

**MINUTES OF THE MEETING OF DECEMBER 6, 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, December 6, 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 2<sup>nd</sup> Ward Councilmember Thomas E. West, 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 R. DOUGHERTY, RICHARD D. HART & ROSEMARY DIAMOND)

**AGENDA CORRECTIONS & CHANGES**

PRESIDENT DENCZAK: Thank you, Member West (*referring to giving invocation*). Agenda corrections, you're being asked to suspend Rule 22A to add the second reading of Ordinances 11 through and including #14. Then the Chair will withdraw Resolution #97 at the request of Member Zachary. The Chair will now recognize Rule 22A suspension, Member Casar.

MEMBER CASAR: Mr. President, I move that Rule 22A be suspended to add Ordinances 11 through 14 to this evening's agenda; seconded.

PRESIDENT DENCZAK: Moved and seconded to suspend Rule 22A to add Ordinances 11 through and including #14. 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 Ordinances 11, 12, 13 and #14 are a legal part of your agenda. Furthermore members of Council, you're being asked to adopt Ordinance 12 and 14 this evening. This brings your Agenda up to date.

**PUBLIC HEARINGS**

**7:30PM PUBLIC HEARING ON SEICH COURT VACATION:**

PRESIDENT DENCZAK: We have several public hearings scheduled for this evening. There is a scheduled public hearing for 7:30pm. The Chair declares the public hearing open for the public now. It is a request by Canton City Schools Board of Education to vacate a portion of Seich Court SW from 16<sup>th</sup> Street SW to lot #32438. 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...

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Is there anyone in the audience wishing to speak for or against this vacation, please come forward... Apparently not, the Chair declares the public hearing over in regards to this matter. The matter will come to Council later this evening under Ordinance #15. (*See O.247/2004*)

**7:31PM PUBLIC HEARING ON HARRIET/CROAD VACATION:**

PRESIDENT DENCZAK: We have a scheduled public hearing for 7:31pm. The Chair opens that up for the public. It's a request for the Canton City Schools Board of Education to vacate a part of Harriet Avenue NW and part of Croad Court NW; replat various lots and a 14' vacated alley into one outlot; and dedicate Farwick Court NW between 10<sup>th</sup> and Troy Place NW. 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 declares the public hearing over in regards to this matter. The matter will come before Council under Ordinance #16. (*See O.248/2004*)

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

PRESIDENT DENCZAK: No one has signed to speak under Ordinances or Resolutions for Adoption. However, the Chair wishes to make it clear that one person did sign up on that sheet, that that matter is not on the Council agenda tonight so the Chair will recognize that person under second Public Speaks portion of Council.

**INFORMAL RESOLUTIONS**

PRESIDENT DENCZAK: It will not be necessary to excuse members. Let the journal show that all members of Council are present. Resolutions #95 please.

***PRESIDENT DENCZAK CALLED UPON CLERK OF COUNCIL VANCKUNAS TO READ RESOLUTIONS #95-96 BY TITLE, AS SHOWN BELOW. (Resolution #97 was withdrawn from the agenda) THE RESOLUTIONS ARE ON FILE IN THEIR ENTIRETY IN THE COUNCIL OFFICE WITH THE AGENDA ITEMS DATED DECEMBER 6, 2004.***

95. CASAR, MAJORITY LEADER: APPROVING THE APPOINTMENT OF WARD 2 COUNCILMEMBER THOMAS WEST TO THE DOWNTOWN CANTON SPECIAL IMPROVEMENT DISTRICT'S BOARD OF TRUSTEES FOR THE 2005 YEAR TERM. - ADOPTED BY COUNCIL  
(*See C#628*)

MEMBER CASAR: Mr. President, I move we adopt Resolution #95; seconded.

PRESIDENT DENCZAK: Moved and seconded that you adopt Resolution #95. Are there any remarks under this Resolution?... Very well, by voice vote, all those in favor signify by saying aye. Those opposed no.

NO REMARKS

RESOLUTION #95 ADOPTED BY UNANIMOUS VOICE VOTE

PRESIDENT DENCZAK: Resolution #95 is adopted.

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96. DENCZAK, COUNCIL PRESIDENT: REQUESTING AMENDMENT TO CANTON CODIFIED ORDINANCE SECTION 1129.05 BY MORE CLEARLY DEFINING FENCE AND WALL HEIGHT - ADOPTED BY COUNCIL

MEMBER CASAR: Mr. President, I move we adopt Resolution #96; seconded.

PRESIDENT DENCZAK: Moved and seconded that you adopt Ordinance, or, Resolution #96. Are there any remarks under this Resolution?... Very well, by voice vote, all those in favor signify by saying aye. Those opposed no.

NO REMARKS

RESOLUTION #96 ADOPTED BY UNANIMOUS VOICE VOTE

PRESIDENT DENCZAK: Resolution #96 is adopted.

97. ZACHARY, WARD 4 COUNCILMEMBER: EXTENDING SUPPORT TO INNOVATIVE HOUSING SOLUTIONS AND OBERER RESIDENTIAL CONSTRUCTION FOR AN APARTMENT DEVELOPMENT AT VIENNA TERRACE - **WITHDRAWN**

**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 DECEMBER 6, 2004.***

623. CASAR, MAJORITY LEADER: APPOINTMENT OF THOMAS M. BERNABEI TO SERVE ON NEWLY FORMED TASK FORCE TO REVIEW REORGANIZATION OF CERTAIN CITY DEPARTMENTS - RECEIVED & FILED, CC: CHIEF OF STAFF (See C#625)
624. CD & PLANNING DIRECTOR MARGY POORMAN, CITY OF CANTON: REQUESTING LEGISLATION FOR APPROVAL OF THE CRA TAX ABATEMENT APPLICATION OF NORTHMARK PROPERTIES AT 213 NORTH MARKET FOR 100% TAX ABATEMENT FOR 5 YEARS W/20% DECREASE IN THE REMAINING 5 YEARS - COMMUNITY & ECONOMIC DEVELOPMENT AND FINANCE CMTEs
625. CHIEF OF STAFF/FINANCE DIRECTOR BILL ALLEN, CITY OF CANTON: REQUESTING A MEMBER OF COUNCIL BE APPOINTED TO A TASK FORCE TO REVIEW REORGANIZATION OF CERTAIN CITY DEPARTMENTS - MAJORITY LEADER (See C#623)
626. CHIEF OF STAFF/FINANCE DIRECTOR BILL ALLEN, CITY OF CANTON: REQUIRED EXHIBITS & ORDINANCE ADOPTING BUDGET RECOMMENDATIONS FOR 2005 WILL BE SUBMITTED BY FRIDAY, 12/10/04 - FINANCE CMTE

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627. CLERK OF COUNCIL DEBRA VANCKUNAS, CITY OF CANTON: REQUESTING LAW DIRECTOR MARTUCCIO PREPARE LEGISLATION TO OBJECT TO 2005 LIQUOR PERMIT RENEWALS FOR GASCO @ 3325 HARMONT, HALL OF FAME MARKET @ 704 SHERRICK SE, & CHERRY MARKET @ 1494 CHERRY SE - INTERGOVERNMENTAL & PUBLIC SERVICE CMTE
628. DOWNTOWN CANTON SID, MICHAEL P GILL, PRESIDENT - CANTON REGIONAL CHAMBER OF COMMERCE, 222 MARKET AVENUE NORTH, CANTON, OHIO 44702: REQUESTING APPOINTMENT OF A COUNCIL REPRESENTATIVE TO SID BOARD OF DIRECTORS FOR TERM EXPIRING 12/31/04 - MAJORITY LEADER (*See Re#95*)
629. HAWK, GREG, WARD 1 COUNCILMEMBER: REQUESTING LAW DIRECTOR MARTUCCIO PREPARE LEGISLATION REQUIRING THE BUILDING DEPT TO GIVE NOTICE TO ALL PERSONS APPLYING FOR PERMITS WHICH REQUIRES THEM TO CONTACT THE ZONING DEPT BEFORE PERMITS ARE ISSUED - JUDICIARY CMTE
630. LIQUOR CONTROL DIVISION, 6606 TUSSING RD, PO BOX 4005, REYNOLDSBURG, OHIO 43068-9005: NOTICE TO WAYNE EDWARD MARION, dba T&M DRIVE THRU, 912-14 12<sup>TH</sup> STREET NE, THAT COUNCIL HAS WITHDRAWN ITS OBJECTION TO HIS REQUEST FOR A C1,2 LIQUOR PERMIT - INTERGOVERNMENTAL & PUBLIC SERVICE CMTE
631. LIQUOR CONTROL DIVISION, 6606 TUSSING RD, PO BOX 4005, REYNOLDSBURG, OHIO 43068-9005: NOTICE TO K&S PATEL, INC DA MINI MART 1120 15<sup>TH</sup> STREET NE, THAT COUNCIL HAS WITHDRAWN ITS OBJECTION TO HIS REQUEST FOR A C1,2 LIQUOR PERMIT - INTERGOVERNMENTAL & PUBLIC SERVICE CMTE
632. REPUBLIC ENGINEERED PRODUCTS, 3770 EMBASSY PARKWAY, AKRON, OH 44333: PRESS RELEASE THAT REPUBLIC'S PARENT COMPANY FILED REGISTRATION STATEMENT FOR INITIAL PUBLIC OFFERING OF COMMON STOCK - RECEIVED & FILED
633. REPUBLIC ENGINEERED PRODUCTS, 3770 EMBASSY PARKWAY, AKRON, OH 44333: PRESS RELEASE OF REPUBLIC'S FINANCIAL RESULTS & PLAN FOR NEW CASTER AT CANTON PLANT - RECEIVED & FILED
634. SAFETY DIRECTOR BERNARD HUNT, CITY OF CANTON: REQUESTING LEGISLATION ON BEHALF OF THE CANTON FIRE DEPT SUPPLEMENTING THE CANTON CODIFIED ORDINANCES BY ADDING A NEW SECTION RELATIVE TO FEES FOR PUBLIC SAFETY SERVICES AT MOTOR VEHICLE ACCIDENT SCENES - JUDICIARY CMTE
635. SERVICE DIRECTOR JOE CONCATTO, CITY OF CANTON: REQUESTING PAYMENT OF \$45,000.00 MORAL OBLIGATION TO 3-D SERVICE FOR EMERGENCY REPAIR OF #1 HIGH SERVICE PUMP MOTOR AT NORTHEAST WATER TREATMENT PLANT - ENVIRONMENTAL & PUBLIC UTILITIES & FINANCE CMTE

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636. SLIMAN, SAM, AGENT FOR THE PETITIONER: NOTICE OF CONTINUATION OF COMMISSIONER'S PUBLIC HEARING FOR K-MART/EASTRIDGE ANNEXATION AREA TO 12/9/04 @ 11AM IN THE COMMISSIONERS BOARD ROOM - RECEIVED & FILED

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637. STARK COUNTY HEALTH DEPARTMENT, TIM GABRELCEK, PUBLIC HEALTH EDUCATOR, CHAIR, STARK COUNTY TOBACCO PREVENTION COALITION: REPORT OF OMNIBUS POLL CONDUCTED BY AKRON UNIVERSITY ON HARMFUL EFFECTS OF TOBACCO, SMOKE FREE DINING GUIDE & REQUEST FOR MEETING TO DISCUSS CLEAN INDOOR AIR ORDINANCE - MAYOR
638. TREASURER ROBERT SCHIRACK, CITY OF CANTON: COMPARATIVE REPORT OF PARKING METER REVENUE FOR NOVEMBER 2004 - RECEIVED & FILED
639. TREASURER ROBERT SCHIRACK, CITY OF CANTON: COMPARATIVE REPORT OF AMBULANCE LOCK BOX FOR NOVEMBER 2004 - 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 ORDINANCES #1 THROUGH AND INCLUDING #10 FOR THE FIRST TIME BY TITLE & ANNOUNCED THE COMMITTEE REFERRALS, AS FOLLOWS.***

- #1 (1<sup>ST</sup> RDG) AN ORDINANCE AMENDING ORDINANCE NO. 55/77, AS AMENDED, KNOWN AS THE CITY OF CANTON ZONING ORDINANCE  
Referred to Judiciary
- #2 (1<sup>ST</sup> RDG) AN ORDINANCE AUTHORIZING CANTON TO ANNEX THE TERRITORY KNOWN AS THE CITY OF CANTON/RAILROAD ANNEXATION AREA CONTAINING APPROXIMATELY 15.013 ACRES; ASSIGNING SAID TERRITORY TO WARD 8 OF THE CITY; ZONING SAID TERRITORY AS OS (OPEN SPACE); AND DECLARING THE SAME TO BE AN EMERGENCY  
Referred to Annexation Committee
- #3 (1<sup>ST</sup> RDG) AN ORDINANCE AUTHORIZING CANTON TO ANNEX THE TERRITORY KNOWN AS THE GROFFRE/RICHMOND ANNEXATION AREA CONTAINING 5.578 ACRES; ASSIGNING SAID TERRITORY TO WARD 6 OF THE CITY; ZONING SAID TERRITORY AS R-1A (SINGLE FAMILY RESIDENTIAL DISTRICT); AND DECLARING THE SAME TO BE AN EMERGENCY  
Referred to Annexation Committee
- #4 (1<sup>ST</sup> RDG) AN ORDINANCE AUTHORIZING THE MAYOR TO ACCEPT A GRANT FROM THE OHIO OFFICE OF CRIMINAL JUSTICE SERVICES FOR THE COMMUNITY MEDIATION CENTER OF STARK COUNTY; AMENDING APPROPRIATION ORDINANCE NO. 1/2004, AS AMENDED, BY MAKING THE SUPPLEMENTAL

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APPROPRIATION HEREIN DESCRIBED; AND DECLARING THE SAME TO BE AN EMERGENCY

Referred to Finance Committee

#5 (1<sup>ST</sup> RDG) AN ORDINANCE AMENDING EXHIBIT A TO ORDINANCE NO. 164/2001, AS AMENDED, THE CLASSIFICATION PLAN AND GENERAL SALARIES FOR ALL MANAGEMENT AND NON-BARGAINING UNIT EMPLOYEES OF THE CITY OF CANTON; AND DECLARING THE SAME TO BE AN EMERGENCY

Referred to Personnel Committee

#6 (1<sup>ST</sup> 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

Referred to Personnel Committee

#7 (1<sup>ST</sup> RDG) AN ORDINANCE APPROVING AND ACCEPTING THE REPLATTING OF PARTS OF OUTLOTS 1009 AND 1015; AND DECLARING THE SAME TO BE AN EMERGENCY

Referred to Public Safety & Thoroughfares Committee

#8 (1<sup>ST</sup> RDG) AN ORDINANCE AUTHORIZING THE DIRECTOR OF PUBLIC SAFETY TO ENTER INTO AGREEMENTS WITH VARIOUS LOCAL GOVERNMENT ENTITIES FOR SECURING AND TRANSPORTING PRISONERS TO CANTON MUNICIPAL COURT; AND DECLARING THE SAME TO BE AN EMERGENCY

Referred to Intergovernmental and Public Service Committee

#9 (1<sup>ST</sup> RDG) AN ORDINANCE AUTHORIZING THE DIRECTOR OF PUBLIC SERVICE TO EXECUTE AND DELIVER TO SCF DEVELOPMENT, LTD. AN EASEMENT ON PROPERTY OWNED BY THE CITY OF CANTON; AND DECLARING THE SAME TO BE AN EMERGENCY

Referred to Sidewalk & Street Light Committee

#10 (1<sup>ST</sup> RDG) AN ORDINANCE AMENDING ORDINANCE NO. 142/2004; AND DECLARING THE SAME TO BE AN EMERGENCY

Referred to Environmental and Public Utilities and Finance Committees

**ORDINANCES & FORMAL RESOLUTIONS FOR SECOND READING**

PRESIDENT DENCZAK: Ordinances and Formal Resolutions for the Second Reading.

***NOTE: PRESIDENT DENCZAK CALLED UPON CLERK VANCKUNAS TO READ THE FOLLOWING ORDINANCES #11 THROUGH AND INCLUDING #14 FOR THE SECOND TIME BY TITLE, AS FOLLOWS. ORDINANCES #12 AND 14 WERE ADOPTED AFTER THEIR 2<sup>ND</sup> READINGS.***

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#11 (2<sup>ND</sup> 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

#12 (2<sup>ND</sup> RDG) **ADOPTED AS ORDINANCE NO.245/2004:** AN ORDINANCE AMENDING CHAPTER 353, PARKING METERS, OF THE CODIFIED ORDINANCES OF THE CITY OF CANTON; AND DECLARING THE SAME TO BE AN EMERGENCY

MEMBER CASAR: Mr. President, I move the statutory rules be suspended on #12; seconded.

PRESIDENT DENCZAK: There's a move to dispense with the three readings of Ordinance #12. Are there any remarks...? If not, roll call vote please.

NO REMARKS

ROLL CALL: 12 YEAS, 0 NAYS

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

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

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

NO REMARKS

ROLL CALL: 12 YEAS, 0 NAYS

PRESIDENT DENCZAK: Ordinance #12 is adopted.

**#12 ADOPTED AS ORDINANCE NO. 245/2004**

#13 (2<sup>ND</sup> RDG) AN ORDINANCE AMENDING ORDINANCE NO. 7/2003; AND DECLARING THE SAME TO BE AN EMERGENCY

#14 (2<sup>ND</sup> RDG) **ADOPTED AS ORDINANCE NO.246/2004:** AN ORDINANCE AUTHORIZING THE DIRECTOR OF PUBLIC SERVICE TO ENTER INTO CONTRACT WITH ME COMPANY IN AN AMOUNT NOT TO EXCEED \$161,654.38 FOR PROFESSIONAL ENGINEERING AND SURVEYING SERVICES FOR THE 30<sup>TH</sup> STREET NE TRUNK SEWER AND IMPROVEMENT PROJECT, GENERAL PROJECT 1083; AMENDING APPROPRIATION ORDINANCE NO. 1/2004; AND DECLARING THE SAME TO BE AN EMERGENCY

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

PRESIDENT DENCZAK: Moved and seconded. I'm sorry. Just a minute here. Moved and seconded to dispense with the three readings of Ordinance #14. Are there any remarks...? If not, roll call vote.

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NO REMARKS

ROLL CALL: 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: 12 YEAS, 0 NAYS

PRESIDENT DENCZAK: Ordinance #14 is adopted.

**#14 ADOPTED AS ORDINANCE NO. 246/2004****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 #15 AND #16 FOR THEIR THIRD & FINAL TIME BY TITLE, AS FOLLOWS. BOTH 3<sup>RD</sup> READING ORDINANCES WERE ADOPTED.***#15 (3<sup>RD</sup> RDG) **ADOPTED AS ORDINANCE NO.247/2004:** AN ORDINANCE VACATING A PORTION OF SEICH COURT SW; AND DECLARING THE SAME TO BE AN EMERGENCY

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

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

NO REMARKS

ROLL CALL: 11 YEAS, 0 NAYS, 1 ABSTENTION  
(HART ABSTAINED)

PRESIDENT DENCZAK: Ordinance #15 is adopted.

**#15 ADOPTED AS ORDINANCE NO. 247/2004**#16 (3<sup>RD</sup> RDG) **ADOPTED AS ORDINANCE NO. 248/2004** AN ORDINANCE VACATING PORTIONS OF HARRIET AVENUE NW AND CROAD COURT NW; APPROVING AND ACCEPTING THE REPLATTING LOTS NOS. 9231 THROUGH 9237, 9251 THROUGH 9257, 9271 THROUGH 9284, 35132, 39074 AND A 14' VACATED ALLEY; APPROVING AND ACCEPTING THE DEDICATION PLAT OF FARWICK CT NW; AND DECLARING THE SAME TO BE AN EMERGENCY

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

PRESIDENT DENCZAK: Moved and seconded that you adopt Ordinance #16. Are there any remarks under this Ordinance 16...? Very well, roll call vote please.

NO REMARKS

ROLL CALL: 11 YEAS, 0 NAYS, 1 ABSTENTION  
(HART ABSTAINED)

PRESIDENT DENCZAK: Ordinance #16 is adopted.

**#16 ADOPTED AS ORDINANCE NO. 248/2004**

**ANNOUNCEMENT OF COMMITTEE MEETINGS**

PRESIDENT DENCZAK: Announcement of Committee Meetings please.

MEMBER PRATER: Mr. President, Annexation Committee will meet 12/13/04 at 6 PM.

MEMBER MALLONN: Mr. President, Environmental and Public Utilities will meet December 13<sup>th</sup> at 6:15.

MEMBER ZACHARY: Mr. President, Personnel Committee will meet December 13<sup>th</sup> at 6 PM.

MEMBER CASAR: Mr. President, Sidewalk and Street Light will meet on December 13<sup>th</sup> at 6 AM....6 PM.

MEMBER HAWK: Mr. President, Finance will meet December 13<sup>th</sup> at 6 PM.

MEMBER BERNABEI: Mr. President, Judiciary will meet December 13 at 6:30 PM.

MEMBER BABCOCK: Mr. President, Public Safety and Thoroughfares will also meet December 13<sup>th</sup> at 6:00.

MEMBER DIAMOND: Mr. President, Intergovernmental and Public Service will also meet on the 13<sup>th</sup>, 6:00.

MEMBER CARBENIA: Mr. President, Community and Economic Development and the Finance Committee will meet on Wednesday, 12/8, again, this Wednesday at 1:00, to discuss 808 Monument Ordinance, the Hendrickson Tax Abatement Ordinance and the Housing Advisory Board Ordinance. Mr. President, I had hoped that all interested parties, the Administration and possibly the Law Department, the Budget Department, the Community and Economic Development and all parties interested will attend that meeting for 1:00.

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

PRESIDENT DENCZAK: Public Speaks Open Forum, we have 11 speakers this evening. The first speaker is Pastor Raphael Cox.

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PASTOR COX: City Council and to all the other offices represented. My name is Raphael Cox. I am Pastor at the Community Drop-In Center, 1492 Cherry Avenue SE.

PRESIDENT DENCZAK: State your address please, Pastor.

PASTOR COX: Sir?

PRESIDENT DENCZAK: State your address.

PASTOR COX: My address is 5016 Rocky Roll NE, in Plain Township but I actually...

PRESIDENT DENCZAK: Go ahead.

PASTOR COX: ...have a Canton address. We have a problem that has been escalating at the Community Drop-In Center. Our activity down there is church activity, along with, we also have an agency where we distributed food and, and clothing for the needy. In recent months, we have noticed an escalation of drug activity on the property, on the premises outside. We have called law enforcement and we have had sporadic response to it, not nearly what we need. There is also a high activity of those that are coming in that are making these purchases of these drugs activities are not from our community. As a matter of fact, I would say, probably, if I had to put a percentage on it, and Lord knows I'm not standing there every moment, but I would say probably 85 to 90 percent of those that are making purchases are not from our community. It is becoming more and more an eyesore and a deterrent to our congregation. They are running up to our congregational people and trying to make sales to them. It has really become a very terrible situation and what we're doing, that is exact opposite of what we represent, the exact opposite of what activity we would expect and we would certainly need to see more support from law enforcement in this, in this area. I think pretty much that is our problem. The loitering has, has escalated and it really is intimidating. It's intimidating to see young people standing around waiting for any vehicle that they don't recognize. They run and approach it, banging on the window and whatever is necessary to get the attention. It's really intimidating to our congregation and our visitors. Thank you.

PRESIDENT DENCZAK: The next speaker is Pastor Mary Cox.

PASTOR MARY COX: My name is Mary Cox and my address is 5016 Rocky Roll NE but our congregation and that is at 1492 Cherry SE and I'm very concerned about the activity, the drug activity in, in that area because of the many children that we service. We come there at night and they approach the car and bang on the window and haul people in. It's, it's, it's as if they don't have any regards of what's going on. We are a church and we are concerned about the police response. They say they don't have enough. I called Vice one day and they said they only had two people working afternoons and they couldn't do anything about it. Now, I believe that if Vice would come down there and start arresting those people because I believe they have a police scanner 'cuz when we do call the police, they disappear before the police come, sometimes. They disappear 'cuz they, they must hear it on the police scanner. Also, if Vice would come and start arresting the people and as many people as they can, I believe something would be done about it because they stand in front of the store, ten of them at a time, intimidating the people that come to the store, intimidating our membership coming to church and I really am concerned about our police response to the calls. I mean, we call the police all day. Sometimes they come, sometimes they don't. Thank you.

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PRESIDENT DENCZAK: Just to clear a point. Pastor Cox, the police scanners today are operating on a digital system not the analog system. So I doubt very much if these hoodlums do have scanners. Somehow they're getting your message, it's not through the scanners of today that police have because they are on the analog, or digital system. The next speaker is Annette Ervin. Am I pronouncing that right?

MS. ANNETTE ERVIN: Hi. My name is Annette Ervin and my address is 825 Gilmore NW and I'm also representing 1432 Cherry Avenue NW on Charity Church. I'm also part of the congregation and I represent the children of the church. I am the one that brings the children, you know, for choir practice and what not. I can only go off my personal experience. When we come into, into the van, well you know, I have children on van, they come up to the van, you know, the children are all on there and they're scared and don't know what to do, but we had them come in, you know, our situation is they're running up there, you know, we get a little nervous 'cuz we don't know, you know, what they're doin', and even when we come out, they're on the other side of the van makin' transactions which is like, she said, is a little intimidating and is a little scary and we come in on Sunday to come in, 'ya know, and praise God and serve the Lord and we have a rock comin' up to the windows and banging on the windows and you know they want to sell to us and we don't, you know, we don't even want to have any part of that, but that's just the part that, you know, I'm a little afraid of because I have the children with me, you know, on Saturdays, you know, to come up there for choir practice and it is a little, you know, intimidating and I just pray that, you know, I'm not for sure about what each one of you do, but I just pray that the Lord just touch each one of you and allow you to come together and do something about this situation, only because I'm lookin' out for the children and their safety and I got, I don't know what is, you know, going to happen at any given time, you know, when I have all these little kids, you know, with me. Thank you.

PRESIDENT DENCZAK: The next speaker is Shemeina Young. Am I pronouncing that correct?

MS. YOUNG: Shemenia Young. I'm at 504 Belden Avenue NE. I'm also a member at the Community Drop-In Center and I'm a faithful member and I'm there on Saturdays and I come Saturday mornings and Saturday evenings. I also go to the, with the Children's Choir and the Adult Choir and it is discouraging when you open your door and you have people running up to you and they're trying to sell you something or they're asking you for money because they have other agendas outside of coming to praise God, and that's what we are there for, and it's hard for other people within the community to come down just to praise God when they don't want to come in that area because of what, the activity that is going on there. We can only do so much, we can only pray and, and, fast and, and, just go out and speak to these people but we, and like I said, we can only do so much and then there's other help that we need from, from the community and from the police and things of that nature. We don't want anyone to get hurt but at the same time, there's other people that are in the community that are not a part of this and they don't deserve to be treated that way when they come to church. Thank you.

PRESIDENT DENCZAK: The next speaker's Jeff Wilson. Jeff Wilson. He left?... (*Announced speaker was absent from the audience*) The next speaker's Wilbert Hoskins... (*Announced speaker was absent from the audience*) The next speaker is Shawn Fontes... (*Announced speaker was absent from the audience*) The next speaker is Melisse, Melissa Marks.

MS. MARKS: Good evening. My name is Melissa Marks. My address is 643 Alan Page Drive SE. I'd like to speak to you also about the drug activity in the southeast end. I'm a resident at Skyline Terrace Apartment which is the apartment complex just across the street from the Drop-In Center. I've been a resident there for two years and also I'm

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Building Coordinator with Project CARE. There are 14 or, 416 apartment units in Skyline Terrace and that is home to some 560 residents and adjoining with women and children down there. We're concerned with the residents. I have more with me this evening and our goal is to try to make safety and healthiness the issue down there. We're working to build a much better place for our kids down there. Let me just describe to you some of the things that happen daily in our community. The things our kids are witnessed to: drug trafficking, use of illegal weapons, loitering, gambling, domestic violence, fighting, sexual harassment and intimidation. We believe that all of these activities result from the drug use and sales that are very active there daily across from the entrance of Skyline Terrace and in the area around both stores on the north side of Cherry Avenue. Even working with Skyline's private security, which is unable to overcome the problems there and the negative impact that these criminal activities have on our community. We're asking for your help this evening. For quite some time, we've been documenting on the activities and the response of the police calls that we've put in. That varies from sometimes coming to not coming at all. Let me give you a couple examples of that. On October 27<sup>th</sup> of this year at 2 PM, Canton Police Sergeant, badge #49 advised our Security Director Jake Evern, not to call the police anymore for the drug activity at the Cherry Avenue Market, to allow the owner of the store to take care of that illegal activity. On Saturday, November 27<sup>th</sup>, a Kingston Drive resident, heard 3 or 4 rapid gunshots outside of her apartment. At 3:50 AM, she immediately called the police and she waited until 5:30 AM. The police never did respond. When she went outside, she found the shell casings from the bullets outside on her patio. I think you can understand our frustration and our concerns for the kids in that neighborhood. That's why we're asking for your help this evening. We'd like to suggest a little bit more police activity in the area. We understand that, you know, you have budget concerns and so forth, it is hard. But, we live there, and like I said, there are 560 residents, a lot of those being single women and small children. We're concerned for their health and safety down there. We're intimidated. We can't walk on the sidewalks without these drug sales going on, people coming up, calling us out, offering drugs at all times, day and night. Maybe some more undercover work being done, all they have to do is go to the laundry facility by the Hall of Fame Mart and do laundry at anytime, day or night. Activity is all.....

PRESIDENT DENCZAK: Ma'am, I'm sorry but your 3 minutes are up. Bring your remarks to a close.

MS. MARKS: Thank you.

MEMBER ZACHARY: Mr. President, I had intended to wait until everyone had spoke before I spoke up but, Ms. Marks said something that is disturbing and that was the fact that they were told by the Police not to call about drug activity any more. I find that incredibly....

PRESIDENT DENCZAK: Member Zachary I'm gonna ask you, I'll recognize you first under miscellaneous business. I too would like to make a comment on that so, I'll recognize you first. The next speaker is Vince Watts.

MR. WATTS: My name is Vince Watts. My address is 1445 15<sup>th</sup> Street NW here in Canton. I have provided each of you, the Councilmembers, a copy of a magazine, Northern Ohio Live and the cover says, "Celebrate With Style" and I think we certainly did that on Thursday with Light Up Downtown. I applaud the members, whoever was involved in planning that, it was certainly a fitting celebration. Inside the magazine, there's an article on the diversity initiative undertaken by the City of Cleveland. In September 2004, the US Census rated Cleveland as the poorest big city in the country. To begin to correct this problem, Cleveland did not implement a housing initiative. They had already tried that with the Hough neighborhood and other neighborhoods within the city. They didn't do the tax abatement. Some analysts believe that tax abatements contributed to Cleveland's problem. They have decided that diversity and inclusion

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are the steps they wanted to take to help correct their problems. They merged those agencies that deal with economic and community development. Those agencies being the Greater Cleveland Roundtable, The Greater Cleveland Growth Association and Cleveland Tomorrow to form the Greater Cleveland Partnerships. Sandy Cutler, the CEO of the Eaton Corporation and the Chairman of the Partnership Board, she said that by making inclusion an intricate part of the economic development agenda, it is no longer a piece that gets pasted on the back end. The Stark County Town Hall is asking City Council and the Administration to use this bicentennial year to develop a plan for inclusion in our civic, cultural and fiscal planning. When a city such as Atlanta, Houston, Memphis and Jacksonville have had great success as a result of the realization that in order to generate economic improvement, you must draw from the strength of all of our residents. I'm asking Council to investigate the benefits of a formal program of inclusion to allow Town Hall to partner in that process and consider including events that promote diversity in our city's on-going celebration. I've also taken the opportunity to include a flier on a presentation of a "Raisin in the Sun" which is a collaboration between Stark County's Town Hall, the Rainbow Repertory Company and the Canton Player's Guild. As our attempt, we want to draw everyone into improving Stark County. If you travel south on Cleveland Avenue just north of 30<sup>th</sup> Street, there's a billboard there and it says that a better Stark County includes us all. I think a better Canton includes us all also. So, I encourage City Council to look for ways to actively look for ways to be sure that the entire community is a part of our celebration and our fiscal planning. I thank you. (*AUDIENCE APPLAUSE*)

PRESIDENT DENCZAK: The next speaker is Larry Lanham.

MR. LANHAM: Mr. President. My address is 4720 Cranberry Avenue NW.

PRESIDENT DENCZAK: State your name.

MR. LANHAM: Larry Lanham Jr.

PRESIDENT DENCZAK: Okay.

MR. LANHAM: I had not planned on coming out here this evening until I happened to speak to Vince Watts earlier and he said that he was going to be coming out here and talking to you for a little bit. I've met a number of you, and first of all, I just want to thank Greg Hawk and Kelly Zachary and Mayor Creighton, as a matter of fact, for taking the time to come out to a number, to speak to a number of students that I've been directing over the course of this semester that have been interning with the Stark County Town Hall on Race Relations. So, thank you very much for participating, offering your insight as public officials. It's very much appreciated. I really wanted to come out tonight again to express my support for the words that Vince Watts just said. As a 23-year old young male, a professional, planning to get further education in this community, I feel it's growing more and more important that we become more diverse, or celebrate our diversity more and become a more inclusive society because young people, more and more, are becoming a little bit disenfranchised with the City of Canton in that, I guess, we don't feel like there's a place for us and I think a lot of companies are starting to perceive the same thing as well and it's making me kinda fearful because in my 4 years that I have lived in this city, I wanted to see businesses come here just as much as any of you. I wanted to see young people locate here as much as any of you but I'm beginning to fear that if, if we, as a city, as, as you guys, as public officials and us in the community, don't begin looking at diversity inclusion, and inclusion more seriously, that our young people will continue to leave and that's something that I don't want to see. I do happen to be on the Board of Directors for the Town Hall and this, these are things that we talk about I guess, all the time, how can we get the city more involved in the

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programs that we're supporting and trying to build in this community and I just wanted to come here tonight and say thank you, for those of you who have participated, and I hope, personally, to see each and every one of you dig a little deeper and get involved in these issues as they pertain to your office in particular. Thank you.

PRESIDENT DENCZAK: The next speaker is Jeanette Stevenson. Am I pronouncing that right?

MS. STEVENSON: My name is Jeanette Stevenson. I live at 211 Monroe Avenue SE and I'm here because I'm very upset. I was here before and I'm getting tired of looking in people's faces and they makin' a lot of promises just, I guess, to get me outta their face and nothing happen. I'm here, still fighting for that light that they, nobody has really given me too much about it and I'm fighting now because we have had trash, I know you know where the Free Clinic is there on Monroe. We have had trash all over that sidewalk for over 2 weeks. I've went around and taken pictures. We have a place on Tyler that my sister had been fighting for 3 years and now there's a big tree, and you know, I'm trying to be nice but my niceness is running out. I am 77 years old, I was born in Canton, I was not allowed out the southeast end. This is a very prejudice town and you ask me why are you still here? Because I have to reach some of my black young people and I send them out of Canton and as I see Canton now, I came up the hard way. I couldn't eat up, downtown, I couldn't swim in the swimming pools, I watched 'em take all the old folks homes in the 4<sup>th</sup> ward and some of them died of shock where they paid them \$4,000 and every time it comes to the 4<sup>th</sup> ward, we can't, we can't, we can't. Well, I'm just about tired of I can't. I'm just about tired of being nice and if I have to go all the way up to President Bush, that's where I'm gonna end at. I will get Channel 5 down here, I'll get Channel 3 because I have a case, and the only difference between this town, I know my sister worked for one of the Mayors and she had to kick back 10% of her salary to keep it. I know, if I wrote all that went on in Canton, some of your hearts probably would stop. But, I'm telling you this, it's got to stop. There is going to be a light put on Cherry and quit telling me there's not enough traffic. You come down there about 2:30 and what they're talkin' about now where all those dope addicts is there. We have the money to light up the City of Canton and we can't light up the children, put a light on Gonder? And, like I said, my patience has run out and what I see this town is, I'm gonna be another Moses. I'm gonna lead my blacks outta this town because if we don't straighten up, something bad is going to happen in Canton. I'm telling you that right now.

PRESIDENT DENCZAK: Ma'am, I'm sorry but..... ma'am let.....

MS. STEVENSON: I know it. I smell it. I see it. If we don't change, it is going to happen. You cannot keep treating us like filthy dogs and all these people that's gonna be, as I call, the only people that's gonna be left in Canton, Ohio is white folk, old folks and black kids that don't wanna work. If you check, the first .....

PRESIDENT DENCZAK: Ma'am. I'm sorry. I'm sorry, but your time is... you'll have to bring your remarks to a close. Thank you.

MS. STEVENSON: Okay, I have peace, but I'm getting ready to war. Thank you.

PRESIDENT DENCZAK: One more time, Jeff Wilson, Hoskins and Fontes, did they come back?... *(again asking for the 3 individuals who signed up for Public Speaks. None were present.)* All right, the Chair must go on.

**MISCELLANEOUS BUSINESS**

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

MEMBER ZACHARY: Mr. President, I would like to ask, well, first of all, I got an email given to me by the Safety Director today that did indicate that there had been some buy busts at the Skyline Terrace area across the street at the Hall of Fame Mart and the Cherry Market Place. However, I do realize that we are short staff and we have short resources within the city but, some thing has to be done. I think the most disturbing thing that, and the most recurring thing that I keep hearing is that we're calling the police and nothing's getting done. That bothers me because even though we may be short staffed, they still have a staff of police officers that work for the City of Canton and it makes me wonder, and I'm not pointing fingers, but, why is it that we get the feeling that some of them are not doing their jobs in certain zones. I do not have an answer for that, but I would like one. I've listened to everybody who spoke tonight and I want to thank you for coming, first of all. I will say that the group that Skyland Terrace Project here, they have been carefully documenting police response and I'm sure they'd be more than happy to share it with the Safety Director. They not only log the times that they've called, but if anyone came, if they came, what happened or what did not happen and they're doing an excellent job at it. They want their neighborhoods back and I think it's our job to help them. (*AUDIENCE APPLAUSE*)

PRESIDENT DENCZAK: Is there any other miscellaneous business?

MEMBER WEST: Mr. President, yes. Just sitting here listening to a lot of individuals, I think a great woman once said I'm sick and tired of being sick and tired. Last week I had an opportunity to meet with Chief McKimm in reference to the drug activity in ward 2 and I also have heard about it in ward 4. Specifically, people are sick and tired and all they see in the paper is us talking about building up downtown, creating new buildings, creating new housing but they're out there seeing nothing's being done about the drugs and the prostitutes that hang out on their streets and in front of their homes. So, I would like, I know how we're trying to balance the budget this year but if we could figure out a way to police these areas and try to take care of the residents that are coming down here week after week complaining about the same issues, I would appreciate it.

PRESIDENT DENCZAK: Mayor Creighton, are we aware of what's been going on?

MAYOR CREIGHTON: I know what I hear at City Council. No other residents have called me on that, on that particular issue. I have talked to Larry Cox on other things and I've talked to Mrs. Stevenson on several things, but Bernie and I will meet with Chief McKimm and we will discuss the activity and the response time.

PRESIDENT DENCZAK: Thank you.. Any other miscellaneous business?

MEMBER HAWK: Mr. President, I'd like to call an additional Finance Committee meeting for Wednesday morning at 9AM. This will be on-going from our last budget hearings that we sat down with each department head and they filled out a questionnaire and I think we had some very, very productive discussions with them. Two departments did not attend. One was the Park Department. They did call and say that they had a scheduling problem and Building Code Enforcement did not attend and did not even, did not even give us an explanation as to why they did not attend. We'd like a representative to be, to come forward at 9:00 on Wednesday morning. I don't have a calendar.

PRESIDENT DENCZAK: That's the 15<sup>th</sup>?

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MEMBER HAWK: Yep, that is, yeah, yes. The eighth, I'm sorry. The eighth, Wednesday the eighth.

MAYOR CREIGHTON: Mr. President. Member Hawk, did you notify Park and Building of that?

MEMBER HAWK: Yeah.

MAYOR CREIGHTON: Okay, thanks.

MEMBER HAWK: Yeah, and Park called. They got stuck in another issue. But, we did hear from Park.

PRESIDENT DENCZAK: Is there any other business, 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: 8:22 p.m.

ATTEST:

APPROVED:

DEBRA VANCKUNAS  
CLERK OF COUNCIL

RAY DENCZAK  
PRESIDENT OF COUNCIL

