

MINUTES OF THE MEETING OF OCTOBER 24, 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, October 24, 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 3 Councilmember James Griffin followed by the Pledge of Allegiance led by President of Council Denczak.

ROLL CALL TAKEN BY CLERK VANCKUNAS:

12 COUNCILMEMBERS PRESENT: (DONALD E. CASAR, JOE CARBENIA, MARY M. BABCOCK, THOMAS 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 Griffin. (*referring to invocation*). Agenda Corrections...you're being asked to suspend 22A to add Ordinances 13 through and including #18. Number 19 is held in Committee. Member Casar?...

MEMBER CASAR: Mr. President, I move we suspend Rule 22A and add Ordinances 13 through and including #18 on this evening's agenda; seconded.

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

NO REMARKS

ROLL CALL: 12 YEAS, 0 NAYS

PRESIDENT DENCZAK: Ordinances #13 through and including #18 are a legal part of your agenda.

MEMBER CASAR: Mr. President, because of Member Zachary's voice, and I know it's probably irritating her pretty much, could she use hand signals this evening?

PRESIDENT DENCZAK: Well this will be a first in 32 years, but, you can use hand signals. Now, let me get this straight, this is "for" (*hand gesture thumbs up made*) and that's "against" (*hand gesture thumbs down*). Kill the engine, start the engine.

MEMBER CASAR: Mr. President, and in Hart's case, this is (*hand gesture made*). (*laughter*)

PRESIDENT DENCZAK: Okay, now that we have the ground rules, we'll go on with the rest of the meeting. (*Member Hawk's remarks not recognized by the chair*) Member Hawk, please. Member Hawk, please get recognized by the Chair first. No further outbursts.

PUBLIC HEARINGS

PRESIDENT DENCZAK: We have a public hearing scheduled at 7:30 pm. It's a proposed amendment to City Code Part 11, Planning and Zoning Code, for numerous changes to the official zoning text. The Planning Commission recommends approval. The Chair now opens this to the public. Is there anyone in the audience

MINUTES OF THE MEETING OF OCTOBER 24, 2005

91. BY BABCOCK, MARY M., COUNCILMEMBER-AT-LARGE: COMMENDING 2005 FIREFIGHTER OF THE YEAR CAPTAIN MICHAEL URICK. - ADOPTED BY COUNCIL

MEMBER CASAR: Mr. President, I move we adopt Resolution #91; seconded.

PRESIDENT DENCZAK: Member Casar, what was that now?

MEMBER CASAR: Mr. President, I move we adopt Resolution #91; seconded.

PRESIDENT DENCZAK: Moved and seconded that you adopt Resolution 91. 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

MOTION APPROVED BY UNANIMOUS VOICE VOTE

PRESIDENT DENCZAK: The Resolution is adopted.

COMMUNICATIONS

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

NOTE: ALL COMMUNICATIONS WHICH FOLLOW, LISTED BY AGENDA TITLE, ARE ON FILE IN THEIR ENTIRETY IN THE COUNCIL OFFICE WITH THE AGENDA ITEMS FILE DATED OCTOBER 24, 2005.

506. LIQUOR CONTROL DIVISION, 6606 TUSSING RD, PO BOX 4005, REYNOLDSBURG OHIO 43068-9005: REQUEST BY HISTORIC CITY ENTERPRISES, LTD, 104 6TH ST SW, FOR A NEW D1 LIQUOR PERMIT - REFERRED TO INTERGOVERNMENTAL & PUBLIC SERVICE CMTE

507. PRATER, TERRY, WARD 5 COUNCILMEMBER: REQUEST LAW DEPT PREPARE LEGISLATION APPROVING A STATEMENT OF SERVICES IN THE DIOGUARDI'S ANNEXATION. - TO ANNEXATION CMTE

508. SAFETY DIRECTOR BERNARD HUNT, CITY OF CANTON: REQUESTING AUTHORIZATION TO ENTER INTO \$47,650 CONTRACT WITH THE OHIO DEPT OF TRANSPORTATION (ODOT) FOR IMPROVEMENT OF INTERSTATE RT 77 WITHIN THE CITY LIMITS - TO PUBLIC SAFETY & THOROUGHFARES AND FINANCE CMTES

509. SAFETY DIRECTOR BERNARD HUNT, CITY OF CANTON: REQUESTING APPROVAL FOR DEMOLITION OF 22 PARCELS (1002 3RD ST NW, ETC). - TO COMMUNITY & ECONOMIC DEVELOPMENT AND FINANCE CMTES

510. SAFETY DIRECTOR BERNARD HUNT, CITY OF CANTON: REQUESTING AUTHORIZATION TO PAY A \$4,607.32 MORAL OBLIGATION TO BLOCKER'S AUTO BODY ON BEHALF OF THE CANTON POLICE DEPT FOR REFURBISHING 3 BLACK & WHITE CRUISERS TO BE USED AS UNMARKED VEHICLES BY THE DETECTIVE BUREAU - TO FINANCE CMTE

511. SAFETY DIRECTOR BERNARD HUNT, CITY OF CANTON: REQUESTING LEGISLATION AMENDING O.181/2005 BY INCREASING THE CITY'S SHARE OF THE CONTRACT AMOUNT

MINUTES OF THE MEETING OF OCTOBER 24, 2005

WITH THE OHIO DEPT OF TRANSPORTATION FROM \$90,690 TO \$102,660 FOR IMPROVEMENTS TO THE MARKET AVE TRAFFIC SIGNAL SYSTEM - TO PUBLIC SAFETY & THOROUGHFARES AND FINANCE CMTE

512. SERVICE DIRECTOR JOSEPH CONCATTO, CITY OF CANTON: REQUESTING APPROVAL OF WATER MAIN EXTENSION FOR WICKER CREEK SUBDIVISION LOCATED OFF WERNER CHURCH RD NE IN PLAIN TOWNSHIP. - TO ENVIRONMENTAL & PUBLIC UTILITIES CMTE
513. SLIMAN, SAM, AGENT FOR PETITIONER: COPY OF ANNEXATION PETITION DOCUMENTS FILED WITH STARK COUNTY COMMISSIONERS IN THE MOORE ANNEXATION AREA. - TO ANNEXATION CMTE
514. WENSEL, ELIZABETH, ADMINISTRATIVE ASSISTANT, CITY OF CANTON: LETTER OF RESIGNATION AS ADMINISTRATIVE ASSISTANT V FOR CANTON CITY COUNCIL EFFECTIVE 11/1/05. - RECEIVED & FILED

ORDINANCES & FORMAL RESOLUTIONS FOR FIRST READING

PRESIDENT DENCZAK: We're now under Ordinances and Formal Resolutions for the first reading. Let the Journal show that they're being given their reading as required by State law. Ordinance #1, please.

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

- #1. (1ST RDG) AN ORDINANCE AMENDING ORDINANCE NO. 17/89, AS AMENDED, AUTHORIZING THE MAYOR TO ENTER INTO AN AMENDED CONTRACT WITH THE CANTON COMMUNITY IMPROVEMENT CORPORATION TO ADMINISTER ADDITIONAL COMMUNITY DEVELOPMENT BLOCK GRANT FUNDS IN AN AMOUNT NOT TO EXCEED \$445,000.00; AND DECLARING THE SAME TO BE AN EMERGENCY
Referred to Community & Economic Development and Finance Cmtes
- #2. (1ST RDG) AN ORDINANCE AUTHORIZING THE MAYOR OR DIRECTOR OF PUBLIC SERVICE TO CONVEY CITY-OWNED REAL PROPERTY, NO LONGER NEEDED FOR MUNICIPAL PURPOSES, TO THE CANTON COMMUNITY IMPROVEMENT CORPORATION; AND DECLARING THE SAME TO BE AN EMERGENCY
Referred to Community & Economic Development Cmte
- #3. (1ST RDG) AN ORDINANCE AMENDING APPROPRIATION ORDINANCE NO. 253/2004, AS AMENDED, BY MAKING THE SUPPLEMENTAL APPROPRIATIONS AND TRANSFER HEREIN DESCRIBED; AND DECLARING THE SAME TO BE AN EMERGENCY
Referred to Finance Cmte
- #4. (1ST RDG) AN ORDINANCE DECLARING THE BUILDING LOCATED AT 601 NEWTON AVENUE NW TO BE A PUBLIC NUISANCE; AUTHORIZING THE DIRECTOR OF PUBLIC SAFETY TO ENTER INTO CONTRACT FOR THE DEMOLITION OF SAID

MINUTES OF THE MEETING OF OCTOBER 24, 2005

BUILDING; AUTHORIZING THE CLERK OF CANTON CITY COUNCIL TO CERTIFY THE COSTS OF DEMOLITION TO THE STARK COUNTY AUDITOR; AND DECLARING THE SAME TO BE AN EMERGENCY

Referred to Community & Economic Development and Finance Cmtes

- #5 (1ST 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
Referred to Finance Cmte
- #6. (1ST RDG) AN ORDINANCE APPROVING TERMS AND CONTRACT AMENDMENTS TO THE COLLECTIVE BARGAINING AGREEMENT BETWEEN THE CITY OF CANTON AND LOCAL 2937 AND OHIO COUNCIL 8, AFSCME; AND DECLARING THE SAME TO BE AN EMERGENCY
Referred to Personnel Cmte
- #7 (1ST RDG) AN ORDINANCE AMENDING ORDINANCE NO. 55/77, AS AMENDED, KNOWN AS THE CITY OF CANTON ZONING ORDINANCE (TO REFLECT CHANGES TO THE OFFICIAL ZONING MAP, 37TH & FRAZER & ETC)
Referred to Judiciary Cmte
- #8 (1ST RDG) AN ORDINANCE APPROVING AND ACCEPTING THE REFLATING OF LOT NO 41821; AND DECLARING THE SAME TO BE AN EMERGENCY
Referred to Public Safety and Thoroughfares Cmte
- #9 (1ST RDG) AN ORDINANCE APPROVING AND ACCEPTING THE REFLATING OF PART OF LOT NO. 1654 AND ALL OF LOT NO. 1655; AND DECLARING THE SAME TO BE AN EMERGENCY
Referred to Public Safety and Thoroughfares Cmte
- #10 (1ST RDG) **ADOPTED AS ORDINANCE NO. 216/2005** AN ORDINANCE APPROVING AND ACCEPTING THE REFLATING OF PART OF OUTLOTS NO 743; AND DECLARING THE SAME TO BE AN EMERGENCY
Referred to Public Safety and Thoroughfares Cmte
- #11. (1ST RDG) AN ORDINANCE VACATING A PORTION OF 10TH STREET NE; AND DECLARING THE SAME TO BE AN EMERGENCY
Referred to Public Safety and Thoroughfares Cmte
- #12. (1ST RDG) AN ORDINANCE AUTHORIZING THE DIRECTOR OF PUBLIC SERVICE TO ACCEPT A GRANT IN THE AMOUNT OF \$1,000.00; AMENDING APPROPRIATION ORDINANCE NO. 253/2004, AS AMENDED; AND DECLARING THE SAME TO BE AN EMERGENCY
Referred to Finance Cmte

PRESIDENT DENCZAK: Member Casar, you wish to go into committee now?

MINUTES OF THE MEETING OF OCTOBER 24, 2005

MEMBER CASAR: Yes , Mr. President. Ordinance #10, the Public Safety and Thoroughfares, I request that they have a public, that they meet now.

PRESIDENT DENCZAK: The Chair is going to declare an in-house recess for the Public Safety and Thoroughfares Committee to meet in regards to Ordinance #10 on the agenda this evening. You're now in recess.

(Council recessed at 7:40 pm for committee discussion of Ordinance #10. The President of Council reconvened the meeting at 7:43 pm)

PRESIDENT DENCZAK: All right. You're back in session now, Members of Council. Member Casar?....

MEMBER CASAR: Mr. President, I move we suspend Rule 22A and add Ordinance 10 back on this evening's agenda; seconded

PRESIDENT DENCZAK: Moved and seconded to suspend Rule 22 to add Ordinance back on the, number 10 back on the agenda. Are there any remarks?... If not, roll call vote please.

NO REMARKS
(Member Zachary indicated a "yes" vote by hand gesture)

ROLL CALL 12 YEAS, 0 NAYS

PRESIDENT DENCZAK: Ordinance #10 is a legal part of your agenda, Member Casar.

#10 **ADOPTED AS ORDINANCE NO. 216/2005** AN ORDINANCE APPROVING AND ACCEPTING THE REFLATING OF PART OF OUTLOTS NO 743; AND DECLARING THE SAME TO BE AN EMERGENCY.

MEMBER CASAR: Mr. President, I move the Statutory Rules be suspended on Ordinance #10; seconded.

PRESIDENT DENCZAK: There's a move to dispense with the 3 readings of Ordinance #10. Are there any remarks?... If not, roll call vote please.

NO REMARKS
(Member Zachary indicated a "yes" vote by hand gesture)

ROLL CALL 12 YEAS, 0 NAYS

PRESIDENT DENCZAK: You've heard the 3 readings, Member Casar.

MEMBER CASAR: Mr. President, I move we adopt Ordinance #10; seconded.

PRESIDENT DENCZAK: Moved and seconded that you adopt Ordinance #10. Are there any remarks under this ordinance?... Very well, roll call vote please.

NO REMARKS
(Member Zachary indicated a "yes" vote by hand gesture)

ROLL CALL: 12 YEAS, 0 NAYS

PRESIDENT DENCZAK: Ordinance #10 is adopted. **#10 ADOPTED AS ORDINANCE NO. 216/2005**

MINUTES OF THE MEETING OF OCTOBER 24, 2005**ORDINANCES & FORMAL RESOLUTIONS FOR SECOND READING**

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 & INCLUDING #18 FOR THE SECOND TIME BY TITLE, AS FOLLOWS. ORDINANCE #19 WAS RETAINED IN COMMITTEE & NOT GIVEN A 2ND RDG.

- #13 (2ND RDG) AN ORDINANCE AMENDING SECTIONS 503.04, COMPULSORY SCHOOL ATTENDANCE; PARENTAL DUTY IMPOSED, AND 503.99, PENALTY, OF THE CODIFIED ORDINANCES OF THE CITY OF CANTON.
- #14 (2ND RDG) AN ORDINANCE AUTHORIZING THE MAYOR TO FILE WITH THE US DEPT. OF HOUSING & URBAN DEVELOPMENT A 2006 CONSOLIDATED PLAN FOR THE 2006 COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM, 2006 HOME INVESTMENT PARTNERSHIP PROGRAM AND 2006 EMERGENCY SHELTER GRANT PROGRAM; RATIFYING SUBMISSION AND FILING OF SAID PLAN; AUTHORIZING THE MAYOR TO EXECUTE GRANT AGREEMENTS WITH THE US DEPARTMENT OF HOUSING & URBAN DEVELOPMENT AND TO ACCEPT FUNDING FOR THE THREE PROGRAMS; AND DECLARING THE SAME TO BE AN EMERGENCY
- #15 (2ND RDG) AN ORDINANCE AMENDING SECTION 12 3.05, TRAVEL EXPENSES GENERALLY, OF THE CODIFIED ORDINANCES OF THE CITY OF CANTON
- #16 (2ND RDG) AN ORDINANCE VACATING A PORTION OF GROVE PLACE SW; AND DECLARING THE SAME TO BE AN EMERGENCY
- #17 (2ND RDG) AN ORDINANCE AUTHORIZING THE DIRECTOR OF PUBLIC SERVICE TO ENTER INTO CONTRACTS WITH THE OHIO POWER COMPANY TO PROVIDE ELECTRIC ENERGY; AND DECLARING THE SAME TO BE AN EMERGENCY
- #18 (2ND RDG) AN ORDINANCE AUTHORIZING THE DIRECTOR OF PUBLIC SERVICE TO ENTER INTO A CONTRACT AMENDMENT WITH COMPMANAGEMENT, INC. FOR WORKERS' COMPENSATION ADMINISTRATIVE SERVICES; AND DECLARING THE SAME TO BE AN EMERGENCY
- #19 **RETAINED IN COMMITTEE** ORDINANCE AUTHORIZING THE DIRECTOR OF PUBLIC SERVICE TO ENTER INTO A SUPPLEMENTAL SEWER AGREEMENT WITH STARK COUNTY; AND DECLARING THE SAME TO BE AN EMERGENCY

ORDINANCES AND FORMAL RESOLUTIONS FOR THIRD & FINAL READING

PRESIDENT DENCZAK: Ordinances and Formal Resolutions for the third and final reading. Ordinance #20 please.

NOTE: PRESIDENT OF COUNCIL DENCZAK CALLED UPON CLERK VANCKUNAS TO READ ORDINANCES #20 THROUGH & INCLUDING #23 FOR THEIR THIRD & FINAL TIME BY TITLE;

MINUTES OF THE MEETING OF OCTOBER 24, 2005***THEY WERE ADOPTED AFTER THEIR 3RD READINGS.***

#20 (3RD RDG) **ADOPTED AS ORDINANCE NO. 217/2005** AN ORDINANCE AMENDING PART ELEVEN, PLANNING AND ZONING CODE, OF THE CODIFIED ORDINANCES OF THE CITY OF CANTON (Zoning Text changes for commercial parking lot, etc). **PUBLIC HEARING held 10/24/05 @ 7:30 PM**

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
(Member Zachary indicated a "yes" vote by hand gesture)

ROLL CALL: 12 YEAS, 0 NAYS

PRESIDENT DENCZAK: Ordinance #20 is adopted. **#20 ADOPTED AS ORDINANCE NO. 217/2005**

#21 (3RD RDG) **ADOPTED AS ORDINANCE NO. 218/2005** AN ORDINANCE AMENDING APPROPRIATION ORDINANCE NO. 253/2004; AND DECLARING THE SAME TO BE AN EMERGENCY (\$1,168 from 2812 EMS Fund)

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
(Member Zachary indicated a "yes" vote by hand gesture)

ROLL CALL: 12 YEAS, 0 NAYS

PRESIDENT DENCZAK: Ordinance #21 is adopted. **#21 ADOPTED AS ORDINANCE NO. 218/2005**

#22 (3RD RDG) **ADOPTED AS ORDINANCE NO. 219/2005** AN ORDINANCE AUTHORIZING THE DIRECTOR OF PUBLIC SERVICE TO ENTER INTO CHANGE ORDER #4 WITH SUPERIOR PAVING & MATERIALS, INC. IN AN AMOUNT NOT TO EXCEED \$33,448.48 FOR ADDITIONAL EXPENSES RELATING TO THE 44TH STREET NE IMPROVEMENT PROJECT; AND DECLARING THE SAME TO BE AN EMERGENCY

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

PRESIDENT DENCZAK: Moved and seconded that you adopt Ordinance #22. Are there any remarks under this Ordinance?... Very well, roll call vote please.

NO REMARKS
(Member Zachary indicated a "yes" vote by hand gesture)

ROLL CALL: 12 YEAS, 0 NAYS

PRESIDENT DENCZAK: Ordinance #22 is adopted. **#22 ADOPTED AS ORDINANCE NO. 219/2005**

MINUTES OF THE MEETING OF OCTOBER 24, 2005

#23 (3RD RDG) **ADOPTED AS ORDINANCE NO. 220/2005** 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

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
(Member Zachary indicated a "yes" vote by hand gesture)

ROLL CALL: 9 YEAS, 3 NAYS

PRESIDENT DENCZAK: Ordinance #23 is adopted. **#23 ADOPTED AS ORDINANCE NO. 220/2005**

ANNOUNCEMENT OF COMMITTEE MEETINGS

PRESIDENT DENCZAK: Announcement of committee meetings, please.

MEMBER CARBENIA: Mr. President, Community and Economic Development will meet next week 10/31/05 at 6:00.

MEMBER PRATER: Mr. President, at the request of Member Zachary, Personnel Committee will meet 10/31 at 6:00 pm.

MEMBER BERNABEI: Mr. President, Judiciary will meet at 6 p.m. on the same date.

MEMBER BABCOCK: Mr. President, Public Safety & Thoroughfares will also meet on the 31st at 6:00.

MEMBER HAWK: Mr. President, Finance Committee will meet 10/31 at 6:00.

PUBLIC SPEAKS (OPEN FORUM--CITY BUSINESS ONLY)

PRESIDENT DENCZAK: Public Speaks, Open Forum, City Business. There are several speakers signed up for this evening. The first speaker is Jeff Bracken. (*No show*) The next speaker spoke within the previous 4 meetings so, I'll have to put him at the end of the list. The next speaker is Rod Pisani.

MR. PISANI: I'm Rod Pisani, 1107 11th Street NW on Summit United Neighborhood. Greetings Mr. President, Council. What I'm here to talk about today is basically a nuisance ordinance which I feel would really help us. I did make a mistake last time. I did quote that Shaker Heights did fine a person \$72,000, it's only \$7,500, but still I think this is a significant change in the, what they're doing. What are 'ya doing in Canton? What are you doing in Canton? I ask that question again. Over the years and recently... nothing. The citizens of Canton need laws, in particular a nuisance ordinance that will place responsibility on individuals and business entities in our City. These ordinances are set up to stop blight and flight from the City. The problem we are having in Canton right now is the theft of copper piping, aluminum siding from construction areas and homes which then is sold

MINUTES OF THE MEETING OF OCTOBER 24, 2005

at recycling sites. These recycling sites should be held responsible for what they are purchasing. The Preamble of the US Constitution reads, all Americans have the right to life, liberty and the pursuit of happiness. Instead, we are imprisoned in our homes and enslaved to paying high energy bills, high health care costs while making low wages and then the people are working 2 to 3 jobs at a time, with no time for family or leisure. So much for the Preamble. Our youth have no summer jobs. This gives way to learning and then living a life of crime. Is this going to be the only hope of life for our youth, or they could enlist in the industrial military complex which seems to be going on right now? Great choices, right? What about college tuition? Some people are finding college tuition is out of, out of control. They just can't afford to send their kids to college anymore. So, high school graduates, their dreams are being bashed. Responsibility, we need responsibility by the businesses and the government along with schools to help provide hope for our youth. This is our major problem in our City. Instead of society advancing, we are regressing due to unconcerned leadership and religious fanatics and greedy CEOs. We are all equal as brothers, sisters, mom and dad, regardless of race, color, religion or gender. We need to come together to make a better society in Canton and you can do this. Please, act now on these nuisance ordinances and I ask you, what are you doing in Canton today? Thank you.

PRESIDENT DENCZAK: The next speaker is Jennifer Kleiner.

MS. KLEINER: My name's Jennifer Kleiner of 1003 11th Street NW. I didn't really prepare anything tonight. I wasn't planning on speaking but, last night as I was leaving my home at 8 p.m., I noticed this very loud noise coming from some where in my neighborhood and I wasn't sure where because I didn't know that Ozzie Osborn was in town, but, it sure did sound like he was in my backyard. So, we called, we called the Police Department and had them come out to check it out and I asked them that when I returned from the Wal Mart, that they please have that noise taken care of. I later found out, on my way to Wal Mart, that the noise was coming from the Sparta Lounge and that they had obtained a permit to have a party in their parking lot from the hours of 3p.m. to 11p.m. on a Sunday night. They had 4 live bands at this party and so, I took a walk over there at 10 p.m. because the noise had still not stopped and when I arrived over there, I noticed there were numerous people gathered in a small parking lot. They were all drinking alcohol out of plastic cups. There seemed to be no type of control on the crowd and the liquor was being carried off of the premises into the surrounding neighborhoods. Well, eventually they wandered down into my neighborhood, which they had to cross 12th Street to get there, and I just would think that in the future when we are giving people the right to hold these parties, that we take into consideration on what nights they are held on and the hours that they are being held and that the businesses be held accountable for the liquor laws and that liquor not be allowed off of their property. And, that's all I have tonight. *(APPLAUSE)*

PRESIDENT DENCZAK: Did the party end.... Ma'am, did the party end at the prescribed time?

MS. KLEINER: Yes it did.

PRESIDENT DENCZAK: The final speaker is Chris Ketler.

MR. KETLER: Good evening Mr. President, Members of Council. Chris Ketler, 1302 9th Street NW. Let's see, it's kinda great that you give me the opportunity to follow that one, although I'm gonna talk about something a little different but it's still kinda the same vein. I would like to address an issue that is City-wide and not just in my neighborhood and that's signs, and I'm not referring to political signs, I want to start off by saying. But, I've been in contact with Darla Hinderer from the Zoning Department and she was kind enough to help rid me of a sign in the community that was really quite unpleasant and it was brought to my attention Sunday morning as I was driving to church with my wife and kids. It was a 4 foot sandwich board that had been spray painted with a skull that was holding a couple of guns, something like this. *(Hand gesture made)*. It was on the sidewalk and

MINUTES OF THE MEETING OF OCTOBER 24, 2005

I'm like, I can't, this isn't good, you know. We're going to do something about this. So, I started my e-mailing and phone calls as many of you probably know I do, do much of. And, I ended up through the Mayor finding Darla and she helped me out and we did rid the sandwich board. And then, as we started to drive around and look, we see that there's a lot of things in the, throughout the City, just not my neighborhood, but throughout the City that's just really appalling. You know, Darla needs a little help out there. She's, she's by herself she says and we need some zoning ordinances that are going to correct this. I was on the Southwest side, kinda behind Aultman on 9th and 11th Streets, is that somebody's ward here? I'm not exactly sure who. Mr. Griffin? And, there's a little neighborhood grocery store, which is a great thing, but along that grocery store that sits back from the road about 40 feet, along the side of it is a chain link fence that runs all the way out to the sidewalk. And, all along that sidewalk, or all along that chain link fence, was a cigarette sign, followed by a cigarette sign, followed by a cigarette sign. Now I know that's a heavily-residential area with small children. There's probably a bus stop very close to that and they look at that every morning, okay? I used to be an ex-smoker. I'm not here to advocate smoking or not smoking, okay, but the fact of the matter is everybody that lives in the neighborhood and everybody that drives by that store knows what's available in that store. They got candy, they got pop, they got cigarettes, they got milk. They don't need 12 signs, that's what I counted, 12 signs advertising their cigarettes. You know that's, we should do something about that. That's an esthetic value. Twelfth Street, a thoroughfare, a main thoroughfare into our city, drive up and down 12th Street. Okay. Hand-painted signs, spray paint on signs that have been turned backwards saying new late night hours. It looks like it's trash, you know? We need, we need to do something about it. You know, we had ordinances on the books that say banners can't hang out more than 30 days. But, we aren't able to enforce it, you know. I know as being in the restaurant business, they are not allowed to hang a banner outside that promotes alcohol. I know of two on 12th Street that have an outside banner, or window displayed banner, that promote a major beer. The King of Beers. Okay? You know, we gotta, these are issues that are important for the City. It's going to add an esthetic value, you know. I'll finished up my thoughts, Mr. President. But, I know, as a member of United Summit Neighbors, we walk, we work on pockets of beauty throughout our neighborhoods by planting flowers and trees, but all the beauty that we put into the yards is never going to be recognized because when they come down the major thoroughfare, the main street to enter our City and community, they're gong to see hand-painted signs and banners promoting alcohol and banners on things that are gonna promote cigarettes. And, I think that we should really work on the esthetics of it there. I thank you for your time. (APPLAUSE)

MISCELLANEOUS BUSINESS

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

MEMBER CASAR: Mr. President. As you know, this evening is Beth Wensel's, our Legislative Assistant V's last Council meeting. She will be leaving Council effective November 1st. She has been a very good employee, knowledgeable, expedient and one of the better persons we had, I've had the pleasure of working with for the last, you know, all the years I've been around here. I wish she was staying, but she's leaving to go to a different position and I wish her the best and I would like to say on behalf of all Council, Beth, thank you very much for your 2 years of service to Council and I wish you the best in the future. (APPLAUSE)

MEMBER DIAMOND: Mr. President...

PRESIDENT DENCZAK: Members of Council. You will notice on the agenda Communication #514 is Beth's notifying us of her last day working for Council. In working in the private sector, I was proud to surround myself with people you look up to, people you can trust, people you can respect, people you can rely on, and the same applies in the public service. It seems that in the private sector, if a person makes a mistake, that person is held

MINUTES OF THE MEETING OF OCTOBER 24, 2005

responsible. In the public service, if a policeman is bad, all policemen are bad. In politics, if a politician is bad, all politicians are bad. We all get painted with the same brush. But, when Beth came to work for us, I soon found Beth to be a person of integrity, loyalty, honesty, intelligence and very dedicated to her work. I know for some reason, I didn't like Judge Belden, but now I think I know why because he's taking you away from us. I have to be careful if I ever have to be in court before that man but.... Beth, I don't know how to say this. I just wish you enjoy much success in your life and Beth, I just wish you the best in your new endeavor and I am gonna greatly miss you. Are there any other remarks?

MEMBER DIAMOND: Mr. President. I want to say that it is rare to come across a person that is never in a bad mood, and I would challenge any of you to recall a time when Beth wasn't pleasant, utterly professional, efficient, every good quality that you would ever want in an assistant, Beth possesses. She's not only great at her job, she's a wonderful person, and I know that her love of law is what is taking her away from us but I believe that is her first true love. I think she will be exceptional. Our loss is certainly Municipal Court's gain but I've never seen every quality that you would wish for in a co-worker exist in one person and I will be lost without her. Thank you, Beth.

MEMBER DOUGHERTY: Mr. President. Yes, I too will miss Beth. I will miss calling her at 8:01 in the morning with all my problems of the day, and I think you're right. Early in the morning she's in a good mood; middle of the day she's in a good mood. So, we can learn from that. And I try to, I know. I think I was grouchy, but I'm gonna start being grouchy now that she's gonna be leaving. Sorry, Debbie. (LAUGHTER)

PRESIDENT DENCZAK: Whatta you mean, gonna be?

MEMBER DOUGHERTY: Yes, Administration, I will be grouchy so, I'm just letting you know..... But, no, I really appreciate everything you've done and I wish you the best. Thank you.

MEMBER WEST: Mr. President. This past year, of course the last 2 years, or 18 months I haven't worked with a better support staff than this group of staff that we have. And, Beth, yes, everybody, I mimic what they say, you are very pleasant and I know I couldn't have done a lot of the things we've done without you. So, I wish you well in your new endeavors and good luck to you.

MEMBER CARBENIA: Mr. President. I can't add much to what has already been said. I'm sure that Beth knows how we all feel about her and I'm really sorry that she's going and I hate the Judges too. I enjoyed her company when I came in. Anything I ever asked her to do, she did immediately; send e-mails. I got 10,000 e-mails on my computer from her on things I asked her to do and she follows up and she'll answer them, and we're not gonna be able to find another one to take your place, I'm sure. So, God bless you and Jerry and just keep making the wine.

MEMBER HART: Mr. President. I guess the thing I'm gonna value most about Beth is that I made a new friend. And, I've watched her deal with some folks that would probably normally have been very difficult to deal with and I see a great deal of love and compassion when I see her work with some people who have just come off the street and I guess, you know, she's talked about her love of law and, and I guess if I had to give her some advice, I would really encourage her to follow that dream of law school. She's extremely bright, she's extremely intelligent, she was able to figure out my letters very quickly and decipher them which was quite an achievement from most of the guys that have worked there. And, I know she's just gonna be across the hallway, but again, that's one thing, you know, she always was able to greet me with a smiling face, and I'll miss that and I'll hate to go the extra few steps, but I will, to see that smile.

MINUTES OF THE MEETING OF OCTOBER 24, 2005

PRESIDENT DENCZAK: Any other remarks?...

MEMBER HAWK: Mr. President. Beth, I'd like to say thank you and it has been an honor to work with you.

MEMBER PRATER: Mr. President. I too would like to thank Beth. Beth, you've been a big help. You've made my job a little easier over the last couple of years. I know that you have a love for law. I gave you plenty of research and you took confusing words to me and made them into something that I could understand fairly quickly. So, I'll miss you and thank you and good luck.

PRESIDENT DENCZAK: Any other remarks? I will, just further add that, the Chair will further add that I don't want to end this in all accolades. From time to time I would take the girls in the office out to lunch and Beth would always choose the most expensive item on the menu, so I'm not gonna miss that.

DIRECTOR CONCATTO: Mr. President. You must have taken her to lunch at the coney shop, but, *(LAUGHTER)* ...On behalf of the Administration, Beth, and the cabinet, we really do appreciate.....

PRESIDENT DENCZAK: Your 3 minutes are up.

DIRECTOR CONCATTO:it's always been a pleasure and you've made it that way. Thank you.

PRESIDENT DENCZAK: Any other remarks?...

MEMBER CASAR: Mr. President. Now that Beth knows how we really feel about her, maybe you'll stick around. Mr. President, I move we adjourn;

PRESIDENT DENCZAK: One moment please.... One moment please... The Chair would like to hear, yes, I know. I think the, the... abandoning, abandoning.....

MEMBER CASAR: I withdraw, I withdraw my motion Mr. President; and my second.

PRESIDENT DENCZAK: Thank you very much Member Casar. Beth, I think this Body would like to hear from you and remember, you only have 3 minutes according to Council rules.

MRS. WENSEL: Thank you, Mr. President. I just wanted to thank you and all Members of Council for your supportive statements, for your graciousness and kindness to me over the past couple years. The same to every Member of the Administration. I've learned something of value from knowing each and every one of you that I will carry with me, not only into my new position, but for the rest of my life and for that I thank you all graciously. *(APPLAUSE)*

PRESIDENT DENCZAK: The squeaky voice over there, do you want to say something?

MEMBER ZACHARY: *(Member Zachary is ill & without voice—remarks inaudible)*

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

MINUTES OF THE MEETING OF OCTOBER 24, 2005

ADJOURNMENT TIME: 8:11 PM

ATTEST:

DEBRA VANCKUNAS
CLERK OF COUNCIL

APPROVED:

RAY DENCZAK
PRESIDENT OF COUNCIL