

**MINUTES OF THE MEETING OF JUNE 6, 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, June 6, 2005, at 7:30 P.M. in the Canton City Council Chamber. The roll call was taken (as follows) by Clerk of Council Debra Vanckunas. The invocation was given by Ward 2 Councilmember Thomas E. West followed by the Pledge of Allegiance led by President of Council Denczak.*

**ROLL CALL TAKEN BY CLERK VANCKUNAS:**

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

**AGENDA CORRECTIONS & CHANGES**

PRESIDENT DENCZAK: Thank you, Member West (*referring to invocation*). Agenda corrections and changes, Members of Council, you're being asked to suspend Rule 24B to add Resolutions #58. Member Casar, the Chair will recognize that motion at this time.

MEMBER CARBENIA: Mr. President, I move we suspend Rule 24B and add Resolution #58 to this evening's agenda; seconded.

PRESIDENT DENCZAK: Moved and seconded to suspend Rule 24B to add Resolution #58 to the agenda. Are there any remarks?... If not, roll call vote please.

NO REMARKS

ROLL CALL 12 YEAS, 0 NAYS

PRESIDENT DENCZAK: Rule 24B is suspended and Resolution #58 is a legal part of your agenda. You're also being asked to suspend Rule 22A to add second reading of Ordinances 13 through and including #27. The Chair will recognize that motion, Member Casar.

MEMBER CASAR: Mr. President, I move we suspend Rule 22A and add Ord...Ordinances number, for second reading, 13 through and including 27; seconded.

PRESIDENT DENCZAK: Moved and seconded to suspend Rule 22A to add Ordinances for the second reading 13 through 27 inclusive. Are there any remarks?... If not, roll call vote please.

NO REMARKS

ROLL CALL 12 YEAS, 0 NAYS

PRESIDENT DENCZAK: Rule 22A is suspended and Ordinances 13 through and including number 27 are a legal part of your agenda.

**PUBLIC HEARINGS**

PRESIDENT DENCZAK: We have no schedule public hearings at this time.

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PRESIDENT DENCZAK: Public speaks ordinances or resolutions for adoption. One person signed up but has asked that his name be removed.

**INFORMAL RESOLUTIONS**

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

***PRESIDENT DENCZAK CALLED UPON CLERK VANCKUNAS TO READ RESOLUTION #58 BY TITLE, AS SHOWN BELOW. THIS RESOLUTION IS ON FILE IN ITS ENTIRETY IN THE COUNCIL OFFICE WITH THE AGENDA ITEMS DATED JUNE 6, 2005.***

58. INTERGOVERNMENTAL AND PUBLIC SERVICE COMMITTEE: OBJECTING TO A NEW D1 LIQUOR PERMIT TO CHRISTINA DIMICHELE @ 3151 MAHONING ROAD NE. - ADOPTED BY COUNCIL

MEMBER CASAR: Mr. President, I move we adopt Resolution #58; seconded.

PRESIDENT DENCZAK: Moved and seconded that you adopt Resolution 58. 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 #58 APPROVED BY UNANIMOUS VOICE VOTE

PRESIDENT DENCZAK: Resolution #58 has been adopted.

**COMMUNICATIONS**

PRESIDENT DENCZAK: Under Communications. 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 JUNE 6, 2005.***

314. AUDITOR R.A. MALLONN, CITY OF CANTON: MONTHLY REPORT BY FUND FOR 5/1/05-5/31/05 - RECEIVED & FILED

315. AUDITOR R.A. MALLONN, CITY OF CANTON: YEARLY REPORT BY FUND FOR 5/1/05 - 5/31/05 - RECEIVED & FILED

316. AUDITOR R.A. MALLONN, CITY OF CANTON: CERTIFICATE OF THE TOTAL AMOUNT FROM ALL SOURCES FOR 2005 - CLERK OF COUNCIL

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317. CANTON CITY SCHOOLS, THOMAS CHIAPPINI, 1312 5<sup>TH</sup> STREET SW, CANTON, OH: REQUEST TO VACATE PORTION OF MILTON CT NW FROM 4<sup>TH</sup> ST NW TO CROWN PL NW TO MAKE ALL PROPERTY OWNED AT THE SITE CONTIGUOUS - PLANNING COMMISSION (PUBLIC HEARING 6/20/05 @ 7:31 PM).
318. COMMUNITY DEVELOPMENT & PLANNING DIRECTOR MARGY POORMAN, CITY OF CANTON: BROCHURE PROVIDING SUMMARY OF COMMUNITY DEVELOPMENT PROGRAMS OFFERED - RECEIVED & FILED
319. COMMUNITY DEVELOPMENT & PLANNING DIRECTOR MARGY POORMAN, CITY OF CANTON: REQUESTING LEGISLATION AUTHORIZING MAYOR &/OR SERVICE DIRECTOR TO ENTER INTO CONTRACT W/QUEST RECOVERY & PREVENTION SERVICES FOR A \$217,624 GRANT TO RENOVATE PORTION OF THE HORACE MANN SCHOOL ACQUIRED FROM JR COLEMAN CENTER FOR LOW & MODERATE INCOME HOUSING - COMMUNITY ECONOMIC DEVELOPMENT & FINANCE CMTES
320. COMMUNITY DEVELOPMENT & PLANNING DIRECTOR MARGY POORMAN, CITY OF CANTON: REQUESTING LEGISLATION AUTHORIZING MAYOR OR SERVICE DIRECTOR TO ENTER INTO \$100,000 CONTRACT W/BROWNFIELD RESTORATION GROUP TO PERFORM CERTIFIED PROFESSIONAL DUTIES ON STEIN PROJECT. - COMMUNITY & ECONOMIC DEVELOPMENT & FINANCE CMTES
321. COMMUNITY DEVELOPMENT & PLANNING DIRECTOR MARGY POORMAN, CITY OF CANTON: REQUESTING LEGISLATION AUTHORIZING MAYOR OR SERVICE DIRECTOR TO ENTER INTO \$90,000 CONTRACT W/HZW ENVIRONMENTAL TO PERFORM CERTIFIED PROFESSIONAL DUTIES ON BISON PROJECT. - COMMUNITY & ECONOMIC DEVELOPMENT & FINANCE CMTES
322. COMMUNITY DEVELOPMENT & PLANNING DIRECTOR MARGY POORMAN, CITY OF CANTON: REQUESTING LEGISLATION AUTHORIZING MAYOR &/OR SERVICE DIRECTOR TO CONVEY 2 PARCELS OF CITY OWNED REAL PROPERTY NO LONGER NEEDED FOR MUNICIPAL PURPOSES LOCATED ON 10<sup>TH</sup> ST NE TO CANTON COMMUNITY IMPROVEMENT CORP. - COMMUNITY & ECONOMIC DEVELOPMENT & FINANCE CMTES
323. COMMUNITY DEVELOPMENT & PLANNING DIRECTOR MARGY POORMAN, CITY OF CANTON: REQUESTING LEGISLATION AUTHORIZING MAYOR &/OR SERVICE DIRECTOR TO ENTER INTO CONTRACT W/NATIONAL STEELWORKERS OLDTIMERS FOUNDATION FOR THE MAYFIELD SENIOR CENTER ROOF REPLACEMENT PROJECT TO PROVIDE \$100,000 GRANT UTILIZING COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) FUNDS FOR REIMBURSEMENT OF COSTS TO REPLACE ROOF AT 3825 13<sup>TH</sup> ST SW FACILITY. - COMMUNITY & ECONOMIC DEVELOPMENT & FINANCE CMTES.
324. HEALTH COMMISSIONER ROBERT PATTISON, CITY OF CANTON: FOLLOW UP TO 2004 ANNUAL REPORT INVITING QUESTIONS OR SUGGESTIONS CONCERNING SAME. - RECEIVED & FILED
325. HEALTH COMMISSIONER ROBERT PATTISON, CITY OF CANTON: REQUESTING \$48,000 SUPPLEMENTAL APPROPRIATION FROM THE 2316 WIC FUND. - FINANCE CMTE

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326. MIDAY, RYAN, 600 WEST 239<sup>TH</sup> ST, APT 2D, NEW YOUR, NY 10463: SUBMITTING RESUME & EXPRESSING INTEREST IN WORKING FOR CANTON CITY COUNCIL - RECEIVED & FILED
327. OHIO DEPT. OF TRANSPORTATION, CENTRAL OFFICE, P O BOX 899, COLUMBUS, OH 43216-0899: COPY OF EXECUTED CO-OPERATIVE CONTRACT BETWEEN CITY OF CANTON & DIRECTOR OF TRANSPORTATION REGARDING PROJECT #286(05), FULTON ROAD NW SIGNALS. - SERVICE DIRECTOR
328. SAFETY DIRECTOR BERNARD HUNT, CITY OF CANTON: REQUESTING LEGISLATION FOR \$33,000 EMERGENCY REPAIR OF APPARATUS FLOOR AT FIRE STATION #4 IN ACCORDANCE W/ORC 735.051 & CANTON CODIFIED ORD 105.04. - FINANCE CMTE
329. SAFETY DIRECTOR BERNARD HUNT, CITY OF CANTON: REQUESTING AMENDMENT TO CANTON CITY ORDINANCE SEC 509.15 WHICH WOULD PROHIBIT INDIVIDUALS FROM SETTING UP CHAIRS ALONG THE HALL OF FAME KICKOFF PARADE ROUTE & THE FESTIVAL GRAND PARADE ROUTE BEFORE 5:30 AM THE DAY OF THE PARADES. - JUDICIARY CMTE
330. SERVICE DIRECTOR JOSEPH CONCATTO, CITY OF CANTON: 2005 LIST OF STREETS TO BE PAVED & BUDGET FOR SAME - PUBLIC PROPERTY CAPITAL IMPROVEMENT & FINANCE CMTES
331. SERVICE DIRECTOR JOSEPH CONCATTO, CITY OF CANTON: REQUESTING AUTHORIZATION TO ENTER INTO A ONE YEAR \$25,000 CONTRACT W/A ONE-YEAR EXTENSION OPTION, W/THE RECREATION DEPT FOR FIELD MAINTENANCE @ THURMAN MUNSON MEMORIAL STADIUM - PARK & RECREATION AND FINANCE CMTES
332. SERVICE DIRECTOR JOSEPH CONCATTO, CITY OF CANTON: REQUESTING LEGISLATION AUTHORIZING MAYOR &/OR SERVICE DIRECTOR TO ENTER INTO AGREEMENT TO TRANSFER PROPERTY PURCHASED FROM PJT-POINTE WEST LLC & MARY S. RUSS TO AMERICAN ELECTRIC POWER FOR \$230,000 AS PART OF THE FEDERAL CAMPUS PROJECT. - COMMUNITY & ECONOMIC DEVELOPMENT CMTE
333. SERVICE DIRECTOR JOSEPH CONCATTO, CITY OF CANTON: CONGRATULATING WATER POLLUTION CONTROL CENTER ON RECEIVING THE NATIONAL ASSOCIATION OF CLEAN WATER AGENCIES' PEAK PERFORMANCE AWARD FOR COMPLIANCE ACHIEVEMENTS FOR 2004 . - RECEIVED & FILED
334. SERVICE DIRECTOR JOSEPH CONCATTO & SAFETY DIRECTOR BERNARD HUNT, CITY OF CANTON: REQUESTING AUTHORIZATION TO ADVERTISE, RECEIVE BIDS & ENTER INTO CONTRACT, &/OR ALTERNATIVELY ENTER INTO CONTRACT IN ACCORDANCE W/STATE COOPERATIVE PURCHASING AGREEMENT, &/OR ALTERNATIVELY ENTER INTO CONTRACT IN ACCORDANCE W/OHIO DEPARTMENT OF TRANSPORTATION PURCHASING AGREEMENT, FOR PURCHASE OF VARIOUS VEHICLES &/OR EQUIPMENT FOR VARIOUS DEPTS. (4502 CAPITAL BUDGET VEHICLE PURCHASES FOR 2005) . - PUBLIC PROPERTY CAPITAL IMPROVEMENT & FINANCE CMTES

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335. STARK COUNTY COMMISSIONERS, COUNTY OFFICE BLDG, 110 CENTRAL PLAZA SOUTH, SUITE 240, CANTON, OH 44702: NOTIFICATION OF COUNTY COMMISSIONERS' PUBLIC HEARING FOR 7/20/05 @ 7:00 PM RE: GROFFRE/BROADWAY ANNEXATION. - RECEIVED & FILED
336. STARK COUNTY COMMISSIONERS, COUNTY OFFICE BLDG, 110 CENTRAL PLAZA SOUTH, SUITE 240, CANTON, OH 44702: SUBMITTING ALL PERTINENT DOCUMENTS PURSUANT TO THE GRANTING OF THE CENTRAL ALLIED/HARMONT ANNEXATION. - ANNEXATION CMTE
337. TREASURER ROBERT SCHIRACK, CITY OF CANTON: COMPARATIVE REPORT OF PARKING METER REVENUE FOR MAY 2005. - RECEIVED & FILED
338. TREASURER ROBERT SCHIRACK, CITY OF CANTON: COMPARATIVE REPORT OF AMBULANCE LOCK BOX ACCOUNT FOR MAY 2005 . - RECEIVED & FILED

**ORDINANCES & FORMAL RESOLUTIONS FOR FIRST READING**

PRESIDENT DENCZAK: We're now under ordinances for their first reading. Let the journal show that all ordinances are being given their reading 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 #12 FOR THE FIRST TIME BY TITLE & ANNOUNCED THE COMMITTEE REFERRAL, AS FOLLOWS.***

- #1 (1<sup>ST</sup> RDG) AN ORDINANCE AMENDING APPROPRIATION ORDINANCE NO. 253/2004, AS AMENDED, BY MAKING THE SUPPLEMENTAL APPROPRIATIONS HEREIN DESCRIBED; AND DECLARING THE SAME TO BE AN EMERGENCY (Compensated Absence Fund & Cashing Banked Vacation)  
Referred to Personnel and Finance Committees
- #2 (1<sup>ST</sup> RDG) AN ORDINANCE AUTHORIZING THE MAYOR OR DIRECTOR OF PUBLIC SERVICE TO ENTER INTO CONTRACT WITH PRIME TIME BASKETBALL, INC. TO PROVIDE A GRANT IN AN AMOUNT NOT TO EXCEED \$20,000.00 FOR THE PRIME TIME BASKETBALL PROGRAM; AND DECLARING THE SAME TO BE AN EMERGENCY  
Referred to Community & Economic Development and Finance Committees
- #3 (1<sup>ST</sup> RDG) AN ORDINANCE AUTHORIZING THE MAYOR OR DIRECTOR OF PUBLIC SERVICE TO ENTER INTO CONTRACT WITH THE YWCA OF CANTON, INC. TO PROVIDE A GRANT IN AN AMOUNT NOT TO EXCEED \$20,000.00 FOR MISCELLANEOUS OPERATING COSTS FOR THE TRANSITIONAL HOUSING PROGRAM KNOWN AS NEW BEGINNINGS; AND DECLARING THE SAME TO BE AN EMERGENCY  
Referred to Community & Economic Development and Finance Committees
- #4 (1<sup>ST</sup> RDG) AN ORDINANCE AUTHORIZING THE MAYOR OR DIRECTOR OF PUBLIC SERVICE TO ENTER INTO CONTRACT WITH FAMILIES FIRST OF STARK COUNTY TO PROVIDE A GRANT IN AN AMOUNT NOT TO EXCEED \$15,000.00 FOR MISCELLANEOUS DIRECT PROGRAM COSTS; AND DECLARING THE SAME TO

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BE AN EMERGENCY

Referred to Community & Economic Development and Finance Committees

- #5 (1<sup>ST</sup> RDG) AN ORDINANCE AUTHORIZING THE MAYOR OR DIRECTOR OF PUBLIC SERVICE TO ENTER INTO CONTRACT WITH COMMUNITY SERVICES, INC. OF STARK COUNTY TO PROVIDE A GRANT IN AN AMOUNT NOT TO EXCEED \$10,000.00 FOR CONSTRUCTION OF A BUILDING ADDITION; AND DECLARING THE SAME TO BE AN EMERGENCY  
Referred to Community & Economic Development and Finance Committees
- #6 (1<sup>ST</sup> RDG) AN ORDINANCE AUTHORIZING THE MAYOR OR DIRECTOR OF PUBLIC SERVICE TO ENTER INTO CONTRACT WITH ELSASS TEAM CENTER TO PROVIDE A GRANT IN AN AMOUNT NOT TO EXCEED \$20,000.00 FOR ADMINISTRATION/STAFF COSTS; AND DECLARING THE SAME TO BE AN EMERGENCY  
Referred to Community & Economic Development and Finance Committees
- #7 (1<sup>ST</sup> RDG) AN ORDINANCE AUTHORIZING THE MAYOR OR DIRECTOR OF PUBLIC SERVICE TO ENTER INTO CONTRACT WITH ICAN, INC. TO PROVIDE A GRANT IN AN AMOUNT NOT TO EXCEED \$38,500.00 FOR MISCELLANEOUS REPAIR/RENOVATION COSTS; AND DECLARING THE SAME TO BE AN EMERGENCY  
Referred to Community & Economic Development and Finance Committees
- #8 (1<sup>ST</sup> RDG) AN ORDINANCE AUTHORIZING THE MAYOR TO SUBMIT THE 2006 RECYCLE, OHIO! GRANT APPLICATION TO THE OHIO DEPARTMENT OF NATURAL RESOURCES AND TO ACCEPT AND EXECUTE THE GRANT; AUTHORIZING A VARIABLE CASH MATCH FROM COMMUNITY DEVELOPMENT FUNDS; AUTHORIZING THE MAYOR TO ENTER INTO CONTRACT WITH THE GREATER CANTON CHAMBER OF COMMERCE; AND DECLARING THE SAME TO BE AN EMERGENCY  
Referred to the Community & Economic Development and Finance Committees
- #9 (1<sup>ST</sup> RDG) AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO AN ENTERPRISE ZONE AGREEMENT WITH SONOCO PHOENIX PACKAGING CORPORATION TO PROVIDE PERSONAL PROPERTY TAX EXEMPTIONS; AUTHORIZING THE AUDITOR TO MAKE PAYMENTS TO THE CANTON LOCAL BOARD OF EDUCATION AS REQUIRED TO BE PAID PURSUANT TO SECTION 5709.82 (C) AND (D) OF THE REVISED CODE; AND DECLARING THE SAME TO BE AN EMERGENCY  
Referred to Community & Economic Development and Finance Committees
- #10 (1<sup>ST</sup> RDG) AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO AGREEMENT WITH THE STATE OF OHIO, DEPARTMENT OF REHABILITATION & CORRECTION FOR RECEIPT OF THE FY 2006 COMMUNITY CORRECTIONS ACT GRANT IN AN AMOUNT NOT TO EXCEED \$74,261.00; AND DECLARING THE SAME TO BE AN EMERGENCY  
Referred to Marketing & Development Grant and Finance Committees

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- #11 (1<sup>ST</sup> RDG) AN ORDINANCE APPROVING AND ACCEPTING THE REPLATTING OF LOTS 23637, 23638 AND 23639; AND DECLARING THE SAME TO BE AN EMERGENCY  
Referred to Public Safety & Thoroughfares Committee
- #12 (1<sup>ST</sup> RDG) AN ORDINANCE AUTHORIZING THE CITY AUDITOR TO PAY A MORAL OBLIGATION IN THE AMOUNT OF \$16,965.00 TO 3-D SERVICE; 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 Finance Committee

**ORDINANCES & FORMAL RESOLUTIONS FOR SECOND READING**

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

***NOTE: VICE PRESIDENT OF COUNCIL CASAR CALLED UPON CLERK VANCKUNAS TO READ THE FOLLOWING ORDINANCES #13 THROUGH #27 FOR THE SECOND TIME BY TITLE, AS FOLLOWS.***

- #13 (2<sup>ND</sup> RDG) AN ORDINANCE APPROVING AND ACCEPTING THE REPLATTING OF ALL OF LOTS 41649 THROUGH 41653 AND ALL OF OUTLOTS 968, 970 AND 971; AND DECLARING THE SAME TO BE AN EMERGENCY
- #14 (2<sup>ND</sup> RDG) AN ORDINANCE AUTHORIZING THE MAYOR OR DIRECTOR OF PUBLIC SERVICE TO ENTER INTO CONTRACT WITH THE CANTON CITY SCHOOL DISTRICT TO PROVIDE A GRANT IN AN AMOUNT NOT TO EXCEED \$25,000.00 FOR THE EARLY CHILDHOOD EDUCATION PROGRAM; AND DECLARING THE SAME TO BE AN EMERGENCY
- #15 (2<sup>ND</sup> RDG) AN ORDINANCE AMENDING ORDINANCE NO. 122/92, AS AMENDED, AUTHORIZING THE MAYOR TO ENTER INTO AN AMENDED AGREEMENT WITH STARK COUNTY OUT OF POVERTY PARTNERSHIP, INC. TO PROVIDE ADDITIONAL FUNDING; AND DECLARING THE SAME TO BE AN EMERGENCY
- #16 (2<sup>ND</sup> RDG) AN ORDINANCE AUTHORIZING THE MAYOR OR DIRECTOR OF PUBLIC SERVICE TO ENTER INTO CONTRACT WITH STARK PRESCRIPTION ASSISTANCE NETWORK, INC. TO PROVIDE A GRANT IN AN AMOUNT NOT TO EXCEED \$15,000.00 FOR MISCELLANEOUS MEDICAL PRESCRIPTION COSTS; AND DECLARING THE SAME TO BE AN EMERGENCY
- #17 (2<sup>ND</sup> RDG) AN ORDINANCE AUTHORIZING THE MAYOR OR DIRECTOR OF PUBLIC SERVICE TO ENTER INTO CONTRACT WITH THE CANTON COMMUNITY CLINIC, INC. TO PROVIDE A GRANT IN AN AMOUNT NOT TO EXCEED \$175,000.00 FOR OPERATIONAL EXPENSES; AND DECLARING THE SAME TO BE AN EMERGENCY
- #18 (2<sup>ND</sup> RDG) AN ORDINANCE AUTHORIZING THE MAYOR OR DIRECTOR OF PUBLIC SERVICE TO ENTER INTO CONTRACT WITH THE CANTON REGIONAL CHAMBER OF COMMERCE TO PROVIDE A GRANT IN AN AMOUNT NOT TO

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EXCEED \$175,000.00 FOR A COMPREHENSIVE ECONOMIC AND DOWNTOWN DEVELOPMENT PROGRAM; AND DECLARING THE SAME TO BE AN EMERGENCY

- #19 (2<sup>ND</sup> RDG) AN ORDINANCE AMENDING APPROPRIATION ORDINANCE NO. 253/2004, AS AMENDED, IS AMENDED BY MAKING THE SUPPLEMENTAL APPROPRIATIONS HEREIN DESCRIBED; AND DECLARING THE SAME TO BE AN EMERGENCY
- #20 (2<sup>ND</sup> RDG) AN ORDINANCE VACATING PORTIONS OF 7<sup>TH</sup> STREET NW AND WELLS AVENUE NW; AND DECLARING THE SAME TO BE AN EMERGENCY
- #21 (2<sup>ND</sup> RDG) AN ORDINANCE APPROVING AND ACCEPTING THE REPLATTING OF PARTS OF OUTLOTS 488 THROUGH 491, 493 AND PARTS OF LOTS 3297 AND 3301; AND DECLARING THE SAME TO BE AN EMERGENCY
- #22 (2<sup>ND</sup> RDG) AN ORDINANCE VACATING A PORTION OF MILTON COURT NW; APPROVING AND ACCEPTING THE REPLATTING OF ALL OF LOTS 13080, 14228 THROUGH 14242, 14254 THROUGH 14262, 34880, 34881, 34883, 37085, 37086 AND 38546 AND PARTS OF LOTS 14243 AND 14244, VACATED MILTON COURT NW AND PRIVATE ALLEYS; APPROVING AND ACCEPTING THE DEDICATION OF PART OF CROWN PLACE NW; AND DECLARING THE SAME TO BE AN EMERGENCY
- #23 (2<sup>ND</sup> RDG) AN ORDINANCE AUTHORIZING THE CITY AUDITOR TO PAY A MORAL OBLIGATION IN THE AMOUNT OF \$15,575.00 TO PATH MASTER, INC; AMENDING APPROPRIATION ORDINANCE NO. 253/2004; AND DECLARING THE SAME TO BE AN EMERGENCY
- #24 (2<sup>ND</sup> RDG) AN ORDINANCE AUTHORIZING THE DIRECTOR OF PUBLIC SAFETY TO MAKE APPLICATION FOR AND ACCEPT A GRANT IN AN AMOUNT NOT TO EXCEED \$33,994.00 FROM THE STATE FOR A SELECTIVE TRAFFIC ENFORCEMENT PROGRAM; AND DECLARING THE SAME TO BE AN EMERGENCY
- #25 (2<sup>ND</sup> RDG) AN ORDINANCE AUTHORIZING THE CITY AUDITOR TO PAY A MORAL OBLIGATION IN THE AMOUNT OF \$13,505.64 TO SOUTHEASTERN EQUIPMENT COMPANY; AND DECLARING THE SAME TO BE AN EMERGENCY
- #26 (2<sup>ND</sup> RDG) A RESOLUTION DESIGNATING PUBLIC MONEYS AVAILABLE FOR ACTIVE AND INTERIM DEPOSITS AND DESIGNATING DEPOSITORY BANKS FOR SAID DEPOSITS
- #27 (2<sup>ND</sup> RDG) AN ORDINANCE AUTHORIZING THE DIRECTOR OF PUBLIC SERVICE TO ENTER INTO CHANGE ORDERS #3 AND #4 WITH ESLICH WRECKING COMPANY IN A TOTAL AMOUNT NOT TO EXCEED \$69,100.00 FOR ADDITIONAL DEMOLITION AND SITE RESTORATION WORK AT THE "KRESGE BLOCK"; AND DECLARING THE SAME TO BE AN EMERGENCY

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PRESIDENT DENCZAK: Ordinances and Resolutions for the third and final reading. Ordinance #28 please.

***NOTE: PRESIDENT OF COUNCIL DENCZAK CALLED UPON CLERK VANCKUNAS TO READ ORDINANCES #28 THROUGH #31 FOR THEIR THIRD & FINAL TIME BY TITLE, AS FOLLOWS. ALL ORDINANCES WERE ADOPTED FOLLOWING THEIR 3<sup>RD</sup> READINGS.***

#28 (3<sup>RD</sup> RDG) **ADOPTED AS ORDINANCE NO. 120/2005** AN ORDINANCE AUTHORIZING THE AUDITOR TO ENTER INTO A PROFESSIONAL SERVICE CONTRACT WITH FINANCIAL NETWORK OF AMERICA LTD FOR AN ALTERNATIVE 457 DEFERRED COMPENSATION PROGRAM; AND DECLARING THE SAME TO BE AN EMERGENCY

MEMBER CASAR: Mr. President, I move we adopt Ordinance #28; seconded.

VICE PRESIDENT CASAR: Moved and seconded to adopt Ordinance #28. Are there any remarks under this Ordinance?... Very well, roll call please.

NO REMARKS

ROLL CALL 12 YEAS, 0 NAYS

PRESIDENT DENCZAK: Ordinance #28 is adopted. **#28 ADOPTED AS ORDINANCE NO. 120/2005**

#29 (3<sup>RD</sup> RDG) **ADOPTED AS ORDINANCE NO.121/2005** 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

MEMBER CASAR: Mr. President, I move we adopt Ordinance #29; seconded.

PRESIDENT DENCZAK: Moved and seconded to adopt Ordinance #29. Are there any remarks under this Ordinance?... Very well, roll call vote please.

NO REMARKS

ROLL CALL 12 YEAS, 0 NAYS

PRESIDENT DENCZAK: Ordinance #29 is adopted. **#29 ADOPTED AS ORDINANCE NO. 121/2005**

#30 (3<sup>RD</sup> RDG) **ADOPTED AS ORDINANCE NO. 122/2005** AN ORDINANCE APPROVING THE SOLID WASTE MANAGEMENT PLAN OF THE STARK-TUSCARAWAS-WAYNE JOINT SOLID WASTE MANAGEMENT DISTRICT; AND DECLARING THE SAME TO BE AN EMERGENCY

MEMBER CASAR: Mr. President, I move we adopt Ordinance #30; seconded.

PRESIDENT DENCZAK: Moved and seconded to adopt Ordinance #30. Are there any remarks under this Ordinance?... Very well, roll call please.

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NO REMARKS

ROLL CALL 12 YEAS, 0 NAYS

PRESIDENT DENCZAK: Ordinance #30 is adopted. **#30 ADOPTED AS ORDINANCE NO. 122/2005**

#31 (3<sup>RD</sup> RDG) **ADOPTED AS ORDINANCE NO. 123/2005** AN ORDINANCE AUTHORIZING THE DIRECTOR OF PUBLIC SERVICE TO ENTER INTO A PROFESSIONAL SERVICE CONTRACT WITH ATELIER CORP OF WILSON-HAWK DBA THE WILSON ARCHITECTURAL GROUP IN AN AMOUNT NOT TO EXCEED \$23,960.00 FOR ARCHITECTURAL SERVICES RELATED TO THE FEDERAL CAMPUS PROJECT; AND DECLARING THE SAME TO BE AN EMERGENCY

MEMBER CASAR: Mr. President, I move we adopt Ordinance #31; seconded.

PRESIDENT DENCZAK: Moved and seconded that you adopt Ordinance #31. Are there any remarks under this Ordinance?... Very well, roll call please.

NO REMARKS

ROLL CALL 12 YEAS, 0 NAYS

PRESIDENT DENCZAK: Ordinance #31 is adopted. **#31 ADOPTED AS ORDINANCE NO. 123/2005****ANNOUNCEMENT OF COMMITTEE MEETINGS**

PRESIDENT DENCZAK: Announcement of committee meetings.

MEMBER CARBENIA: Mr. President, Community &amp; Economic Development will meet 6/20 at 6:00 PM.

MEMBER HAWK: Mr. President, Finance Committee will meet June 20th at 6:00 PM.

MEMBER ZACHARY: Mr. President, Personnel Committee will meet June 20<sup>th</sup> at 6pm.MEMBER BABCOCK: *(MEMBER BABCOCK'S COMMENTS ARE INAUDIBLE - SHE CALLS A PUBLIC SAFETY & THOROUGHFARES COMMITTEE MEETING)*

MEMBER WEST: Mr. President, Marketing Development &amp; Grant .....

PRESIDENT DENCZAK: Wait, wait, wait, specify the date and time ma'am.

MEMBER BABCOCK: *(AGAIN, MEMBER BABCOCK'S COMMENTS ARE INAUDIBLE - SHE ANNOUNCES THE DATE & TIME OF THE SAFETY & THOROUGHFARES COMMITTEE MEETING FOR JUNE 20, 2005 @ 6:00 PM)*

PRESIDENT DENCZAK: Member West?...

MEMBER WEST: Yes, Marketing and Development Grant and Finance Committee will meet on June 20<sup>th</sup> at 6:10.

**MINUTES OF THE MEETING OF JUNE 6, 2005****PUBLIC SPEAKS (OPEN FORUM--CITY BUSINESS ONLY)**

PRESIDENT DENCZAK: We have one person signed up for public speaks under open forum. Ruby Brogdon.

MS. BROGDON: My name is Ruby Brogdon. I live at 1617 3<sup>rd</sup> Street NE. I'm talkin' 'bout vacant homes. The house next door to me is terrible. Whoever owns it, they won't do anything about it. I do have his name but I don't know where he lives. His name is James Turner. It's grewed up and then close to this water, we have rat problems and mice problems. In the back of the garage, it's tall weeds. The Councilman, we went around with her lookin' at some of these houses and I feel that if people in Canton that own houses, they don't live there and they have all their junk on people that live there. They live in the neighborhoods where it's clean. If we clean up ours, it don't look any better because next door and across the street is all messed up, and I feel that they should be told to clean up or either they should give it to the homeless or somebody 'cuz evidently, they don't care for 'em because they won't do anything about it. Now, across the street from me, the neighbor cut it in the front. It's a mess. The one next door to me is 1303 and the one across the street is 1620 and the one up the street from me is 1524. There's one on 4<sup>th</sup> Street that's been vacant for years. It caught on fire last Monday 4:00 in the morning and it's 1528 NE, the second door from me on 4<sup>th</sup> Street, and I feel that the owners of these houses should be, should do something about how they look. If, I feel if I can clean up mine, I feel that they can get someone, if they can't get someone, hire a lawn service or someone to clean around these houses. I called the Health Department on the people that live there. The Health Department came. I seen them when they came. They moved the next day and left all the junk. I showed it to my Councilman and Mrs. Babcock and they sent some, I guess in them buses, community service or someone, and they come and picked the junk up and I would like to see some of this vacant property around me, some of these weeds cut and cleaned up around these houses 'cuz there's no use the City of Canton lookin' like it looks in some of these neighborhoods.

PRESIDENT DENCZAK: Is this Member Zachary's Ward?

MEMBER ZACHARY: Yes it is, Mr. President, and if I could just ask a quick question, if I could, of the Administration. We turn these properties in and it seems like there's a significant amount of time that passes before anything is done about them and I do understand that if a house has never been on the vacant list, then it does take some time to contact the owner and go through the process; but, I know the house that she's talkin' about on 4<sup>th</sup> Street. I've turned that house in at least 6 times over the past year and each time that I turn it in, they say they're going to send someone out and this last time the Health Department sent someone out, they contacted me back and told me that the house is registered, it's being occupied and it's not. It's been vacant for years and I don't understand where we're slipping through the cracks here that we can't get these houses taken care of. The bushes in front of this house are up to the roof and that's not an exaggeration and it has presented a problem for Mrs. Brogdon because her property abuts it from behind as well as the neighbor next door. They shouldn't have to put up with it so I do, I would like to know, is there any turn-around time that we have for abating these properties or even getting some of these properties on the demolition list?

PRESIDENT DENCZAK: Mayor or Safety Director?...

SAFETY DIRECTOR HUNT: Mr. President, this address is 1528 4<sup>th</sup> Street NE?

MEMBER ZACHARY: Correct and I have a memo from Bev that was left in my box while I was on vacation. Now, she talked to the neighbor next door and they said that it was turned in 3 weeks ago but I know it's been more than 3 weeks ago and it's while, she says, I don't know if Kelly didn't give it to me or if we missed it some how. The Health Department was out. When I contacted the Street Department, they told me it was occupied and it's not occupied at all.

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SAFETY DIRECTOR HUNT: I will contact our Building Department and I'll have one of the Code Inspectors, we'll go out tomorrow, take a look and find out who owns it and follow up with the Health Department.

MEMBER ZACHARY: And, additionally, the property that's right next door to the funeral home on 3<sup>rd</sup> Street, it is a mess and like we said before, we've contacted the Street Department about vacant houses, the Health Department and they're just not being turned around timely.

MS. BROGDON: Well now the neighbors tell me, I haven't seen it, they said that it's some, they have seen men and women going in this house next door to me. I know the back doors was open at one time and at night they are closed. Then today, I went to check again and I seen it looks like there's a padlock on the door now. So, I don't know what's going on next door to me. I know they've been raided for drugs one time.

PRESIDENT DENCZAK: Safety Director, Safety Director, do you have the other addresses that she's claimed?

SAFETY DIRECTOR HUNT: I believe I do ma'am, 1306, 1620 and 1524 3<sup>rd</sup> Street NE?

MS. BROGDON: Yeah, all of them is on 3<sup>rd</sup> Street except the 1. The one on 4<sup>th</sup> Street is the one that's been vacant for years and years, 1528 and it's terrible. That's the one caught on fire last month, 4:00 in the morning and if someone hadn't seen it quick, it would have got the people next door. See, that's the second door from me on 4<sup>th</sup> Street.

SAFETY DIRECTOR HUNT: I will go out tomorrow and check that property out with our Code Enforcement man.

MS. BROGDON: Okay. Thank you.

**MISCELLANEOUS BUSINESS**

PRESIDENT DENCZAK: We're now under miscellaneous business. Is there any miscellaneous business?... Safety Director Hunt, I have a question to ask of you. I noticed that the lights came down at Hercules. I appreciate that effort, however the standards are still standing there with the wires hanging out and the controllers are still on. Could those be removed?

SAFETY DIRECTOR HUNT: Mr. President, we will be removing those also. I just wanted to make sure that I could get half of the lights down that you wanted. There are some others that aren't down but I did remove these.

PRESIDENT DENCZAK: Well, that's, because those standards are still up and somebody may run into one of them someday and tear it down themselves and the controller's still there. It may be able to be used someplace else. Is there any other Miscellaneous Business? ...

MEMBER DOUGHERTY: Mr. President, yes, thank you. As all of you are well aware, this is our bicentennial celebration year. I would encourage all of you, we have some flags in the back and I would appreciate it if each Councilperson would see Debbie and find a place in your ward that you would take this flag to so that they can display it. It's a Canton City flag and if each member does that then we'll start getting this flag presented throughout the city and that way you can let people know it's our birthday, 200 years old and things like that. She also has pins in the back that you can pass out to people so, I would encourage you to do that and if you want to, let Debbie know and she'll get them for you. Thank you.

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PRESIDENT DENCZAK: Is there any other miscellaneous business?

MEMBER CASAR: Mr. President. Mr. President, the light, the traffic lights that you wish to be removed, now where, where were they located?

PRESIDENT DENCZAK: At the entrance to the abandoned Hercules Plant on South Market.

MEMBER CASAR: Okay. Safety Director Hunt, I have a place where you could place that light immediately, on 11<sup>th</sup> Street near the senior citizens, Mayfield Senior Citizens building where, when they want to go over to the new Wal Mart, it's almost impossible for them to cross the street because when they're, when they're going east, there's a hill there and the, the citizens, they can't, they can't possibly get across there. It's a very dangerous situ...condition. We should check that out and see if we could place that, replace that light, put it right there. It would be a good place for it to take care of our seniors. It's very, very hazardous in that condition right there.

SERVICE DIRECTOR CONCATTO: Mr. President, if I may. We did get the signed petition from Mayfield that most of the, probably 112 signatures on that. I was at the meeting where they, we requested that light. I talked to Dan Moeglin again this morning again, and we are looking at a pedestrian crossing there and there are some ODOT regulations that we're looking at and we certainly have that on top of our list to look at.

MEMBER CASAR: Thank you.

PRESIDENT DENCZAK: Is there any other miscellaneous business?

MEMBER ZACHARY: Mr. President, just real quick. I'd like to request from the Mayor's Administration a written copy, as well a dated copy, of any CDBG rules that we have in place as far as how we give money to different organizations.

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

MEMBER CASAR: Mr. President, I move we adjourn; seconded.

PRESIDENT DENCZAK: Moved and seconded to adjourn. Roll call please.

NO REMARKS PERMITTED ON THE MOTION TO ADJOURN

ROLL CALL: 12 YEAS, 0 NAYS

ADJOURNMENT TIME: 7:59 PM

ATTEST:

APPROVED:

DEBRA VANCKUNAS  
CLERK OF COUNCIL

RAY DENCZAK  
PRESIDENT OF COUNCIL

