

**MINUTES OF THE MEETING OF OCTOBER 4, 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, October 4, 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 Debra Vanckunas. The invocation was given by 4<sup>th</sup> Ward Councilmember, Kelly Zachary, followed by the Pledge of Allegiance led by President of Council Denczak.*

PRESIDENT DENCZAK: Roll call please.

*ROLL CALL TAKEN BY CLERK OF COUNCIL VANCKUNAS:*

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

NO COUNCILMEMBERS ABSENT

**AGENDA CORRECTIONS & CHANGES**

PRESIDENT DENCZAK: Thank you, Member Zachary (*referring to giving invocation*). There's some changes to your Agenda, Members of Council. You're being asked to suspend Rule 22A to add 2<sup>nd</sup> readings of Ordinance 7 through and including #16. However #9 is being held in committee. The Chair will recognize that motion now, Member Casar.

MEMBER CASAR: Mr. President, I move that Rule 22A be suspended and we add Ordinance #7-16, with the exception of 9 which will remain in Committee by the Committee Chairman's request; seconded.

PRESIDENT DENCZAK: Moved and seconded to suspend the Rule. 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 the Ordinances are a legal part of your agenda. Later on you will be asked to postpone O#19 and #27. This brings your Agenda up to date, Members of Council.

**PUBLIC HEARINGS**

PRESIDENT DENCZAK: We have a scheduled public hearing for 7:30 this evening. The Chair opens the public hearing now in regards to the Robert Frenz request to vacate an unnamed 19' alley located north of Winfield Way NE and replat lots 21677, 21678, 21680 and 21681 and the vacated 19' alley. The Planning Commission recommends approval of this vacation. 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.... Apparently not. The chair



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2004. WHEREAS, in the City of Canton children are at greater risk of being involved in crime, substance abuse and negative behaviors between 3:00 pm and 6:00 pm, the hours between the end of school and the time working parents return home; and, WHEREAS, throughout the country, as many as fifteen million children are home alone without adult supervision on any given day due in large part to the fact that families have difficulty finding after school programs; and WHEREAS, according to the US Department of Education, studies show that students in after school programs have stronger academic performance, better behavior and school attendance, and great expectations for the future; and WHEREAS, quality after school programs are essential to families with young children in Canton because they stimulate children's imaginations and enrich student's lives; provide a safe, friendly learning environment for our kids that boost their academic achievement; support working families by ensuring that their children are safe and productive after the regular school day ends; build stronger communities by involving our students, parents, business leaders and adult volunteers in the lives of our young people; and encourage families to become more effective partners in their children's education and WHEREAS, the Canton City Schools Board of Education, and the City of Canton Community has shown its commitment to improving 'Afterschool' through the 21<sup>st</sup> Century and Safe Schools Initiative and; WHEREAS, 'Lights on Afterschool', an initiative of the 'Afterschool Alliance' sponsored by JC Penney is a national celebration of after school programs that on October 14, 2004, will promote the critical importance of quality after school programs in the lives of children, their families and their communities. 'Lights on Afterschool' in the City of Canton is sponsored by the Stark County Community Foundation, Canton City Schools and many Community Services organizations. NOW, THEREFORE, BE IT RESOLVED: That I, Thomas E. West, Ward 2 Councilman for the City of Canton, along with my colleagues on City Council, do hereby declare October 14, 2004 as 'Lights on Afterschool Day' and further ask that an engrossed copy of this resolution be presented to the Canton City School Board and the Canton Regional Afterschool Council, as Afterschool Ambassadors of the Afterschool Alliance, as evidence of the sincere sentiments of this legislative body.

PRESIDENT DENCZAK: You've heard the reading. Are there any remarks?

MEMBER WEST: Mr. President, this event will be on October 14<sup>th</sup> and hopefully everybody will attend. As you know, many of our kids that do not have a lot of things to do in the City of Canton, this is an effort to open up the doors of the schools where they have activities, also, not only for children but for parents, and we definitely need this City's, this City Council's support behind that. So, I ask everybody to not only vote for this but to attend the event as well.

PRESIDENT DENCZAK: Any other remarks?... Very well, by voice vote, all those in favor, signify by saying aye. Those opposed no.

NO FURTHER REMARKS

RESOLUTION #82 ADOPTED BY UNANIMOUS VOICE VOTE

PRESIDENT DENCZAK: Resolution #82 is adopted.

**COMMUNICATIONS**

PRESIDENT DENCZAK: All Communications are received as read, filed and properly 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 OCTOBER 4, 2004.***

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518. AUDITOR KIM R. PEREZ, CITY OF CANTON: CERTIFICATE OF THE TOTAL AMOUNT FROM ALL SOURCES FOR 2004 DATED 9/27/04 - CLERK OF COUNCIL
519. AUDITOR KIM R. PEREZ, CITY OF CANTON: CERTIFICATE OF THE TOTAL AMOUNT FROM ALL SOURCES FOR 2004 DATED 9/30/04 - CLERK OF COUNCIL
520. AUDITOR KIM R. PEREZ, CITY OF CANTON: MONTHLY REPORT BY FUND FOR 9/1/04 - 9/30/04 - RECEIVED & FILED
521. AUDITOR KIM R. PEREZ, CITY OF CANTON: YEARLY REPORT BY FUND FOR 1/1/04 - 9/30/04. - RECEIVED & FILED
522. BUILDING DEPARTMENT, CITY OF CANTON: REPORT OF MONTHLY INCOME FOR JULY, 2004. - RECEIVED & FILED
523. CARBENIA, WARD 9 MEMBER, CITY OF CANTON: REQUESTING COMMUNITY & ECONOMIC DEVELOPMENT DIRECTOR TO INVESTIGATE POSSIBILITY OF EXPANDING COMMUNITY DEVELOPMENT BLOCK GRANT AREA. - COMMUNITY & ECONOMIC DEVELOPMENT DIRECTOR
524. CD & PLANNING DEPARTMENT, CITY OF CANTON: REQUESTING LEGISLATION AUTHORIZING MAYOR TO SUBMIT/FILE WITH HUD A FISCAL YEAR 2005 CONSOLIDATED ACTION PLAN FOR THE CITY'S 2005 COMMUNITY DEVELOPMENT BLOCK GRANT, 2005 HOME INVESTMENT PARTNERSHIP PROGRAM, & 2005 EMERGENCY SHELTER GRANT; TO EXECUTE GRANT AGREEMENTS W/HUD & ACCEPT FUNDING FOR SAME. - COMMUNITY & ECONOMIC DEVELOPMENT CMTE
525. CD & PLANNING DEPARTMENT, CITY OF CANTON: REQUESTING LEGISLATION ESTABLISHING A \$1 FAIR REUSE VALUE FOR PARCEL #02-84924 LOCATED ON 8<sup>TH</sup> ST SE & PARCEL #02-85031 LOCATED ON 5<sup>TH</sup> ST SW & AUTHORIZING DISPOSITION OF SAME TO HABITAT FOR HUMANITY. - COMMUNITY & ECONOMIC DEVELOPMENT CMTE
526. CHIEF OF STAFF CONCATTO, CITY OF CANTON: REQUESTING LEGISLATION ESTABLISHING THE FAIR MARKET VALUE OF CERTAIN REAL PROPERTY IN CONJUNCTION WITH THE FEDERAL CAMPUS PROJECT & AUTHORIZATION TO NEGOTIATE & PURCHASE SAID PARCELS AT THE ESTABLISHED FAIR MARKET VALUE. - COMMUNITY & ECONOMIC DEVELOPMENT & FINANCE CMTE
527. CHIEF OF STAFF CONCATTO, CITY OF CANTON: REQUESTING LEGISLATION AUTHORIZING & DIRECTING SERVICE DIRECTOR TO ENTER INTO FUNDING AGREEMENTS W/METRO & PLAIN TOWNSHIP FOR \$49,000 PROFESSIONAL SERVICES CONTRACTS FOR REDESIGN & ENGINEERING OF BRIDGES IN THE RAILROAD ANNEXATION PROJECT. -

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## INTERGOVERNMENTAL &amp; PUBLIC SERVICE &amp; FINANCE CMTES

528. HAWK, WARD 1 MEMBER, CITY OF CANTON: PROPOSING 3 ORDINANCES TO AUTHORIZE PROJECT AGREEMENTS WITH & FUNDING TO THE URBAN HOUSING FOUNDATION ASSOCIATED WITH THE BUILDING INDUSTRY ASSOCIATION TO PURCHASE PROPERTY & BUILD NEW HOMES NEAR SUMMIT SCHOOL, MONUMENT ROAD, & WEST TUSC/TIMKEN CAMPUS AREA. - COMMUNITY & ECONOMIC DEVELOPMENT & FINANCE CMTES
529. HEALTH BENEFITS ADMINISTRATOR BRESSON, CITY OF CANTON: AUGUST MONTHLY COMPARATIVE REPORT OF INSURANCE CLAIMS & JAN-AUG PAID CLAIMS & COMPARATIVE REPORT. - RECEIVED & FILED
530. LAW DIRECTOR MARTUCCIO, CITY OF CANTON: REQUESTING AUTHORITY TO PREPARE LEGISLATION UPDATING & AMENDING CITY'S CURRENT LAND REUTILIZATION PROGRAM IMPLEMENTED BY O.215/84 TO BRING IT INTO COMPLIANCE WITH H.B. 127 & ORC CHAPTER 5722. - COMMUNITY & ECONOMIC DEVELOPMENT CMTE
531. LIQUOR CONTROL DIVISION (STATE OF OHIO): APPLICATION FOR NEW D1 LIQUOR PERMIT REQUESTED BY THAI, INC. dba PATAYA THAI & CHINESE CUISINE RESTAURANT, 1122 30<sup>TH</sup> ST NW. - INTERGOVERNMENTAL & PUBLIC SERVICE CMTE
532. SAFETY DIRECTOR HUNT, CITY OF CANTON: REQUEST TO RESCIND O#2 ON 3/8/04 AGENDA AMENDING CITY CODE SEC. 133.05, EMERGENCY MEDICAL SERVICES; CHARGES FOR SERVICES; REPORTING. - RECEIVED & FILED
533. STARK COUNTY COMMISSIONERS: RESOLUTION GRANTING BIGLER ANNEXATION. - ANNEXATION CMTE & PLANNING COMMISSION

**ORDINANCES & FORMAL RESOLUTIONS FOR FIRST READING**

PRESIDENT DENCZAK: We're now under Ordinances for their first reading and referral, first reading. Let the journal show that all members, all the ordinances are read according to State law. Ordinance #1 please.

***NOTE: PRESIDENT DENCZAK CALLED UPON CLERK VANCKUNAS TO READ THE FOLLOWING ORDINANCES #1 THROUGH AND INCLUDING #6 FOR THE FIRST TIME BY TITLE & ANNOUNCED THE COMMITTEE REFERRALS, AS FOLLOWS.***

- #1 (1<sup>ST</sup> RDG) AN ORDINANCE AUTHORIZING CANTON TO ANNEX THE TERRITORY KNOWN AS THE AUTO ELECTRIC SERVICE COMPANY ANNEXATION AREA CONTAINING APPROXIMATELY 1.92 ACRES; ASSIGNING SAID TERRITORY TO WARD 8 OF THE CITY; ZONING SAID TERRITORY AS B-3 (GENERAL BUSINESS DISTRICT); AND DECLARING THE SAME TO BE AN EMERGENCY  
Referred to Annexation Committee

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- #2 (1<sup>ST</sup> RDG) AN ORDINANCE AUTHORIZING THE MAYOR OR DIRECTOR OF PUBLIC SERVICE TO FILE AN APPLICATION WITH THE STATE OF OHIO TO PARTICIPATE IN THE CLEAN OHIO ASSISTANCE FUND, APPLY FOR FINANCIAL ASSISTANCE AND ADMINISTER THE FUNDS RECEIVED; AUTHORIZING THE MAYOR OR DIRECTOR OF PUBLIC SERVICE TO ENTER INTO CONTRACT FOR PROFESSIONAL SERVICES IN AN AMOUNT NOT TO EXCEED \$50,000.00 IN ACCORDANCE WITH THE REQUIREMENTS OF THE CLEAN OHIO ASSISTANCE FUND APPLICATION; AND DECLARING THE SAME TO BE AN EMERGENCY  
Referred to Community & Economic Development and Finance Committees
- #3 (1<sup>ST</sup> RDG) AN ORDINANCE AMENDING SECTION 1305.04, 1305.05, 1307.03 AND 1353.21 OF THE CODIFIED ORDINANCES OF THE CITY OF CANTON; AND DECLARING THE SAME TO BE AN EMERGENCY  
Referred to Judiciary Committee
- #4 (1<sup>ST</sup> RDG) AN ORDINANCE AUTHORIZING THE DIRECTOR OF PUBLIC SAFETY TO ACCEPT AND EXECUTE THE FEDERAL EMERGENCY MANAGEMENT AGENCY'S ASSISTANCE TO FIREFIGHTERS GRANT; AUTHORIZING THE CITY AUDITOR TO DEPOSIT THE PROCEEDS OF SAID GRANT INTO THE 2813 FIREFIGHTERS ASSISTANCE GRANT FUND; AMENDING APPROPRIATION ORDINANCE NO. 1/2004, AS AMENDED, BY MAKING THE SUPPLEMENTAL APPROPRIATION HEREIN DESCRIBED; AND DECLARING THE SAME TO BE AN EMERGENCY  
Referred to Marketing & Development Grant and Finance Committees
- #5 (1<sup>ST</sup> RDG) AN ORDINANCE RE-AUTHORIZING THE DIRECTOR OF PUBLIC SERVICE TO COMPLETE THE CONTRACTING PROCESS FOR ORDINANCE NO. 205/2003; AND DECLARING THE SAME TO BE AN EMERGENCY  
Referred to Intergovernmental & Public Service and Finance Committees
- #6 (1<sup>ST</sup> RDG) AN ORDINANCE AUTHORIZING THE DIRECTOR OF PUBLIC SERVICE TO ENTER INTO A SUPPLEMENTAL SEWER AGREEMENT WITH STARK COUNTY; AUTHORIZING THE DIRECTOR OF PUBLIC SERVICE TO MAKE PAYMENT IN AN AMOUNT NOT TO EXCEED \$86,678.00 TO STARK COUNTY FOR SANITARY SEWER CONVEYANCE FOR THE MILLS FARM PROPERTY; 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 Intergovernmental & Public Service and Finance Committees

**ORDINANCES & FORMAL RESOLUTIONS FOR SECOND READING**

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

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***NOTE: PRESIDENT DENCZAK CALLED UPON CLERK VANCKUNAS TO READ THE FOLLOWING ORDINANCES #7 THROUGH #8 AND ORDINANCES #10 THROUGH AND INCLUDING #16. ORDINANCE #9 WAS RETAINED IN COMMITTEE.***

**RULE 22A WAS SUSPENDED TO ADD #7&8 AND #10-16:**

- #7 (2<sup>ND</sup> RDG) AN ORDINANCE AMENDING ORDINANCE NO. 55/77, AS AMENDED, KNOWN AS THE CITY OF CANTON ZONING ORDINANCE; AND DECLARING THE SAME TO BE AN EMERGENCY (LAMBOS INVESTMENT PARTNERS FOR KFC)
- #8 (2<sup>ND</sup> RDG) AN ORDINANCE ESTABLISHING THE FAIR REUSE VALUE OF ONE PARCEL OF CITY-OWNED PROPERTY; AUTHORIZING THE SALE AND CONVEYANCE OF SAID PROPERTY PURSUANT TO THE CITY'S COMMUNITY DEVELOPMENT PROGRAM; AND DECLARING THE SAME TO BE AN EMERGENCY
- #9 **RETAINED IN COMMITTEE** A RESOLUTION ESTABLISHING AND DESIGNATING THE CANTON CENTRAL NEIGHBORHOODS COMMUNITY REINVESTMENT AREA; AUTHORIZING TAX EXEMPTIONS FOR QUALIFYING PROJECTS WITHIN THE COMMUNITY REINVESTMENT AREA; ESTABLISHING PROGRAM CONDITIONS; AND DECLARING THE SAME TO BE AN EMERGENCY
- #10 (2<sup>ND</sup> RDG) AN ORDINANCE AUTHORIZING THE DIRECTOR OF PUBLIC SERVICE TO ENTER INTO CHANGE ORDER #2 WITH CARDINAL ENVIRONMENTAL SERVICES IN AN AMOUNT NOT TO EXCEED \$36,859.77 FOR ADDITIONAL EXPENSES OF THE REMOVAL OF ASBESTOS AT THE "KRESGE BLOCK"; AND DECLARING THE SAME TO BE AN EMERGENCY
- #11 (2<sup>ND</sup> 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
- #12 (2<sup>ND</sup> RDG) AN ORDINANCE AMENDING APPROPRIATION ORDINANCE NO. 1/2004, AS AMENDED, BY MAKING THE SUPPLEMENTAL APPROPRIATIONS AND REDUCTIONS IN APPROPRIATIONS HEREIN DESCRIBED; AND DECLARING THE SAME TO BE AN EMERGENCY
- #13 (2<sup>ND</sup> RDG) AN ORDINANCE AUTHORIZING THE DIRECTOR OF PUBLIC SERVICE TO ENTER INTO AN EASEMENT AGREEMENT WITH RALPH D. DAYTON, NANCY R. DAYTON AND PATRICIA J. PARKS FOR THE GRANTING OF AN EASEMENT IN A PORTION OF 25<sup>TH</sup> STREET SW FOR THE CONSTRUCTION OF A GARAGE; AND DECLARING THE SAME TO BE AN EMERGENCY
- #14 (2<sup>ND</sup> RDG) AN ORDINANCE AUTHORIZING THE CITY AUDITOR TO PAY A MORAL OBLIGATION IN THE AMOUNT OF \$20,979.59 TO NORTH AMERICAN SALT COMPANY; AND DECLARING THE SAME TO BE AN EMERGENCY

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- #15 (2<sup>ND</sup> RDG) AN ORDINANCE APPROVING A CANTON CITY WATER MAIN EXTENSION TO THE VILLAGE OF MEYERS LAKE; 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
- #16 (2<sup>ND</sup> RDG) AN ORDINANCE AUTHORIZING THE DIRECTORS OF PUBLIC SERVICE AND PUBLIC SAFETY TO ENTER INTO LICENSE AGREEMENTS WITH BP PRODUCTS NORTH AMERICA INC. TO PERMIT INSTALLATION OF 2 MONITORING WELLS ON A TEMPORARY BASIS; AND DECLARING THE SAME TO BE AN EMERGENCY

MEMBER CASAR: Mr. President, Ordinance # 7, with the public hearing next, on the 18<sup>th</sup>, I'm requesting or asking, Mr. President, would you refer that to the Judiciary Committee so we could have some input and investigation on that before that actually comes up for public hearing?...Number 7. Mr. President, the reasoning for that is a lot of times we have public hearings that don't go through any committee and Council sometimes is basically in the blank until the public hearing. This way, we would, the Judiciary Committee assured me that he would take a hand on it and let Council know what it's about other than just when it comes to committee, when it comes to a public hearing.

PRESIDENT DENCZAK: Member Casar, what we usually do is, and it's standard procedure, it's being referred to the second reading on the next agenda. However, if Council feels that the Judiciary Committee should take a part in this, the Chair will...

MEMBER CASAR: Mr. President. Mr. President, I appreciate that and I think in the future, we're going to have to look at legislation that all public hearings will be referred to a Committee first for the reasons I just gave so that the Council is aware, before it comes to public hearing.

PRESIDENT DENCZAK: That's a very good idea and we'll put that in the rules and adhere to it. So, that will also go to the Judiciary. I usually charge a slight fee for that but, I'll overlook it this time.

CLERK VANCKUNAS: Mr. President, just a matter of procedure, Mr. Majority Leader, this Ordinance has been given its second reading.

MEMBER CASAR: We understand that, but just, for clarification to just, the Committee, the Judiciary Committee's Chairman said he would volunteer just that Council could have a little more insight. I know that. It's just a courtesy, if nothing else.

**ORDINANCES AND FORMAL RESOLUTIONS FOR THIRD READING**

PRESIDENT DENCZAK: We're now under Ordinances and Formal Resolutions for the third and final reading. Ordinance #17 please.

***NOTE: PRESIDENT DENCZAK CALLED UPON CLERK VANCKUNAS TO READ THE FOLLOWING ORDINANCES #17 THROUGH AND INCLUDING #26 FOR THE THIRD & FINAL TIME BY TITLE,***

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***AS FOLLOWS. ORDINANCE #19 WAS POSTPONED TO 10/18/2004. ALL OTHERS WERE ADOPTED.***

#17 (3RD RDG) **ADOPTED AS ORDINANCE NO. 197/2004** AN ORDINANCE ESTABLISHING THE FAIR REUSE VALUE OF ONE PARCEL OF CITY-OWNED PROPERTY; AUTHORIZING THE SALE AND CONVEYANCE OF SAID PROPERTY PURSUANT TO THE CITY'S RESIDENTIAL LAND DISPOSITION PROGRAM; AND DECLARING THE SAME TO BE AN EMERGENCY

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. 197/2004**

#18 (3<sup>RD</sup> RDG) **ADOPTED AS ORDINANCE NO.198/2004** 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

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

PRESIDENT DENCZAK: Ordinance #18 is adopted.

**#18 ADOPTED AS ORDINANCE NO. 198/2004**

#19 (3RD RDG) **POSTPONED TO 10/18/04** AN ORDINANCE RE-AUTHORIZING ORDINANCE NO. 185/2002; CONSENTING TO AND APPROVING THE PERMANENT CLOSURE AND UPGRADING OF PUBLIC GRADE RAILROAD CROSSINGS; AUTHORIZING THE DIRECTOR OF PUBLIC SAFETY TO ENTER INTO SUBSIDY AGREEMENT WITH THE OHIO RAIL DEVELOPMENT COMMISSION; AND DECLARING THE SAME TO BE AN EMERGENCY

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

PRESIDENT DENCZAK: Moved and seconded that you adopt Ordinance 19. Are there any remarks under this Ordinance?

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MEMBER CASAR: Mr. President, I move we postpone Ordinance 19 until October 18<sup>th</sup>; seconded.

PRESIDENT DENCZAK: Moved and seconded to postpone Ordinance 19 until October 18<sup>th</sup>. Are there any remarks?

MEMBER CASAR: Mr. President, at Committee meetings tonight, there was a question that was asked about certain crossings and until we get those answers, we should have them by the next meeting.

PRESIDENT DENCZAK: Are there any other remarks?... If not, the question we're voting on is to postpone. By voice vote, all those in favor signify by saying aye. Those opposed no.

NO FURTHER REMARKS #19 POSTPONED TO 10/18/2004 BY UNANIMOUS VOICE VOTE

PRESIDENT DENCZAK: Ordinance #19 is postponed until October 18, 2004.

#20 (3<sup>RD</sup> RDG) **ADOPTED AS ORDINANCE NO. 199/2004** AN ORDINANCE VACATING PORTIONS OF A 19' UNNAMED ALLEY NORTH OF WINFIELD WAY NE; APPROVING AND ACCEPTING THE REPLATTING OF ALL OF LOTS 21677, 21678, 21680 AND 21681; AND DECLARING THE SAME TO BE AN EMERGENCY

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

PRESIDENT DENCZAK: Ordinance #20 is adopted. **#20 ADOPTED AS ORDINANCE NO. 199/2004**

#21 (3<sup>RD</sup> RDG) **ADOPTED AS ORDINANCE NO. 200/2004** AN ORDINANCE AUTHORIZING THE DIRECTOR OF PUBLIC SERVICE TO EXECUTE AND DELIVER TO THE BOARD OF STARK COUNTY COMMISSIONERS AN EASEMENT ON PROPERTY OWNED BY THE CITY OF CANTON; AND DECLARING THE SAME TO BE AN EMERGENCY

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

PRESIDENT DENCZAK: Ordinance #21 is adopted. **#21 ADOPTED AS ORDINANCE NO. 200/2004**

PRESIDENT DENCZAK: Before we go on, the last meeting of Council, we had problems with the acoustics. I wonder

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if the people in the back, can you hear us? (*AUDIENCE ANSWERED "NO" "NOT WELL"*) Okay, Ordinance #22.

#22 (3<sup>RD</sup> RDG) **ADOPTED AS ORDINANCE NO. 201/2004** AN ORDINANCE AUTHORIZING THE DIRECTOR OF PUBLIC SERVICE TO ENTER INTO AGREEMENT WITH PLAIN TOWNSHIP TO SUBMIT AN OHIO PUBLIC WORKS COMMISSION GRANT APPLICATION, BEGIN CONSULTANT SELECTION FOR FINAL ENGINEERING DESIGN AND ASSIGN PROJECT DEVELOPMENT RESPONSIBILITIES FOR THE 25<sup>TH</sup> STREET NE STORM SEWER PROJECT; AND DECLARING THE SAME TO BE AN EMERGENCY

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

PRESIDENT DENCZAK: Ordinance #22 is adopted.

**#22 ADOPTED AS ORDINANCE NO. 201/2004**

#23 (3<sup>RD</sup> RDG) **ADOPTED AS ORDINANCE NO. 202/2004** AN ORDINANCE AUTHORIZING THE MAYOR OR DIRECTOR OF PUBLIC SERVICE TO ENTER INTO WORK AGREEMENTS IN CONJUNCTION WITH THE MARKET AVENUE NORTH SANITARY/SEWER REPLACEMENT PROJECT, GP 1070; AND DECLARING THE SAME TO BE AN EMERGENCY

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

PRESIDENT DENCZAK: Moved and seconded that you adopt Ordinance 23. Are there any remarks under this ordinance?

MEMBER CASAR: Mr. President, I'd like to ask the Service Director a question if I may.

PRESIDENT DENCZAK: You may.

MEMBER CASAR: Service Director Ellsworth, now, is that, have you had a confirmation from a contractor when this project's gonna start?

SERVICE DIRECTOR ELLSWORTH: Mr. President, yes, the project is underway. If you go down to 19<sup>th</sup> & Spring, hang a left on Spring Avenue, going towards 20<sup>th</sup> Street, you'll see that they have already begun some of the, some of the survey work that's necessary. When I was out there the other day, there was a bulldozer that has moved some earth, so the project has begun at the downstream portion of that project.

MEMBER CASAR: The reason I ask this question, I spoke with the President of that company today and asked them

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when they were gonna start. He wasn't aware that they'd started either.

SERVICE DIRECTOR ELLSWORTH: Mr. President, they, when I was down there the other day, they were on site.

MEMBER CASAR: They were actually moving earth?

SERVICE DIRECTOR ELLSWORTH: It appeared that some earth has been moved.

MEMBER CASAR: Well, he was gonna talk with...Mr. President, he was gonna speak with the Project Coordinator and he was gonna get back with me tomorrow because I know that Councilman Carbenia and Councilman Hart's ward, that it's in, were very concerned the last couple meetings and they'd like to have that project well on the way before the snow flies.

SERVICE DIRECTOR ELLSWORTH: Absolutely. Mr. President, I, I had not talked to them since we sent them the last letter about a week and a half ago, but when I drove by last week, they were there when, and I was not there today, but when I was out over the weekend, it was obvious they had been out on site.

MEMBER CASAR: Thank you.

MEMBER CARBENIA: Mr. President, I have a question for Mr. Ellsworth too. I'll state that thanks for getting that job started, but, I think in the future, when we put out these, the bid sheets that we should have a start date for our stuff, because, I mean it just keeps getting pushed down month after month and then it gets cold and bad weather and then it's gonna delay the job. Of course, that should be a little while before we get over to Market anyway.

SERVICE DIRECTOR ELLSWORTH: Mr. President, we do require, as part of the bid specs, that they begin within 60 days of the notice to proceed. The notice to proceed was issued on August 25 subsequent to the passage of the Ordinance earlier in August, so, they are within their time frames. We did urge them to get started much more quickly and they are, they are on site as of last week.

MEMBER CARBENIA: Okay. Thanks and all I remember is that they were gonna get started right at the end of August, that's what I think.

PRESIDENT DENCZAK: Service Director, is there also a completion date specified?

SERVICE DIRECTOR ELLSWORTH: The project will not be complete until winter of next year. My understanding of the way the work will go forward is that they will work their way upstream from the downstream portion which is at Spring and 19<sup>th</sup> Street and they will work their way up to 20<sup>th</sup> on Spring and over 20<sup>th</sup> to Market Avenue. That work should be completed by the time winter, the cold weather hits. When warm weather hits again, then they'll begin the work on Market Avenue.

PRESIDENT DENCZAK: But there is a completion date mentioned?

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SERVICE DIRECTOR ELLSWORTH: I would have to review the contract, Mr. President....

PRESIDENT DENCZAK: All right, because that's the most important thing.

SERVICE DIRECTOR ELLSWORTH: We expect the project would be done by the winter of next year. I can look at the contract to find out the exact completion date.

PRESIDENT DENCZAK: Okay, fine, thank you. Any further remarks?... Roll call vote please.

NO REMARKS

ROLL CALL VOTE: 12 YEAS, 0 NAYS

PRESIDENT DENCZAK: Ordinance #23 is adopted. **#23 ADOPTED AS ORDINANCE NO. 202/2004**

#24 (3<sup>RD</sup> RDG) **ADOPTED AS ORDINANCE NO. 203/2004** AN ORDINANCE AUTHORIZING THE DIRECTOR OF PUBLIC SERVICE TO ENTER INTO AGREEMENT WITH STARK COUNTY TO SUBMIT AN OHIO PUBLIC WORKS COMMISSION GRANT APPLICATION AND ASSIGN PROJECT DEVELOPMENT RESPONSIBILITIES FOR VARIOUS ROAD AND HIGHWAY PROJECTS; AND DECLARING THE SAME TO BE AN EMERGENCY

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

PRESIDENT DENCZAK: Ordinance #24 is adopted. **#24 ADOPTED AS ORDINANCE NO. 203/2004**

#25 (3<sup>RD</sup> RDG) **ADOPTED AS ORDINANCE NO. 204/2004** AN ORDINANCE AUTHORIZING THE DIRECTOR OF PUBLIC SERVICE TO ENTER INTO A MODIFICATION WITH URS CORPORATION IN AN AMOUNT NOT TO EXCEED \$20,077.00 TO PERFORM ADDITIONAL ENVIRONMENTAL STUDIES FOR THE TUSCARAWAS STREET IMPROVEMENT PROJECT WITH ODOT, GP 1064; AMENDING APPROPRIATION ORDINANCE NO. 1/2004; AND DECLARING THE SAME TO BE AN EMERGENCY

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

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PRESIDENT DENCZAK: Ordinance #25 is adopted. **#25 ADOPTED AS ORDINANCE NO. 204/2004**

#26 (3<sup>RD</sup> RDG) **ADOPTED AS ORDINANCE NO. 205/2004** A RESOLUTION APPROVING THE STATEMENT OF SERVICES TO BE PROVIDED TO THE PROPERTY OWNERS IN THE K-MART/EASTRIDGE CEDA #2 ANNEXATION AREA, THE APPROXIMATE DATE SERVICES WILL BE PROVIDED, PROCEDURE FOR INCOMPATIBLE ZONING USES UPON ITS BEING ANNEXED TO THE CITY OF CANTON, OHIO; AND DECLARING THE SAME TO BE AN EMERGENCY

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

PRESIDENT DENCZAK: Ordinance #26 is adopted. **#26 ADOPTED AS ORDINANCE NO. 205/2004**

**ORDINANCES AND FORMAL RESOLUTIONS – POSTPONED MATTER:**

PRESIDENT DENCZAK: Postponed matter. Ordinance number 27. Member Casar.

#27 (RECEIVED ALL 3 RDGS; POSTPONED FROM 9/13,20&27/04)

**POSTPONED TO 10/18/04** AN ORDINANCE AUTHORIZING 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

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

PRESIDENT DENCZAK: Moved and seconded that you adopt Ordinance 27. Are there any remarks under this Ordinance?

MEMBER CASAR: Mr. President, I move we postpone Ordinance #27 to October 18<sup>th</sup>; seconded.

MEMBER CARBENIA: Moved and seconded to postpone this Ordinance until October the 18<sup>th</sup>. Are there any remarks under this postponement?... Very well, by voice vote, all those in favor signify by saying aye. All those opposed no.

NO FURTHER REMARKS

**#27 POSTPONED TO 10/18/2004 BY UNANIMOUS VOICE VOTE**

PRESIDENT DENCZAK: Ordinance #27 is postponed until October 18, 2004.

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#28 (RECEIVED ALL 3 RDGS; POSTPONED FROM 9/27/04)

**ADOPTED AS ORDINANCE NO. 206/2004** AN ORDINANCE ESTABLISHING THE FAIR MARKET VALUE OF ONE PARCEL OF CITY-OWNED REAL PROPERTY; AUTHORIZING THE SALE AND CONVEYANCE OF SAID PROPERTY PURSUANT TO THE CITY'S RESIDENTIAL LAND DISPOSITION PROGRAM; AND DECLARING THE SAME TO BE AN EMERGENCY (Parcel # 02--5929, Louise Hawkins)

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

PRESIDENT DENCZAK: Ordinance # 28 is adopted.

**#28 ADOPTED AS ORDINANCE NO. 206/2004**

**ANNOUNCEMENT OF COMMITTEE MEETINGS**

PRESIDENT DENCZAK: Announcement of Committee Meetings please.

MEMBER PRATER: Mr. President, Annexation Committee will meet 10/18/04 at 6:30.

MEMBER DIAMOND: Mr. President, Intergovernmental and Public Service will meet on October 18<sup>th</sup> at 6:30.

MEMBER BERNABEI: Mr. President, Judiciary will meet October 18<sup>th</sup> at 6:30 PM. In addition, I would like to call a working session meeting of the Judiciary Committee for October 18<sup>th</sup> at 1:00 PM. The purpose of this would be to initiate the discussion of the Architectural Review Board Ordinance. I would request that the Administration have present at least the Chief Building Official and any other persons that are familiar with it from the Special Improvement District and otherwise who are active in the, in the drafting of that ordinance.

PRESIDENT DENCZAK: Where will that be held?

MEMBER BERNABEI: That will be held in the back Council...

PRESIDENT DENCZAK: Caucus Room?

MEMBER BERNABEI: Caucus Room.

PRESIDENT DENCZAK: Any other Committees?

MEMBER WEST: Mr. President, Marketing and Development will meet at 6 PM on the 18<sup>th</sup>.

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PRESIDENT DENCZAK: 6 PM?

MEMBER CARBENIA: Mr. President, Community and Economic.....

PRESIDENT DENCZAK: One moment please. Member West has stated that your committee is going to meet at 6?

MEMBER WEST: Did someone already say 6? 6:30.

PRESIDENT DENCZAK: Okay, I want to get that clear.

MEMBER WEST: Okay.

PRESIDENT DENCZAK: You have another meeting? Safety Director, Member Casar, is that, is that the...

MEMBER CASAR: Mr. President. Mr. President, Safety Director Hunt, if you would tell your, your meeting for 6:00 now, I'd appreciate it. Go ahead. Safety Director.

SAFETY DIRECTOR HUNT: *(INAUDIBLE)*

PRESIDENT DENCZAK: Go ahead.

SAFETY DIRECTOR HUNT: On the.... On the 18<sup>th</sup>, at 6 PM, we will have a demonstration of remote control cameras by Sky Land. They will be putting a camera in a location to be determined later and we will be able to view the information from that camera. We are interested in maybe utilizing these for the Police Department for undercover activities. That will be 6:00 on the 18<sup>th</sup>.

PRESIDENT DENCZAK: In the Chamber?

SAFETY DIRECTOR HUNT: Yes, that's correct.

PRESIDENT DENCZAK: Okay. Member Carbenia?...

MEMBER ZACHARY: Mr. President.....

MEMBER CARBENIA: Mr. President, once again.....

PRESIDENT DENCZAK: Member Carbenia.

MEMBER CARBENIA: Community and Economic Development will meet at 6:30 on 10/18.

PRESIDENT DENCZAK: Any other Committees? Member Hawk?...

MEMBER HAWK: Mr. President, Finance Committee will meet 10/18 at 6:30. Also, there will be a budget meeting

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for Finance Committee. Department heads, Income Tax and Mr. Ellsworth on October 13<sup>th</sup> at 9 AM in the Caucus Room.

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

PRESIDENT DENCZAK: Public Speaks. We have 6 speakers. The first speaker is Jeanette Stevenson.

MS. STEVENSON: I can't hardly understand why the city.....(*INAUDIBLE*)

PRESIDENT DENCZAK: Okay, state your name and address please.

MS. STEVENSON: Are you ready?

PRESIDENT DENCZAK: Yes, state your name and address.

MS. STEVENSON: Well, what I'm here, what I'm here about is there's enough trash....

PRESIDENT DENCZAK: Please, state your name and address.

MS. STEVENSON: My name is Jeanette Stevenson from 4<sup>th</sup> Ward.

PRESIDENT DENCZAK: And your address?

MS. STEVENSON: 211 Monroe SE.

PRESIDENT DENCZAK: Very good. Thank you. Go ahead.

MS. STEVENSON: Okay now? All right. I feel like enough trash has been dumped on the 4<sup>th</sup> ward. I can't understand why so many landlords that don't live in the 4<sup>th</sup> ward that's allowed to buy up these houses real cheap, half fix them up and rent them around to people who don't have any money and they might stay there one month, two months, and you go down the street and they done throwed all of their furniture out on the street and I can't understand why the City is keeping, letting this happening when they have to go up and pick up this trash. That's number 1. Number 2, I can't understand and giving all respect to the Mayor---I've talked with her and she understands some of where I'm coming from. But, I can't understand how we can put a light up at WalMart's that's not opened and we can put a light up at Sugardale for them to get outside. When Timken built on 11<sup>th</sup> Street, they could put 3 lights and next, on Sherrick Road and Cherry, where children are going to school, have to cross railroad tracks, there is no light. Coming all the way down from Waco to Sherrick Road, 3 schools and not 1 light there for my children. The growth, the shrubbery grows up so high that you can't even see around it. The Principal from Lathrop called, Mr. Womack on the 12<sup>th</sup> to have that cut down 'cuz nobody could see. They didn't get out there until the 17<sup>th</sup> and I just can't understand that we value business more than we are our children so, I mean, I got some policemen and I put them on the corner there at Sherrick and Cherry and when they saw the traffic, I said, what do you think's wrong here? They said, lady you need a light up here. How come anybody can see it but the people who need to put a light? Are we going to wait until somebody gets killed? You have sick predators. They have to walk clear out from Sky Land Terrace, all around before they can get

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to school. Their mothers have to walk some where, there's no bus for the children to get to school. And yet, I can see that you're passing a law that said let's put a light on to the school building. And you don't have one out there on Sherrick Road and Cherry they're comin' off the expressway, you got trucks comin' every kinda way. When are you gonna put a light up there? That's all I want to know. *(AUDIENCE APPLAUSE)*

PRESIDENT DENCZAK: Who's ward is this in?... Member Zachary.

MEMBER ZACHARY: Mr. President. Hi, I've talked with Ms. Stevenson about this issue before and I do agree with her there does need to be a light there on the corner of Cherry and Sherrick Avenue. I've received more than one phone call about it. I had also talked with the engineering department because near the new Allen School is a very dangerous intersection and they're doing a study on that corner right now to put a light there. But, I do agree with you one hundred percent, Ms. Stevenson, I'm willing to work with you in whatever way I can. I know that we've recently seen a big push to clean up downtown, but I wholeheartedly agree with you about let's clean up ward 4 too. If we can have city employees clean up downtown, let's move them around a little bit. But, I say all that to say that I have placed so many calls to the Street Department. I have placed so many calls to the Health Department. It is to the point where I've asked Kevin Monroe if he could give me an itemized list of all the work orders that have come through ward 4 because I keep calling, and I keep calling about some of the same properties and nothing is being done. So, I would like some type of follow up on that Mr. Service Director because I know that I reported some properties just across from Mrs. Baltimore back in April and they have not been tended to at all and I do know that we sure have these sources, but it's been several months now and this is enough. I'd like to see some progress in that area please.

SERVICE DIRECTOR ELLSWORTH: Mr. President, Member Zachary, if you could give me a list of those addresses that you called about that you didn't have any action on, I would appreciate that.

MEMBER ZACHARY: Mr. Ellsworth, I have a list of over 200 houses that were given to Safety Director Hunt back in April, I believe. And, some of the houses that I reported so far is just because I've driven by and made a phone call so I would really like someone who is actually paid full time to do their job, to pull those work orders for me and I will pull the addresses out individually if I need to. Thank you.

MS. STEVENSON: And as I, as I close, if you don't put a light out there at Sherrick Road and Cherry, I will become the light. I guarantee you that I will stand out there and stop traffic when them children are comin' out of school because I'm not gonna see not one kid killed while the rest of the City is building up. You'd better start takin' care of the southeast end because if I have to go all the way to the White House, that's where I'm going and I'm not against the Mayor. I know that she came down and talked to me but I feel concerned about my children. *(AUDIENCE APPLAUSE)*

PRESIDENT DENCZAK: Safety Director?...

SAFETY DIRECTOR HUNT: Ma'am, the light that you are requesting at Sherrick Road and Cherry. The Traffic Engineer, I will speak to him. They have to do studies before they can put lights up. I will make sure that we do review that area. You spoke to me earlier about, I believe, about, generally, lights also, not just the stop lights, but also other lights.

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MS. STEVENSON: *(INAUDIBLE FROM THE AUDIENCE)*

PRESIDENT DENCZAK: All right. Sir..... One moment please, this is getting out of control here. Safety Director, if you have any problems, speak to her after the meeting. This is the public speaks.

SAFETY DIRECTOR HUNT: I'll see you later ma'am.

PRESIDENT DENCZAK: The next speaker is Joyce Sumlin. Is that correct?

AUDIENCE RESPONSE: She had to leave.

PRESIDENT DENCZAK: She had to leave? The next speaker is Sandi Belliveau. Am I pronouncing that correct?

MS. BELLIVEAU: Do I just speak in here, or, what's the deal with this? Okay. Sandi Belliveau, 1022 5<sup>th</sup> Street NW, Canton. I only have one negative thing I want to bring up and that's a major drug trafficker, 24/7, who is terrorizing my neighborhood. Sammie Lee Moore, 1106 5<sup>th</sup> Street NW, birth date, May 10, 1959 from the State of Alabama. Okay. Vice knows about him, the Police know about him. He got into it with me about 6 weeks ago. Got arrested for drunk and disorderly. A week later he was picked up for having crack cocaine and marijuana on him. He was out because of an early release so now he's right back. He's on a bike, 24/7, seven days a week, I don't care what time it is, 3:00 in the morning I get up to go to the bathroom, there he is on that bike, peddling. Stoppin' at houses, makin' his drops, pickin' up his money, seein' people at corners. They actin' like he hasn't seen them all week. Hey, hey, hey, and they exchange stuff. Broad daylight, all over. The grand kids, the younger kids, everybody. Okay. He needs to go, he's a major problem there. I guarantee you, you, a policeman could stop him any time for probable cause and find something on this dude. Okay, that's the only negative thing. As far as my neighborhood, known as the Newton Zone, it's coming along just fine. I'm not going to get into the minor flaws that are still going on there because I've got Sammie Lee Moore, and if you take him out, you'll take the majority of all the other problems out between pimping and prostitution and a few that he's actually got working for him also. I do want to note that my street particularly has been blacktopped which looks beautiful. The area's cleaned up. Janet's done a terrific job at getting the, the papers and the trash and all the other miscellaneous blowing-around garbage out of our area. Our neighborhood's a tight neighborhood, okay. We've always been referred to as pretty much the low end of the totem pole. I'm not from here originally, but I know 40 years ago, it wasn't the low end of the totem pole, and I'm one of those people that I would like to have it brought back up to where it needs to be, okay? I'm tired of people saying Oh my God, you live there. I'm sick of that, okay? My, I have the best neighbors you can find anywhere. I'm tellin' ya, that's the reason why I stayed and when I think about leaving them, I can't do it. I just can't. We have police presence there. The police have been tremendous. I couldn't say enough about our Police Department. They really have been excellent. They're there constantly. Car 25, car 21, car 15, car 45, very well mannered. We had, they're workable. We have easy access to the Mayor's office, she's always accessible, okay. Chief McKimm's always accessible. I can't say enough about those 2 specific individuals and if I do too much, I'll start cryin' because if it wasn't for them, we would not be where we are, okay. If you could have seen our mess a year ago, verses the way it is now, I'm tellin' ya, I've lived through it. I've had my life threatened with gunshots, I've had threats to have my home burned down, okay, because we will not give into the scum bags around there and let them continue to terrorize. We've got people that have lived back there for 56 years and are 80 years old. Where are they gonna go? Who's gonna give them a mortgage? Why should they have to leave? NO.

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PRESIDENT DENCZAK: Ma'am, your, I'm sorry, but, under Council Rules, your 3 minutes are up.

MS. BELLIVEAU: Okay, thank you, thank you so much. Thank you.

PRESIDENT DENCZAK: Safety Director are you aware of this, this guy on the bicycle?

MAYOR CREIGHTON: Mr. President, I was already alerted to that this afternoon and I've already sent an email to Chief McKimm and will do some follow-up. I was just....Sandi, when we're done can you just talk to me for a minute please. Thanks.

PRESIDENT DENCZAK: The next speaker is Veronica Callahan.

MS. CALLAHAN: My name is Veronica Callahan. I live at 3406 34<sup>th</sup> Street NE in the City of Canton and I should have been forthcomin' but, I got here a little late, but we are here as NAVE, Neighborhood Association Votes Empowered. Many of you participated with our Meet the Candidates on last year so you'll recognize us, but, because of a conflict in the date, you only see half of us but, we wanted to remind you that we're still out here. We still support you. We would like to concur that Mayor Creighton, you're doing a wonderful job and to all the Councilmen and women. This year has really looked up for our Neighborhood Association. We been to you guys for the last six years that I been a part of this and we have honestly seen a lot of progress in our neighborhoods. We appreciate you. We don't want you to think that we've overlooked your efforts in our CBGD Block Grant Funding for our beautification projects. It's was a great pleasure having the Mayor and a lot of other people in this room participate. I'd like to say also on behalf of my Council ward, Councilman Dave Dougherty, we appreciate you in our community and how you taught us the ropes on how to stopping that strip mall and just to let you know that we'll be back every time we need to, to keep our neighborhood safe, healthy and productive, and would everyone from NAVE please stand at this time? (AUDIENCE APPLAUSE) Thank you.

PRESIDENT DENCZAK: The next speaker is Constance Brown.

MS. BROWN: My name is Constance Brown. I live at 620 Bachert Ct. SW near the City of Canton and I want to take this opportunity to say thank you to the Council and all of your efforts here in the City of Canton because I feel encouraged this year also to see that the neighborhoods are improving and thank to you for your backing for the organizations that are improving the looks of formerly run-down properties and building new housing, affordable housing on empty lots. It just gives me a different feeling for the community, I believe it does for a number of us. I do have a couple of questions that are important to us. Let me say one thing before I ask the one. I am real excited, and I believe I speak for a large number of people on the southwest part of our ward, that I say we were thrilled to see some of the tax money being used in the southwest portion of ward 4 when they paved High Street. Thank you. That's great. I have one question about that. We had heard through the community grapevine that 7<sup>th</sup> Street was to be paved and five days later, High Street was paved. Are we still looking forward to 7<sup>th</sup> Street being paved?

SERVICE DIRECTOR ELLSWORTH: Ma'am I don't have the list in front of me. We did 7<sup>th</sup> Street NW, I can't remember if 7<sup>th</sup> Street SW is on the list. I'd have to look. I can give you, give me your name and number afterwards, I can give you a call tomorrow and let you know.

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MS. BROWN: I'll be very happy to do that. And also, I'd like to take this opportunity to say thank you to Councilman Zachary and the detectives and the Law Department for all the efforts to keep the drive-thru out of the southwest part of this town, and I think it's just a marvelous thing that we won. We finally won on something here at the city level. Thank you. I have one other question too regarding safety issues. Are there some regulations about pit bulls? Are they to be tied, fenced, what are we to do if we see them running loose in our community?

SAFETY DIRECTOR HUNT: Ma'am, the City of Canton does have specific ordinances that govern vicious animals, I believe that's the term that we use, and pit bull has been determined to be a vicious animal and as a result of that there are certain fencing and caging requirements that are required. You can call the Law Department. They can give you that Ordinance so that you know it for sure.

MS. BROWN: Thank you. Thanks again. We look forward to the remainder of the year being great as we continue to improve our city. (*AUDIENCE APPLAUSE*)

PRESIDENT DENCZAK: Our final speaker is Mary Rawlings.

MS. RAWLINGS: I'm Mary Rawlings. I live at 2315 15<sup>th</sup> Street NE. In May I started the Neighborhood Association, Crystal Park Neighborhood Association and we just want to thank the Mayor and the Safety Director and Dave Dougherty and I'm happy to see Jason Reese here because he helped us get rid of a drug dealer in our neighborhood, in 3 weeks, he was packing. We're still in a game of war, we're still keeping an eye on where he's at. So, thank you and we want to show our appreciation to all of you.

PRESIDENT DENCZAK: Member Dougherty, did you have all these people come up here to speak tonight? (*laughter*) Okay, that ends the Public Speaks.

**MISCELLANEOUS BUSINESS**

PRESIDENT DENCZAK: We are now under Miscellaneous Business. First of all, let me say that I'm Ray Denczak and I approve this message. I hear that so much on television I'm going bananas over it. I don't know if all elected officials or candidates are supposed to say that or not, but, but I said it just in case. Furthermore, if any of you Councilmembers have any problems in your wards that require police action, just dial 9-1-1 and ask for Officer Creighton. (*AUDIENCE APPLAUSE*) Member Casar, we're now under Miscellaneous Business. Is there any Miscellaneous Business?

MEMBER CARBENIA: Mr. President, yes, I have a question for the Service Director. I'd just like to know when, if you have any dates on when they're gonna re...re-do the Cherry Street Bridge, the south, the southeast, if they're gonna re-pave that? I know they've done some repairs on it, but it's still pretty bad.

SERVICE DIRECTOR ELLSWORTH: Mr. President, ODOT is currently planning a complete reconstruction of that bridge. I can get back to you during the week about the dates on that. I thought it was to begin next year. Part of the reason we didn't pave it was because of that project. That's why we patched the bridge. I know it's in bad shape now. We did major clean-up on the bridge earlier in the year. It looks a lot, a lot better than it did but, that bridge is in very serious need of repair.

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PRESIDENT DENCZAK: Is there any other Miscellaneous Business?

MAYOR CREIGHTON: Mr. President, I'd just like to comment. You know, it's nice to hear the compliments to the City Council and the Administration from the neighborhoods, but, you know, I think it just goes to show that we all need to work together because if we did not have the cohesiveness in our neighborhoods and the leadership that you have all demonstrated, we'd still be treading a lot of water and I really do believe that with the hard work of this City Council and the hard work of the Administration, I think we are seeing better days and I thank you for your interest. You do all keep us on our toes. Thank you.

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: 8:26 PM.

ATTEST:

APPROVED:

DEBRA VANCKUNAS  
CLERK OF COUNCIL

RAY DENCZAK  
PRESIDENT OF COUNCIL