

MINUTES OF THE MEETING OF AUGUST 10, 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 Tuesday, August 10, 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 Councilmember-at-Large Donald E. Casar, 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:

ALL 12 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, DAVID DOUGHERTY, RICHARD HART, & ROSEMARY DIAMOND)

AGENDA CORRECTIONS & CHANGES

PRESIDENT DENCZAK: Thank you, Member Casar (*referring to giving invocation*). Agenda Corrections and Changes, Members of Council, the Administration. You're being asked to suspend Rule 22A to add the second readings of Ordinance #16 through and including #34. Member Casar, the Chair will recognize that motion now.

MEMBER CASAR: Mr. President, I move we suspend Rule 22A to add Ordinance #16 through 34 on this evening's agenda; seconded.

PRESIDENT DENCZAK: Moved and seconded to suspend Rule 22A to add Ordinance #16 through #34 inclusive. Are there any remarks?... If not, roll call vote please.

NO REMARKS

ROLL CALL: 12 YEAS, 0 NAYS

PRESIDENT DENCZAK: Rule 22A is suspended and Ordinance #16 through and including #34 are a legal part of your agenda. You're being asked to suspend Rule 22B to add Ordinance #13, 14 and 15. Member Casar, the Chair will now recognize that motion.

MEMBER CASAR: Mr. President, I move we suspend Rule 22B to add Ordinances #13, 14 and 15 to this evening's agenda; seconded.

PRESIDENT DENCZAK: Moved and seconded to suspend Rule 22B to add Ordinances #13, 14 and 15 to the agenda. Are there any remarks?... If not, roll call vote please.

NO REMARKS

ROLL CALL: 12 YEAS, 0 NAYS

PRESIDENT DENCZAK: Rule 22B has been suspended and Ordinances #13, 14 and 15 are a legal part of your

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agenda. You're being asked to adopt on the first reading -- first readings, you're being asked to adopt Ordinance #5, 13 and 14. You're being asked to adopt Ordinance #32 and amend this evening. You're being asked to adopt Ordinance #17 under second readings. This brings your agenda up to date, Members of Council.

PUBLIC HEARINGS**PUBLIC HEARING #1 MOLLETT ALLEY VACATION:**

PRESIDENT DENCZAK: We had a scheduled public hearing for 7:30 PM. It's a request by Felix Mollett vacating a portion of a ten foot unnamed alley north of 14th Street SE and north of Lot 17070. The Planning Commission recommends approval. Is there anyone in the audience wishing to speak for or against this vacation, please come forward... Is there anyone in the audience wishing to speak for or against this vacation, please come forward... Is there anyone in the audience wishing to speak for or against this vacation, please come forward... *(AS SOMEONE FROM THE AUDIENCE COMES FORWARD)* Come up to the microphone over there, sir, on your left.

MR. MOLLETT: *(INITIAL COMMENTS INAUDIBLE, MICROPHONE NOT ON)* Now? Oh, okay. Let's start over again.

PRESIDENT DENCZAK: Okay.

MR. MOLLETT: My name is Felix Mollett. I live at 1323 Warner Road SE in Canton, and I've been a resident 42 years, and I just acquired two lots on the side of my property and this alley runs between both of my properties. And I've been taking care of this alley for 30 some years, cutting grass, everything, cause it's through my lot, 'cause the City will not cut the grass they told me until it gets three feet tall. So I've been taking care of it for 30 some years, and so now that's why I put this action to try to get this alley for myself, to adjoin my property.

PRESIDENT DENCZAK: Chief of Staff Concatto, is this a dedicated alley, do you -- are you aware of this?

CHIEF OF STAFF CONCATTO: Yes, I believe it is.

PRESIDENT DENCZAK: It is dedicated, but unnamed.

CHIEF OF STAFF CONCATTO: I'm just gonna defer, I'm not sure of that. I don't have it in front of me. I don't have the ordinance in front of me.

PRESIDENT DENCZAK: Okay. But is there a ruling now that the grass has to be three foot tall before its mowed?

CHIEF OF STAFF CONCATTO: Mr. President, I'm not aware of that ruling. Sir, was that -- did someone tell you that, that it would have to...?

MR. MOLLETT: Yes. I've been calling -- every year I call three or four times, call the City to get the grass cut when it get out of hand on the lot I just purchased. Like I say, I've been a resident for forty some years. I've been going through this every year, calling the City two or three times a year to come and cut the grass. And they would cut it and put it on the tax of the property owner. And when I purchased the property, so that was the procedure I had to go

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through every year getting the grass cut, so that's why I decided to own this alley that run between my properties since I purchased this other property, and to get this alley so it can be joined with the other property. I've been taking care of it all these years.

PRESIDENT DENCZAK: Okay, sir. If this is passed tonight, that will take care of that problem.

MR. MOLLETT: Thank you.

PRESIDENT DENCZAK: Thank you, sir. (*MR. MOLLETT LEAVES THE PUBLIC MICROPHONE*) Is there anyone else wishing to speak for or against this vacation, please come forward... If not, apparently there's no one else wishing to speak, the Chair declares the public hearing over in regards to this matter. The matter now rests in the hands of Council. The ordinance will come later this evening.

PUBLIC SPEAKS (ORDINANCES OR RESOLUTIONS FOR ADOPTION ONLY):

PRESIDENT DENCZAK: Public Speaks, Ordinances and Resolutions. No one has signed up under this format.

INFORMAL RESOLUTIONS

PRESIDENT DENCZAK: Informal Resolution, excusing members. It will not be necessary to excuse members. Let the journal show that all Members of Council are present. Resolution #75 please.

PRESIDENT DENCZAK CALLED UPON CLERK OF COUNCIL VANCKUNAS TO READ RESOLUTIONS #75 AND #76 BY TITLE, AS SHOWN BELOW. THE RESOLUTIONS ARE ON FILE IN THEIR ENTIRETY IN THE COUNCIL OFFICE WITH THE AGENDA ITEMS DATED AUGUST 10, 2004.

75. HART, WARD7 COUNCILMEMBER & BERNABEI, COUNCILMEMBER-AT-LARGE: REQUEST TO NAME A 10' UNNAMED ALLEY FROM 16TH TO 17TH STREETS NW, WEST OF ARNOLD AVENUE, "CARMELITA COURT NW." - ADOPTED BY COUNCIL & REFERRED TO THE LAW DIRECTOR

MEMBER CASAR: Mr. President, I move we adopt Resolution #75; seconded.

PRESIDENT DENCZAK: Moved and seconded that you adopt Resolution #75. Are there any remarks under this Resolution?...

MEMBER HART: Mr. President, the resident in question has a child that has some I'll say physical challenges, and usually during the wintertime when she needs the area plowed out for the bus to come up and pick up the child, the buses had problems. She'll call the City and many times, because there is no name on it, they've had an extremely hard time getting there, and this is, you know, hopefully to help make things a little easier for the, you know, trucks of the supervisors with the plows to find it and then plow it out.

PRESIDENT DENCZAK: Any other remarks?... The question you're voting on now is Resolution #75. By voice vote,

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all those in favor signify by saying aye. Those opposed no.

NO REMARKS

RESOLUTION #75 ADOPTED BY UNANIMOUS VOICE VOTE

PRESIDENT DENCZAK: The Resolution is adopted and will be sent to the Law Director.

76. HART, WARD 7 COUNCILMEMBER: SUPPORTING CURBSIDE RECYCLING & URGING THE ADMINISTRATION TO INCLUDE CANTON IN THE PRACTICE OF CURBSIDE RECYCLING. - ADOPTED BY COUNCIL & REFERRED TO THE MAYOR

MEMBER CASAR: Mr. President, I move we adopt Resolution #76; seconded.

PRESIDENT DENCZAK: Moved and seconded that you adopt Resolution #76. Are there any remarks under this Resolution?...

MEMBER HART: Mr. President, just briefly, the Mayor had named me to the Policy Committee of the Tri-County Waste District, and for those of you that have kept up with the situation, they have not been able to develop a plan over the years, and basically in order for the Tri-County Waste District to develop a plan, it's going to be important according to the consultant they hired, and that's Michael Greenberg from GT Environmental, that the City begin to do and develop a curbside recycling plan. The biggest issue involved here is this is going to allow us to devise our own plan which is going to be -- well, which will fit the citizens of Canton the best, and it's going to keep the Ohio EPA from mandating a program. And in discussions I've had with the Mayor and the Service Director and the Waste District, they're more than willing to work with us in order for the Waste District Plan to succeed, and they realize that and will be willing to help us financially in developing a plan and also possibilities of working together for the whole community to succeed and do what's right for the citizens.

PRESIDENT DENCZAK: Are there any other remarks?... If not, by voice vote, all those in favor signify by saying aye. Those opposed no.

NO REMARKS

RESOLUTION #76 ADOPTED BY UNANIMOUS VOICE VOTE

PRESIDENT DENCZAK: The Resolution is adopted and a copy will be sent to the Mayor.

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 AUGUST 10, 2004.

421. AUDITOR KIM R. PEREZ, CITY OF CANTON: MONTHLY REPORT BY FUND FOR 7/1/04 - 7/30/04.
- RECEIVED & FILED

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422. AUDITOR KIM R. PEREZ, CITY OF CANTON: YEARLY REPORT BY FUND FOR 1/1/04 - 7/30/04. - RECEIVED & FILED
423. AUDITOR KIM R. PEREZ, CITY OF CANTON: REQUEST FOR ADDITIONAL AMENDED CERTIFICATE DATED 7/29/04. - CLERK OF COUNCIL
424. COMMUNITY DEVELOPMENT & PLANNING DEPARTMENT, CITY OF CANTON, SHEILA K. THARP-BARRINO, DIRECTOR: REQUEST AUTHORIZATION FOR MAYOR TO ENTER INTO ENTERPRISE ZONE AGREEMENT W/WEDU PROPERTIES, LLC TO PROVIDE 75% TAX EXEMPTION TO RESTORE BUILDING @ 521-539 MARKET AVE NORTH; REQUEST TO AUTHORIZE & DIRECT CITY AUDITOR TO PAY AMOUNTS AGREED UPON TO CANTON BOARD OF EDUCATION. - COMMUNITY & ECONOMIC DEVELOPMENT AND FINANCE CMTES
425. COMMUNITY DEVELOPMENT & PLANNING DEPARTMENT, CITY OF CANTON, SHEILA K. THARP-BARRINO, DIRECTOR: REQUEST AUTHORIZATION FOR MAYOR TO ENTER INTO ENTERPRISE ZONE AGREEMENT W/V & S SCHULER ENG. INC TO PROVIDE 75% TAX EXEMPTION FOR NEW OFFICE BUILDING @ 2240 ALLEN AVE SE; REQUEST TO AUTHORIZE & DIRECT CITY AUDITOR TO PAY AMOUNTS AGREED UPON TO CANTON BOARD OF EDUCATION. - COMMUNITY & ECONOMIC DEVELOPMENT AND FINANCE CMTES
426. COMMUNITY DEVELOPMENT & PLANNING DEPARTMENT, CITY OF CANTON, SHEILA K. THARP-BARRINO, DIRECTOR: REQUEST AUTHORIZATION FOR MAYOR &/OR SERVICE DIRECTOR TO ENTER INTO CONTRACT W/HABITAT FOR HUMANITY FOR \$60,000 CDBG GRANT TO REIMBURSE ACQUISITION & SITE DEVELOPMENT. - COMMUNITY & ECONOMIC DEVELOPMENT AND FINANCE CMTES
427. FARMER, JEFF, THE SPECTRA GROUP, 5851 RIDGEBEND ROAD, MEMPHIS, TN 38120: REQUEST TO REZONE 3606/3616, 3546 & 3526 HARMONT NE FOR MULTI-TENANT NEIGHBORHOOD RETAIL SHOPPING CENTER. - PLANNING COMMISSION
428. HAWK, GREG, WARD 1 COUNCIL MEMBER, CITY OF CANTON: REQUEST AUTHORITY FOR CITY OF CANTON TO CONVEY LAND @ 501 CHERRY AVE NE TO CIC. - COMMUNITY & ECONOMIC DEVELOPMENT & FINANCE CMTES **Suspended Rule 22B to add O#15**
429. HEALTH COMMISSIONER ROBERT E. PATTISON, CITY OF CANTON: REQUEST \$43,479 SUPPLEMENTAL APPROPRIATION FROM THE 2328 HEALTH INFRASTRUCTURE FUND FOR GRANT FUNDS RECEIVED FROM OHIO DEPT OF HEALTH. - FINANCE CMTE
430. LAMBOS INVESTMENT PARTNERS, LTD., 1207 LINCOLN WAY EAST, PO BOX 389, MASSILLON, OH 44648: REQUEST TO REZONE LOTS #16240, 16241, 39877, 39878 & 39880 @ REAR OF 2303 WEST TUSC FOR ADDITIONAL PARKING & LONGER DRIVE THRU LANE IN CONSTRUCTION OF NEW KFC RESTAURANT. - PLANNING COMMISSION

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431. LAW DIRECTOR JOSEPH MARTUCCIO, CITY OF CANTON: FORWARDING AN ORDINANCE APPROVING EDITING & INCLUSION OF CERTAIN ORDINANCES ADOPTED FROM 7/1/03 TO 6/30/04 AS PART OF THE CODIFIED ORDINANCES OF CANTON; SUBMITTING RESOLUTION TO DISTRIBUTE FREE COPIES OF 2004 SUPPLEMENT TO CANTON CITY PUBLIC OFFICIALS & INSTITUTIONS, & AFFIX A PRICE FOR SALE OF SAME. - JUDICIARY CMTE
432. LIQUOR CONTROL DIVISION, 6606 TUSSINGRD, PO BOX 4005, REYNOLDSBURG, OH 43068-9005: NOTICE OF REQUEST FOR NEW D3A LIQUOR PERMIT BY TANYA M. BEANS dba GOODTIME POPS & DRIVE-THRU @ 1907-11 HARRISBURG NE. - INTERGOVERNMENTAL & PUBLIC SERVICE CMTE
433. MAYOR JANET WEIR-CREIGHTON, CITY OF CANTON: REQUESTING APPROVAL OF APPOINTMENT OF LARRY LANHAM II TO THE FAIR HOUSING COMMISSION TO FULFILL TERM OF WILLIAM MCPHERSON EFFECTIVE 9/1/04 TO 8/31/09. - PERSONNEL CMTE
434. OHIO DEPARTMENT OF DEVELOPMENT, 77 S HIGH STREET, PO BOX 1001, COLUMBUS, OH 43216-1001: CONFIRMING THE SUMMIT NEIGHBORHOOD COMMUNITY REINVESTMENT AREA AS A PART OF OHIO'S COMMUNITY REINVESTMENT AREA (CRA) PROGRAM. - RECEIVED & FILED
435. PLANNING COMMISSION, CITY OF CANTON, SHEILA K. THARP-BARRINO, SECRETARY: RECOMMENDING APPROVAL OF REQUEST BY DWIGHT & DEBRA HESSON TO VACATE PART OF 22ND ST SW BETWEEN FREDERICK & TANNER. - PUBLIC SAFETY & THRU CMTE PUBLIC HEARING SCHEDULED FOR 9/13/04 @ 7:31 PM
436. SERVICE DIRECTOR TAD C. ELLSWORTH, CITY OF CANTON: REQUEST AUTHORIZATION TO APPROVE &/OR ENTER INTO \$8,913 MODIFICATION #1 FOR MARKET AVE N SANITARY SEWER REPLACEMENT GP 1070; REQUEST \$8,913 TRANSFER & SUPPLEMENTAL APPROPRIATION FROM 4538 MARKET AVE N SANITARY SEWER FUND. - ENVIRONMENTAL & PUBLIC UTILITIES AND FINANCE CMTE
437. SERVICE DIRECTOR TAD C. ELLSWORTH, CITY OF CANTON: REQUEST TO POSTPONE O#41 FROM 7/26/04 COUNCIL AGENDA RE: FORD F350 TRUCK PURCHASE FOR WATER DEPARTMENT; & ADVISING NEW POLICY FOR WRITTEN QUOTES FROM AT LEAST 1 VENDOR WITHIN CITY LIMITS IF ONE EXISTS. - RECEIVED & FILED (See O#48, Postponed Matter)
438. SERVICE DIRECTOR TAD C. ELLSWORTH, CITY OF CANTON: REQUEST \$1,481,969.25 SUPPLEMENTAL APPROPRIATION FROM 4538 GP 1070 MARKET AVE N SANITARY SEWER FUND, \$484,879.25 TRANSFER FROM CAPITAL IMPROVEMENT FUND & 697,090 TRANSFER FROM SEWER PLACEMENT FUND FOR CONSTRUCTION COSTS FOR MARKET AVE N SANITARY SEWER & ROADWAY IMPROVEMENT GP 1070. - ENVIRONMENTAL & PUBLIC

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UTILITIES AND FINANCE CMTEs

Suspended Rule 22B to add O#13

439. SERVICE DIRECTOR TAD C. ELLSWORTH, CITY OF CANTON: REQUEST TO ENTER INTO \$131,774 CONTRACT W/GPD ASSOCIATES FOR STEESE AREA DRAINAGE PROJECT, GP 1082; REQUEST \$131,774 TRANSFER FROM 4501 202001 ENGINEER ADMINISTRATION FUND. - ENVIRONMENTAL & PUBLIC UTILITIES AND FINANCE CMTEs
440. SERVICE DIRECTOR TAD C. ELLSWORTH, CITY OF CANTON: REQUEST AUTHORIZATION FOR MAYOR TO SUBMIT APPLICATIONS TO OPWC FOR CURRENT CONTRACTS OF STATE CAPITAL IMPROVEMENT & LOCAL TRANSPORTATION IMPROVEMENT PROGRAMS FOR CAPITAL IMPROVEMENT PROJECTS. - PUBLIC PROPERTY CAPITAL IMPROVEMENT CMTE
441. SLIMAN, SAMUEL J., AGENT FOR PETITIONER: SUBMITTING ANNEXATION PETITION FOR BIGLER ANNEXATION AREA IN PLAIN TOWNSHIP. - ANNEXATION CMTE
442. SLIMAN, SAMUEL J., AGENT FOR PETITIONER: SUBMITTING COPY OF STARK COUNTY'S ANNEXATION PUBLIC HEARING FOR THE BIGLER ANNEXATION AREA SCHEDULED FOR 9/23/04 @ 11 AM IN COUNTY OFFICE BUILDING. - RECEIVED & FILED
443. STARK COUNTY COMMISSIONERS, 110 CENTRAL PLAZA S., CANTON OH 44702: RESOLUTION GRANTING ANNEXATION OF 1.92 ACRES IN PLAIN TOWNSHIP KNOWN AS AUTO ELECTRIC SERVICE COMPANY ANNEXATION AREA. - ANNEXATION CMTE & PLANNING COMMISSION
444. TREASURER ROBERT C. SCHIRACK, CITY OF CANTON: REQUEST FOR EMERGENCY LEGISLATION TO PLACE QUESTION OF CITY CONTINUING TO TAX AN S CORPORATION'S DISTRIBUTIVE SHARE OF NET PROFITS ON NOVEMBER VOTER BALLOT. - JUDICIARY & FINANCE
Suspended Rule 22B to add O#14
445. TREASURER ROBERT C. SCHIRACK, CITY OF CANTON: COMPARATIVE REPORT OF AMBULANCE LOCK BOX FOR JULY 2004. - RECEIVED & FILED
446. TREASURER ROBERT C. SCHIRACK, CITY OF CANTON: COMPARATIVE REPORT OF PARKING METER REVENUE FOR JULY 2004. - RECEIVED & FILED
447. TREASURER ROBERT C. SCHIRACK, CITY OF CANTON: COMPARATIVE REPORT OF INCOME TAX CASH RECEIPTS AS OF 7/31/04. - RECEIVED & FILED

ORDINANCES & FORMAL RESOLUTIONS FOR FIRST READING

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

MINUTES OF THE MEETING OF AUGUST 10, 2004***ORDINANCES #1 THROUGH AND INCLUDING #15 FOR THE FIRST TIME BY TITLE & ANNOUNCED THE COMMITTEE REFERRALS, AS FOLLOWS.***

- #1 (1ST RDG) AN ORDINANCE VACATING PORTIONS OF 13TH STREET NE, GRACE AVENUE NE AND CRYSTAL PLACE NE; APPROVING AND ACCEPTING THE REPLATTING OF LOTS 10951-10970, 32434, 32435, 33407, 33862, 34802, 34803 AND 35586 AND THE VACATED PORTIONS OF 13TH STREET NE, GRACE AVENUE NE AND CRYSTAL PLACE NE; AND DECLARING THE SAME TO BE AN EMERGENCY
Referred to Public Safety & Thoroughfares Committee
- #2 (1ST RDG) AN ORDINANCE AMENDING SECTION 943.03 OF THE CODIFIED ORDINANCES BY THE ADDITION OF SUBSECTION (F) AND ADDING SECTIONS 943.60 AND 947.22 TO CHAPTERS 943 AND 947 RESPECTIVELY OF PART 9, STREETS, UTILITIES AND PUBLIC SERVICES CODE AND AMENDING SECTION 1379.03, ROOFS, GUTTERS AND DOWN SPOUTS, OF THE BUILDING CODE OF THE CITY OF CANTON; AND DECLARING THE SAME TO BE AN EMERGENCY
Referred to Judiciary, Environmental & Public Utilities & Finance Committees
- #3 (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 (Youth Development Summer Food Fund)
Referred to Finance Committee
- #4 (1ST RDG) AN ORDINANCE AMENDING CHAPTER 150, SYSTEMS PLANNING BOARD, OF THE CODIFIED ORDINANCES OF THE CITY OF CANTON
Referred to Judiciary Committee
- #5 (1ST RDG) **ADOPTED AS ORDINANCE NO. 128/2004** AN ORDINANCE AMENDING APPROPRIATION ORDINANCE NO. 1/2004, AS AMENDED, BY MAKING THE TRANSFER AND SUPPLEMENTAL APPROPRIATION HEREIN DESCRIBED; AND DECLARING THE SAME TO BE AN EMERGENCY (Woodland NW Relief Storm Sewer)
Referred to Environmental & Public Utilities & Finance Committees
- #6 (1ST RDG) AN ORDINANCE AUTHORIZING THE DIRECTOR OF PUBLIC SERVICE TO ENTER INTO A PROFESSIONAL SERVICES CONTRACT WITH BURGESS & NIPLE IN AN AMOUNT NOT TO EXCEED \$95,000.00 FOR THE PREPARATION OF A CAPITAL IMPROVEMENT PLAN FOR THE CANTON WATER SUPPLY AND TREATMENT FACILITIES; 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 & Finance Committees

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- #7 (1ST RDG) AN ORDINANCE AUTHORIZING THE AUDITOR TO PAY A MORAL OBLIGATION IN AN AMOUNT NOT TO EXCEED \$72,855.73 TO CENTRAL-ALLIED ENTERPRISES FOR EMERGENCY REPAIR WORK AT 12TH STREET AND MONUMENT ROAD NW; AND DECLARING THE SAME TO BE AN EMERGENCY
Referred to Finance Committee
- #8 (1ST RDG) AN ORDINANCE AMENDING EXHIBIT A TO ORDINANCE NO. 40/2000, AS AMENDED, THE CLASSIFICATION PLAN FOR BARGAINING UNIT PERSONNEL EMPLOYED BY THE CITY OF CANTON; AND DECLARING THE SAME TO BE AN EMERGENCY (re: classification of Battalion Chief)
Referred to Personnel Committee
- #9 (1ST RDG) AN ORDINANCE AMENDING 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; AMENDING EXHIBIT A TO ORDINANCE NO. 164/2001, AS AMENDED; AMENDING CHAPTER 151, EMPLOYMENT PROVISIONS, OF THE CODIFIED ORDINANCES OF THE CITY OF CANTON; AND DECLARING THE SAME TO BE AN EMERGENCY (re: classification of Battalion Chief)
Referred to Personnel & Judiciary Committees
- #10 (1ST RDG) AN ORDINANCE AUTHORIZING THE DIRECTOR OF PUBLIC SERVICE TO ADVERTISE, RECEIVE BIDS AND ENTER INTO CONTRACT FOR THE PURCHASE OF ONE HIGH COMPACTION GARBAGE TRUCK FOR THE SANITATION DEPARTMENT; AND DECLARING THE SAME TO BE AN EMERGENCY
Referred to Public Property Capital Improvement & Finance Committees
- #11 (1ST 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 (Private Water Reimbursement)
Referred to Environmental & Public Utilities & Finance Committees
- #12 (1ST RDG) AN ORDINANCE AMENDING CHAPTER 181, INCOME TAX, OF THE CODIFIED ORDINANCES OF THE CITY OF CANTON; AND DECLARING THE SAME TO BE AN EMERGENCY
Referred to Judiciary Committee
- #13 (1ST RDG) **ADOPTED AS ORDINANCE NO. 129/2004** AN ORDINANCE AMENDING APPROPRIATION ORDINANCE NO. 1/2004, AS AMENDED, BY MAKING THE SUPPLEMENTAL APPROPRIATION AND TRANSFERS HEREIN DESCRIBED; AND DECLARING THE SAME TO BE AN EMERGENCY
Referred to Environmental & Public Utilities & Finance Committees

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#14 (1ST RDG) **ADOPTED AS ORDINANCE NO. 130/2004** AN ORDINANCE AUTHORIZING THE SUBMISSION TO THE CITY ELECTORATE OF THE QUESTION OF WHETHER THE CITY OF CANTON SHALL CONTINUE TO TAX AN S CORPORATION AS ALLOWED BY THE CURRENT MUNICIPAL TAX ORDINANCES AND REGULATIONS; AND DECLARING THE SAME TO BE AN EMERGENCY

Referred to Judiciary & Finance Committees

#15 (1ST RDG) AN ORDINANCE AUTHORIZING THE MAYOR OR DIRECTOR OF PUBLIC SERVICE TO CONVEY CITY-OWNED REAL PROPERTY, NO LONGER NEEDED FOR MUNICIPAL PURPOSES, TO THE CANTON COMMUNITY IMPROVEMENT CORPORATION; AND DECLARING THE SAME TO BE AN EMERGENCY

Referred to Community & Economic Development & Finance Committees

PRESIDENT DENCZAK: At this time the Chair's gonna declare an in-house recess for the committees to meet on Ordinance #5, 13 and 14 on the first readings. You're now in recess.

(COUNCIL RECESSED AT 7:58 PM FOR COMMITTEE MEETINGS ON ORDINANCE #5, 13 AND 14, WHICH WERE RETURNED TO THE AGENDA FOR ADOPTION. THE MEETING WAS RECONVENED BY PRESIDENT DENCZAK AT 8:14 PM)

PRESIDENT DENCZAK: Council is reconvening after recess to hold the three committee hearings.

MEMBER CASAR: Mr. President, I move we suspend Rule 22A and add Ordinance #5, 13 and 14 back on the agenda; seconded.

PRESIDENT DENCZAK: Moved and seconded to suspend Rule 22A to add Ordinances #5, 13 and 14 back to the agenda. Are there any remarks?... If not, roll call vote please.

NO REMARKS

ROLL CALL VOTE: 12 YEAS, 0 NAYS

PRESIDENT DENCZAK: Ordinance #5 is a legal part of your agenda, Member Casar.

#5 **ADOPTED AS ORDINANCE NO. 128/2004** AN ORDINANCE AMENDING APPROPRIATION ORDINANCE NO. 1/2004, AS AMENDED, BY MAKING THE TRANSFER AND SUPPLEMENTAL APPROPRIATION HEREIN DESCRIBED; AND DECLARING THE SAME TO BE AN EMERGENCY (Woodland NW Relief Storm Sewer)

MEMBER CASAR: Mr. President, I move the statutory rules be suspended on Ordinance #5; seconded.

PRESIDENT DENCZAK: There's a move to dispense with the three readings of Ordinance #5. Are there any remarks?... If not, roll call vote please.

NO REMARKS

ROLL CALL VOTE: 12 YEAS, 0 NAYS

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PRESIDENT DENCZAK: You've heard the three readings, Member Casar.

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

PRESIDENT DENCZAK: Moved and seconded that you adopt Ordinance #5. Are there any remarks under this Ordinance?... Very well, roll call vote please.

NO REMARKS

ROLL CALL VOTE: 12 YEAS, 0 NAYS

PRESIDENT DENCZAK: Ordinance #5 is adopted.

#5 ADOPTED AS ORDINANCE NO. 128/2004

PRESIDENT DENCZAK: Ordinance #13, Member Casar.

#13 **ADOPTED AS ORDINANCE NO. 129/2004** AN ORDINANCE AMENDING APPROPRIATION ORDINANCE NO. 1/2004, AS AMENDED, BY MAKING THE SUPPLEMENTAL APPROPRIATION AND TRANSFERS HEREIN DESCRIBED; AND DECLARING THE SAME TO BE AN EMERGENCY (re: Market Avenue N Sanitary Sewer Prj)

MEMBER CASAR: Mr. President, I move we suspend the statutory rules on Ordinance #13; seconded.

PRESIDENT DENCZAK: There's a move to dispense with the three readings of Ordinance #13. Are there any remarks?... If not, roll call vote please.

NO REMARKS

ROLL CALL VOTE: 12 YEAS, 0 NAYS

PRESIDENT DENCZAK: You've heard the three readings, Member Casar.

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 VOTE: 12 YEAS, 0 NAYS

PRESIDENT DENCZAK: Ordinance #13 is adopted.

#13 ADOPTED AS ORDINANCE NO. 129/2004

PRESIDENT DENCZAK: #14, Member Casar.

#14 **ADOPTED AS ORDINANCE NO. 130/2004** AN ORDINANCE AUTHORIZING THE SUBMISSION TO THE CITY ELECTORATE OF THE QUESTION OF WHETHER THE CITY OF CANTON SHALL CONTINUE TO TAX AN S CORPORATION AS ALLOWED BY THE CURRENT MUNICIPAL TAX ORDINANCES AND REGULATIONS; AND DECLARING THE SAME TO BE AN EMERGENCY

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MEMBER CASAR: Mr. President, I move we suspend the statutory rules on Ordinance #14; seconded.

PRESIDENT DENCZAK: There's a move to dispense with the three readings of Ordinance #14. Are there any remarks?... If not, roll call vote please.

NO REMARKS

ROLL CALL VOTE: 12 YEAS, 0 NAYS

PRESIDENT DENCZAK: You've heard the three readings, Member Casar.

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 VOTE: 12 YEAS, 0 NAYS

PRESIDENT DENCZAK: Ordinance #14 is adopted.

#14 ADOPTED AS ORDINANCE NO. 130/2004

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 #16 THROUGH AND INCLUDING #34 FOR THE SECOND TIME BY TITLE, AS FOLLOWS. ORDINANCE #17 AND #32 WERE ADOPTED FOLLOWING THEIR SECOND READING. ORDINANCE #25 AND #30 WERE RETAINED IN COMMITTEE.

RULE 22A WAS SUSPENDED TO ADD #16 THROUGH #34:

#16 (2ND RDG) AN ORDINANCE ESTABLISHING THE FAIR MARKET VALUE OF REAL PROPERTY IN CONJUNCTION WITH THE FEDERAL CAMPUS PROJECT; AUTHORIZING THE MAYOR OR CHIEF OF STAFF TO NEGOTIATE AND PURCHASE SAID PARCELS AT THE ESTABLISHED FAIR MARKET VALUE; AND DECLARING THE SAME TO BE AN EMERGENCY

#17 (2ND RDG) **ADOPTED AS ORDINANCE NO. 131/2004** AN ORDINANCE AUTHORIZING THE MAYOR TO SUBMIT THE 2005 RECYCLE OHIO GRANT APPLICATION TO THE OHIO DEPARTMENT OF NATURAL RESOURCES AND TO ACCEPT AND EXECUTE THE GRANT; AUTHORIZING A VARIABLE CASH MATCH FROM COMMUNITY DEVELOPMENT FUNDS; AUTHORIZING THE MAYOR TO ENTER INTO CONTRACT WITH THE GREATER CANTON CHAMBER OF COMMERCE; AND DECLARING THE SAME TO BE AN EMERGENCY

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MEMBER CASAR: Mr. President, I move we suspend the statutory rules on Ordinance #17; seconded.

PRESIDENT DENCZAK: There's a move to dispense with the three readings of Ordinance #17. Are there any remarks?... If not, roll call vote please.

NO REMARKS

ROLL CALL VOTE: 12 YEAS, 0 NAYS

PRESIDENT DENCZAK: You've heard the three readings, Member Casar.

MEMBER CASAR: Mr. President, I move 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: 12 YEAS, 0 NAYS

PRESIDENT DENCZAK: Ordinance #17 is adopted.

#17 ADOPTED AS ORDINANCE NO. 131/2004

#18 (2ND RDG) AN ORDINANCE AUTHORIZING THE MAYOR OR DIRECTOR OF PUBLIC SERVICE TO ENTER INTO CONTRACT WITH ICAN, INC. TO PROVIDE A GRANT IN AN AMOUNT NOT TO EXCEED \$25,000 TO BUILD A BUS GARAGE; AND DECLARING THE SAME TO BE AN EMERGENCY

#19 (2ND RDG) AN ORDINANCE AUTHORIZING THE MAYOR OR DIRECTOR OF PUBLIC SERVICE TO ENTER INTO CONTRACT WITH THE CANTON COMMUNITY CLINIC INC. TO PROVIDE A GRANT IN AN AMOUNT NOT TO EXCEED \$251,000 FOR OPERATIONAL EXPENSES; AND DECLARING THE SAME TO BE AN EMERGENCY

#20 (2ND RDG) AN ORDINANCE AMENDING SECTIONS 515.02 AND 515.03 OF THE FAIR HOUSING CODE OF THE CODIFIED ORDINANCES OF THE CITY OF CANTON; AND DECLARING THE SAME TO BE AN EMERGENCY

#21 (2ND RDG) AN ORDINANCE AUTHORIZING THE MAYOR OR DIRECTOR OF PUBLIC SERVICE TO ENTER INTO A PROFESSIONAL SERVICE CONTRACT WITH HULL & ASSOCIATES INC. IN AN AMOUNT NOT TO EXCEED \$52,615.00 FOR PROJECT DEVELOPMENT AND CONSTRUCTION MANAGEMENT SERVICES FOR THE ONESTO HOTEL PROJECT; TO ADVERTISE, RECEIVE BIDS AND ENTER INTO CONTRACT FOR THE REMOVAL OF ASBESTOS, AMENDING APPROPRIATION O.1/2004 AS AMENDED BY MAKING THE SUPPLEMENTAL APPROPRIATIONS AND INTERFUND TRANSFERS HEREIN DESCRIBED; AND DECLARING THE SAME TO BE AN EMERGENCY

#22 (2ND RDG) AN ORDINANCE AUTHORIZING MAYOR AND/OR DIRECTOR OF PUBLIC SERVICE

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TO ENTER INTO AN INTERIM AGREEMENT WITH THE U. S. DEPARTMENT OF HOUSING & URBAN DEVELOPMENT TO PARTICIPATE IN THE FAIR HOUSING ASSISTANCE PROGRAM; ESTABLISHING THE 2215 FAIR HOUSING ASSISTANCE PROGRAM FUND; AMENDING APPROPRIATION O.1/2004 AS AMENDED; AND DECLARING THE SAME TO BE AN EMERGENCY

- #23 (2ND RDG) AN ORDINANCE AUTHORIZING THE MAYOR OR DIRECTOR OF PUBLIC SERVICE TO ENTER INTO A LOAN AGREEMENT WITH STARK COUNTY FOUNDATION, SUBSIDIARIES, ASSIGNEES OR DESIGNEES IN AN AMOUNT NOT TO EXCEED \$900,000 FOR PROFESSIONAL SERVICES AND REMOVAL OF ASBESTOS IN THE ONESTO HOTEL; AND DECLARING THE SAME TO BE AN EMERGENCY
- #24 (2ND RDG) AN ORDINANCE AMENDING CHAPTER 971 CANTON MEMORIAL CIVIC CENTER OF THE CODIFIED ORDINANCES OF THE CITY OF CANTON; AND DECLARING THE SAME TO BE AN EMERGENCY
- #25 **RETAINED IN COMMITTEE** AN ORDINANCE AUTHORIZING THE DIRECTOR OF PUBLIC SAFETY TO ENTER INTO A THREE YEAR PROFESSIONAL SERVICES CONTRACT WITH OHIO BILLING INC. FOR THE BILLING AND COLLECTION OF USER FEES FOR EMERGENCY AMBULANCE SERVICES; AND DECLARING THE SAME TO BE AN EMERGENCY
- #26 (2ND RDG) AN ORDINANCE AUTHORIZING THE MAYOR TO MAKE APPLICATION FOR A LOCAL LAW ENFORCEMENT BLOCK GRANT TO THE U. S. DEPARTMENT OF JUSTICE TO ENTER INTO AGREEMENT TO ACCEPT AND ADMINISTER THE GRANT AND TO EXECUTE A LETTER OF UNDERSTANDING WITH STARK COUNTY, OHIO CONCERNING REALLOCATION OF PROCEEDS OF THE GRANT; AND DECLARING THE SAME TO BE AN EMERGENCY
- #27 (2ND RDG) AN ORDINANCE AUTHORIZING THE DIRECTOR OF PUBLIC SAFETY TO ENTER INTO A SERVICE AGREEMENT WITH MOTOROLA INC. FOR THE MAINTENANCE OF THE CITY'S RADIO COMMUNICATION SYSTEM; AND DECLARING THE SAME TO BE AN EMERGENCY
- #28 (2ND RDG) AN ORDINANCE ADOPTING THE CITY OF CANTON'S PROPOSED TAX BUDGET FOR THE FISCAL YEAR ENDING 12/31/05; AND DECLARING THE SAME TO BE AN EMERGENCY
- #29 (2ND RDG) AN ORDINANCE AUTHORIZING THE DIRECTOR OF PUBLIC SERVICE TO ADVERTISE, RECEIVE BIDS AND ENTER INTO CONTRACT FOR THE PURCHASE OF VARIOUS TABLES AND STORAGE CARTS FOR THE CIVIC CENTER; AUTHORIZING THE DIRECTOR OF PUBLIC SERVICE TO ALTERNATIVELY PURCHASE TABLES AND STORAGE CARTS PURSUANT TO THE STATE COOPERATIVE PURCHASING AGREEMENT; AND DECLARING THE SAME TO BE AN EMERGENCY

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#30 **RETAINED IN COMMITTEE** AN ORDINANCE AUTHORIZING THE DIRECTOR OF PUBLIC SERVICE TO ADVERTISE, RECEIVE BIDS AND ENTER INTO CONTRACT FOR THE INSTALLATION OF BACKWATER VALVES; AMENDING APPROPRIATION O.1/2004 AS AMENDED; AND DECLARING THE SAME TO BE AN EMERGENCY

#31 (2ND RDG) AN ORDINANCE AUTHORIZING A CONTRACT AMENDMENT BETWEEN THE CITY OF CANTON AND LOCAL 2937 AND OHIO COUNCIL 8 AFSCME; AND DECLARING THE SAME TO BE AN EMERGENCY

#32 (2ND RDG) **ADOPTED AS ORDINANCE NO. 132/2004** AN ORDINANCE AMENDING EXHIBIT A TO O.48/2004; AND DECLARING THE SAME TO BE AN EMERGENCY

MEMBER CASAR: Mr. President, I move the statutory rules be suspended on Ordinance #32; seconded.

PRESIDENT DENCZAK: There's a move to dispense with the three readings of Ordinance #32. Are there any remarks?... If not, roll call vote please.

NO REMARKS

ROLL CALL VOTE: 12 YEAS, 0 NAYS

PRESIDENT DENCZAK: You've heard the three readings, Member Casar.

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

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

MEMBER CASAR: Mr. President, I move we amend Ordinance #32 per copy that every Councilmember has in front of them; seconded.

AMENDMENT: Pursuant to Rule 36, I hereby move to amend Section 1 of Agenda Ordinance No. 32 by the substitution of the adjusted monetary amounts of **\$2,558.75 and \$5,441.25** for the current amounts of \$2,500.00 and \$4,689.00 respectively.

PRESIDENT DENCZAK: Moved and seconded to amend Ordinance #32 per copy placed before each of you. Are there any remarks under the amendment?... The question you're voting on now is this amendment. By voice vote, all those in favor signify by saying aye. Those opposed no.

NO REMARKS

AMENDMENT ADOPTED BY UNANIMOUS VOICE VOTE

PRESIDENT DENCZAK: Ordinance #32 is amended. Are there remarks under this ordinance as amended?... Very well, roll call vote, please.

NO REMARKS

ROLL CALL VOTE: 12 YEAS, 0 NAYS

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PRESIDENT DENCZAK: Ordinance #32 is adopted as amended.

#32 ADOPTED AS ORDINANCE NO. 132/2004

#33 (2ND RDG) AN ORDINANCE AMENDING APPROPRIATION O.1/2004 AS AMENDED BY MAKING THE SUPPLEMENTAL HEREIN DESCRIBED; AND DECLARING THE SAME TO BE AN EMERGENCY (Lift stations replacement project)

#34 (2ND RDG) AMENDING TITLE NINE, TAXATION, OF THE CODIFIED ORDINANCES OF THE CITY OF CANTON BY THE ENACTMENT AND ADDITION OF CHAPTER 185, TRANSIENT LODGING TAX

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 #35 THROUGH AND INCLUDING #47 FOR THE THIRD & FINAL TIME BY TITLE, AS FOLLOWS.

#35 (3RD RDG) **ADOPTED AS ORDINANCE NO. 133/2004** AN ORDINANCE AMENDING APPROPRIATION ORDINANCE NO. 1/2004, AS AMENDED, BY MAKING THE SUPPLEMENTAL APPROPRIATIONS HEREIN DESCRIBED; AND DECLARING THE SAME TO BE AN EMERGENCY (Health Dept, STD Control Fund)

MEMBER CASAR: Mr. President, I move we adopt Ordinance #35; seconded.

PRESIDENT DENCZAK: Moved and seconded that you adopt Ordinance #35. Are there any remarks under this Ordinance?... Very well, roll call vote please.

NO REMARKS

ROLL CALL VOTE: 12 YEAS, 0 NAYS

PRESIDENT DENCZAK: Ordinance #35 is adopted.

#35 ADOPTED AS ORDINANCE NO. 133/2004

#36 (3RD RDG) **ADOPTED AS ORDINANCE NO. 134/2004** AN ORDINANCE AMENDING SECTION 123.05, TRAVEL EXPENSES GENERALLY, OF THE CODIFIED ORDINANCES OF THE CITY OF CANTON

MEMBER CASAR: Mr. President, I move that we adopt Ordinance #36; seconded.

PRESIDENT DENCZAK: Moved and seconded that you adopt Ordinance #36. Are there any remarks under this Ordinance?... Very well, roll call vote please.

NO REMARKS

ROLL CALL VOTE: 12 YEAS, 0 NAYS

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PRESIDENT DENCZAK: Ordinance #36 is adopted.

#36 ADOPTED AS ORDINANCE NO. 134/2004

#37 (3RD RDG) **ADOPTED AS ORDINANCE NO. 135/2004** AN ORDINANCE DECLARING AND DESIGNATING AN AREA LOCATED IN DOWNTOWN CANTON AS AN URBAN RENEWAL AND REDEVELOPMENT AREA; AND DECLARING THE SAME TO BE AN EMERGENCY (Federal Campus)

MEMBER CASAR: Mr. President, I move that we adopt Ordinance #37; seconded.

PRESIDENT DENCZAK: Moved and seconded that you adopt Ordinance #37. Are there any remarks under this Ordinance?...

CHIEF OF STAFF CONCATTO: Mr. President. Councilmembers, I had last week, two weeks ago, when we had committee meeting, I showed a map that was incorrect. Your ordinance is correct. The map I gave everybody this evening is the correct map to use if you want to see the urban renewal on a map. The one that we had was -- we had two extra blocks that we took off the original.

PRESIDENT DENCZAK: Any other remarks?... Very well, roll call vote please.

NO REMARKS

ROLL CALL VOTE: 12 YEAS, 0 NAYS

PRESIDENT DENCZAK: Ordinance #37 is adopted.

#37 ADOPTED AS ORDINANCE NO. 135/2004

#38 (3RD RDG) **ADOPTED AS ORDINANCE NO. 136/2004** AN ORDINANCE APPROVING AND ADOPTING AN URBAN RENEWAL PLAN FOR AN URBAN RENEWAL AND REDEVELOPMENT AREA LOCATED IN DOWNTOWN CANTON; AND DECLARING THE SAME TO BE AN EMERGENCY (Federal Campus)

MEMBER CASAR: Mr. President, I move that we adopt Ordinance #38; seconded.

PRESIDENT DENCZAK: Moved and seconded that you adopt Ordinance #38. Are there any remarks under this Ordinance?... Very well, roll call vote please.

NO REMARKS

ROLL CALL VOTE: 12 YEAS, 0 NAYS

PRESIDENT DENCZAK: Ordinance #38 is adopted.

#38 ADOPTED AS ORDINANCE NO. 136/2004

#39 (3RD RDG) **ADOPTED AS ORDINANCE NO. 137/2004** AN ORDINANCE VACATING A PORTION OF A 10' UNNAMED ALLEY NORTH OF 14TH STREET SE; AND DECLARING THE SAME TO BE AN EMERGENCY

MEMBER CASAR: Mr. President, I move that we adopt Ordinance #39; seconded.

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PRESIDENT DENCZAK: Moved and seconded that you adopt Ordinance #39. Are there any remarks under this Ordinance?...

CHIEF OF STAFF CONCATTO: Mr. President, just to clarify your questions earlier. It is an unnamed alley that runs north of 14th Street between Warner Road and Albert Avenue. The alley does continue on past the vacated area that they're asking for this evening with access to that alley. Mr. Mollett does own all the properties surrounding that alley, therefore the entire alley would go to him if passed by Council, and we recommended, as the Planning Commission recommends, for approval. Just one other note, we do not wait until the grass grows three feet. However, we do have a lot of vacant lots that we do have to cut and sometimes it gets to three feet before we can get back to them, but there's no protocol or no procedure that says you wait till it gets to three feet. But there are many, many vacant lots that owners refuse to cut, they don't want to cut, they leave it up to the City, and so it takes us a long time to get back to some of these.

PRESIDENT DENCZAK: Any other remarks?... The question you're voting on now is the vacating, Ordinance #39. Roll call vote please.

NO REMARKS

ROLL CALL VOTE: 12 YEAS, 0 NAYS

PRESIDENT DENCZAK: Ordinance #39 is adopted.

#39 ADOPTED AS ORDINANCE NO. 137/2004

#40 (3RD RDG) **ADOPTED AS ORDINANCE NO. 138/2004** AN ORDINANCE AUTHORIZING THE DIRECTOR OF PUBLIC SAFETY TO ACCEPT DONATIONS FOR SMOKE DETECTORS; 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 that we adopt Ordinance #40; seconded.

PRESIDENT DENCZAK: Moved and seconded that you adopt Ordinance #40. Are there any remarks under this Ordinance?... Very well, roll call vote please.

NO REMARKS

ROLL CALL VOTE: 12 YEAS, 0 NAYS

PRESIDENT DENCZAK: Ordinance #40 is adopted.

#40 ADOPTED AS ORDINANCE NO. 138/2004

#41 (3RD RDG) **ADOPTED AS ORDINANCE NO. 139/2004** AN ORDINANCE AUTHORIZING THE DIRECTOR OF PUBLIC SAFETY TO ENTER INTO CONTRACT WITH TRAFFIC SYSTEMS, LLC FOR THE PURCHASE OF SONEM PHASE SELECTORS; AND DECLARING THE SAME TO BE AN EMERGENCY

MEMBER CASAR: Mr. President, I move that we adopt Ordinance #41; seconded.

PRESIDENT DENCZAK: Moved and seconded that you adopt Ordinance #41. Are there any remarks under this

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Ordinance?... Very well, roll call vote please.

NO REMARKS

ROLL CALL VOTE: 12 YEAS, 0 NAYS

PRESIDENT DENCZAK: Ordinance #41 is adopted.

#41 ADOPTED AS ORDINANCE NO. 139/2004

#42 (3RD RDG) **ADOPTED AS ORDINANCE NO. 140/2004** AN ORDINANCE AUTHORIZING THE DIRECTOR OF PUBLIC SERVICE TO ENTER INTO A MAINTENANCE AGREEMENT WITH CTR SYSTEMS, INC. FOR THE KRONOS TIME KEEPER SYSTEM; AND DECLARING THE SAME TO BE AN EMERGENCY

MEMBER CASAR: Mr. President, I move that we adopt Ordinance #42; seconded.

PRESIDENT DENCZAK: Moved and seconded that you adopt Ordinance #42. Are there any remarks under this Ordinance?... Very well, roll call vote please.

NO REMARKS

ROLL CALL VOTE: 12 YEAS, 0 NAYS

PRESIDENT DENCZAK: Ordinance #42 is adopted.

#42 ADOPTED AS ORDINANCE NO. 140/2004

#43 (3RD RDG) **ADOPTED AS ORDINANCE NO. 141/2004** AN ORDINANCE APPROVING A CANTON CITY WATER MAIN EXTENSION TO PLAIN TOWNSHIP; AUTHORIZING THE DIRECTOR OF PUBLIC SERVICE TO ENTER INTO CONTRACT FOR THE EXTENSION OF THE WATER MAIN; AND DECLARING THE SAME TO BE AN EMERGENCY

MEMBER CASAR: Mr. President, I move that we adopt Ordinance #43; seconded.

PRESIDENT DENCZAK: Moved and seconded that you adopt Ordinance #43. Are there any remarks under this Ordinance?...

MEMBER CASAR: Mr. President, ask the Service Director a question, please.

PRESIDENT DENCZAK: You may.

MEMBER CASAR: Service Director, I know this question isn't germane to this extension, but I would like for the record if you could, before next council meeting, give me a breakdown on the Hartville extension because we have quite a sum of money extended up there-- expended up there I should say, and I don't know if we'll be getting the return of the taxpayer's money, and I think we have to do something to speed that up so we can get more returns. So if you would do that, I'd appreciate it.

SERVICE DIRECTOR ELLSWORTH: Mr. President, I will certainly do that. I'm just as interested as you are in seeing us get our bang for our buck for what we did up in Hartville.

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PRESIDENT DENCZAK: Member Casar, those remarks were not germane to the ordinance. I left you speak because you're the majority leader, but rap him one, will you, Joe. (LAUGHTER) Any other remarks?... If not, roll call vote please.

NO REMARKS

ROLL CALL VOTE: 12 YEAS, 0 NAYS

PRESIDENT DENCZAK: Ordinance #43 is adopted.

MEMBER CASAR: Mr. President... (LAUGHTER) Mr. President, you had me all shook up by allowing me to speak. Is there any way I can change my vote on that?

PRESIDENT DENCZAK: No.

MEMBER CASAR: That's what I wanted to say, no. Thank you.

PRESIDENT DENCZAK: Well, for \$25.00 bucks I might let you change your vote.

MEMBER CASAR: It really doesn't matter how I vote, but it's just a matter of protocol that I always do that. If you could allow that, I'd appreciate it.

PRESIDENT DENCZAK: To be consistent, yes. We all recognize that, Member Casar.

MEMBER CASAR: That's the first time in 22 years you almost got me.

CLERK VANCKUNAS: Mr. President, that would be 11 yeas, one nay.

NO REMARKS

ROLL CALL VOTE: 11 YEAS, 1 NAY
(MEMBER CASAR VOTED NO)

PRESIDENT DENCZAK: I thought maybe you were getting kinder. Ordinance #43 is adopted.

#43 ADOPTED AS ORDINANCE NO. 141/2004

#44 (3RD RDG) **ADOPTED AS ORDINANCE NO. 142/2004** AN ORDINANCE AUTHORIZING THE MAYOR TO ACCEPT A GRANT FROM THE OHIO EMERGENCY MANAGEMENT AGENCY; AUTHORIZING THE AUDITOR TO ESTABLISH THE 5223 WATER CRITICAL INFRASTRUCTURE PROTECTION FUND; AUTHORIZING THE DIRECTOR OF PUBLIC SERVICE TO ENTER INTO CONTRACT WITH SIMPLEX GRINNELL LP FOR SECURITY EQUIPMENT PURSUANT TO OHIO REVISED CODE SECTION 125.04; AMENDING APPROPRIATION ORDINANCE NO. 1/2004; AUTHORIZING THE DIRECTOR OF PUBLIC SERVICE TO ADVERTISE, RECEIVE BIDS AND ENTER INTO CONTRACT FOR THE PURCHASE OF FENCING AND GATES; AND DECLARING THE SAME TO BE AN EMERGENCY

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MEMBER CASAR: Mr. President, I move that we adopt Ordinance #44; seconded.

PRESIDENT DENCZAK: Moved and seconded that you adopt Ordinance #44. Are there any remarks under this Ordinance?... Very well, roll call vote please.

NO REMARKS

ROLL CALL VOTE: 12 YEAS, 0 NAYS

PRESIDENT DENCZAK: Ordinance #44 is adopted.

#44 ADOPTED AS ORDINANCE NO. 142/2004

#45 (3RD RDG) **ADOPTED AS ORDINANCE NO. 143/2004** AN ORDINANCE AUTHORIZING THE AUDITOR TO PAY A MORAL OBLIGATION IN AN AMOUNT NOT TO EXCEED \$19,488.00 TO HANNON ELECTRIC COMPANY; AND DECLARING THE SAME TO BE AN EMERGENCY

MEMBER CASAR: Mr. President, I move that we adopt Ordinance #45; seconded.

PRESIDENT DENCZAK: Moved and seconded that you adopt Ordinance #45. Are there any remarks under this Ordinance?... Very well, roll call vote please.

NO REMARKS

ROLL CALL VOTE: 12 YEAS, 0 NAYS

PRESIDENT DENCZAK: Ordinance #45 is adopted.

#45 ADOPTED AS ORDINANCE NO. 143/2004

#46 (3RD RDG) **ADOPTED AS ORDINANCE NO. 144/2004** AN ORDINANCE AMENDING ORDINANCE NO. 174/95, AUTHORIZING THE AUDITOR TO ESTABLISH AND/OR MAINTAIN PETTY CASH AND/OR CHANGE DRAWER FUNDS FOR THE WATER POLLUTION CONTROL CENTER; AND DECLARING THE SAME TO BE AN EMERGENCY

MEMBER CASAR: Mr. President, I move that we adopt Ordinance #46; seconded.

PRESIDENT DENCZAK: Moved and seconded that you adopt Ordinance #46. Are there any remarks under this Ordinance?... Very well, roll call vote please.

NO REMARKS

ROLL CALL VOTE: 12 YEAS, 0 NAYS

PRESIDENT DENCZAK: Ordinance #46 is adopted.

#46 ADOPTED AS ORDINANCE NO. 144/2004

#47 (3RD RDG) **ADOPTED AS ORDINANCE NO. 145/2004** A RESOLUTION APPROVING THE STATEMENT OF SERVICES TO BE PROVIDED TO THE PROPERTY OWNER IN THE GROFFRE/RICHMOND ANNEXATION AREA UPON ITS BEING ANNEXED TO THE CITY OF CANTON, OHIO; AND DECLARING THE SAME TO BE AN EMERGENCY

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MEMBER CASAR: Mr. President, I move that we adopt Ordinance #47; seconded.

PRESIDENT DENCZAK: Moved and seconded that you adopt Ordinance #47. Are there any remarks?... Roll call vote please.

NO REMARKS

ROLL CALL VOTE: 12 YEAS, 0 NAYS

PRESIDENT DENCZAK: Ordinance #47 is adopted.

#47 ADOPTED AS ORDINANCE NO. 145/2004

POSTPONED MATTER FROM 7/26/04

PRESIDENT DENCZAK: Formal Resolutions and Ordinances postponed. Ordinance #48.

#48 **ADOPTED AS ORDINANCE NO. 146/2004** AN ORDINANCE AUTHORIZING THE DIRECTOR OF PUBLIC SERVICE TO ENTER INTO CONTRACT WITH VALLEY FORD IN THE AMOUNT OF \$21,646.22 FOR THE PURCHASE OF A FORD F350 CHASSIS AND CAB PURSUANT TO O.R.C. SECTION 125.04; AUTHORIZING THE DIRECTOR OF PUBLIC SERVICE TO ADVERTISE, RECEIVE BIDS AND ENTER INTO A LEASE FOR TWO TEN TON HEAVY DUTY DUMP TRUCKS FOR THE WATER DEPARTMENT; AND DECLARING THE SAME TO BE AN EMERGENCY.

MEMBER CASAR: Mr. President, I move we adopt Ordinance #48; seconded

PRESIDENT DENCZAK: Moved and seconded that you adopt Ordinance #48. Are there any remarks under this ordinance?...

MEMBER CASAR: Mr. President, the Service Director has sent a letter to Council asking that it be postponed to August 23rd. However, after he sent this letter, he got a formal quote from a local Ford dealership in the City of Canton and it was higher than the one proposed to buy from Valley Ford. However, the Service Director two weeks ago stated that we did ask for a quote from the local car dealership, and indeed they did call on a verbal quote, but it was just only to see if we could do it for \$15,000 or under. That way they wouldn't have to bid it at that time. Downtown Ford said they could not. They were not asked to formally bid this vehicle, but the formal bid that they did receive that I have in front of me, it is a 2005 versus the one that we did bid for \$21,000 which is a 2004, and there were more incentives on the 2004 than there are on the 2005, and also that is why it is about \$3,000, \$4,000 more. But this being said, I want to compliment the Service Director because now from this point on, he said he's gonna go out for a written quote from at least one dealership or manufacturer, and/or distributor, whatever the product may be, within the City of Canton. So I think that is a step in the right direction to try to get our business in the City of Canton. So for that reason, I'm gonna move that we adopt this ordinance this evening; seconded.

PRESIDENT DENCZAK: Moved and seconded that you adopt Ordinance #48. Are there any remarks?...

SERVICEDIRECTORELLSWORTH: Mr. President, I would like to take this opportunity to thank members of Council for pointing out something that I was not aware of. The previous system for doing these bids, when you look at the State contract, was to call. Now, according to the Water Department, they did call and ask for a bid, you know, so

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somebody's mistaken. But in any case, when I discovered we weren't receiving written quotes for these state contract purchases, I immediately did send out this letter asking, actually requiring, all city departments, when you look to purchase vehicles from the state contract, to get a written quote from at least one local vendor in the City of Canton if one such exists. So, I would like to thank members of Council for pointing that out to me because I was not aware that that practice of just calling for the quotes was going on, and we will get written quotes from now on, and I thank you for that.

PRESIDENT DENCZAK: Any other remarks?... If not, roll call vote please.

NO REMARKS

ROLL CALL: 11 YEAS, 1 NAY
(MEMBER MALLONN VOTED NO)

PRESIDENT DENCZAK: Ordinance #48 is adopted. **#48 ADOPTED AS ORDINANCE NO. 146/2004**

ANNOUNCEMENT OF COMMITTEE MEETINGS

PRESIDENT DENCZAK: Announcement of Committee Meetings please.

MEMBER BABCOCK: Mr. President, Public Safety & Thoroughfares will meet at 5:30 on the 23rd of August.

MEMBER MALLONN: Mr. President, Environmental & Public Utilities will meet Monday, August 23rd at 5:45.

MEMBER ZACHARY: Mr. President, Personnel will meet Monday, August 23rd at 6:00.

MEMBER DOUGHERTY: Mr. President, Public Property Capital Improvement will meet at 6:00 the 23rd.

MEMBER CARBENIA: Mr. President, Community & Economic Development will meet 6:00 on Monday, that same date.

MEMBER BERNABEI: Mr. President, Judiciary will meet at 5:30 PM on Monday, August 23rd.

MEMBER HAWK: Mr. President, Finance will meet at 5:30 also Monday. Thank you. Mr. President, we had called a meeting of the Finance Committee for tomorrow at 9:30 in the Caucus Room. We will not be able -- we feel that we may be in violation of the Sunshine Law in calling that meeting. We feel we might not have had the appropriate announcements so we're gonna cancel that meeting and we'll call it at a later date. I will talk with Mr. Ellsworth in regards to the -- we were going to review the state of the income tax collections, and I guess at tonight's meeting we talked about it briefly in front of everyone and found out that we are up, so we're in better shape than we thought and hurray for us.

CHIEF OF STAFF CONCATTO: Mr. President, I'm asking if I can meet with Council committees at 5:15 to give them an update on the Federal project, Federal Campus Project. It was #16 on the agenda. I explained it a little bit in committee meeting, but I have more detailed information that I would like to give to Council, and if I could do that at 5:15, I'd appreciate it.

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PRESIDENT DENCZAK: On the 23rd?

CHIEF OF STAFF CONCATTO: Yes, sir.

PUBLIC SPEAKS (OPEN FORUM--CITY BUSINESS ONLY)

PRESIDENT DENCZAK: We're now under Public Speaks, Open Forum, City business only. We have three people signed up to speak. Harold Howard.

MR. HOWARD: Good evening. My name is Harold Howard, II. I live at 1603 Navarre Road SW, and our neighborhood has a problem with trucks loading, or being loaded and unloaded in the middle of Navarre, in the middle of Clinton Avenue beside my house, middle of Bank Place behind our house. They're unloading freight trucks, loading their own trucks, and loading customer trucks with building supplies, and it's been going on for almost three months since they loaded up their own lot, don't have no room to pull their trucks into their lot. The location of this, if anybody's familiar with Danner Press, it's Danner Press's old Plant 2. It sits on Bank Place. Supposedly, the building's being leased to them by Putnam Properties, and is still owned by the person who owned Danner Press. We bent over backwards to help Danner Press when they was thriving in our community. I think it's time we asked him to bend and open up where he's got that fenced off for the parking lot for Danner Press to make it accessible for the company he's leasing to to load and unload trucks and for their customers to have a place to park.

CHIEF OF STAFF CONCATTO: Mr. President, the Safety Director is not here, but we have discussed this issue. He has had police out there to ticket those trucks. What it is is there is a -- due to the roofing issues that we know that exist in Canton through the hail storm and a lot of roofs going on, a major supplier of those roofs is right there. The material comes in for them to distribute it there. They've been told to get the trucks off the street. They've been told to ask Mr. Putnam who I believe now owns the Danner Press buildings that they can move over into the other section over there and pull their trucks in over there and unload them and get them off the streets. I will follow up with the Safety Director in the morning. He's well aware of it. He has talked to the owner of this distributing company, and we'll continue to pursue that. I understand your problems, and we will pursue that issue.

MR. HOWARD: I have one other matter. They're driving over our sidewalks and sinking them into the ground. Is there anyway possible we could have cement posts put up at the corner of Navarre and Clinton?

CHIEF OF STAFF CONCATTO: Right after we make them fix the sidewalks. We will do that. I mean if they're driving over the sidewalks, that's illegal, and I will also give that to the Safety Director tomorrow morning. He is aware -- I'm not sure he's aware of the sidewalk issue, but I know that your complaints are valid about the trucks and it will probably continue for awhile 'cause there's still allot of roofers out there doing roof. It's not an excuse for them to use our streets where there's no parking or where they can't park those vehicles. We'll try to mitigate that.

MR. HOWARD: Thank you.

PRESIDENT DENCZAK: The next speaker is Felix Mollett. You don't want to speak now that your issue has been passed?.... Okay. Next speaker is Daryl Austin.

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MR. AUSTIN: Mr. President, key officers, Members of Council, the Mayor of the City, my neighborhood friends...

PRESIDENT DENCZAK: State your name and address, please.

MR. AUSTIN: My name is Daryl Austin. My address is 1427 Sycamore Avenue SE, Canton, Ohio, and I have a number of issues, Mr. President, that I have discussed inadvertently with my council lady, Kelly Zachary. And, we have a sexual predator who has moved within 1000 feet of our elementary school, Lathrop School. The next issue that I have is also we have repeated drug offenders who come back home to live in the neighborhood who have held us hostage just about with pit bulls, not only pit bulls, but with their habits of continued drug use. The third issue that I have is about the traffic which is surrounding our area at late night coming from different areas of the city to procure drugs for one reason or the other. The fourth issue that I have is the need for a periodic check from our city to come down in the late evening or late night hours and check on those areas between Cherry Avenue and Market Avenue. The fifth issue that I have is we have a dumping site which was periodically placed there for no reason at all, and the community was not informed about it, and I was called as the community coordinator for that community, and which is at the base of Skyline Terrace in that area along the Nimisilla Creek line, and witnessed myself a truck driver from HMW Construction Company outside his truck early morning at 8:30 AM urinating, and that was on the 27th of July, 2004. We also have Joseph Jeffries Company who's traveling in and out and throughout our community dumping at this site. We have a number of tires, as well as a number of mounds of dirt which is left there by the Habitat for Humanity. And the sixth issue that I have is left with us from the previous administration in our community by a company called JMW who wants to use that dump site for solid waste landfill. I myself personally have gone throughout the community as the community coordinator, and I have gotten and had a petition signed which I left copies of in the Mayor's Office and as well with the Council lady, Kelly Zachary, and there was a formal meeting held at the Civic Center with regards to this issue with JMW acquiring a permit for that site. The community is up in arms about them wanting to use it for a solid waste landfill. Not only that, the dirt and the filth from the trucks coming through the community that it's leaving on those property owner's homes and their sidings. Last and not least, the Lathrop School District. The Lathrop School has been renovated, yes, on the inside. Those children were transported over to the old Allen School, but in comparison, if I were a child and I had to come back to the same school, yes the inside has been done, and look at the outside, what's sunken sidewalks on the outside of the school, and to be a handicapped child. If there should happen to be an emergency arise in the Lathrop School, I'm just wondering if those handicapped children would be able...

PRESIDENT DENCZAK: Sir...

MR. AUSTIN: ... to escape.

PRESIDENT DENCZAK: I'm sorry, but...

MR. AUSTIN: Thank you.

PRESIDENT DENCZAK: Under Council rules, you have three minutes. Your three minutes are up.

MR. AUSTIN: Thank you.

PRESIDENT DENCZAK: Member Zachary, are you aware of these problems?

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MEMBER ZACHARY: That is my ward. I have talked to Mr. Austin numerous times. One of the things, when I went out there to look at the neighborhood, there is a set of railroad tracks right behind the property that JMW owns. I know he pointed out to me that a lot of drug dealers use that as a thoroughfare to get to where they're going, and I wanted to explore the possibility of maybe cutting off that street where those railroad tracks are so you can't get through there. Mr. Austin and I are still working on some other issues. One clarification, JMW is looking to do a solid waste transfer station, not a landfill. According to the company, it will be completely enclosed, but I do know there are some issues with the semi-trucks that are traveling throughout the residential neighborhood which he has asked that -- well, he's asked them not to do it, but it's still happening, so we're still working on some things.

MAYOR CREIGHTON: Mr. President, just a question, Councilman Zachary, or Councilwoman Zachary. Do you happen to know what school the sexual predator is within 1000 feet?

MEMBER ZACHARY: It's Lathrop School.

MAYOR CREIGHTON: I'll need that address.

CHIEF OF STAFF CONCATTO: Mr. President, yes. Do you have the specific address where they're dumping?

MEMBER ZACHARY: The property that he's talking about, Habitat owns part of the land behind Watson Place SE, and I have spoken with the Executive Director of Habitat and she has promised me that she would go out there and clean that property up, and I take Beth at her word, she's a good person. It does border the property that JMW owns, and I know that they are legally within their rights to put whatever they want to back there, so... (*CHUCKLES*), you're kinda stuck between a rock and a hard place because that's what they do, that's what their company does, that's what they have a permit to do, so they do move a lot of dirt back there. There's a lot of concrete in some spots, and I'm not sure they're done with their -- well, I know they're not done with all of what they're trying to do with the company, but it has posed some problems for the residents.

CHIEF OF STAFF CONCATTO: And this is the same location that Jeffries is dumping at?

MEMBER ZACHARY: Correct.

CHIEF OF STAFF CONCATTO: And is that -- he is dumping illegally, or he is...

MEMBER ZACHARY: They're not dumping illegally. It's not an illegal operation. They are doing everything within the law.

PRESIDENT DENCZAK: How could that be the law?

CHIEF OF STAFF CONCATTO: I would imagine if it's zoned, and if he owns the property that he has the right to...

PRESIDENT DENCZAK: Is it zoned as a junk yard?

CHIEF OF STAFF CONCATTO: I would have to look that up. It doesn't necessarily have to be a junk yard. I would

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need to investigate what that...

MEMBER ZACHARY: Mr. President, the Health Department, they go over there once a week for a surprise visit and they've never found anything that would indicate that the company is not doing what they're supposed to be doing, and they welcome any of the citizens to come along. If anybody wants to from Ward 4, I can set that up for them.

PRESIDENT DENCZAK: Okay.

MISCELLANEOUS BUSINESS

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

MEMBER CASAR: Mr. President, may I ask the Service Director a question please?

PRESIDENT DENCZAK: Yes, you may.

MEMBER CASAR: Service Director Ellsworth, now that the Hall of Fame is gone for another year, we will be hopefully soon starting the blacktop program. I was just hoping you would be able to tell us when we plan on starting it and when it will be completed this year, and hopefully it won't be September, Oct-- I mean October, November as it was last year.

SERVICE DIRECTOR ELLSWORTH: Mr. President, the blacktop program will begin immediately. We did start before the Hall of Fame on Market Avenue. We wanted to get that portion done before the community parade. We were successful in doing so. The program will begin again immediately. The Street Department will dedicate people to go with North Star, the contractor, so that we get all these streets paved. I would hope that we would be done by the end of September, but I can't guarantee that, but we will begin immediately.

MEMBER CASAR: And also, Service Director Ellsworth, I asked you for a list, I don't know if you have one, and possibly you might want to, I don't know if they'll use it or not, get the news media so the residents will know what streets are being blacktopped.

SERVICE DIRECTOR ELLSWORTH: Yeah, Mr. President, we normally will-- before we begin to blacktop, we will do a news release letting the residents know when that will be happening. I don't have a schedule of when those-- each of those streets will be paved yet. I'm awaiting back from our Street Department Superintendent, but we will do news releases each time before a street is paved.

MEMBER CASAR: Carbenia says he wants you to start in the 9th Ward first.

PRESIDENT DENCZAK: Member Carbenia, you want everything tonight.

MEMBER CARBENIA: No, I'd just like to have the list, if you could.

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

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MEMBER PRATER: If I might follow up on Mr. Howard, our first speaker this evening. The business that he's talking about is in my ward. Chief of Staff Concatto is correct, it is a problem. It's an ongoing problem. We're well aware of it. I've talked to Mr. Howard several times on the phone. I've talked to the manager of the business. I talked to Safety Director, Mr. Hunt, at least weekly. I was down there on a Saturday morning when one of our police officers was rerouting traffic because we couldn't even get a sanitation truck through. It is definitely a problem. We're well aware of it, we're working on it, and Mr. Concatto's correct, it's probably gonna stay as is for awhile, but we're certainly looking into it.

SERVICEDIRECTORELLSWORTH: Mr. President, I'd just like to take this opportunity to thank members of Council for adopting the three different ordinances earlier tonight that were related to projects that we have going on in the City. So often we get accused of slowing things down in government. These projects, they're very important to the residents who live in those areas, and I'm very appreciative of the support of Council in getting these projects under way as soon as possible. I'd also like to take this opportunity to commend all the city work force for the outstanding job they did on Hall of Fame this year. I don't know if many of you noticed, but I think the City looked better than it ever has for Hall of Fame week, and we've got a number of compliments from people outside the City, inside the City, as to what a great Hall of Fame week we had, and I just wanted to offer my commendations to all the city employees who work for me.

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: 12 YEAS, 0 NAYS

PRESIDENT DENCZAK: This meeting is adjourned.

ADJOURNMENT TIME: 8:58 P.M.

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ATTEST:

APPROVED:

DEBRA VANCKUNAS
CLERK OF COUNCIL

RAY DENCZAK
PRESIDENT OF COUNCIL

