

MINUTES OF THE MEETING OF FEBRUARY 14, 2005

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

The regular meeting of Canton City Council was held on Monday, February 14, 2005, at 7:30 P.M. in the Canton City Council Chamber. The roll call was then taken (as follows) by Clerk of Council Debbie Vanckunas. The invocation was given by Councilmember-at-Large Mary Babcock followed by the Pledge of Allegiance led by President of Council Denczak.

ROLL CALL TAKEN BY CLERK OF COUNCIL VANCKUNAS:

ALL 12 COUNCILMEMBERS PRESENT: (DON CASAR, JOE CARBENIA, MARY M. BABCOCK, THOMAS M. BERNABEL, GREG HAWK, THOMAS E. WEST, JAMES E. GRIFFIN, KELLY ZACHARY, TERRY PRATER, DAVID R. DOUGHERTY, RICHARD D. HART, & ROSEMARY DIAMOND)

AGENDA CORRECTIONS & CHANGES

PRESIDENT DENCZAK: Thank you Member Babcock. (*Referring to giving invocation*) Agenda corrections and changes, Members of Council, to bring your agenda up to date—you're being asked to suspend Rule 24B to add Informal Resolution 17 and 18. Member Casar, the Chair will recognize that motion at this time.

MEMBER CASAR: Mr. President, I move we suspend Rule 24B and add Resolutions No. 17 and 18 to this evening's agenda; seconded.

PRESIDENT DENCZAK: Moved and seconded to suspend Rule 24B to add Information Resolutions 17 and 18 to the agenda. Are there any remarks?... If not, Roll Call vote.

NO REMARKS

ROLL CALL: 12 YEAS, 0 NAYS

RULE 24B WAS SUSPENDED AND RESOLUTIONS 17 & 18 BECAME A LEGAL PART OF THE AGENDA.

PRESIDENT DENCZAK: Rule 24B is suspended and Resolution 17 and 18 are a legal part of your agenda. You're being asked to suspend Rule 22A to add second readings of Ordinances 6 through and including #18. The Chair understands that Ordinance #14 is being retained in Committee so the motion is to exclude 14. The Chair will recognize the motion at this time.

MEMBER CASAR: Mr. President, I move that Rule 22A be suspended and add Ordinances 6 through and including 18, excluding #14 which will be retained on committee as requested by Committee Chairman Hawk and Committee Chairman Dougherty; seconded.

PRESIDENT DENCZAK: Moved and seconded to suspend Rule 22A to add second readings of Ordinances 6 through and including #18 with the exclusion of #14. Are there any remarks...? If not, Roll Call vote please.

NO REMARKS

ROLL CALL: 12 YEAS, 0 NAYS

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PRESIDENT DENCZAK: Rule 22A is suspended and the Ordinances are a legal part of your agenda. This brings your agendas up to date Members of Council.

RULE 22A WAS SUSPENDED AND ORDINANCES 6 THROUGH AND INCLUDING & 18, EXCLUDING ORDINANCE #14, BECAME A LEGAL PART OF THE AGENDA.

PUBLIC HEARINGS

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

PUBLIC SPEAKS (ORDINANCES OR RESOLUTIONS FOR ADOPTION ONLY):

PRESIDENT DENCZAK: No one has signed up for Public Speaks under Ordinances and Resolutions For Adoption.

INFORMAL RESOLUTIONS

PRESIDENT DENCZAK: Informal Resolutions. It will not be necessary to excuse members.

MEMBER CASAR: Mr. President, if I may please. Auditor Mallonn would have been here this evening because he tries to attend all meetings but his wife's grandmother passed away; that's why he is not present this evening.

PRESIDENT DENCZAK: Okay then, all Councilmembers are present so it will not be necessary to excuse them so let the journal state that all Councilmembers are present. Resolution #17 please. Oh, I'm sorry, #16.

PRESIDENT DENCZAK CALLED UPON CLERK OF COUNCIL VANCKUNAS TO READ RESOLUTIONS #16 THROUGH AND INCLUDING #20 BY TITLE, AS SHOWN BELOW. THE RESOLUTIONS ARE ON FILE IN THEIR ENTIRETY IN THE COUNCIL OFFICE WITH THE AGENDA ITEMS DATED FEBRUARY 14, 2005.

#16. CASAR, DONALDE., COUNCILMEMBER-AT-LARGE: RECOMMENDING THAT THE UNNAMED NORTH/SOUTH ALLEY BETWEEN 14TH & 15TH ST NW AND BETWEEN RIDGE RD & MCGREGOR AVE NW BE NAMED H. CARSON COURT. - ADOPTED BY COUNCIL

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

PRESIDENT DENCZAK: Moved and seconded that you adopt Resolution #16. 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 #16 APPROVED BY UNANIMOUS VOICE VOTE

PRESIDENT DENCZAK: Resolution #16 is adopted.

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SUSPENDED RULE 24B TO ADD RE#17-18:

#17 PERSONNEL COMMITTEE: CONFIRMING THE MAYOR'S REQUEST TO EXTEND PAUL BAIR'S TERM ON THE ZONING BD OF APPEALS FROM 4/30/05 TO 12/31/05. - ADOPTED BY COUNCIL

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

PRESIDENT DENCZAK: Moved and seconded that you adopt Resolution #17. 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 #17 APPROVED BY UNANIMOUS VOICE VOTE

PRESIDENT DENCZAK: Resolution #17 is adopted.

#18 PERSONNEL COMMITTEE: CONFIRMING THE MAYOR'S REAPPOINTMENT OF MIKE KING TO SERVE ON THE COMMUNITY REINVESTMENT AREA HOUSING COUNCIL FOR A 3 YR. TERM FROM 3/1/05 TO 2/28/08. - ADOPTED BY COUNCIL

MEMBER CASAR: Mr. President, I move we adopted Resolution #18; seconded.

PRESIDENT DENCZAK: Moved and seconded that you adopt Resolution #18. 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 #18 APPROVED BY UNANIMOUS VOICE VOTE

PRESIDENT DENCZAK: Resolution #18 is adopted.

#19 WEST, THOMAS E., WARD 2, & ZACHARY, KELLY, WARD 4: EXTENDING SUPPORT TO PROPOSED ABCDHOMES V LOCATED ON SCATTERED SITES IN WARDS 2 & 4. - ADOPTED BY COUNCIL

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

PRESIDENT DENCZAK: Moved and seconded that you adopt Resolution #19. 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 #19 APPROVED BY UNANIMOUS VOICE VOTE

PRESIDENT DENCZAK: Resolution #19 is adopted.

#20 WEST, THOMAS E., WARD 2, & ZACHARY, KELLY, WARD 4: EXTENDING SUPPORT TO PROPOSED ABCD HOMES VI LOCATED ON SCATTERED SITES IN WARDS 2 & 4. - ADOPTED BY COUNCIL

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

PRESIDENT DENCZAK: Moved and seconded that you adopt Resolution #20. 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 #20 APPROVED BY UNANIMOUS VOICE VOTE

PRESIDENT DENCZAK: Resolution #20 is adopted.

COMMUNICATIONS

PRESIDENT DENCZAK: All communication 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 FEBRUARY 14, 2005.

94. LIQUOR CONTROL DIVISION, 6606 TUSSING RD, PO BOX 4005, REYNOLDSBURG OH 43068-9005: REQUEST BY T LANE, INC. DBA MAGGIORES BIG M DRIVE THRU, FOR LOCATION TRANSFER OF C2, C2X, D6 LIQUOR PERMIT FROM 3004 ATLANTIC BLVD TO 1810 NAVARRE RD SW - INTERGOVERNMENTAL & PUBLIC SERVICE CMTE
95. LIQUOR CONTROL DIVISION, 6606 TUSSING RD, PO BOX 4005, REYNOLDSBURG OH 43068-9005: REQUEST BY WAL MART STORES EAST LP, DBA WAL MART SUPERCENTER #5410 AT 4000 TUSCARAWAS ST WEST, FOR A NEW C1, C2 LIQUOR PERMIT. - INTERGOVERNMENTAL & PUBLIC SERVICE CMTE.
96. MAYOR JANET WEIR CREIGHTON, CITY OF CANTON: REQUESTING APPROVAL OF REAPPOINTMENT OF MIKE KING TO A 3 YEAR TERM FROM 3/1/05-2/28/08 ON THE COMMUNITY REINVESTMENT AREA HOUSING COUNCIL - PERSONNEL CMTE (SEE RE#18)
97. MORRIS, PAUL & MARTIN, 833 CLEVELAND AVE SW, CANTON, OH 44702: REQUEST TO VACATE PORTION OF ESTEP PL SW FROM EAST LINE OF DEWALT AVE TO WEST LINE OF CLEVELAND AVE SW FOR BUSINESS CONSOLIDATION - PLANNING COMMISSION
98. PLANNING COMMISSION, CITY OF CANTON, 218 CLEVELAND AVE., SW, CANTON, OH: APPROVING REPLAT BY HFSEH LIMITED PARTNERSHIP (SANDRA & HALE HEMENWAY) FOR LOTS 30910, 30909 & PART OF 30908 TO CREATE TWO LOTS ON MONTROSE AVE NW - PUBLIC SAFETY & THOROUGHFARES CMTE
99. PLANNING COMMISSION, CITY OF CANTON, 218 CLEVELAND AVE., SW, CANTON, OH: RECOMMENDING APPROVAL OF B-3 GENERAL BUSINESS DISTRICT ZONING FOR THE PLEASANT VIEW/EASTRIDGE ANNEXATION AREA - ANNEXATION CMTE

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100. PLANNING COMMISSION, CITY OF CANTON, 218 CLEVELAND AVE., SW, CANTON, OH: RECOMMENDING DENIAL OF ZONE CHANGE REQUEST BY MALONE COLLEGE FROM PR-1 TO PB-4 (PLANNED SPECIAL BUSINESS) TO ALLOW FOR ELECTRONIC MESSAGE SIGN - JUDICIARY CMTE **PUB HRG 3/21/05 @ 7:31 PM**
101. PLANNING COMMISSION, CITY OF CANTON, 218 CLEVELAND AVE., SW, CANTON, OH: RECOMMENDING APPROVAL WITH CONDITIONS OF ZONE CHANGE REQUEST BY HETTLER LARGENT ENGINEERING FOR VIENNA WOODS PHASE II FROM R-1A TO PB-3 (PLANNED GENERAL BUSINESS) TO ALLOW CONSTRUCTION OF A MAINTENANCE BUILDING, NEIGHBORHOOD CENTER & PLAYGROUND - JUDICIARY CMTE
102. SERVICE DIRECTOR JOSEPH J. CONCATTO, CITY OF CANTON: REQUESTING APPROVAL OF ADDITIONAL \$8,134 PAYMENT TO 3-D SERVICE FOR EMERGENCY REPAIRS TO 300 HORSEPOWER SYNCHRONOUS MOTOR FOR #1 HIGH SERVICE PUMP AT NORTHEAST WATER TREATMENT PLANT - FINANCE CMTE
103. SERVICE DIRECTOR JOSEPH J. CONCATTO, CITY OF CANTON: CORRECTION TO COMMUNICATION #65, 1/26/04, REGARDING PROPERTY TAX ASSESSMENTS TO PARCELS #0233603 & #0216463. - CLERK OF COUNCIL
104. STARK COUNTY COMMISSIONERS, 110 CENTRAL PLAZA SOUTH, CANTON, OHIO: GRANTING ANNEXATION OF 42.3072 ACRES IN PLAIN TOWNSHIP KNOWN AS THE PLEASANT VIEW/EASTRIDGE ANNEXATION AREA. - ANNEXATION CMTE
105. WORLD LEADERSHIP FORUM, 60 LOMBARD STREET, LONDON, EC3V 9EA: INVITATION TO ENTER THE 2005 WORLD LEADERSHIP AWARDS- MAYOR & MAJORITY LEADER

ORDINANCES & FORMAL RESOLUTIONS FOR FIRST READING

PRESIDENT DENCZAK: We are now under Ordinances for the first reading and referral. Let the Journal show that all ordinances are being referred as required by State Law. Ordinance #1 please.

NOTE: PRESIDENT OF COUNCIL DENCZAK CALLED UPON CLERK VANCKUNAS TO READ THE FOLLOWING ORDINANCES #1 THROUGH AND INCLUDING #5 FOR THE FIRST TIME BY TITLE & ANNOUNCED THE COMMITTEE REFERRALS, AS FOLLOWS.

- #1 (1ST RDG) AN ORDINANCE AUTHORIZING THE MAYOR OR SERVICE DIRECTOR TO ENTER INTO A LEASE AGREEMENT WITH STARK STATE COLLEGE OF TECHNOLOGY; AND DECLARING THE SAME TO BE AN EMERGENCY
Referred to the Finance Committee
- #2 (1ST RDG) AN ORDINANCE AMENDING APPROPRIATION ORDINANCE NO. 253/2004, AS

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AMENDED, BY MAKING THE SUPPLEMENTAL APPROPRIATIONS, REDUCTIONS AND APPROPRIATIONS AND INTERFUND TRANSFER HEREIN DESCRIBED; AND DECLARING THE SAME TO BE AN EMERGENCY

Referred to the Finance Committee

#3 (1ST RDG) A RESOLUTION CONSIDERING AND APPROVING THE PETITION FOR RENEWAL OF THE OPERATING ASSESSMENT OF THE DOWNTOWN CANTON SPECIAL IMPROVEMENT DISTRICT; AND DECLARING THE SAME TO BE AN EMERGENCY
Referred to Community & Economic Development Committee

#4 (1ST 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
Referred to Environmental & Public Utilities Committee

#5 (1ST RDG) AN ORDINANCE ESTABLISHING THE FAIR MARKET VALUE OF REAL PROPERTY IN CONJUNCTION WITH THE MARKET AVENUE NORTH SANITARY/SEWER REPLACEMENT PROJECT, GP 1070; AUTHORIZING THE MAYOR TO DIRECTOR OF PUBLIC SERVICE TO NEGOTIATE AND PURCHASE SAID PARCELS AT THE ESTABLISHED FAIR MARKET VALUES; AND DECLARING THE SAME TO BE AN EMERGENCY.
Referred to Environmental & Public Utilities and Finance Committees

ORDINANCES & FORMAL RESOLUTIONS FOR SECOND READING

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

NOTE: PRESIDENT OF COUNCIL DENCZAK CALLED UPON CLERK VANCKUNAS TO READ THE FOLLOWING ORDINANCES #6 THROUGH AND INCLUDING #18 FOR THE SECOND TIME BY TITLE, AS FOLLOWS-EXCEPT ORDINANCE #14, WHICH WAS RETAINED IN COMMITTEE.

#6 (2ND 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 (Coleman Ctr, 1731 Grace Ave NE) **PUB HRG 2/28/05 @ 7:30 PM**

#7 (2ND 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 (Papa John's, 3001 Cleveland NW) **PUB HRG 2/28/05 @ 7:31 PM**

#8 (2ND RDG) AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO AN ENTERPRISE ZONE AGREEMENT WITH REPUBLIC ENGINEERED PRODUCTS, INC. TO PROVIDE REAL AND PERSONNEL PROPERTY TAX EXEMPTIONS; AUTHORIZING THE

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AUDITOR TO MAKE PAYMENTS TO THE CANTON LOCAL BOARD OF EDUCATION AS REQUIRED TO BE PAID PURSUANT TO SECTION 5709.82© AND (D) OF THE REVISED CODE; AND DECLARING THE SAME TO BE AN EMERGENCY

- #9 (2nd RDG) AN ORDINANCE AUTHORIZING THE DIRECTOR OF PUBLIC SERVICE TO ENTER INTO A PROFESSIONAL SERVICE CONTRACT WITH AMOS DATA SYSTEMS, INC. IN AN AMOUNT NOT TO EXCEED \$24,000.00 TO ASSIST THE CITY IN UPGRADING OUR VOICE COMMUNICATION SYSTEM; AND DECLARING THE SAME TO BE AN EMERGENCY
- #10 (2nd RDG) AN ORDINANCE AUTHORIZING THE DIRECTOR OF PUBLIC SAFETY TO ADVERTISE, RECEIVE BIDS AND ENTER INTO CONTRACT FOR THE PURCHASE OF THIRTEEN (13) BREATHING APPARATUS; AND DECLARING THE SAME TO BE AN EMERGENCY
- #11 (2nd RDG) AN ORDINANCE AUTHORIZING THE DIRECTOR OF PUBLIC SAFETY TO ENTER INTO CONTRACT WITH MOTOROLA, INC. FOR THE PURCHASE OF TWENTY-FIVE PORTABLE RADIOS AND RELATED EQUIPMENT FOR THE FIRE DEPARTMENT; AND DECLARING THE SAME TO BE AN EMERGENCY.
- #12 (2nd RDG) AN ORDINANCE AUTHORIZING THE DIRECTOR OF PUBLIC SAFETY TO ACCEPT A GRANT FROM THE BUREAU OF WORKER'S COMPENSATION SAFETY IN THE AMOUNT OF \$13,920.00; AMENDING APPROPRIATION ORDINANCE NO. 253/2004, AS AMENDED; AUTHORIZING THE DIRECTOR OF PUBLIC SAFETY TO ADVERTISE, RECEIVE BIDS AND ENTER INTO CONTRACT FOR THE PURCHASE OF EIGHT STRYKER STAIR CHAIRS FOR THE FIRE DEPARTMENT; AND DECLARING THE SAME TO BE AN EMERGENCY
- #13 (1ST RDG) AN ORDINANCE AUTHORIZING THE DIRECTOR OF PUBLIC SAFETY TO ENTER INTO CONTRACT WITH FINLEY FIRE EQUIPMENT COMPANY, INC. IN AN AMOUNT NOT TO EXCEED \$25,092.00 FOR THE PURCHASE OF 100 VOICE AMPLIFIER SYSTEMS PURSUANT TO OHIO REVISED CODE SECTION 125.04; AND DECLARING THE SAME TO BE AN EMERGENCY
- #14 **RETAINED IN COMMITTEE** AN ORDINANCE AUTHORIZING THE DIRECTOR OF PUBLIC SERVICE TO ENTER INTO CONTRACT WITH VALLEY FORD TRUCK SALES, INC. IN THE AMOUNT OF \$22,729.12 FOR THE PURCHASE OF A FORD F350 CHASSIS AND CAB PURSUANT TO O.R.C. SECTION 125.04; AND DECLARING THE SAME TO BE AN EMERGENCY
- #15 (2nd RDG) AN ORDINANCE REPEALING CHAPTER 951, CLEANING SEWERS, OF THE CODIFIED ORDINANCES
- #16 (2nd RDG) AN ORDINANCE AUTHORIZING THE DIRECTOR OF PUBLIC SERVICE TO ENTER INTO CONTRACT WITH FORT DEARBORN LIFE INSURANCE COMPANY FOR

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GROUP TERMLIFE AND ACCIDENTAL DEATH AND DISMEMBERMENT INSURANCE COVERAGE FOR ELIGIBLE CITY EMPLOYEES; AND DECLARING THE SAME TO BE AN EMERGENCY

#17 (2nd RDG) AN ORDINANCE APPROVING A CANTON CITY WATER MAIN EXTENSION TO PERRY TOWNSHIP; AUTHORIZING THE DIRECTOR OF PUBLIC SERVICE TO ENTER INTO CONTRACT FOR THE EXTENSION OF SAID WATER MAIN; AND DECLARING THE SAME TO BE AN EMERGENCY

#18 (2nd RDG) AN ORDINANCE AUTHORIZING THE CITY AUDITOR TO PAY A MORAL OBLIGATION IN THE AMOUNT OF \$10,225.25 TO COOPER AND ASSOCIATES; AND DECLARING THE SAME TO BE AN EMERGENCY

ORDINANCES AND FORMAL RESOLUTIONS FOR THIRD READING

PRESIDENT DENCZAK: Ordinances and Formal Resolutions for the third and final reading. Ordinance #19 please.

NOTE: PRESIDENT OF COUNCIL DENCZAK CALLED UPON CLERK VANCKUNAS TO READ THE FOLLOWING ORDINANCES #19 THROUGH AND INCLUDING #22 FOR THE THIRD & FINAL TIME BY TITLE, AS FOLLOWS. ALL ORDINANCES WERE ADOPTED FOLLOWING THEIR 3RD READING.

#19 (3rd RDG) **ADOPTED AS ORDINANCE NO. 22/2005** AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO AN ENTERPRISE ZONE AGREEMENT WITH HELIOS COATINGS, INC. TO PROVIDE PERSONAL PROPERTY TAX EXEMPTIONS; AUTHORIZING THE AUDITOR TO MAKE PAYMENTS TO THE CANTON CITY BOARD OF EDUCATION AS REQUIRED TO BE PAID PURSUANT TO SECTION 5709.82 © AND (D) OF THE REVISED CODE; 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?

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

PRESIDENT DENCZAK: Yes, you may.

MEMBER CASAR: Mr. Allen, under the portion of where it says authorize the Auditor to make payments to the Canton City Board of Education, what is the yearly amount on that particular Ordinance?

MEMBER ALLEN: Member Casar, I do not know that. I can research that and find out for you.

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MEMBER CASAR: Does anyone on the Administration know that answer, or maybe, maybe Ms. Poorman may know the answer?... Mr. President, I move that Margy Poorman be permitted to address Council for no more than 5 minutes; seconded.

PRESIDENT DENCZAK: Moved and seconded that the Economic and Community Development Director be allowed to speak to Council for no more than 5 minutes. Are there any remarks?... If not, by voice vote, all those in favor signify by saying aye. Those opposed no.

NO REMARKS

MOTION APPROVED BY UNANIMOUS VOICE VOTE

PRESIDENT DENCZAK: Margy, you have 5 minutes.

MS. POORMAN: Thank you very much.

MEMBER CASAR: Mr. President.....did you hear the question I had asked or should I repeat it?

MS. POORMAN: Could you repeat it please?

MEMBER CASAR: Yes, my question is that to authorize the Auditor to make payment to the Canton City School Board... and I was just curious, I know tonight in committee meetings when we were discussing the Republic Technology, I didn't have that information and when I came out here I see it setting on my desk. But, I don't recall receiving the information of how much money, in addition to the hundred thousand dollars that they received a grant, that this Helios is gonna, it'll cost the taxpayers of the City of Canton. Well I shouldn't say, yeah, because it'll come out of the, out of the revenue from, from Income Tax, but what would that amount to on a yearly basis or, is what I want to know, or do we know that yet?

MS. POORMAN: Yes. Yes we do. Mandwel Patterson from the Community Improvement Corporation runs the figures for all tax abatements for the City of Canton and as you mentioned, sometimes you are provided this information and some times you are not. In the future, I will assure that you have that information and analysis. As in some cases, I'm not provided it, that I bring it with me to Council, but I will in the future. The total tax abated for the Helios Project amounts to \$840,403.00. On the taxes due to the City, will be \$280,134.00 over the 10-year tax abatement period of 75%.

MEMBER CASAR: What was that yearly?

MS. POORMAN: The taxes due over the 10-year period is \$280,134.00.

MEMBER CASAR: My question is, how could we arrive at that figure when there's no one even employed there yet. How do we do that? I just want to know, how do you do that?

MS. POORMAN: Right, we're doing this on the projection of the investment that the company has agreed and signed their application to make, so this particular project....

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MEMBER CASAR: Eighty jobs, is that it?

MS. POORMAN: Right, and we're talking about \$172,000 in building improvements, machinery and equipment is over \$4,291,000, inventory at a figure of 72 and working capital, you're giving a total project cost of over \$5,000,000 and, what we do is take the new equipment and put that into a calculation that Mandwel runs on his formula, on his computer, along with the projected payroll that is based on a figure that the company gives us for the salary or the hourly rate with benefits included, based on the job that they are agreeing to assign in the agreement to, to create over a certain year period.

MEMBER CASAR: My next question is, eighty new jobs, which we want, need and desire in the City of Canton, but what happens if they don't achieve their goal and only come up with, theoretically say, 50 jobs.....then what happens?

MS. POORMAN: That's a great question. What we do is monitor that and the company usually states, and they have to state over how many year period that they're looking to create those jobs. So, in this case, within a 4-year period, the company stated they will create 80 new jobs. Now, in the first year, we're hoping that they would get at least a fourth of that goal, and that's how they're monitored in the Tax Incentive Review Council. We look to see how many jobs are created and at their level and if the company is not hitting their mark, we ask why and if there is a reason that is justified, then we look at them the next year and make sure that they're going to recoup and equal that figure that they had pledged to do.

MEMBER CASAR: So, in other words, if they don't make, if they don't acquire the goal, then we could rescind it. Is that correct?

MS. POORMAN: Yes we could. If at the end of four years, Mr. Majority Leader, they have not met their 80 jobs pledged that they said and there is not a good reason that is acceptable to the Tax Incentive Review Council, then the abatement could be rescinded and, that is correct.

MEMBER CASAR: Well, then, Ms. Poorman, I appreciate you coming forth and answering these questions because, as I stated in Committee meetings, obviously, we're gonna be having a lot of these come up and we have in the last 3 or 4 weeks here and I want to make sure I know, personally, I didn't understand it and I wanted to make sure the whole fleet of Councilmembers start understanding a little bit and I appreciate your information. Thank you.

MS. POORMAN: Thank you very much.

PRESIDENT DENCZAK: Are there any further remarks under Ordinance #19?... The question you're voting on now is Ordinance #19. Roll Call vote, please.

NO FURTHER REMARKS

ROLL CALL 12 YEAS, 0 NAYS

PRESIDENT DENCZAK: Ordinance #19 is adopted.

#19 ADOPTED AS ORDINANCE NO. 22/2005

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#20 (3rd RDG) **ADOPTED AS ORDINANCE NO. 23/2005** AN ORDINANCE AMENDING APPROPRIATION ORDINANCE NO. 253/2004, AS AMENDED, BY MAKING THE SUPPLEMENTAL APPROPRIATION HEREIN DESCRIBED; AND DECLARING THE SAME TO BE AN EMERGENCY (\$2,643.13 for legal research, Muni Ct)

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 12 YEAS, 0 NAYS

PRESIDENT DENCZAK: Ordinance #20 is adopted.

#20 ADOPTED AS ORDINANCE NO. 23/2005

#21 (3rd RDG) **ADOPTED AS ORDINANCE NO. 24/2005** AN ORDINANCE APPROVING AND ACCEPTING THE REPLATTING OF LOT NO. 36193, AND DECLARING THE SAME TO BE AN EMERGENCY

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

PRESIDENT DENCZAK: Ordinance #21 is adopted.

#21 ADOPTED AS ORDINANCE NO. 24/2005

#22 (3rd RDG) **ADOPTED AS ORDINANCE NO. 25/2005** AN ORDINANCE AUTHORIZING THE DIRECTOR OF PUBLIC SERVICE TO ADVERTISE, RECEIVE BIDS AND ENTER INTO CONTRACT FOR THE PURCHASE OF TWO GARBAGE TRUCKS FOR THE SANITATION DEPARTMENT; AND DECLARING THE SAME TO BE AN EMERGENCY

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

PRESIDENT DENCZAK: Ordinance #22 is adopted.

#22 ADOPTED AS ORDINANCE NO. 25/2004

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MR. ROBINSON: Still 3 minutes?

PRESIDENT DENCZAK: Yes.

MR. ROBINSON: Thomas L. Robinson, 330 Brad, B-R-A-D (*spelled out*) Avenue SE, Canton. On the first agenda, Mr. Chair, Mr. Denczak, in reference to Councilperson Rosemary Diamond. She's had a year to encounter this thought. I think you do an adequate job in maintaining whatever mayhem in this Council Chambers, but, I'm not above the law, I'm not below the law either. Last time I was in this Chambers, Rosemary, Councilperson Rosemary Diamond she waited until I got away from the podium to take these cheap shots. If she has anything she wanted to address to Thomas L. Robinson, don't wait until I walk away and I don't have an opportunity to respond. That first amendment covers the greedy as well as the needy. In reference to our current mayor, you posed in the paper with Officer Sedares. This city can't afford to be going out arresting people, having people arrested, and in my case, when it comes time for criminal court, the officers, as well as the alleged person that filed the complaint, you don't show up for court. There's a civil action that's going to be pending on that. Officer Sedares and Officer Miller, when they came to my address, I still don't smoke, regardless of what Ed Balent printed in the *Canton Repository* and hopefully one day, we'll have an Administration that will run this *Canton Repository* out on a one-way rail. If you're gonna print the truth, print the truth. Don't state that this person, Thomas L. Robinson, you have a disorderly conduct by intoxication. I still don't drink and if you find where you got that, prove it, put it on the table. But, this Officer Sedares, when they came and made that false arrest, which was thrown out of court, they stole a roll of film that was needed in that case. But, next thing I see in the paper, you're posing with Officer Sedares. It's my right to file a complaint against an Officer if I think they're inappropriate. You got some good Officers, but there's a whole lot of 'em that need a little cleaning. How are you, as a Mayor, you won't come to the phone when I call your office. I cannot get you to come to the phone. I cannot get you to come to the phone, I get, she's out to lunch, she just stepped out, and, trust me, I tried to get you Mayor Creighton. Mr. Hunt, since you have taken the appointment by Mayor Janet Creighton, the drug activity in this city has flourished. You still have establishments that you can walk up, I'm gonna give ya, I'm not gonna do like Mr. Bernabei when he used vague illustrations. You can go to Belden and East Tusc at that Maggiore's Drive Thru and purchase drugs, but if you got a character like Thomas Robinson, they gonna say 5 -0, you better close shop. That's not the only place. Victory Square, you can't even pull up in there. You can't even pull up there without little kids, even adults trying to sell ya dope. I don't smoke, don't drink. I'm living adjacent to two drugs houses and they are literally out on the corner sellin' dope to kids. When are you gonna do something about it and lastly, you had a clothing exchange before they went outta business. This is just one example and if anybody wants specifics, I'll give it to ya.

PRESIDENT DENCZAK: Sir, your 3 minutes are up. Bring your remarks to a close.

MR. ROBINSON: Thank you sir. You had a clothing establishment in, in, conclusion here. Prior to going public with it, Dickson Clothing. I personally witnessed it as well as others, selling drugs in that establishment. When it went public, they went out of business, and thank you.

MISCELLANEOUS BUSINESS

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

MEMBER WEST: Mr. President, I have two issues. This past Saturday, I met with a family member that is in Ward

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2, that has some property in Ward 2 and they were forced to clean up some dumping that was going on on their property and they were forced to do this in very cold weather. I guess my question is, I guess this family member over there had indicated that they keep dumping on their property, or on their lots and this is going on throughout the second ward. There's people that come by and they dump, dump trash on people's empty lots and I know we addressed this earlier in our term, but what are we doing about that? Mayor Creighton, or how can we handle that so that family members aren't having to go down there very winter to clean up their empty lot.

MAYOR CREIGHTON: Mr. President, first of all Tom, I'm not exactly sure what property you're talking about so if you would just be kind enough to see me afterwards with the specifics and then I'll get you an answer. I, I really don't know without an address.

MEMBER WEST: Okay, thank you. That was the first issue. The second issue, we got this memo about the paving program, and, my question is, last year we had some roads paved and they were kinda uneven. Are they going to address the roads that they paved last year that they didn't do it correctly or, how are they gonna handle that this year?

SERVICE DIRECTOR CONCATTO: Mr. President, I guess I have the same answer as the Mayor. Can you give me a specific road? I know they were looking at Market Avenue but I think they've corrected that. If there's some other roads thatyou're saying were completed but not completed correctly?

MEMBER WEST: Irwin.....Yeah, there's dips and it's almost like you can ride through there and see big puddles of water and it goes up on people's sidewalks. Irwin Place is one. The second one is 4th Street and I've complained about those earlier, I just want to know if they're going to address those this spring or how they're gonna do that.

SERVICE DIRECTOR CONCATTO: If you'd give me those addresses, I'll get you the answer.

MEMBER DIAMOND: Mr. President. I have a question for the Mayor. Back in '98, in my Ward, two of the most, at one time, beautiful areas were Mt. Vernon Blvd. and Washington Blvd. They were gorgeous, they had people who lived, remained in that neighborhood for years and years as well as new people with children, and I was able to obtain Ohio Public Works money, \$750,000 to restore Mt. Vernon Blvd. to it's heyday - new streets, new curbs, new gutters, new sidewalks, and my plan in my ward is not to just do one street in one neighborhood and another street in another neighborhood, but I had a project in mind and the next street, the next boulevard was Washington Boulevard. The previous Administration indicated that we could do that project the following year; however, we had severe storms and the monies needed to be used for the storm, stormrepairs, which I understood and the people on Washington Boulevard, although their street is now direct, we can't even pave their street, it is in such poor condition. It requires a total roadway reconstruction and with that drainage correction. Service Director, previous Service Director, Tad Ellsworth, in October told me that the City would apply for Ohio Public Works money for Washington Boulevard. Not saying they would receive it, but that they would put an application in for that. That was in November and I understand that he, of course, is not here any longer. Mayor, I sent you a letter December 6th in response to my residents asking if it was going to be done. I sent a letter in February asking the same thing and I sent a letter as recently as last week. The residents of Washington Blvd. are interested in knowing if the City's commitment is going to come to fruition. They have waited a great deal of time and my question to you is are you going to honor your Service Director's commitment that I passed on to the residents of Washington Blvd. that their street would be a project that we would apply for Ohio Public Works money this year?

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MAYOR CREIGHTON: Mr. President, Member Diamond. Your answer will, is drafted and laying upstairs ready to be typed up. I think there is a project with the Ohio Public Works and I will discuss that with you.

MEMBER DIAMOND: Mr. President, Mayor Creighton, will I be getting that letter within the next week or so?

MAYOR CREIGHTON: You should get it tomorrow.

MEMBER DIAMOND: Thank you.

PRESIDENT DENCZAK: Is there any other Miscellaneous Business?... Mayor, while you're talking about streets, would you see to it that somebody power booms 38th Street? I got a lot of gravel on that street and it's all laying in my yard now. *(Mayor quips that at least it's off the street)* What's that?... I'll sweep it out of the grass, you get it out of the street. 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

ADJOURNMENT TIME: 8:11 p.m.

ATTEST:

APPROVED:

DEBRA VANCKUNAS
CLERK OF COUNCIL

RAY DENCZAK
PRESIDENT OF COUNCIL

