

**MINUTES OF THE MEETING OF NOVEMBER 21, 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, November 21, 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 6 Councilmember David R. Dougherty followed by the Pledge of Allegiance led by President of Council Denczak.*

**ROLL CALL TAKEN BY CLERK VANCKUNAS:**

ALL 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: Agenda Corrections, Members of Council...you're being asked to suspend Rule 22A to add the second readings of Ordinances 12, 13 and 14. The Chair will recognize that motion now, Member Casar.

MEMBER CASAR: Mr. President, I move we suspend Rule 22A and add Ordinances back to the agenda, 12, 13 and 14; 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: Rule 22A has been suspended and Ordinances 12, 13 and 14 are a legal part of your agenda.

**PUBLIC HEARINGS:**

PRESIDENT DENCZAK: There's no scheduled public hearing at this time.

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

PRESIDENT DENCZAK: No one has signed up under either of the Public Speaks portions of City Council.

**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. Resolution number 101 please.

**MINUTES OF THE MEETING OF NOVEMBER 21, 2005**

***PRESIDENT DENCZAK CALLED UPON CLERK VANCKUNAS TO READ RESOLUTION #101 BY AGENDA TITLE AS SHOWN BELOW. THE RESOLUTION IS ON FILE IN ITS ENTIRETY IN THE COUNCIL OFFICE WITH THE AGENDA ITEMS DATED NOVEMBER 21, 2005.***

101. BY ZACHARY, KELLY, WARD 4 COUNCILMEMBER: A RESOLUTION ESTABLISHING NATIONAL TRANSIT TRIBUTE TO ROSA PARKS DAY IN CANTON, OHIO ON DECEMBER 1, 2005. - ADOPTED BY COUNCIL

MEMBER CASAR: Mr. President, I move we adopt Resolution #101; seconded.

PRESIDENT DENCZAK: Moved and seconded that you adopt Resolution 101. Are there any remarks under this resolution?...

MEMBER ZACHARY: If I could ask the Clerk to read the resolution...?

PRESIDENT DENCZAK: Madam Clerk, will you please read the resolution.

READ BY CLERK OF COUNCIL VANCKUNAS: An Informal Resolution Submitted By Kelly Zachary, Ward Four Councilmember, on this 21<sup>st</sup> Day of November, 2005. A RESOLUTION ESTABLISHING NATIONAL TRANSIT TRIBUTE TO ROSA PARKS DAY IN CANTON, OHIO ON DECEMBER 1, 2005. Whereas, December 1, 2005 marks the 50th anniversary of civil disobedience by Rosa Parks, an African American woman, who refused to give up her seat on a segregated bus in Montgomery, Alabama; and Whereas, Her determination to take a stand for equality and equal access resulted in her arrest; and Whereas, Her non-violent act of civil disobedience to protest segregation on a bus was the catalyst that triggered the modern Civil Rights Movement; and Whereas, Rosa Park's heroism that day showed that one person can change the course of history; and Whereas, Her quiet strength and courage to do the right thing inspired us all and will continue to inspire future generations; and Whereas, The Stark Area Regional Transit Authority declares that the core principles of equality and access are principles that all transit agencies across the country should firmly embrace as they serve millions of riders each and every day; Now, Therefore, Be It Resolved: That we, the Members of the Council of the City of Canton, Ohio, do hereby join with transit agencies across the country and participate in a National Transit Tribute to Rosa Parks Day on December 1, 2005 in commemoration of her heroic civil disobedience 50 years ago.

PRESIDENT DENCZAK: Are there any remarks?

MEMBER ZACHARY: Mr. President, I would just like to invite Council as a whole, as well as any members of the audience, to participate in this day on December the 1<sup>st</sup> at 11 a.m. at the Cornerstone station, transit station. There is going to be a bus unveiling as a tribute to Ms. Parks.

PRESIDENT DENCZAK: Are there any other remarks?... If not, the question you're voting on now is Resolution #101. By voice vote, all those in favor, signify by saying aye; those opposed, no.

NO FURTHER REMARKS                      RESOLUTION #101 APPROVED BY UNANIMOUS VOICE VOTE

PRESIDENT DENCZAK: The resolution is adopted.

**MINUTES OF THE MEETING OF NOVEMBER 21, 2005****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 NOVEMBER 21, 2005.***

551. AUDITOR RICHARD A. MALLONN II, CITY OF CANTON: CERTIFICATE OF THE TOTAL AMOUNT FROM ALL SOURCES FOR 2005 DATED 11/15/2005. - REFERRED TO THE CLERK OF COUNCIL
552. AUDITOR RICHARD A. MALLONN II, CITY OF CANTON: REQUESTING LEGISLATION PAYING AN ADDITIONAL 15% OF UNFUNDED COMPENSATED ABSENCES FROM THE CITY'S OPERATING FUNDS TO THE 6023 COMPENSATED ABSENCE FUND; & REQUESTING VARIOUS SUPPLEMENTAL APPROPRIATIONS TO ACCOMPLISH SAME (\$1,162,527.46 FROM THE GENERAL FUND & ETC). - REFERRED TO THE FINANCE COMMITTEE
553. COMMUNITY, ECONOMIC DEVELOPMENT & PLANNING DIRECTOR MARGY POORMAN, CITY OF CANTON: REQUESTING LEGISLATION TO APPROVE TAX ABATEMENT TO GREYSTONE LTD PARTNERSHIP TO RENOVATE A BUILDING & PARKING DECK AT 201 CLEVELAND AVENUE SOUTH. - REFERRED TO COMMUNITY & ECONOMIC DEVELOPMENT & FINANCE COMMITTEES
554. COMMUNITY, ECONOMIC DEVELOPMENT & PLANNING DIRECTOR MARGY POORMAN, CITY OF CANTON: REQUESTING LEGISLATION AUTHORIZING A NEW ECONOMIC DEVELOPMENT PROGRAM CALLED THE ECONOMIC GROWTH INITIATIVE & PROVIDING FOR COUNCIL APPROVAL OF EACH INCENTIVE. - REFERRED TO COMMUNITY & ECONOMIC DEVELOPMENT COMMITTEE
555. CLERK OF COUNCIL DEBRA VANCKUNAS, CITY OF CANTON COUNCIL OFFICE: NOTICE TO ALL COUNCILMEMBERS TO SUBMIT ANY OBJECTIONS TO THE ANNUAL RENEWAL OF LIQUOR PERMITS BY 11/21/05. - RECEIVED & FILED
556. DOWNTOWN CANTON SPECIAL IMPROVEMENT DISTRICT PRESIDENT MICHAEL P. GILL, DOWNTOWN CANTON DEVELOPMENT PARTNERSHIP, 222 MARKET AVENUE NORTH, CANTON, OHIO 44702: REQUESTING COUNCIL MAKE AN APPOINTMENT TO THE S.I.D. BOARD FOR THE ANNUAL TERM BEGINNING 1/1/06. - REFERRED TO COUNCIL MAJORITY LEADER
557. LAW DIRECTOR JOSEPH MARTUCCIO, CITY OF CANTON: REQUEST AUTHORITY TO PROCEED WITH LEGISLATION ACCEPTING A \$12,073.53 DONATION FOR CARE & MAINTENANCE OF MONUMENT PARK & AUTHORIZING THE AUDITOR TO CREATE THE 2528 MONUMENT PARK FUND. - REFERRED TO THE FINANCE COMMITTEE
558. LIQUOR CONTROL DIVISION, OHIO DEPARTMENT OF COMMERCE, 6606 TUSSING ROAD, PO BOX 4005, REYNOLDSBURG, OHIO 43068-9005: NOTICE TO LEGISLATIVE AUTHORITY

**MINUTES OF THE MEETING OF NOVEMBER 21, 2005**

THAT A HEARING WILL BE CONDUCTED ON 12/20/05 AT 9 AM AT THE STARK COUNTY DEPARTMENT OF JOB & FAMILY SERVICES RE: COUNCIL'S OBJECTION TO THE C-1-2,D-6 LIQUOR APPLICATION OF SPEE-D-FOODS AT 1735 CLEVELAND AVENUE NW. - REFERRED TO INTERGOVERNMENTAL & PUBLIC SERVICE COMMITTEE

559. LIQUOR CONTROL DIVISION, OHIO DEPARTMENT OF COMMERCE, 6606 TUSSING ROAD, PO BOX 4005, REYNOLDSBURG, OHIO 43068-9005: NOTICE TO LEGISLATIVE AUTHORITY THAT A HEARING WILL BE CONDUCTED ON 12/20/05 AT 10 AM AT THE STARK COUNTY DEPARTMENT OF JOB & FAMILY SERVICES RE: COUNCIL'S OBJECTION TO THE C-1-2 LIQUOR APPLICATION OF HALL OF FAME MARKET AT 704 SHERRICK ROAD SE. - REFERRED TO INTERGOVERNMENTAL & PUBLIC SERVICE COMMITTEE

**ORDINANCES & FORMAL RESOLUTIONS FOR FIRST READING**

PRESIDENT DENCZAK: We're now under Ordinances and Formal Resolutions for their first reading. Let the journal show that all ordinances are being given their reading as required by State law. Ordinance number 1 please.

***NOTE: PRESIDENT DENCZAK CALLED UPON CLERK VANCKUNAS TO READ THE FOLLOWING ORDINANCES #1 THROUGH AND INCLUDING #11 FOR THE FIRST TIME BY TITLE & ANNOUNCED THE COMMITTEE REFERRAL, AS FOLLOWS.***

- #1 (1<sup>ST</sup> RDG) A RESOLUTION APPROVING THE STATEMENT OF SERVICES TO BE PROVIDED TO THE PROPERTY OWNER IN THE DIOGUARDI'S ANNEXATION AREA UPON ITS BEING ANNEXED TO THE CITY OF CANTON, OHIO; AND DECLARING THE SAME TO BE AN EMERGENCY  
Referred to the Annexation Committee
- #2 (1<sup>ST</sup> RDG) AN ORDINANCE AMENDING EXHIBIT A TO ORDINANCE NO. 164/2001, AS AMENDED, THE CLASSIFICATION PLAN AND SALARIES FOR ALL MANAGEMENT AND NON-BARGAINING UNIT EMPLOYEES OF THE CITY OF CANTON; AND DECLARING THE SAME TO BE AN EMERGENCY  
Referred to the Personnel & Finance Committees
- #3 (1<sup>ST</sup> RDG) AN ORDINANCE AMENDING EXHIBIT B TO ORDINANCE NO. 164/2001, THE CLASSIFICATION PLAN AND GENERAL SALARIES FOR ALL MANAGEMENT AND NON-BARGAINING UNIT EMPLOYEES OF THE CITY OF CANTON; AND DECLARING THE SAME TO BE AN EMERGENCY  
Referred to the Personnel & Finance Committees
- #4 (1<sup>ST</sup> RDG) AN ORDINANCE AMENDING EXHIBIT A TO ORDINANCE NO. 164/2001, AS AMENDED, THE CLASSIFICATION PLAN AND SALARIES FOR ALL MANAGEMENT AND NON-BARGAINING UNIT EMPLOYEES OF THE CITY OF CANTON; AND DECLARING THE SAME TO BE AN EMERGENCY  
Referred to the Personnel & Finance Committees

**MINUTES OF THE MEETING OF NOVEMBER 21, 2005**

- #5 (1<sup>ST</sup> RDG) AN ORDINANCE AMENDING EXHIBIT A TO ORDINANCE NO. 40/2000, AS AMENDED, THE CLASSIFICATION PLAN FOR BARGAINING UNIT PERSONNEL EMPLOYED BY THE CITY OF CANTON; AND DECLARING THE SAME TO BE AN EMERGENCY  
Referred to the Personnel & Finance Committees
- #6 (1<sup>ST</sup> RDG) AN ORDINANCE AMENDING APPROPRIATION ORDINANCE NO. 253/2004, AS AMENDED, BY MAKING THE TRANSFER AND SUPPLEMENTAL APPROPRIATION HEREIN DESCRIBED; AND DECLARING THE SAME TO BE AN EMERGENCY  
Referred to the Finance Committee
- #7 (1<sup>ST</sup> RDG) AN ORDINANCE APPROVING AND ACCEPTING THE REPLATTING OF OUTLOT NUMBER 1178 AND LOT NUMBERS 35535, 35534, 35533, 35532 AND 42535; AND DECLARING THE SAME TO BE AN EMERGENCY  
Referred to the Public Safety & Thoroughfares Committee
- #8 (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  
Referred to the Finance and Public Property Capital Improvement Committees
- #9 (1<sup>ST</sup> RDG) AN ORDINANCE AMENDING ORDINANCE NO. 226/2005; AND DECLARING THE SAME TO BE AN EMERGENCY  
Referred to the Environmental & Public Utilities & Finance Committees
- #10 (1<sup>ST</sup> RDG) AN ORDINANCE AUTHORIZING THE DIRECTOR OF PUBLIC SERVICE TO ACCEPT 3 GRANTS TOTALING \$16,800.00; AMENDING APPROPRIATION ORDINANCE NO. 253/2004, AS AMENDED; AND DECLARING THE SAME TO BE AN EMERGENCY  
Referred to the Personnel & Finance Committees
- #11 (1<sup>ST</sup> RDG) AN ORDINANCE AMENDING CHAPTER 947, SEWER RATES, OF PART NINE OF THE CODIFIED ORDINANCES OF THE CITY OF CANTON; AND DECLARING THE SAME TO BE AN EMERGENCY  
Referred to the Judiciary Committee

**ORDINANCES & FORMAL RESOLUTIONS FOR SECOND READING**

PRESIDENT DENCZAK: Ordinances and Formal Resolutions for the Second Reading. Ordinance #12 please.

***NOTE: PRESIDENT OF COUNCIL DENCZAK CALLED UPON CLERK VANCKUNAS TO READ THE FOLLOWING ORDINANCES #12 THROUGH & INCLUDING #14 FOR THE SECOND TIME BY TITLE, AS FOLLOWS.***

**MINUTES OF THE MEETING OF NOVEMBER 21, 2005**

- #12 (2<sup>ND</sup> RDG) AN ORDINANCE AUTHORIZING THE DIRECTOR OF PUBLIC SERVICE TO ENTER INTO CONTRACT WITH THE STARK COUNTY PUBLIC DEFENDER COMMISSION FOR THE PROVISION OF LEGAL SERVICES TO INDIGENTS; AND DECLARING THE SAME TO BE AN EMERGENCY
- #13 (2<sup>ND</sup> RDG) AN ORDINANCE AUTHORIZING THE MAYOR OR DIRECTOR OF PUBLIC SERVICE TO MAKE APPLICATION FOR AND ACCEPT ASSESSMENT GRANT FUNDS FROM THE OHIO DEPARTMENT OF DEVELOPMENT FOR THE FORMER HERCULES ENGINES PROPERTY; AND DECLARING THE SAME TO BE AN EMERGENCY
- #14 (2<sup>ND</sup> RDG) AN ORDINANCE AUTHORIZING THE DIRECTOR OF PUBLIC SAFETY TO ACCEPT A GRANT IN THE AMOUNT OF \$1,000.00; AUTHORIZING THE AUDITOR TO RE-DESIGNATE TWO FUNDS; AMENDING APPROPRIATION ORDINANCE NO. 253/2004, AS AMENDED; AND DECLARING THE SAME TO BE AN EMERGENCY

**ORDINANCES AND FORMAL RESOLUTIONS FOR THIRD & FINAL READING**

PRESIDENT DENCZAK: Ordinances for the third and final reading. Ordinance number 15 please.

***NOTE: PRESIDENT OF COUNCIL DENCZAK CALLED UPON CLERK VANCKUNAS TO READ ORDINANCES #15 THROUGH & INCLUDING #19 FOR THEIR THIRD & FINAL TIME BY TITLE SHOWN AS FOLLOWS. ALL THE ORDINANCES WERE ADOPTED FOLLOWING THEIR THIRD & FINAL READINGS & ORDINANCES #15, 16 & 19 WERE AMENDED.***

- #15 (3<sup>RD</sup> RDG) **ADOPTED AS AMENDED AS ORDINANCE NO. 240/2005** AN ORDINANCE AMENDING CHAPTER 105, CONTRACTS, OF THE CODIFIED ORDINANCES OF THE CITY OF CANTON

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

PRESIDENT DENCZAK: Moved and seconded that you adopt Ordinance #15. Are there any remarks under this Ordinance?...

MEMBER CASAR: Mr. President, I move to amend Ordinance #15 per the copy that all Councilpersons have in front of them which Joe Martuccio explained to us in Caucus this evening; seconded.

**AMENDMENT: "PURSUANT TO RULE 36, I MOVE TO AMEND AGENDA ITEM NO. 15 BY DELETING THE NUMERICAL FIGURE 105.10 FROM SECTION 1.**

PRESIDENT DENCZAK: Moved and seconded to amend this ordinance per the copy placed before each of you. Are there any remarks on the amendment?... The question you're voting on now is the amendment. By voice vote, all those in favor, signify by saying aye; those opposed, no.

NO REMARKS

AMENDMENT APPROVED BY UNANIMOUS VOICE VOTE

**MINUTES OF THE MEETING OF NOVEMBER 21, 2005**

PRESIDENT DENCZAK: The amendment has passed. The question you're voting on now is the ordinance as amended. Are there any further remarks on the ordinance as amended?... If not, roll call vote please.

NO FURTHER REMARKS

ROLL CALL: 12 YEAS, 0 NAYS

PRESIDENT DENCZAK: Ordinance #15, as amended, has been adopted.

**#15 ADOPTED AS ORDINANCE NO. 240/2005**

#16 (3<sup>RD</sup> RDG) **ADOPTED AS AMENDED AS ORDINANCE NO. 241/2005** AN ORDINANCE DECLARING 22 BUILDINGS TO BE PUBLIC NUISANCES; AUTHORIZING THE DIRECTOR OF PUBLIC SAFETY TO ENTER INTO CONTRACT FOR THE DEMOLITION OF SAID BUILDINGS; 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

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

PRESIDENT DENCZAK: Moved and seconded that you adopt Ordinance #16. Are there any remarks under this Ordinance?...

MEMBER CASAR: Mr. President, I move to amend Ordinance 16 per the copy that all Councilpersons have in front of them; seconded.

**AMENDMENT: PURSUANT TO RULE 36, I MOVE TO AMEND AGENDA ITEM NO. 16 BY AMENDING THE CAPTION AND ADDING A NEW SECTION 3 TO READ AS FOLLOWS AND THE RENUMBERING OF CURRENT SECTIONS 3, 4, AND 5, AS 4, 5 AND 6, RESPECTIVELY: THE CAPTION IS AMENDED TO INCLUDE THE PHRASE "APPROPRIATION ORDINANCE NO. 253/2004, AS AMENDED, IS AMENDED;" AFTER THE LANGUAGE "...STARK COUNTY AUDITOR;". Section 3. Appropriation Ordinance no. 253/2004, as amended, is amended by making the following supplemental appropriation: FROM: Unappropriated Balance of the 1001 General Fund, \$225,000.00 TO: 1001-10-15-02 Code Enforcement Demolitions, \$225,000.00.**

PRESIDENT DENCZAK: Moved and seconded to amend Ordinance 16 per the copy placed before each of you. Are there any remarks under the amendment?...

MEMBER CASAR: Mr. President, this is made possible, the monies, \$225,000, and I would like Auditor Mallonn to explain how we was able to acquire this money out of the General Fund.

AUDITOR MALLONN: Yes, on Thursday we had a Finance Committee meeting and we had brought it to the attention of the Finance Committee that we were re-certifying the certificate for \$1.9 million; therefore, the \$225,000 would be available. Income Tax revenue is up \$1 million and therefore we were able to do this.

PRESIDENT DENCZAK: Are there any other remarks on the amendment?... The question you're voting on now is the amendment. All those in favor, signify by saying aye; those opposed, no.

NO REMARKS

AMENDMENT APPROVED BY UNANIMOUS VOICE VOTE

**MINUTES OF THE MEETING OF NOVEMBER 21, 2005**

PRESIDENT DENCZAK: The amendment has passed. The question you're voting on now is the ordinance as amended. Are there any remarks on the ordinance as amended?... Very well, roll call vote please.

NO FURTHER REMARKS

ROLL CALL: 12 YEAS, 0 NAYS

PRESIDENT DENCZAK: Ordinance #16, as amended, is adopted.

**#16 ADOPTED AS ORDINANCE NO. 241/2005**

#17 (3<sup>RD</sup> RDG) **ADOPTED AS ORDINANCE NO. 242/2005** AN ORDINANCE AUTHORIZING THE CITY AUDITOR TO PAY A MORAL OBLIGATION IN AN AMOUNT NOT TO EXCEED \$4,607.32 TO BLOCHER'S AUTO BODY, INC.; AND DECLARING THE SAME TO BE AN EMERGENCY

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

PRESIDENT DENCZAK: Moved and seconded that you adopt Ordinance 17. Are there any remarks under this Ordinance?... Very well, roll call vote please.

NO REMARKS

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

PRESIDENT DENCZAK: Ordinance #17 is adopted.

**#17 ADOPTED AS ORDINANCE NO. 242/2005**

#18 (3<sup>RD</sup> RDG) **ADOPTED AS ORDINANCE NO. 243/2005** AN ORDINANCE APPROVING A CANTON CITY WATER MAIN EXTENSION TO PLAIN 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 #18; seconded.

PRESIDENT DENCZAK: Moved and seconded that you adopt Ordinance 18. Are there any remarks under this Ordinance?... Very well, roll call vote please.

NO REMARKS

ROLL CALL: 9 YEAS, 3 NAYS  
(CASAR, CARBENIA & GRIFFIN VOTED NO)

PRESIDENT DENCZAK: Ordinance #18 is adopted.

**#18 ADOPTED AS ORDINANCE NO. 243/2005**

#19 (3<sup>RD</sup> RDG) **ADOPTED AS AMENDED AS ORDINANCE NO. 244/2005** AN 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

**MINUTES OF THE MEETING OF NOVEMBER 21, 2005**

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

PRESIDENT DENCZAK: Moved and seconded that you adopt Ordinance 19. Are there any remarks under this ordinance?...

MEMBER CASAR: Mr. President, I move that we amend Ordinance #19 per the copies that all Councilpersons have in front of them, and, if you recall, that we penciled in the figure of \$5,000 where it was blank, so this is the amendment; seconded.

**AMENDMENT: PURSUANT TO RULE 36, I MOVE TO AMEND AGENDA ITEM NO. 19 BY THE ADDITION OF A NEW SECTION 2 TO READ AS FOLLOWS AND THE RENUMBERING OF CURRENT SECTIONS 2 AND 3, AS 3 AND 4, RESPECTIVELY. Section 2. The Director of Public Service or his designee is further authorized and directed to present proposed purchases of sanitary sewer conveyance rights from Stark County in excess of \$5,000, pursuant to any supplemental sewer agreements covering annexation, to Council for approval by ordinance.**

PRESIDENT DENCZAK: Moved and seconded to amend Ordinance 19 per the copy before each of you; are there any remarks?... The question you're voting on now is the amendment. By voice vote, all those in favor of the amendment, signify by saying aye; those opposed, no.

NO REMARKS

AMENDMENT APPROVED BY UNANIMOUS VOICE VOTE

PRESIDENT DENCZAK: The amendment has passed. The question before you now is the ordinance as amended. Are there any remarks under this ordinance as amended?... Very well, roll call vote please.

NO REMARKS

ROLL CALL: 12 YEAS, 0 NAYS

PRESIDENT DENCZAK: Ordinance #19, as amended, has been adopted.

**#19 ADOPTED AS ORDINANCE NO. 244/2005**

**ORDINANCES AND FORMAL RESOLUTIONS: POSTPONED MATTER**

PRESIDENT DENCZAK: Postponed Matter. Ordinance #20, please.

#20 **POSTPONED AGAIN TO 8/28/2006:** ORDINANCE NO. 94/2005 AUTHORIZING THE DEMOLITION OF 22 PROPERTIES WAS AMENDED ON THE COUNCIL FLOOR DURING THE MAY 16, 2005 COUNCIL MEETING TO POSTPONE ONE PROPERTY LOCATED AT 2039 EAST TUSCARAWAS STREET FOR A PERIOD OF SIX MONTHS TO MONDAY, NOVEMBER 14, 2005. (ON NOVEMBER 14, 2005, THE MATTER WAS POSTPONED AGAIN TO 11/21/2005)

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?

MEMBER CASAR: Mr. President, I move we postpone Ordinance 20 'til August 28, 2006; seconded.

**MINUTES OF THE MEETING OF NOVEMBER 21, 2005**

PRESIDENT DENCZAK: Moved and seconded that you postpone this Ordinance until August 28<sup>th</sup>, year 2006; are there any remarks?... If not, by voice vote, all those in favor, signify by saying aye; those opposed, no.

NO FURTHER REMARKS

MOTION APPROVED BY VOICE VOTE (HAWK VOTED NO)

PRESIDENT DENCZAK: The postponement has passed. The ordinance will be postponed until August 28<sup>th</sup>, 2006.

**ANNOUNCEMENT OF COMMITTEE MEETINGS**

PRESIDENT DENCZAK: Announcement of committee meetings, please.

MEMBER ZACHARY: Mr. President, the Personnel Committee will meet November 28<sup>th</sup>, 2005 at 6 p.m.

MEMBER PRATER: Mr. President, Annexation Committee will meet November 28<sup>th</sup> at 6 p.m.

MEMBER CARBENIA: Mr. President, Community & Economic Development will meet November 28<sup>th</sup> at 6:00.

MEMBER BERNABEI: Mr. President, Judiciary will meet November 28<sup>th</sup> at 6 p.m.

MEMBER BABCOCK: Mr. President, Public Safety & Thoroughfare will also meet at 6:00 on November 28<sup>th</sup>.

MEMBER GRIFFIN: Mr. President, Environmental and Public Utilities will meet November 28<sup>th</sup> at 6 p.m.

MEMBER DOUGHERTY: Mr. President, Public Property Capital Improvement will also meet the 28<sup>th</sup> at 6.

MEMBER HAWK: Mr. President, Finance Committee will meet Monday, November 28<sup>th</sup> at 6 p.m. In addition, on Thursday, December 1<sup>st</sup>, at 9 a.m., we will have another budget review. I'd like to invite all the department heads. Thank you.

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

PRESIDENT DENCZAK: We now under Public Speaks, Open Forum. There's nobody signed up to speak under Public Speaks.

**MISCELLANEOUS BUSINESS**

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

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

PRESIDENT DENCZAK: Moved and seconded that you adjourn; roll call vote please.

**MINUTES OF THE MEETING OF NOVEMBER 21, 2005**

NO REMARKS PERMITTED ON THE MOTION TO ADJOURN      ROLL CALL: 12 YEAS, 0 NAYS

PRESIDENT DENCZAK: This meeting is adjourned.

ADJOURNMENT TIME:      7:51 P.M.

ATTEST:

APPROVED:

DEBRA VANCKUNAS  
CLERK OF COUNCIL

RAY DENCZAK  
PRESIDENT OF COUNCIL