's behind an organization, so, you know, the ball's in your court. Let's get something organized. I'll sign up and pay the dues, but I just can't organize it.

PRESIDENT DENCZAK: Is there anyone else wishing to speak for or against this zone change, please come forward... Is there anyone else wishing to speak for or against this zone change, please come forward... Is there anyone else wishing to speak for or against this zone change, 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: Public Speaks, Ordinances and Resolutions for adoption. No one has signed up.

INFORMAL RESOLUTIONS

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

MEMBER CASAR: Mr. President, I move that Member Dougherty be excused from this evening's meeting; seconded.

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: Let the journal show that Member Dougherty is excused from this meeting..

PRESIDENT DENCZAK CALLED UPON CLERK OF COUNCIL VANCKUNAS TO READ RESOLUTIONS #66 THROUGH AND INCLUDING #67 BY TITLE, AS SHOWN BELOW. THE RESOLUTIONS ARE ON FILE IN THEIR ENTIRETY IN THE COUNCIL OFFICE WITH THE AGENDA ITEMS DATED JUNE 7, 2004.

66. INTERGOVERNMENTAL & PUBLIC SERVICE COMMITTEE: OBJECTING TO TRANSFER OF C1, C2 LIQUOR PERMIT AS REQUESTED BY K&S PATEL, INC. dba MINIMART @ 1120 15TH ST NE. - ADOPTED BY COUNCIL

MEMBER CASAR: Mr. President, I move we adopt Resolution #66; seconded.

PRESIDENT DENCZAK: Moved and seconded that you adopt Resolution #66. Are there any remarks under this

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Resolution?... If not, by voice vote, all those in favor signify by saying aye. Those opposed no.

NO REMARKS

RESOLUTION #66 ADOPTED BY UNANIMOUS VOICE VOTE

PRESIDENT DENCZAK: Resolution #66 is adopted.

67. INTERGOVERNMENTAL & PUBLIC SERVICE COMMITTEE: OBJECTING TO NEW C1, C2 LIQUOR PERMIT AS REQUESTED BY JONG'S TRADING CORPORATION dba JONG'S MARKET @ 440 NORTH MARKET.- ADOPTED BY COUNCIL

MEMBER CASAR: Mr. President, I move we adopt Resolution #67; seconded.

PRESIDENT DENCZAK: Moved and seconded that you adopt Resolution #67. 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 #67 ADOPTED BY UNANIMOUS VOICE VOTE

PRESIDENT DENCZAK: Resolution #67 is adopted.

COMMUNICATIONS

PRESIDENT DENCZAK: All Communications are received as read, filed 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 JUNE 7, 2004.

312. AUDITOR KIM R. PEREZ, CITY OF CANTON: MONTHLY REPORT BY FUND FOR 5/1/04 - 5/28/04. - RECEIVED & FILED

313. AUDITOR KIM R. PEREZ, CITY OF CANTON: YEARLY REPORT BY FUND FOR 1/1/04 - 5/28/04. - RECEIVED & FILED

314. AUDITOR KIM R. PEREZ, CITY OF CANTON: REQUEST FOR ADDITIONAL AMENDED CERTIFICATE DATED 5/28/04. - CLERK OF COUNCIL

315. COMMUNITY DEVELOPMENT & PLANNING DEPARTMENT, CITY OF CANTON, SHEILA K. THARP-BARRINO, DIRECTOR: REQUEST LEGISLATION FOR MAYOR &/OR SERVICE DIRECTOR TO ENTER INTO CONTRACT W/CANTON REGIONAL CHAMBER OF COMMERCE FOR A \$175,000 COMPREHENSIVE ECONOMIC & DOWNTOWN DEVELOPMENT PROGRAM GRANT FROM 6/1/04 THRU 5/31/05. - COMMUNITY & ECONOMIC DEVELOPMENT AND FINANCE

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COMMITTEES

316. COMMUNITY DEVELOPMENT & PLANNING DEPARTMENT, CITY OF CANTON, SHEILA K. THARP-BARRINO, DIRECTOR: REQUEST LEGISLATION AMENDING O. 122/92 FOR STARK COUNTY OUT OF POVERTY PARTNERSHIP, INC. TO EXTEND A \$163,650 FUNDING AGREEMENT RETROACTIVE TO 1/1/04 THRU 12/31/04 FOR DEVELOPMENT OF LOW & MODERATE INCOME HOUSING. - COMMUNITY & ECONOMIC DEVELOPMENT AND FINANCE COMMITTEES
317. COMMUNITY DEVELOPMENT & PLANNING DEPARTMENT, CITY OF CANTON, SHEILA K. THARP-BARRINO, DIRECTOR: REQUEST LEGISLATION FOR MAYOR &/OR SERVICE/ FINANCE DIRECTOR TO ENTER INTO CONTRACT WITH STARK SOCIAL WORKERS NETWORK TO PROVIDE A \$50,000 COMMUNITY DEVELOPMENT BLOCK GRANT TO PURCHASE BUILDING @ 1221 HARRISBURG RD NE. - COMMUNITY & ECONOMIC DEVELOPMENT AND FINANCE COMMITTEES
318. CHIEF OF STAFF JOSEPH J. CONCATTO, CITY OF CANTON: REQUEST TO ESTABLISH FAIR MARKET VALUE OF PROPERTY IN CONJUNCTION WITH FEDERAL CAMPUS PROJECT & AUTHORIZE MAYOR &/OR CHIEF OF STAFF TO NEGOTIATE & PURCHASE SAID PROPERTY AT FAIR MARKET VALUE. - MARKETING & DEVELOPMENT GRANT AND COMMUNITY & ECONOMIC DEVELOPMENT COMMITTEES
319. COURT ADMINISTRATOR MICHAEL E. KOCHERA, CANTON MUNICIPAL COURT: REQUEST LEGISLATION FOR MAYOR TO ENTER INTO AGREEMENT WITH STATE OF OHIO, DEPT. OF REHAB & CORRECTION FOR A \$74,261 COMMUNITY CORRECTIONS ACT GRANT BEGINNING 7/1/04 THRU 6/30/05. - MARKETING & DEVELOPMENT GRANT & FINANCE COMMITTEES
320. LIQUOR CONTROL DIVISION, 6606 TUSSING RD, PO BOX 4005, REYNOLDSBURG, OH 43068-9005: NOTICE OF HEARING SET 7/1/04 @ 11:30 AM @ CANTON CITY HALL CAUCUS ROOM ON REQUEST FOR NEW C1, C2, D6 LIQUOR PERMIT BY WAYNE EDWARD MARION, dba BOYD'S DRIVE THRU @ 719 COOK AVENUE SW. - INTERGOVERNMENTAL & PUBLIC SERVICE CMTE
321. LIQUOR CONTROL DIVISION, 6606 TUSSING RD, PO BOX 4005, REYNOLDSBURG, OH 43068-9005: NOTICE OF HEARING SET 7/1/04 @ 1:30 PM @ CANTON CITY HALL CAUCUS ROOM ON REQUEST FOR TRANSFER OF OWNERSHIP BY CHESTER W. HUTH, dba STARK COUNTY SPORTS PUB @ 508 CLEVELAND AVENUE NW. - INTERGOVERNMENTAL & PUBLIC SERVICE CMTE
322. LIQUOR CONTROL DIVISION, 6606 TUSSING RD, PO BOX 4005, REYNOLDSBURG, OH 43068-9005: NOTICE OF HEARING SET 7/1/04 @ 2:30 PM @ CANTON CITY HALL CAUCUS ROOM ON REQUEST FOR TRANSFER OF OWNERSHIP BY LORRAINE A. BOYLE dba HOLLAND INN @ 827 10TH STREET NW. - INTERGOVERNMENTAL & PUBLIC SERVICE CMTE

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323. MAYOR JANET WEIR-CREIGHTON, CITY OF CANTON: REQUEST LEGISLATION FOR MAYOR &/OR SERVICE/FINANCE DIRECTOR TO ACCEPT A \$1,500 GRANT FROM STARK COUNTY FOUNDATION SUMMERTIME KIDS FOR THE YOUTH DEVELOPMENT DEPT. - MARKETING & DEVELOPMENT GRANT & FINANCE COMMITTEES
324. MAYOR JANET WEIR-CREIGHTON, CITY OF CANTON: REQUEST TO AMEND O.164/2001 TO EXEMPT CD & PLANNING MANAGEMENT DIRECTOR FROM THE WAGE SCHEDULE FOR MANAGEMENT EMPLOYEES & ESTABLISH A SALARY RANGE OF \$66,633-\$99,000. - PERSONNEL COMMITTEE
325. MOLLETT, FELIX A., 1323 WARNER RD SE, CANTON OH 44707: REQUEST TO VACATE A PORTION OF AN UNNAMED ALLEY FROM THE NORTH LINE OF 14TH STREET SE TO NORTH LINE OF LOT 17070. - PLANNING COMMISSION
326. OFFICE OF GOVERNOR, STATE OF OHIO, 77 SOUTH HIGH ST, 30TH FLOOR, COLUMBUS OH 43215-6117: CONFIRMING RECEIPT OF COUNCIL RESOLUTION REQUESTING TO REVISIT HOUSE BILL 12 RE: CONCEALED WEAPONS IN PARKS & SWIMMING POOLS. - RECEIVED & FILED
327. OHIO DEPARTMENT OF TRANSPORTATION, CENTRAL OFFICE, PO BOX 899, COLUMBUS OH 43216-0899: RECEIPT OF EXECUTED COPY OF CONTRACT BETWEEN CITY OF CANTON & ODOT FOR PROJECT NO. 8010(04), STATE ROUTES 43/153. - RECEIVED & FILED
328. PLANNING COMMISSION, CITY OF CANTON, SHEILA K. THARP-BARRINO, SECRETARY: RECOMMENDING APPROVAL OF REQUEST BY COOPER & ASSOCIATES FOR GROFFRE INVESTMENTS TO REPLAT ALL OF OUTLOT #1116 & PARTS OF #45 & 315 @ ALLEN AVENUE SE INTO A NEW OUTLOT. - PUBLIC SAFETY & THOROUGHFARES COMMITTEE
329. REPUBLIC ENGINEERED PRODUCTS, 3770 EMBASSY PARKWAY, AKRON OH 44333-8367: ANNOUNCEMENT OF PROFIT IN FIRST FULL QUARTER OF OPERATIONS. - RECEIVED & FILED
330. SAFETY DIRECTOR BERNARD L. HUNT, CITY OF CANTON: REQUEST FOR APPROVAL OF DEMOLITION OF 16 PROPERTIES. - COMMUNITY & ECONOMIC DEVELOPMENT COMMITTEE
331. SERVICE DIRECTOR TAD C. ELLSWORTH, CITY OF CANTON: REQUEST TO PURCHASE FORD F350 CHASSIS & CAB IN AN AMOUNT OF \$21,646.22 PURSUANT TO STATE COOPERATIVE PURCHASING AGREEMENT & REQUEST TO ADVERTISE, RECEIVE BIDS & ENTER INTO CONTRACT FOR LEASE OF 2 TEN-TON HEAVY DUTY DUMP TRUCKS WITH OPTION TO PURCHASE FOR WATER DEPT. - PUBLIC PROPERTY CAPITAL IMPROVEMENT & FINANCE COMMITTEES

ORDINANCES & FORMAL RESOLUTIONS FOR FIRST READING

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PRESIDENT DENCZAK: 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 ORDINANCES #1 THROUGH AND INCLUDING #5 FOR THE FIRST TIME BY TITLE & ANNOUNCED THE COMMITTEE REFERRALS, AS FOLLOWS.

- #1 (1ST RDG) AN ORDINANCE APPROVING AND ACCEPTING THE REPLATTING OF LOTS NOS. 5760 - 5770; AND DECLARING THE SAME TO BE AN EMERGENCY
Referred to Public Safety & Thoroughfares Committee
- #2 (1ST RDG) AN ORDINANCE APPROVING AND ACCEPTING THE REPLATTING OF LOTS NOS. 7452 - 7462; AND DECLARING THE SAME TO BE AN EMERGENCY
Referred to Public Safety & Thoroughfares Committee
- #3 (1ST RDG) AN ORDINANCE AMENDING PART ELEVEN, PLANNING AND ZONING CODE, OF THE CODIFIED ORDINANCES OF THE CITY OF CANTON; AND DECLARING THE SAME TO BE AN EMERGENCY (RE: PROPOSED AMENDMENT TO ELECTRONIC SIGN PROVISIONS)
Referred to 2nd Rdg, next agenda
- #4 (1ST RDG) AN ORDINANCE AUTHORIZING THE DIRECTOR OF PUBLIC SERVICE TO ENTER INTO CONTRACT WITH ENVIRONMENTAL DESIGN GROUP FOR ALL ENVIRONMENTAL MANAGEMENT SERVICES FOR THE TITLE V PERMIT PROJECT; 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 Environmental & Public Utilities and Finance Committees
- #5 (1ST RDG) AN ORDINANCE AUTHORIZING THE DIRECTOR OF PUBLIC SERVICE TO ADVERTISE, RECEIVE BIDS AND ENTER INTO CONTRACT(S) FOR VARIOUS PROJECTS AND/OR EQUIPMENT FOR THE CANTON PARK DEPARTMENT; AND DECLARING THE SAME TO BE AN EMERGENCY
Referred to Parks & Recreation and Finance Committees

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 #6 THROUGH AND INCLUDING #12 FOR THE SECOND TIME BY TITLE, AS

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- #6 (2ND RDG) AN ORDINANCE AMENDING O.55/77 AS AMENDED KNOWN AS THE CITY OF CANTON ZONING ORDINANCE; AND DECLARING THE SAME TO BE AN EMERGENCY
- #7 (2ND RDG) AN ORDINANCE AMENDING SECTION 339.08, LOADS DROPPING OR LEAKING, REMOVAL REQUIRED, TRACKING MUD, OF THE CODIFIED ORDINANCES OF THE CITY OF CANTON
- #8 (2ND RDG) AN ORDINANCE APPROVING AND ACCEPTING THE REPLATTING OF LOTS NOS. 24501-24503 AND 27078; AND DECLARING THE SAME TO BE AN EMERGENCY
- #9 (2ND RDG) 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
- #10 (2ND RDG) AN ORDINANCE AUTHORIZING THE DIRECTOR OF PUBLIC SERVICE TO ENTER INTO A CHANGE ORDER WITH R.G. SMITH COMPANY, INC. IN AN AMOUNT NOT TO EXCEED \$13,470.00 TO COMPLETE THE SLUDGE REMOVAL FOR THE WATER POLLUTION CONTROL CENTER DIGESTER PROJECT; AMENDING APPROPRIATION ORDINANCE NO. 1/2004; AND DECLARING THE SAME TO BE AN EMERGENCY
- #11 (2ND 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
- #12 (2ND RDG) A RESOLUTION APPROVING THE STATEMENT OF SERVICES TO BE PROVIDED TO THE PROPERTY OWNER IN THE AUTO ELECTRIC SERVICE COMPANY ANNEXATION AREA UPON ITS BEING ANNEXED TO THE CITY OF CANTON, OHIO; 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. Ordinance #13 please.

NOTE: PRESIDENT DENCZAK CALLED UPON CLERK VANCKUNAS TO READ THE FOLLOWING ORDINANCES #13 THROUGH AND INCLUDING #28 FOR THE THIRD & FINAL TIME BY TITLE, AS FOLLOWS.

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#13 (3RD RDG) **ADOPTED AS ORDINANCE NO. 90/2004** 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

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

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

NO REMARKS

ROLL CALL VOTE: 11 YEAS, 0 NAYS

PRESIDENT DENCZAK: Ordinance #13 is adopted.

#13 ADOPTED AS ORDINANCE NO. 90/2004

#14 (3RD RDG) **ADOPTED AS ORDINANCE NO. 91/2004** 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

MEMBER CASAR: Mr. President, I move that 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 VOTE: 11 YEAS, 0 NAYS

PRESIDENT DENCZAK: Ordinance #14 is adopted.

#14 ADOPTED AS ORDINANCE NO. 91/2004

#15 (3RD RDG) **DEFEATED** AN ORDINANCE AMENDING ORDINANCE 55/77 AS AMENDED KNOWN AS THE CITY OF CANTON ZONING ORDINANCE; AND DECLARING THE SAME TO BE AN EMERGENCY (*EARL LUTTNER ZONE CHANGE REQUEST*)

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

PRESIDENT DENCZAK: Moved and seconded that you adopt Ordinance #15; are there any remarks under this ordinance?...

MEMBER HAWK: Mr. President, I would ask that we vote no and turn down this zoning change. The residents in the neighborhood are opposed to it. This is an area that we are working very hard to renovate and bring it back to single

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family R-1A housing. I would appreciate everyone's support by voting no for this. Thank you.

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

NO REMARKS

ROLL CALL VOTE: 0 YEAS, 11 NAYS

PRESIDENT DENCZAK: Ordinance #15 is defeated.

#15 DEFEATED

#16 (3RD RDG) **ADOPTED AS ORDINANCE NO. 92/2004** AN ORDINANCE AMENDING ORDINANCE 55/77 AS AMENDED KNOWN AS THE CITY OF CANTON ZONING ORDINANCE; AND DECLARING THE SAME TO BE AN EMERGENCY (RE: NATIONAL DRIVER TRAINING SCHOOL ZONE CHANGE)

MEMBER CASAR: Mr. President, I move that we adopt Ordinance #16; seconded.

PRESIDENT DENCZAK: Moved and seconded that you adopt Ordinance #16; are there any remarks under this ordinance?...

MEMBER BABCOCK: (*MEMBER BABCOCK'S REMARKS INAUDIBLE*)

PRESIDENT DENCZAK: Is the house on the southwest corner?...

MEMBER MALLONN: No.

PRESIDENT DENCZAK: Southeast corner, south--northeast...

MEMBER MALLONN: Northeast corner of West Tuscarawas Street and Bellflower.

MAYOR CREIGHTON: Mr. President, if I may. Member Babcock, it is where the old Bridal House used to be.

PRESIDENT DENCZAK: That's why I didn't know where it was at because I wasn't interested in any bridal clothes. (*LAUGHTER*) Are there any other remarks?... If not, roll call vote please.

NO REMARKS

ROLL CALL VOTE: 11 YEAS, 0 NAYS

PRESIDENT DENCZAK: Ordinance #16 is adopted.

#16 ADOPTED AS ORDINANCE NO. 92/2004

#17 (3RD RDG) **ADOPTED AS ORDINANCE NO. 93/2004** AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO AN ENTERPRISE ZONE AGREEMENT W/STELCO, LLC AND SLESNICK STRUCTURAL STEEL TO PROVIDE REAL AND PERSONAL PROPERTY

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TAX EXEMPTIONS TO CONSTRUCT A NEW WAREHOUSE/DISTRIBUTION BUILDING; AUTHORIZING THE GRANTING OF 75% 10-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

MEMBER CASAR: Mr. President, I move that we adopt Ordinance #17; seconded.

PRESIDENT DENCZAK: Moved and seconded that you adopt Ordinance #17; 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 #17 is adopted.

#17 ADOPTED AS ORDINANCE NO. 93/2004

#18 (3RD RDG) **ADOPTED AS ORDINANCE NO. 94/2004** 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

MEMBER CASAR: Mr. President, I move that we adopt Ordinance #18; seconded.

PRESIDENT DENCZAK: Moved and seconded that you adopt Ordinance #18; are there any remarks under this ordinance?... Very well, roll call vote please.

NO REMARKS

ROLL CALL VOTE: 10 YEAS, 0 NAYS, 1 ABSTENTION
(MEMBER HART ABSTAINED)

PRESIDENT DENCZAK: Ordinance #18 is adopted.

#18 ADOPTED AS ORDINANCE NO. 94/2004

#19 (3RD RDG) **ADOPTED AS ORDINANCE NO. 95/2004** 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 BLOCK GRANT FUNDS IN AN AMOUNT NOT TO EXCEED \$600,000.00; AND DECLARING THE SAME TO BE AN EMERGENCY

MEMBER CASAR: Mr. President, I move that we adopt Ordinance #19; seconded.

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PRESIDENT DENCZAK: Moved and seconded that you adopt Ordinance #19; 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 #19 is adopted.

#19 ADOPTED AS ORDINANCE NO. 95/2004

#20 (3RD RDG) **ADOPTED AS ORDINANCE NO. 96/2004** 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

MEMBER CASAR: Mr. President, I move that we adopt Ordinance #20; seconded.

PRESIDENT DENCZAK: Moved and seconded that you adopt Ordinance #20; 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 #20 is adopted.

#20 ADOPTED AS ORDINANCE NO. 96/2004

#21 (3RD RDG) **ADOPTED AS ORDINANCE NO. 97/2004** 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

MEMBER CASAR: Mr. President, I move that we adopt Ordinance #21; seconded.

PRESIDENT DENCZAK: Moved and seconded that you adopt Ordinance #21; 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 #21 is adopted.

#21 ADOPTED AS ORDINANCE NO. 97/2004

#22 (3RD RDG) **ADOPTED AS ORDINANCE NO. 98/2004** AN ORDINANCE AUTHORIZING THE MAYOR/AND OR DIRECTOR OF PUBLIC SERVICE TO ENTER INTO CONTRACT

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WITH THE YMCA TO PROVIDE A GRANT IN AN AMOUNT NOT TO EXCEED \$27,000.00 FOR ESSENTIAL SERVICES; AND DECLARING THE SAME TO BE AN EMERGENCY

MEMBER CASAR: Mr. President, I move that we adopt Ordinance #22; seconded.

PRESIDENT DENCZAK: Moved and seconded that you adopt Ordinance #22; 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 #22 is adopted.

#22 ADOPTED AS ORDINANCE NO. 98/2004

#23 (3RD RDG) **ADOPTED AS ORDINANCE NO. 99/2004** 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

MEMBER CASAR: Mr. President, I move that we adopt Ordinance #23; seconded.

PRESIDENT DENCZAK: Moved and seconded that you adopt Ordinance #23; 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 #23 is adopted.

#23 ADOPTED AS ORDINANCE NO. 99/2004

#24 (3RD RDG) **ADOPTED AS ORDINANCE NO. 100/2004** 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 APPROPRIATIONS HEREIN DESCRIBED; 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

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PRESIDENT DENCZAK: Ordinance #24 is adopted. **#24 ADOPTED AS ORDINANCE NO. 100/2004**

#25 (3RD RDG) **ADOPTED AS ORDINANCE NO. 101/2004** 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

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. 101/2004**

#26 (3RD RDG) **ADOPTED AS ORDINANCE NO. 102/2004** AN ORDINANCE AUTHORIZING THE MAYOR AND/OR DIRECTOR PUBLIC SERVICE TO CONVEY 86 SQ. FT. OF VACANT PARK LAND TO ODOT; 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.

NO REMARKS

ROLL CALL VOTE: 11 YEAS, 0 NAYS

PRESIDENT DENCZAK: Ordinance #26 is adopted. **#26 ADOPTED AS ORDINANCE NO. 102/2004**

#27 (3RD RDG) **ADOPTED AS ORDINANCE NO. 103/2004** AN ORDINANCE AMENDING APPROPRIATION ORDINANCE NO. 1/2004 AS AMENDED BY MAKING THE SUPPLEMENTAL APPROPRIATIONS, INTER-FUND TRANSFERS HEREIN DESCRIBED; 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

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PRESIDENT DENCZAK: Ordinance #27 is adopted. **#27 ADOPTED AS ORDINANCE NO. 103/2004**

#28 (3RD RDG) **ADOPTED AS ORDINANCE NO. 104/2004** AN ORDINANCE AUTHORIZING THE DIRECTOR OF PUBLIC SERVICE TO ADVERTISE, RECEIVE BIDS AND ENTER INTO CONTRACT FOR THE WOODLAND AVENUE NW RELEASE STORM SEWER PROJECT, G.P. 1062; AND DECLARING THE SAME TO BE AN EMERGENCY

MEMBER CASAR: Mr. President, I move that we adopt Ordinance #28; seconded.

PRESIDENT DENCZAK: Moved and seconded that you adopt Ordinance #28; 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 #28 is adopted. **#28 ADOPTED AS ORDINANCE NO. 104/2004**

ORDINANCES - POSTPONED MATTER FROM 5/3/04

PRESIDENT DENCZAK: Ordinances and formal resolutions, postponed matter.

#29 **POSTPONED INDEFINITELY** (*PREVIOUSLY RECEIVED ALL 3 READINGS*) 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

PRESIDENT DENCZAK: Ordinance #29, postponed from 5/3/04, Member Casar.

MEMBER CASAR: Mr. President, Ordinance #29, we'd like to postpone it indefinitely; seconded.

PRESIDENT DENCZAK: Moved and seconded to postpone Ordinance #29 indefinitely. Are there any remarks?...

MEMBER CASAR: Mr. President, the Jackson Pool Committee met this evening at 5:30 and we discussed this matter, and being that this is a function of the Administration, I would like to have them expound on what's taking place regards to Jackson Pool, when it will open, where the monies are coming from and what other details might be pertinent at this time.

SERVICE DIRECTOR ELLSWORTH: Mr. President, the money that was used to do the renovations, small as they were, on Jackson Pool was taken from Community Development Block Grant funds. The amounts spent to date are a little over \$13,000.00. They included the cleaning of the pool, masonry work, electrical work, and various other things that we said we would do. This ordinance that you're currently asking to postpone indefinitely is in fact no longer needed at all. It is merely a supplemental appropriation ordinance from the Capital Improvement Fund that was there just in case

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we were not able to use Community Development Block Grant funds. By leaving this money -- by not passing this ordinance, either defeating it or postponing it indefinitely, all that does is basically free up the money in the Capital Improvement Fund and the unappropriated balance. So at this time whether you defeat it or you postpone it indefinitely, we have no need for the money.

MEMBER CASAR: Mr. President, if the Mayor would please expound on the opening...

PRESIDENT DENCZAK: Member Casar, I'm sorry. I didn't know it was going to get into a debate on this, but when you move to postpone indefinitely, it's not debatable. You can ask those questions...

MEMBER CASAR: We'll get it in miscellaneous business.

PRESIDENT DENCZAK: Yes.

MEMBER CASAR: Thank you.

PRESIDENT DENCZAK: The question before you now is postponing Ordinance #29 indefinitely. There are no further remarks?... By voice vote, all those in favor signify by saying aye. Those opposed no.

NO REMARKS ORDINANCE #29 POSTPONED INDEFINITELY BY UNANIMOUS VOICE VOTE

PRESIDENT DENCZAK: Ordinance 329 is postponed indefinitely. In other words, it's dead.

ANNOUNCEMENT OF COMMITTEE MEETINGS

PRESIDENT DENCZAK: Announcement of Committee Meetings please.

MEMBER MALLONN: Mr. President, Parks and Recreation and Environmental and Public Utilities will meet June 21st at 6:30.

MEMBER HAWK: Mr. President, Finance Committee will meet June 21st at 6:30.

MEMBER CARBENIA: The Community and Economic Development Committee will meet at the same time. Reason we're meeting is we have a couple of ordinances that are still in committee and we might be bringing them out.

MEMBER BABCOCK: Mr. President, Public Safety and Thoroughfares will also be meeting on the 21st at 6:30.

MEMBER WEST: Mr. President, Marketing and Development will meet at 6:35.

CLERK VANCKUNAS: Mr. President. Member West, were you wanting to address the communications that have been referred to your committee? Because the normal procedure would be that an ordinance would come from the Law Department, have a first reading, and then be referred to your committee.

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MEMBER WEST: Thank you.

PRESIDENT DENCZAK: So there will be no meeting?

MEMBER WEST: Yes.

PUBLIC SPEAKS (OPEN FORUM--CITY BUSINESS ONLY)

PRESIDENT DENCZAK: Public Speaks, Open Forum, City business only. We have two people signed up to speak this evening. First speaker is Bev Jordan.

MS. JORDAN: Good evening, Councilpeople. I didn't really expect to speak. My name is Beverly Jordan. I reside at 7440 Cheryl Lane NW, Massillon, Ohio, and I have a handout or some information to pass out in reference to Number 317. I just have some basic information.

PRESIDENT DENCZAK: Oh, that's all you have to do is -- go ahead and pass it out then amongst the Councilmembers.

MS. JORDAN: Thank you.

MAYOR CREIGHTON: Mr. President, just so all of you are not caught off guard, I had asked Bev to come up with a communication in keeping you informed of what her desire, what she is asking Council to approve, so this is really a communication that she's just going to present to you personally.

PRESIDENT DENCZAK: Okay. Just walk around the Chamber there and pass -- give it... *(PAUSE AS SPEAKER DISTRIBUTES THE COMMUNICATION)* The next speaker is Paul Kemp.

MR. KEMP: My name is Paul Kemp. I live at 227 Chicago Place NW, Canton, Ohio. And you did it again, didn't you? You saved the best for last. I came here tonight *(CHUCKLES)* -- I've already thanked the Mayor, but I was here two weeks ago about repairing Chicago Place, and the Mayor said if they didn't do it by Tuesday that she would be out and do it herself, or by Wednesday, she'd be out and do it herself. Well, somebody asked me if I was going to help her. Well, I told them no but I'd furnish the water bucket. But I had the dipper and I was gonna bring it tonight, but I was afraid you was going to take it. But I want to thank the Mayor personally and publicly for getting this done in such a hurry three years late *(LAUGHS)*. Thank you.

PRESIDENT DENCZAK: When do you find time to blacktop and pick up trash downtown?

MAYOR CREIGHTON: You want to go with me for a day? *(LAUGHTER)*

PRESIDENT DENCZAK: Is that a date? *(CHUCKLES)*

MISCELLANEOUS BUSINESS

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

MEMBER CASAR: Mr. President, as I was stating earlier at the wrong time, we had a meeting at 5:30, I think it was our second or third, the Jackson Pool meeting. The pool's set to open and I would like the Mayor to give the final report in regards to Jackson Pool, and I'd appreciate it.

MAYOR CREIGHTON: Thank you. First of all, thanks, Mr. Kemp, again, publicly for thanking me. I appreciate that. On Jackson Pool, we did meet. This was actually our second meeting. Our other meeting had been postponed. What I brought everybody up to date tonight on, the pool will open this Wednesday. It has been professionally cleaned and professionally painted. I was there twice last week. I was there twice today. I had a meeting with all the employees that will begin work on Wednesday to set the expectation on what the City Administration and Council expects of their work, and how the pool activities will be conducted. We've encouraged all committee members to make visits to the pool. We want to see the activity that takes place there and to make sure that the pool is number one, it is safety all the time. It is about safety, ladies and gentlemen, so we were really pleased. We're also collecting reports from other pools in our area, we are compiling a list, we take minutes at our meeting, and we're moving along. But as of yet there are no recommendations. This is a temporary fix for this year, and the determination will be made after all the facts are gathered. And while I have the floor (*CHUCKLES*)...

PRESIDENT DENCZAK: You got a minute and a half left.

MAYOR CREIGHTON: Is that enough? Mr. President, I have three other things. May I say them?

PRESIDENT DENCZAK: You've got a minute and 44 seconds.

MAYOR CREIGHTON: Okay. I'll talk fast. Okay. This Friday at 1:00 there's another city-wide clean up. We're meeting in the courtyard. We have a lot of things that we want to accomplish this Friday, so it's open to the public. We love volunteers. Also on Saturday beginning at 8:00 AM, we are coloring downtown with the planting of flowers and the weeding of the flower boxes. We're also looking for volunteers and will even feed you at that one. And lastly, I would like to thank all the city employees that volunteered on Friday to plant the flowers around City Hall. They swept the streets, they dug up all the weeds. A special thanks to Councilman Joe Carbenia for his help. He did participate, and I do appreciate that. And to you, Mr. Denczak, we got your car dirty. It was out front. We don't wash cars, but... (*LAUGHTER*)... but...

PRESIDENT DENCZAK: But what? (*LAUGHTER*)

MAYOR CREIGHTON: Thank you for your moral support. (*LAUGHTER*)

PRESIDENT DENCZAK: One day I parked out there and whoever waters the flowers in the flower pots up there watered my car. Is there another place I can park my car? (*LAUGHTER*) Member Casar, are you satisfied with that answer?... Somebody handed me a...

MEMBER CASAR: Mr. President, I'd just like to give credit where credit is due, and I'm glad that the pool is opening up at the minimal expense and hopefully we can get through the year.

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PRESIDENT DENCZAK: I was handed a picture here. I think it's somebody's political campaign picture. It was taken from the walls of the post office for "most wanted." Here's the picture. Does anyone recognize who this is? *(PRESIDENT DENCZAK HOLDS UP BABY PICTURE OF MEMBER HART)*

(INAUDIBLE COMMENTS FROM COUNCIL REGARDING THE PICTURE)

PRESIDENT DENCZAK: Close. *(LAUGHTER)*

(MORE INAUDIBLE COMMENTS)

PRESIDENT DENCZAK: Close. *(LAUGHTER)*

MAYOR CREIGHTON: Mary Babcock?

PRESIDENT DENCZAK: All right. Will the real guy whose got the guts stand up, who's picture this is. *(MEMBER HART STAND UP)* *(LAUGHTER AND APPLAUSE)* And I'll tell you what, it still looks like him. *(LAUGHTER)* He had darker hair.

MEMBER BERNABEI: He had hair.

PRESIDENT DENCZAK: It's a real nice picture. You're 50th birthday was Saturday?

MEMBER HART: Yes, it was, and did some city employee give you that?

PRESIDENT DENCZAK: I can't tell you.

MEMBER HART: Because when I...

PRESIDENT DENCZAK: I can't say.

MEMBER HART: ...fill out the next evaluations of some of the city employees, it won't be so high, yes.

PRESIDENT DENCZAK: I'm not gonna tell you who gave it to me, but I'm giving it back.

MEMBER HART: Okay. *(LAUGHTER)* Thank you.

COUNCIL ADMINISTRATIVE ASSISTANT BEVINGTON: One good turn deserves another.

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.

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NO REMARKS PERMITTED ON THE MOTION TO ADJOURN

ROLL CALL: 11 YEAS, 0 NAYS

PRESIDENT DENCZAK: This meeting is adjourned.

ADJOURNMENT TIME: 8:19 P.M.

ATTEST:

APPROVED:

DEBRA VANCKUNAS
CLERK OF COUNCIL

RAY DENCZAK
PRESIDENT OF COUNCIL

