

MINUTES OF THE MEETING OF APRIL 25, 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, April 25, 2005, at 7:30 P.M. in the Canton City Council Chamber. The roll call was then taken (as follows) by Clerk of Council Debra Vanckunas. The invocation was given by Ward 8 Councilmember Rosemary Diamond followed by the Pledge of Allegiance led by President of Council Denczak.

ROLL CALL TAKEN BY CLERK 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 Diamond (*referring to invocation*). Agenda corrections, Members of Council, you're being asked to suspend Rule 22A to add the second reading of Ordinances 13 through and including #20. Member Casar, the Chair will recognize that motion at this time.

MEMBER CASAR: Mr. President, I move we suspend Rule 22A and add Ordinances for their second reading 13 through and including 20; seconded.

PRESIDENT DENCZAK: Moved and seconded that you suspend Rule 22A to add Ordinances 13 through and including #20 to the agenda. 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 are a legal part of your agenda. Members of Council, you're also being asked to vote on Ordinance #12 which will be given it's first reading this evening. This brings your agenda up to date.

PUBLIC HEARINGS**7:30PM PUBLIC HEARING RE: CITY-WIDE RE-ZONING**

PRESIDENT DENCZAK: We have 2 scheduled public hearings. One was for 7:30. The Chair declares the Public Hearing open in regards to the proposed zoning map amendments as proposed by the Law Department. Is there anyone in the audience wishing to speak for or against the proposed zoning map, please come forward.... Is there anyone in the audience wishing to speak for or against the proposed zoning map, please come forward.... Is there anyone in the audience wishing to speak for or against the proposed zoning map, please come forward.... Apparently not. The Chair declares the Public Hearing over in regards to this matter. The matter now rests in the hands of Council. The Ordinance will follow later this evening. The Planning Commission recommends approval of this zoning map amendment.

7:31PM PUBLIC HEARING RE: RALPH COWAN ZONE CHANGE REQUEST

PRESIDENT DENCZAK: We have a scheduled Public Hearing for 7:31. It's a request by Roy H. Batista, Agent for Ralph Cowan, to rezone 1934 Navarre Rd SW from B-3 to PI-1 to permit a wholesale bakery and retail

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sales, specializing in pita bread. The Planning Commission recommends approval. Is there anyone in the audience wishing to speak for or against this zone change, please come forward.... Is there anyone in the audience wishing to speak for or against this zone change, please come forward.... Is there anyone in the audience wishing to speak for or against this zone change, please come forward.... Apparently not. The Chair declares the Public Hearing over in regards to this matter. The matter will come later under Ordinances.

PUBLIC SPEAKS (ORDINANCES OR RESOLUTIONS FOR ADOPTION ONLY):

PRESIDENT DENCZAK: Public Speaks, Ordinances or Resolutions for Adoption, no one has signed up for that.

INFORMAL RESOLUTIONS

PRESIDENT DENCZAK: Informal Resolutions; excusing members—all members of Council are present. Let the journal show that all members of Council are present. Resolution #53 please.

PRESIDENT DENCZAK CALLED UPON CLERK VANCKUNAS TO READ RESOLUTION #53 BY TITLE, AS SHOWN BELOW. THE RESOLUTION IS ON FILE IN ITS ENTIRETY IN THE COUNCIL OFFICE WITH THE AGENDA ITEMS DATED APRIL 25, 2005.

53. **POSTPONED UNTIL MAY 9, 2005** ZACHARY, KELLEY, WARD 4 COUNCILMEMBER: SUPPORTING RECREATION IN WARD 4 AND CONSTRUCTION OF A NEW JACKSON POOL IN 2006 CALENDAR YEAR.

MEMBER CASAR: Mr. President, I move we adopt Resolution #53; seconded.

PRESIDENT DENCZAK: Moved and seconded that you adopt Resolution #53. Are there any remarks under this Resolution?

MEMBER CASAR: Mr. President, I move we postpone Ordinance, Resolution 53 to the next Council meeting, which will be May 9th, '05; seconded.

PRESIDENT DENCZAK: Moved and seconded that this Resolution be postponed until May the 9th in the year 2005. Are there any remarks?... If not, by voice vote, all those in favor signify by saying aye. Those opposed no.

NO REMARKS

RESOLUTION POSTPONED BY UNANIMOUS VOICE VOTE

PRESIDENT DENCZAK: Resolution 53 is postponed until May 9th in the year 2005.

COMMUNICATIONS

PRESIDENT DENCZAK: All communications are received as read, filed and properly referred.

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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 APRIL 25, 2005.

239. COMMUNITY DEVELOPMENT & PLANNING DIRECTOR MARGY POORMAN, CITY OF CANTON: REQUESTING LEGISLATION AUTHORIZING MAYOR &/OR SERVICE DIRECTOR TO ENTER INTO CONTRACT W/CANTON SYMPHONY ORCHESTRA ASSOCIATION TO PROVIDE A \$40,000 COMMUNITY DEVELOPMENT BLOCK GRANT FOR A CHILDREN'S ARTS CONNECTION PROGRAM. - COMMUNITY & ECONOMIC DEVELOPMENT AND FINANCE CMTEs
240. COMMUNITY DEVELOPMENT & PLANNING DIRECTOR MARGY POORMAN, CITY OF CANTON: REQUESTING LEGISLATION AUTHORIZING MAYOR &/OR SERVICE DIRECTOR TO ENTER INTO CONTRACT W/YMCA OF CENTRAL STARK COUNTY TO PROVIDE A \$30,000 EMERGENCY SHELTER GRANT FOR ESSENTIAL SERVICES FOR HOMELESS MEN. - COMMUNITY & ECONOMIC DEVELOPMENT AND FINANCE CMTEs
241. COMMUNITY DEVELOPMENT & PLANNING DIRECTOR MARGY POORMAN, CITY OF CANTON: REQUESTING LEGISLATION AUTHORIZING MAYOR &/OR SERVICE DIRECTOR TO ENTER INTO CONTRACT W/CANTON SYMPHONY ORCHESTRA ASSOCIATION TO PROVIDE A \$30,000 COMMUNITY DEVELOPMENT BLOCK GRANT FOR 2005 CONCERT IN THE PARK. - COMMUNITY & ECONOMIC DEVELOPMENT AND FINANCE CMTEs
242. COMMUNITY DEVELOPMENT & PLANNING DIRECTOR MARGY POORMAN, CITY OF CANTON: REQUESTING LEGISLATION AUTHORIZING MAYOR &/OR SERVICE DIRECTOR TO ENTER INTO CONTRACT W/ST. PAUL'S SENIOR HOUSING FOR A \$65,471 HOME FUNDS GRANT FOR COSTS ASSOCIATED WITH REFINANCING COMPLEX @ 1732 N MARKET AVENUE. - COMMUNITY & ECONOMIC DEVELOPMENT AND FINANCE CMTEs
243. CHIEF OF STAFF/FINANCE DIRECTOR WILLIAM ALLEN, CITY OF CANTON: SUBMITTING ADMINISTRATION'S REQUESTS FOR CAPITAL IMPROVEMENTS FOR 2005 & REQUEST VARIOUS SUPPLEMENTAL APPROPRIATIONS FOR SAME. - PPCI AND FINANCE CMTEs
244. COURT ADMINISTRATOR MICHAEL KOCHERA, CANTON MUNICIPAL COURT: SUBMITTING 2004 FISCAL SUMMARY & 2005 PROJECTIONS FOR VARIOUS COURT FUNDS IN THE CANTON MUNICIPAL COURTS. - FINANCE COMMITTEE
245. COURT ADMINISTRATOR MICHAEL KOCHERA, CANTON MUNICIPAL COURT: 2004 MUNICIPAL COURT ANNUAL REPORT. - RECEIVED & FILED
246. DIAMOND, ROSEMARY, WARD 8 COUNCIL MEMBER, CITY OF CANTON: REQUESTING NEW CONSTRUCTION MORATORIUM BETWEEN 44TH ST NW TO 39TH ST NW & CLEVELAND AVE N TO NORMAN NW. - RECEIVED & FILED
247. LIQUOR CONTROL DIVISION, 6606 TUSSING RD, PO BOX 4005, REYNOLDSBURG OHIO 43068-9005: NOTICE OF 5/11/05 HEARING @ 2:00 PM AT DEPT OF JOB & FAMILY SERVICES OFFICE IN CANTON RE: RENEWAL APPLICATION REQUEST OF ID ABBOU, INC. DBA HALL OF FAME MKT @ 704 SHERRICK RD SE. - INTERGOVERNMENTAL & PUB SERVICE CMTE

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248. SERVICE DIRECTOR JOSEPH J. CONCATTO, CITY OF CANTON: SUBMITTING CIVIC CENTER BENCHMARK ANALYSIS REPORT. - RECEIVED & FILED CC: FINANCE CMTE
249. SERVICE DIRECTOR JOSEPH J. CONCATTO, CITY OF CANTON: REQUEST \$4,698.82 SUPPLEMENTAL APPROPRIATION FROM 5223 WATER CRITICAL INFRASTRUCTURE PROTECTION FUND TO BE USED FOR CHANGE ORDERS IN THE INSTALLATION OF WATER DEPT SECURITY EQUIPMENT & PERIMETER FENCING. - FINANCE CMTE
250. SERVICE DIRECTOR JOSEPH J. CONCATTO, CITY OF CANTON: REQUESTING AUTHORIZATION TO ENTER INTO AGREEMENT W/STARK COUNTY ENGINEER TO PROCEED WITH JOINT PAVING PROGRAM AS RECOMMENDED BY OHIO PUBLIC WORKS COMMISSION. - INTERGOVERNMENTAL & PUBLIC SERVICE AND FINANCE CMTEs
251. SERVICE DIRECTOR JOSEPH J. CONCATTO, CITY OF CANTON: REQUESTING \$57,500 SUPPLEMENTAL APPROPRIATION FROM 1001 GENERAL FUND TO FUND CIVIC CENTER'S 2004 SETTLEMENT OF SMG CONTRACT, AND AMENDMENT TO O.174/95 BY INCREASING CASH DRAWER CHANGE @ CONCESSION OPERATION FROM \$2,500 TO \$10,000. - FINANCE CMTE.

ORDINANCES & FORMAL RESOLUTIONS FOR FIRST READING

PRESIDENT DENCZAK: We're now under Ordinances and Formal Resolutions for their first reading and referral. Let the journal show that all Ordinances are being given their reading as required by State Law.

NOTE: PRESIDENT OF COUNCIL DENCZAK CALLED UPON CLERK VANCKUNAS TO READ THE FOLLOWING ORDINANCES #1 THROUGH AND INCLUDING #12 FOR THE FIRST TIME BY TITLE & ANNOUNCED THE COMMITTEE REFERRAL, AS FOLLOWS. ORDINANCE #12 WAS ADOPTED AFTER ITS FIRST READING

- #1 (1ST RDG) AN ORDINANCE AUTHORIZING THE MAYOR OR DIRECTOR OF PUBLIC SERVICE TO ENTER INTO CONTRACT WITH THE FREED HOUSING CORPORATION TO PROVIDE A GRANT IN AN AMOUNT NOT TO EXCEED \$438,480 FOR TWO HOUSING PROGRAMS; AND DECLARING THE SAME TO BE AN EMERGENCY
Referred to the Community & Economic Development and Finance Cmtes
- #2 (1ST RDG) AN ORDINANCE AUTHORIZING THE MAYOR OR DIRECTOR OF PUBLIC SERVICE TO ENTER INTO A CONTRACT WITH NOVA BEHAVIORAL HEALTH, INC. TO PROVIDE A GRANT IN AN AMOUNT NOT TO EXCEED \$75,000 FOR MISCELLANEOUS REPAIR/RENOVATION COSTS; AND DECLARING THE SAME TO BE AN EMERGENCY
Referred to the Community & Economic Development and Finance Cmtes
- #3 (1ST RDG) AN ORDINANCE AUTHORIZING THE MAYOR OR DIRECTOR OF PUBLIC SERVICE TO ENTER INTO CONTRACT WITH J R COLEMAN FAMILY SERVICES, INC. TO PROVIDE A GRANT IN AN AMOUNT NOT TO EXCEED \$48,650 FOR MISCELLANEOUS RENOVATION COSTS; AND DECLARING THE SAME TO BE AN EMERGENCY
Referred to the Community & Economic Development and Finance Cmtes

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- #4 (1ST RDG) AN ORDINANCE AUTHORIZING THE MAYOR OR DIRECTOR OF PUBLIC SERVICE TO ENTER INTO A CONTRACT WITH WESTERN STARK MEDICAL CLINIC, INC. TO PROVIDE A GRANT IN AN AMOUNT NOT TO EXCEED \$20,000 FOR MISCELLANEOUS MEDICAL STAFF COSTS; AND DECLARING THE SAME TO BE AN EMERGENCY
Referred to the Community & Economic Development and Finance Cmtes
- #5 (1ST RDG) AN ORDINANCE AUTHORIZING THE MAYOR OR DIRECTOR OF PUBLIC SERVICE TO ENTER INTO CONTRACT WITH THE DOMESTIC VIOLENCE PROJECT, INC. TO PROVIDE A GRANT IN AN AMOUNT NOT TO EXCEED \$50,000 FOR MISCELLANEOUS SHORT-TERM HOUSING SERVICES; AND DECLARING THE SAME TO BE AN EMERGENCY
Referred to the Community & Economic Development and Finance Cmtes
- #6 (1ST RDG) AN ORDINANCE APPROVING AND ACCEPTING THE REPLATTING OF ALL OF LOT 324; AND DECLARING THE SAME TO BE AN EMERGENCY
Referred to the Public Safety & Thoroughfares Cmte
- #7 (1ST RDG) AN ORDINANCE APPROVING AND ACCEPTING THE REPLATTING OF PART OF LOT 7694; AND DECLARING THE SAME TO BE AN EMERGENCY
Referred to the Public Safety & Thoroughfares Cmte
- #8 (1ST RDG) AN ORDINANCE APPROVING AND ACCEPTING THE REPLATTING OF ALL OF LOTS 29914 - 29950, 29957 - 29975, 35044 AND PART OF OUTLOTS 491 AND 493; APPROVING AND ACCEPTING THE DEDICATION OF PART OF ALLEN AVENUE SE AND PART OF MILL STREET SE; AND DECLARING THE SAME TO BE AN EMERGENCY
Referred to the Public Safety & Thoroughfares Cmte
- #9 (1ST RDG) AN ORDINANCE AUTHORIZING THE DIRECTOR OF PUBLIC SERVICE TO ENTER INTO A FEE MODIFICATION WITH CIVIL DESIGN ASSOCIATES, INC IN AN AMOUNT NOT TO EXCEED \$8,550 TO PROVIDE ENGINEERING AND SURVEYING SERVICES; AMENDING APPROPRIATION ORDINANCE NO. 253/2004; AND DECLARING THE SAME TO BE AN EMERGENCY
Referred to the Public Safety & Thoroughfares and Finance Cmtes
- #10 (1ST RDG) AN ORDINANCE AUTHORIZING THE DIRECTOR OF PUBLIC SERVICE TO ENTER INTO A MODIFICATION WITH URS CORPORATION IN AN AMOUNT NOT TO EXCEED \$105,185 TO PREPARE RIGHT-OF-WAY PLANS, RIGHT-OF-WAY ACQUISITION AND ASSOCIATED ADDITIONAL PLAN PREPARATION WORK FOR THE TUSCARAWAS STREET IMPROVEMENT PROJECT WITH ODOT, GP 1064; AMENDING APPROPRIATION O.253/2004; AND DECLARING THE SAME TO BE AN EMERGENCY
Referred to the Public Safety & Thoroughfares and Finance Cmtes
- #11 (1ST RDG) AN ORDINANCE AUTHORIZING THE DIRECTOR OF PUBLIC SERVICE TO ADVERTISE, RECEIVE BIDS AND ENTER INTO CONTRACT FOR THE DESIGN AND CONSTRUCTION OF TWO SIGNS AT THE CANTON MEMORIAL CIVIC CENTER;

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AUTHORIZING THE MAYOR OR DIRECTOR OF PUBLIC SERVICE TO APPLY FOR AND ACCEPT A GRANT FROM ARTS IN STARK/CULTURAL CENTER FOR THE ARTS; AUTHORIZING THE MAYOR OR DIRECTOR OF PUBLIC SERVICE TO ENTER INTO CONTRACT WITH ARTS IN STARK; AND DECLARING THE SAME TO BE AN EMERGENCY

Referred to Public Property Capital Improvement and Finance Cmtes

#12 (1ST RDG) **ADOPTED AS ORDINANCE NO. 79/2005** 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

Referred to the Finance Cmte

PRESIDENT DENCZAK: At this time, the Chair is going to declare an in-house recess for the Finance Committee to meet to discuss Ordinance #12. You're now in recess.

COUNCIL RECESSED FOR FINANCE COMMITTEE TO MEET ON THE MATTER OF ORDINANCE #12 AT 7:53 PM. THE MEETING WAS RECONVENED BY PRESIDENT DENCZAK AT 7:56 PM.

PRESIDENT DENCZAK: Council is reconvening after the recess. Member Casar....?

MEMBER CASAR: Mr. President, I move we suspend Rule 22A and add Ordinances #12 back on the, tonight's agenda; seconded.

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

NO REMARKS

ROLL CALL: 12 YEAS, 0 NAYS

PRESIDENT DENCZAK: Rule 22A has passed and Ordinance #12 is a legal part of your agenda, Member Casar.

MEMBER CASAR: Mr. President, I move we suspend the Statutory Rules on Ordinance #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.79/2005

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

NOTE: PRESIDENT OF COUNCIL DENCZAK CALLED UPON CLERK VANCKUNAS TO READ THE FOLLOWING ORDINANCES #13 THROUGH #20 FOR THE SECOND TIME BY TITLE, AS FOLLOWS. ORDINANCE #19 WAS ADOPTED AFTER ITS SECOND READING.

- #13 (2ND RDG) AN ORDINANCE RENAMING A PORTION OF MAHONING ROAD NE IN THE CITY OF CANTON, O'JAYS BOULEVARD NE (*From Nimisilla Pk to Cook Pk between 12th St & 4th St NE*)
- #14 (2ND RDG) AN ORDINANCE AUTHORIZING THE DIRECTOR OF PUBLIC SAFETY TO ENTER INTO A FIVE YEAR RECIPROCAL SERVICE AGREEMENT WITH STARK STATE COLLEGE OF TECHNOLOGY; AND DECLARING THE SAME TO BE AN EMERGENCY
- #15 (2ND RDG) AN ORDINANCE AUTHORIZING THE DIRECTOR OF PUBLIC SERVICE TO ADVERTISE AND RECEIVE BIDS FOR THE SALE OF ONE PARCEL OF CITY-OWNED REAL PROPERTY NO LONGER NEEDED FOR MUNICIPAL PURPOSES; AND AUTHORIZING THE DIRECTOR OF PUBLIC SERVICE TO CONVEY SAID PROPERTY TO THE HIGHEST BIDDER
- #16 (2ND RDG) AN ORDINANCE AUTHORIZING THE MAYOR OR DIRECTOR OF PUBLIC SAFETY TO ENTER INTO WORK AGREEMENTS IN CONJUNCTION WITH THE MARKET AVENUE TRAFFIC SIGNAL SYSTEM IMPROVEMENT PROJECT; AND DECLARING THE SAME TO BE AN EMERGENCY
- #17 (2ND RDG) AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO CONTRACT WITH THE OHIO DEPARTMENT OF TRANSPORTATION FOR THE UPGRADING OF INTERSECTIONS; AMENDING APPROPRIATION ORDINANCE NO. 253/2004; AND DECLARING THE SAME TO BE AN EMERGENCY
- #18 (2ND RDG) AN ORDINANCE AUTHORIZING THE CLERK OF COUNCIL TO CERTIFY TO THE COUNTY AUDITOR UNPAID AND DELINQUENT CHARGES FOR THE REMOVAL OF NOXIOUS WEEDS AND DEBRIS; AND DECLARING THE SAME TO BE AN EMERGENCY
- #19 (2ND RDG) **ADOPTED AS ORDINANCE NO. 80/2005** AN ORDINANCE AUTHORIZING THE CITY AUDITOR TO PAY MORAL OBLIGATIONS IN THE TOTAL AMOUNT OF \$80,552.83 TO VARIOUS SUPPLIERS; AND DECLARING THE SAME TO BE AN EMERGENCY

MEMBER CASAR: Mr. President, Ordinance #19, a request from the Administration that we would consider passing that tonight so we could get some of these moral obligations taken care of, so I would request that Ordinance #19, that would be, we suspend the Statutory Rules on #19; seconded.

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PRESIDENT DENCZAK: Moved and seconded to suspend the Statutory Rules on Ordinance 19, is that correct, #19?

MEMBER CASAR: And I apologize for the lateness of it, but I had forgot that I told the Administration that we'd look at it but because we didn't have our normal time tonight in caucus, it was, it slipped my mind.

PRESIDENT DENCZAK: Law Director, can I fine him for that?.. All right, it's been moved and seconded to dispense with the three readings of Ordinance #19. Are there any remarks?... 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 #19; seconded.

PRESIDENT DENCZAK: Moved and seconded that you adopt Ordinance #19. Are there any remarks under this Ordinance?... Very well, roll call vote please.

NO REMARKS

ROLL CALL: 12 YEAS, 0 NAYS

PRESIDENT DENCZAK: Ordinance #19 is adopted.

#19 ADOPTED AS ORDINANCE NO. 80/2005

#20 (2ND RDG) 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

ORDINANCES AND FORMAL RESOLUTIONS FOR THIRD READING

PRESIDENT DENCZAK: Ordinances and Formal Resolutions for the third and final reading.

NOTE: PRESIDENT OF COUNCIL DENCZAK CALLED UPON CLERK VANCKUNAS TO READ ORDINANCES #21 THROUGH #26 FOR THEIR THIRD & FINAL TIME BY TITLE, AS FOLLOWS. ORDINANCES #21, 22, 23, 25 & 26 WERE ADOPTED FOLLOWING THEIR 3RD READINGS. ORDINANCE #24 WAS POSTPONED TO 5/9/05.

#21 (3RD RDG) **ADOPTED AS ORDINANCE NO. 81/2005** 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.(*Ralph Cowan zone change request*)

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 12 YEAS, 0 NAYS

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PRESIDENT DENCZAK: Ordinance #21 is adopted. **#21 ADOPTED AS ORDINANCE NO. 81/2005**

#22 (3RD RDG) **ADOPTED AS ORDINANCE NO. 82/2005** AN ORDINANCE AMENDING ORDINANCE NO. 55/77, AS AMENDED, KNOWN AS THE CITY OF CANTON ZONING ORDINANCE (*Annual City-Wide Rezoning request*)

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

PRESIDENT DENCZAK: Moved and seconded that Council 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. 82/2005**

#23 (3RD RDG) **ADOPTED AS ORDINANCE NO. 83/2005** AN ORDINANCE AUTHORIZING THE MAYOR OR DIRECTOR OF PUBLIC SERVICE TO ENTER INTO CONTRACT WITH STARK COUNTY REGIONAL PLANNING COMMISSION TO PROVIDE A GRANT IN AN AMOUNT NOT TO EXCEED \$84,000 FOR A COMPREHENSIVE FAIR HOUSING PROGRAM; 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?... Very well, roll call vote please.

NO REMARKS

ROLL CALL 12 YEAS, 0 NAYS

PRESIDENT DENCZAK: Ordinance #23 is adopted. **#23 ADOPTED AS ORDINANCE NO. 83/2005**

#24 (3RD RDG) **POSTPONED UNTIL MAY 9, 2004** AN ORDINANCE AUTHORIZING THE DIRECTOR OF PUBLIC SAFETY TO ENTER INTO A PROFESSIONAL SERVICE CONTRACT WITH THE CREDIT BUREAU OF STARK COUNTY INC. FOR THE COLLECTION OF DELINQUENT USER FEES FOR AMBULANCE SERVICES; AND DECLARING THE SAME TO BE AN EMERGENCY.

MEMBER CASAR: Mr. President, I moved we adopt Ordinance #24; seconded

PRESIDENT DENCZAK: Moved and seconded that you adopt Ordinance #24. Are there any remarks under this Ordinance?

MEMBER CASAR: Mr. President, I move we postpone Ordinance #24 until the next Council meeting 5/9/05; seconded.

PRESIDENT DENCZAK: Moved and seconded to postpone Ordinance #24 until May 9th 2005. Are there any

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remarks under this postponement?... Very well, by voice vote, all those in favor signify by saying aye. Those opposed no.

NO REMARKS

POSTPONED BY UNANIMOUS VOICE VOTE

PRESIDENT DENCZAK: Ordinance #24 is postponed until May the 9th the year 2005.

#24 POSTPONED UNTIL MAY 9, 2005

#25 (3RD RDG) **ADOPTED AS ORDINANCE NO. 84/2005** AN ORDINANCE AUTHORIZING THE DIRECTOR OF PUBLIC SAFETY TO ENTER INTO A PROFESSIONAL SERVICE CONTRACT WITH CT CONSULTANTS; 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 12 YEAS, 0 NAYS

PRESIDENT DENCZAK: Ordinance #25 is adopted.

#25 ADOPTED AS ORDINANCE NO. 84/2005

#26 (3RD RDG) **ADOPTED AS ORDINANCE NO. 85/2005** AN ORDINANCE APPROVING AND ACCEPTING THE REPLATTING OF PARTS OF OUTLOTS 808 AND 809; 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 12 YEAS, 0 NAYS

PRESIDENT DENCZAK: Ordinance #26 is adopted.

#26 ADOPTED AS ORDINANCE NO. 85/2005

ANNOUNCEMENT OF COMMITTEE MEETINGS

PRESIDENT DENCZAK: Announcement of committee meetings please.

MEMBER CARBENIA: Mr. President, Community and Economic Development Committee will meet 5/9/05 at 5:45.

MEMBER DOUGHERTY: Mr. President, Public Property Capital Improvement will meet on May 9th at 6:00pm.

MEMBER BABCOCK: Mr. President, Public Safety and Thoroughfares will also meet on 5/9/05 at 5:45.

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MEMBER HAWK: Mr. President, Finance Committee will meet 5/9/05 at 5:45.

PUBLIC SPEAKS (OPEN FORUM--CITY BUSINESS ONLY)

PRESIDENT DENCZAK: Public Speaks, Open Forum, City Business only. The first speaker is Christine Smith.

MS. SMITH: Good evening Mayor Creighton and City Councilmembers and to the public. I'm Christine Smith of 458 Waynesburg Road SE and I'm quite sure what I'm here to speak about it may raise some eyebrows or even some frowns, but I'm here to speak because I am totally against re-naming Mahoning Road after the O'Jays. First of all, let me give you some facts of my own and why I feel this way. I feel that when we get into re-naming streets, we should look at the significance that one has played in this city and in this community and I've been in this community since 1965. I am aware of the O'Jays. I can't recall anything that they have ever done for the community as far as putting back. I can't recall them doing anything with tots, Toys for Tots, even givin' out turkeys at Thanksgivin', even comin' to visit. Even when they give a concert, we have to pay. They have never taken the time out to even come out and give some free autographs and when we start thinkin' about significant people in the community, we need to think about re-naming some streets after Martin Luther King which I've, I been to several cities, some of them have 2 streets after Martin Luther King. In Canton, we don't have any. That's a significant person that even young kids can identify with. I don't think they can identify with the O'Jays because I don't feel I can because they haven't given anything back to the community. And, another thing, we have NBA players, NFL players that have given back to the community. We can name some of them if we want to name some streets. I just feel like when we start re-namin' streets, buildings or anything, we should take a wider view of lookin' at it before we decide on it because to me givin' back to the community is the most important part when you want to go to re-namin' streets, and that's what I have to say about that. Thank you.
(AUDIENCE APPLAUSE)

PRESIDENT DENCZAK: Thank you. The next speaker is Carol Boydston.

MS. BOYDSTON: Mayor Creighton, City Council. I'm gonna talk about why people leave Can.....

PRESIDENT DENCZAK: State your name and address please.

MS. BOYDSTON: Beg your pardon?

PRESIDENT DENCZAK: State ayour name and your address.

MS. BOYDSTON: Oh, Carol Boydston. 2403 6th Street NW. I live in the Clarendon district.

PRESIDENT DENCZAK: Okay.

MS. BOYDSTON: I'd like to talk about why people leave Canton. After Monday's meeting, I think it was 2 weeks ago the woman spoke from the northeast end about the problems there. I thought it was time for me to speak up. Timing is everything. I will quote Einstein, "the world is a very evil place, not because of the evil men do, but those that let it happen." Consequently that is why another reason I am speaking up. We have lived in the Clarendon District for 40 years. We have raised 6 children, have grandchildren. I've worked with children for over 17 years. Our neighborhood is going down. In regards to that, I, for over 2 years we have an incident across the street where they moved in 2 summers ago and I know, I am not a nosey neighbor, but when we had

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to endure the things that we've had to endure for 2 years, I will take notice. There is a, they moved into the house across the street from us. There are 3 teenagers there. They live there by themselves. The guardian parent lives somewhere else. They may come by once a week to take the trash out, to drop off groceries, the children are hanging out of the windows, are hanging on the roof and you can drive past this house and see what kind of condition it's in. The police have been called, not just by us but by several people. We went to a neighborhood meeting at St. Joe's last summer and this was brought up. One time, when the police went there, they knocked on the door and no one answered. The door was open. The policeman went in, went upstairs and the children were in the attic. I come home after work, and there is a car, all the way up into the yard by the front porch. The boomboxes are going. There are doors that are wide open, teenagers are coming and going, 8, 10, 12 a day. This has been an on-going problem. We went to the prosecutor, we called the police. We went to the Prosecutor's office, or contacted the Prosecutor's office January 04, were to meet for mediation, the parent guardian could not find the time to show up. We tried to meet, we tried to resolve this problem. This went from January 04 'til April 04. Of course, in the winter time, things die down and but, things are starting up again. We've had, even at our residence at 2 and 3 in the morning, we called the police and there is, there is record of this where we've had things thrown at the house, rocks, bolts, I don't know if I can say this...tampax pads, rotten, carr...carrots, rotten potatoes and I don't understand how this can go on.

PRESIDENT DENCZAK: Ma'am, your.... your 3 minutes are up. Please bring your remarks to a close.

MS. BOYDSTON: Beg your pardon?

PRESIDENT DENCZAK: Bring your remarks to a close. I want to hear what else you have to say.

MS. BOYDSTON: We have counseled, we have contacted the Prosecutor's Office. Nothing transpired. The Councilman....nothing...and yet this is still...still an on-going problem. Another thing that concerns me is because our children have, like I said, we've raised, we're a product of both my husband and I are a product of Canton City Schools. All 6 of our children are a product of Canton City Schools. Sixth Street is a very short street, from Harrison to, it dead ends into Clarendon. There is a store at the corner that has cigarette signs all up and down the telephone pole. It is very hard, you almost have to pull out into the intersection to have access to see. I'm surprised there hasn't been an accident there. Another reason you can't see is because they park the cars right on the sidewalk. This is another issue that I don't, just don't understand. We had hoped to stay in Canton, but we feel like we're being chased out of the neighborhood. It's always been a wonderful neighborhood. We have always been very active in our community and in our neighborhood and I just, I think people need to be aware that maybe this is an area that needs to be more heavily addressed.

PRESIDENT DENCZAK: Ma'am., I would hope that you do not consider moving. You don't have to move out of your neighborhood to make it a better neighborhood. There's other ways to do it. Who's the Councilman in this Ward?... Are you aware of this, Member Hawk?

MEMBER HAWK: Yes, I spoke with her and I've also spoke with Child Protective Services on the, on the children living in the house. I've addressed the issue with Sgt. Mark Fox. He's working with the process. As to the store on Clarendon Avenue, that has been before zoning to remove those signs. That is not legal and it is not right. Zoning has been on them to change that. I am aware of the problem, we have spoke. We've been working through it with the channels, we need to go about it. This is incorrect, it's wrong, these people are up on, they're on the roof, up by the chimney, throwing stuff down at cars as they drive past. This is not taken lightly. Again, we're working towards it, the police are aware. Ms. Boydston has called the police. The response time lags a little bit.....

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MS. BOYDSTON: No the police time, it's been very good.

MEMBER HAWY:but I think what we need to do, we need to do here is, we need to get those children out of that house and get them some adult supervision, and I'd like to invite you to a summit, excuse me, Clarendon meeting tomorrow evening at 6:30 at Bethel Lutheran Church on the corner of Broad and 8th Street.....

MS. BOYDSTON: Well, my husband will be.....

PRESIDENT DENCZAK: 7th Street.

MEMBER HAWK: Seventh street, I'm sorry.

MS. BOYDSTON:my husband, yeah, my husband will be there, I'm taking my two grand children to the All City Band Concert.

MEMBER HAWK: Okay, yeah, okay, I got the wrong, it might...

PRESIDENT DENCZAK: Okay, all right, you be there, you be there at that meeting. Thank you.

MS. BOYDSTON: Thank you for the opportunity to speak and I'm just, as a parent, I am very, very, very concerned.

MEMBER HAWK: We share your concerns.

MS. BOYDSTON: Okay, Thank you.

MEMBER BERNABEI: Mr. President, this is addressed to the Mayor, to the Safety Director and also to the, to the Law Director. I would appreciate it, with regard to this particular complaint, but also the numerous complaints that we heard last week and the week before and which will continue all summer long because these are the nature of the complaints that we get all summer long, that you report back to Council with regard to your investigations and with regard to what actions are taken with regard to these specific complaints that we hear, and continue to hear about them week after week. I'm sure that the Administration, you know, plans to meet with them and or has met with them, but we would also like to know from the Administration and from the Law Department, what actions have actually been taken with regard to your investigations and with regard to following up and attempting to resolve some of these issues. I would appreciate a report back on this matter within the next 30 days and with regard to also the matters which were discussed at the last 2 meetings which were numerous in nature.

PRESIDENT DENCZAK: Very good. The next speaker is Vince Watts.

MR. WATTS: Good evening Mayor, City Council. My name is Vincent Watts. My address is 1445 15th Street NW in the City of Canton. I grew up on the corner of 9th Street and Mahoning in a house that's no longer there. I bought cigarettes for my mother on the, at the corner store that's no longer there. We swam in Cook's Pool, which is no longer there. We also visited the zoo on Saturdays, which is no longer there. We also attended an elementary school that has been closed in the neighborhood. Aside from the baseball field and Lucinda's (*referring to Lucia's*) Restaurant, there's very little that's still in that neighborhood where I grew up. Nothing says that we were there. Nothing says that our childhood, the things that we did in the neighborhood really mattered, but there was those 2 little boys that used to play rough and tumble football in the park with my older

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brothers and my older relatives. Those boys who the older people talked about that they made a couple of songs and occasionally they came home to visit. If the national media can recognize the contribution of the O'Jays and what they've made to the community at large; if the recording industry considers their music noteworthy; if Donald Trump can add their melody as an anthem to a modern culture, can we add their names to the roster of Canton city streets? Isn't it enough that the national media recognized them before we did? Isn't it ironic that we pause to look back and celebrate the City's 200th birthday and failed to see the history that's still in our midst? The O'Jays are another landmark in the community that should be acknowledged. The fact that it is a more traveled stretch of road is just a plus. We've named a street after Alan Page but it's in a location that only the people who live in that neighborhood travel. We re-named a street after Ira Turpin and it's another less traveled road. Mahoning Avenue is, is a staple in the community and it's just another reason why we should acknowledge the O'Jays on Mahoning Avenue. The re-naming of a street is the least the City of Canton can do to commemorate the acknowledgment or the accomplishments of some of its nationally-recognized citizens. How many of us know why they named the street Mahoning Avenue? How many of us know the history behind that name or the heritage of it? The name is in the community but does the community have a link with that name? By re-naming Mahoning Avenue after the O'Jays, we acknowledge for our children, not just for the O'Jays themselves, but for our children, that the community, in the near northeast end does matter and that we'll be able to relay the living memorial to the citizens of this community. I think it's appropriate. I think it's fitting. I think we should do just that. Thank you. (AUDIENCE APPLAUSE)

PRESIDENT DENCZAK: Sir, I want to commend you. You took exactly three minutes to get your message across. The next speaker is Sandi Belliveau.

MS. BELLIVEAU: Hi, Sandi Belliveau, 1022 5th Street NW, Canton, Ohio. Good evening everybody. Some of you know why I'm here tonight. I've listened last night on the Internet to the audio video, or the audio of last week's remarks. I'm here tonight because I'm, I, personally, am upset. I want to let it be known that I am a great advocate of the Canton City Police Department--so much, so that if I'm up here all by myself and I'm the only one that feels that way, so be it, and I've got my notes right here and I haven't even started. I understand that the northeast section is having problems. We don't have a juvenile problem, per se, in the Newton zone. We never did. Our deal was the hookers, the pimps, the drugs and the johns. We've been workin' on this for a year. We've put a lot into this. We have a website that's nasty, it's bad, if we catch you back there, you will be up there. We couldn't care less what you think about it. The deal is, we don't want you back there. We told you for a year, you're comin' back lookin' for a 'ho. If you are a 'ho, if you are a john and I catch you, you will be up there and you were caught, some of us caught there today who will be up there tonight and it's a white Ford, Ford Explorer. So, look for it on our website. We are very concerned back there about maintaining everything that we've done so far to get to where we have and we would not have been there had it not been for the Canton Police Department. We do not have, and never have had, the problems that the northeast section has. We do not have slow response time. We do not have peop.....we do not have cops that tell us to move somewhere else. We do not have cops that say there's nothing they can do about it. We do not have police back there with the attitude. Now, we have the same cops that they have in the northeast section. Why is that not prevalent in our section and prevalent over here? My personal opinion is, and I'll probably get really shut down for this, but, it's attitude. You never saw us as a group up here come in 15, 16 people and lambast the Canton Police Department. Anything I started with McKimm, started with McKimm and then was filtered down. We never had the news, we never had the TV come out and ever bad-mouth the Police. We made nothing but wonderful remarks about the Canton Police, the Canton City Police Department, and even those remarks were many times, not even up on our, on the TV view, to view. I wish I had about 20 minutes to really go into everything I have to say but I don't, so let me just see where I am here 'cuz I never really started with what I have. The starting pay for a Canton Police Department is \$24,716. Whoopie! Now that's a lot of money. I have seen cops spit on. I have seen cops assaulted, kicked, okay, cussed out, all in the name of a fiv.....less than \$500 a week starting pay. Yeah,

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I know, that's the job they took, okay, so did the trash man and he probably makes just about that too. Everyday that cop comes out, he's puttin' himself on the line to try to keep you safe. They're wore out, they're worn down and you know what, you're gonna complain, and you're gonna run your mouth and you're gonna get so upset and you're gonna come in here and want accountability from who knows who, okay, and 'ya know what, pretty soon, there won't be any cops left. I'm, am I.....

PRESIDENT DENCZAK: Ma'am, your three minutes are up. Bring your remarks to a lose.

MS. BELLIVEAU: Okay, I do want one ... one thing I do want to add, I think if anything on here, is that last week, someone, you said, President Denczak, you said, I would like the names and badges of the police officers that are a bit abusive or assaulting or whatever. I would like to have these names, I would like the privilege of being able to let you know, I don't know all of them because I don't know everybody that's helped us but I do know of the names of the cops that helped us faithfully, 200%, never left us, stood by us and still now, has stood by us. Officer Mike Ondo, Jim Nixon, Dennis Garren, Todd Gillilan, Anthony D. Jackson, female officer Joellen Psei, Officer Tucker, Officer McDonald, Sgt. Runyon, Sgt. Mark Fox of the Community Action Unit, Canine trainer Gary Haft and dog Max, Vice undercover and Police Chief Dean McKimm. You've got one heck of a Police force. Be intelligent enough to see it, please. We don't want to lose these guys. Thank you.

PRESIDENT DENCZAK: Ma'am, that's why I say that we want to know of a specific complaint against a police officer, we want the name and badge because if you don't give us that and just register your complaint, you paint the whole police department with the same brush.

MS. BELLIVEAU: Well, that's right, well, that's why I'm here tonight because I wanted to counter-balance what I heard last week. You're welcome.

PRESIDENT DENCZAK: Well, thank you, thank you very much for your appearance. (*AUDIENCE APPLAUSE*) The next speaker is Kathleen Bucher.

MS. BUCHER: Good evening Mayor, City Council, President of City Council, Administration. I'm here this evening, I spoke earlier.....

PRESIDENT DENCZAK: State your name and address please.

MS. BUCHER: My name's Kathleen Altieri-Bucher. I live at 927 Mahoning Road NE. I'm here to talk about the objection, our objection in our neighborhood to the re-naming of Mahoning Road to O'Jays Boulevard. I object and urge Council to object to the re-naming of Mahoning Road from 4th Street to 12th Street NE to O'Jays Boulevard. Personally, I've lived there one year short of 50 years and I'll speak for a few people that have signed this list that are sitting here now that are residents immediately in that area, who have since lived in that area for anywhere up to 75 to 80 years that are still there and yes, we do remember the history of what Mahoning Road means, sir, to address the gentleman that was here earlier. I will remind you that, no, that we don't have a Mahoning store there anymore, we have lots of stores that are gone and, again, those things are on the confines of that period of time, corner stores, bars, etc. We had too many bars down there. When the neighborhood was originally built, we didn't have bars. As a matter a fact, in my home, which is 100 plus, 120 years old, we found letters in the attic proposing against public saloons that were dated pre-1900 because they felt it would decline and degrade the neighborhood, and in fact, it did. We have a lot of wonderful memories about the bars that were up and down that street. I remember listening to my father, many people who are no longer there, talkin' about the good 'ol days but they were children. You talk to the people that were 75, 80 years old at that time, talk about the bars who if, these people were alive when they, when they objected to it before the turn of the century and

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they'll tell you another story. But, they're not here. We have a re-newed interested in the area for the history in the area. I also have a young lady on 9th Street. Her name's Miss Evans. She now has reason to believe, from hearsay, and from documents that she's found in her home on 9th Street which is less than a block and a half off Mahoning and 9th. It belongs to the Underground Railroad. We've been documenting this through the Canton Preservation Society for more than 2 and half years which I'm a trustee on that Board. We know the complete history of that street. To eliminate such history is eliminating another building or another area in the City of Canton. That's a loss of history and a loss of pride that we have. Our current pop culture that has been pervading our television, everything that we have is re-name, re-name, re-name. Anything from entertainment all the way down to something else. What's next? Should we eliminate the downtown Canton history of the streets, the Court Avenue, McKinley Avenue, which part of that was Plum Street? And, we'll address Ira Turpin Way as well. Do you realize that Ira Turpin Way was, has been re-named four times before Ira Turpin Way. I have all those documents and atlases at home because we've collected this over the years. My family's personally lived on three square blocks of property which I still now own and I'm gonna name that off almost 85 years. So, I have 110 years that that original part of Mahoning Road, from 3rd Street, not 4th, to 12th Street has been Mahoning, which is an old Indian name. (*Timer sounding*) This Indian name.....may I have extra time, sir?

PRESIDENT DENCZAK: (*Chuckle*)

MS. ALTERI-BUCHER: Do I have a question?...

MEMBER ZACHARY: Mr. President, I'm kinda curious myself what the name Mahoning Road means since it was brought up.

MS. ALTERI-BUCHER: Now that we, now that we got that...(chuckle) Mahoning is an old Indian name and thank you. It means, you're gonna laugh, salt lick. Yeah. In the area that we're discussing, because it was predominantly of Indian heritage at that time, which our black community has been involved when, although, within that whole area up through the Cook area, this is an old trail that ranges from New York City, all the way down through Pennsylvania. All the way, as far west as Canton, this is called the Glaciated/Allegheny Plateau. These are trails that are ancient and cannot be destroyed and cannot be forgotten or eliminated because of post World War II thinking, or because of post 1990 thinking of re-naming everything to a pop culture where entertainment seems to be so pervasive right now and if, and important. So, we're asking to please turn this down. We also do not like the fact that our street that we've lived on for so many years, and yes there's people there sir. We don't like our street being potentially traded off for a for-profit concert and a golf outing and none of the people on that street were informed about this and as the underlying tone is that it's for the best of the African-American community which none of these people were aware and I don't think it's gonna benefit a single homeowner on that street.

PRESIDENT DENCZAK: Ma'am I have to have some control here. You have explained the meaning of the word Mahoning.....

MS. ALTIERI-BUCHER: Thank you.

PRESIDENT DENCZAK:to the satisfaction of the Councilmember, so, I'm gonna ask you to bring your remarks to a conclusion now.

MS. ALTIERI-BUCHER: Thank you for your time and I urge you to please object and consider this seriously for the residents who are still there. We still have many long time residents and we have those names if you wish to speak to them. Thank you. (*AUDIENCE APPLAUSE*)

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PRESIDENT DENCZAK: This ends the Public Speaks Open Forum City Business Only portion of your agenda.

MISCELLANEOUS BUSINESS

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

MEMBER PRATER: Mr. President, yes, I'd like to take this opportunity to thank the Street Department if I could?... For the past couple of months, as I'm sure we all have had plenty of potholes and plenty of need to talk to the Street Department and some street cleaning and some other issues, and I'd just like to say I appreciate what they're, what they're, what they've done in Ward 5 and what they're doing and I think they've done their best. So, I'd like to thank the Street Department. Thank you.

PRESIDENT DENCZAK: Member Prater, did your street get swept?

MEMBER PRATER: Mine did not yet, but many others have....

PRESIDENT DENCZAK: Well, would you tell my Councilmember how to get that done? (*AUDIENCE LAUGHTER*)

MEMBER WEST: Mr. President, first and foremost, I want to thank everybody for comin' out and speaking and sharing your insight on the change of Mahoning Road to reflect O'Jays Boulevard. Over the past week, I've spent numerous hours, up until actually this council meeting, gathering signatures of all the citizens that live on Mahoning Road. Now, I didn't go outside of Mahoning Road and ask people if they wanted to have their street changed or not, I went to the people who lived on that street directly, including, I called Ms. Altieri and her father and I was informed by the Mayor that they were in objection to that. And out of that, I have 37 signatures, or 37 people who actually live on that street and out of the 37 people who live on that street, there are three, three that are at this point, against it. I did meet with each and every one to gather their signature, their phone number if they had any objection. I even gave them the opportunity to stay neutral and all of them, with the exception of three, are for it. One is, wanted it to be named Peel Coleman, who is here today. In addition to that, I've, there are nine businesses that also live, or, that are on that street. Lucia's initially is one, the first person I contacted because they have significant business in the area and learned that they were for it at first, and then I learned later that they were against the name O'Jays. Prior to coming to this meeting, they signed a document that also indicated that they were not, they will support, they want to support the honoring, or the recognition of the O'Jays but, they are concerned that the association of the O'Jays sounds like O. J. Simpson. So, we talked with them about changing it to The O'Jays, verses O'Jays in which we will look at making an amendment. So, for the people in the audience, the members on that street are all for changing the name. That's the people that live on that street and let me be correct there, it's also over 10 houses that are vacant. There are several houses cited to be demolished. That area also has a lot of crime and also has a lot of prostitution and when we look at this community, we look at certain streets. That particular street has much confusion because there's actually two streets called Mahoning Road. When you're going down there, a lot of confusion exists. My belief, and I am for this as well as the residents that live there and there are 3 that are not.....

PRESIDENT DENCZAK: Member West, your three minutes are up. I'll see if anybody else has anything to say and I'll come back to you again. Is there any other Miscellaneous business?

MEMBER DIAMOND: Mr. President, I'm sorry to interrupt, but I do have some miscellaneous business. It's not related to Member West, are you asking on that subject or....?

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PREISIDENT DENCZAK: No, this is Miscellaneous Business. It does not have to pertain to his subject.

MEMBER DIAMOND: Okay, last week I had asked the Mayor and the Service Director if they had an opportunity to review my request in reference to 49th Street NW, the damage done to two properties as a result of Monticello Allotment and I would just like to add to that if you haven't come upon a recommendation yet, I just wanted to make certain that you did receive or did see the article in *The Repository* last week on the 19th where neighbors on 49th Street and Vernon successfully sewed AMC Development for the damage done to their home by the flooding. They were awarded several of thousands of dollars worth of damage, a verdict for damages. That is the same area that I am asking you to look at—the same street where the two most recent properties received damages from the uprooting of the trees. So, the article was in the paper on April 19th. The trial verdict was April 18th and, the jury of Stark County saw fit to look at this situation and look at a developer who is causing damages because of their new sub-division on to the resident's property in the City of Canton. So, I would hope that you would consider that information also. Thank you.

PRESIDENT DENCZAK: Any other Miscellaneous Business?

SERVICE DIRECTOR CONCATTO: Mr. President. A quick response to that. We have looked at that. At the present time, we have denied North Canton's request for drainage into the city. At this time, we are lookin' at a retention basin that would help that area and we're not, certainly we'll keep you abreast of the things that are going on.

PRESIDENT DENCZAK: Any other Miscellaneous Business?

LAW DIRECTOR MARTUCCIO: Mr. President. Sorry, Member West. I wanted to share some positive information. It's such a negative climate in terms of finances. Most of Council, all of you, I hope, have received a copy of a letter in your mailboxes today and I believe the Administration has a copy as well. I was asked by the Broker who helped us with our gas aggregation program to share some information with you. They're called Buckeye Brokers. For those of you who may not be aw are of this, several years ago, we were one, among the first community in Stark County to pool our resources, to pool our homes and businesses and buy gas together because there's strength in numbers. It's called gas aggregation. We started out with a voluntary opt in-program and then moved into a mandatory opt out-program by way of Council participation passing an ordinance, going to the ballot and so on. The voters overwhelmingly approved our being in this program. This letter gives you some tangible results. They explain for you how, and let me explain how this works. During the coldest six months of the year, we are allowed to lock in a fixed price. Usually, during the summer the prices are lower. Last year we locked in a price of \$8.26 for every 1,000 cubic feet, that's called mcf, that a home burns. Most homes burn 145-ish thousand cubic feet per season. There are over 6,000 homes, as you can see, that are a part of this program. Business who burn up to 2,000 mcf per year, are also allowed to participate and we show nearly 500 businesses. As you can see, for the coldest six months of the year, we were locked in at \$8.26. As you can see above that, we are with Vectron Source, where you see the asterisk. Those folks who chose to stay with Dominion, the utility, were paying, for example in December, they were paying \$9.32 per mcf while we were paying \$8.26. So, they were saving over a dollar per thousand cubic feet during a very particularly cold, icy snow storm kind of December. This month, for example, you can see we've moved to \$8.05 because we are in the warm cycle now and with all, everybody's furnaces burning considerably, you're saving nearly \$2.00 every thousand cubic feet you burn this month. Now, most, you, your constituents, the folks in the audience may say, well, okay, if you are not locked in during the cold months, during the warm months, I might end up paying more than the utility, and, that's true. You may end up paying more under Vectron this summer per thousand cubic feet of gas, than you would if you were with utilities but you're probably only gonna burn only a half of mcf or one mcf during the summer months to heat your water heater. So, if you're not paying a little more, for one mcf,

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it's obviously worth saving over \$100 per year in the cold months. Now, you may say that \$100 is not a big deal. I'll bring my remarks to a close. You may say \$100 is not a big deal, but to a lot of families, \$100 a year is a big deal and if you take 6,000 families times a 1,000, I mean 6,000 families times a \$100, your talking about several hundreds of thousand of dollars and if you're talking about 500 businesses saving \$1,000, you're talking about hundred of thousands of dollars coming back into our community for groceries and other necessities that benefit our economy. It's a risk, every year when we strike this price, but every year so far that we've been in the program we've managed to save people who use gas through our program a considerable amount of money and we'll keep doing it as long as you authorize us to do so. Thank you.

PRESIDENT DENCZAK: Any other Miscellaneous Business?... Member West?

MEMBER WEST: Alright, I'll bring my comments to a close as well. But there's a couple other things when I was talking about the crime and things of that down in that area, and now that street is becoming, in terms of having a prestigious name, now it's becoming a name of one that has negativity. The individuals that someone in the audience had indicated that they have signatures of people, I received two letters and two individuals although I do respect both individuals who wrote the letters, none of them live on Mahoning Road. They live in the area but don't live on Mahoning Road. All the, all the signatures that I have today do live on Mahoning Road and all of those individuals will be effected by this. The other piece is with the O'Jays. The O'Jays is significant and they have come from this community. We have honored, we have not done a good job of honoring people. We honor them when they're dead, we don't honor them when they're alive. Give them their flowers while they're alive. And, I'll tell you what, if they have not given to this city, doesn't mean that they can't now. The Bicentennial Commission wanted to bring them in several weeks ago, I mean several months ago, a couple months ago, in May, for their Fun Run but no one said anything, oh, they're not part of our community. No, they are a part of our community and they were raised here and they went to McKinley High School. And I was on the phone with them for three hours and they've talked nothing but warm memories about being down in that area. The swimming pool, the Nimisilla Park and everybody I spoke to on this list had something positive to say about the O'Jays that lived in that area. And there was just a few people that questioned whether they claimed Cleveland or Canton but in the entertainment business, one thing you'll learn is that you have to identify with a big city in order to get your name out there, and that's nothing new. But, that's why I want to change the name of Mahoning Road to give honor where honor is due, but at the same time, bring a renewed vision for that area and also revitalize it. Thank you.

PRESIDENT DENCZAK: Mr. President?.... It's me. 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: 9:07 PM

ATTEST:

APPROVED:

DEBRA VANCKUNAS
CLERK OF COUNCIL

RAY DENCZAK
PRESIDENT OF COUNCIL

