

MINUTES OF THE MEETING OF NOVEMBER 8, 2004

PRESIDENT DENCZAK: With a quorum being present, the Chair calls this meeting to order.

The regular meeting of Canton City Council was held on Monday, November 8, 2004, at 7:30 P.M. in the Canton City Council Chamber. The meeting was called to order by President of Council Ray Denczak. The roll call was then taken (as follows) by Clerk of Council Debbie Vanckunas. The invocation was given by 8th Ward Councilmember Rosemary Diamond, followed by the Pledge of Allegiance led by President of Council Ray Denczak.

(COUNCILMEMBER DIAMOND ASKED THAT A MOMENT OF SILENCE BE OBSERVED IN REMEMBRANCE OF THE RECENT PASSING OF SAFETY DIRECTOR BERNIE HUNT'S MOTHER)

PRESIDENT DENCZAK: Roll call please.

ROLL CALL TAKEN BY CLERK OF COUNCIL VANCKUNAS:

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

AGENDA CORRECTIONS & CHANGES

PRESIDENT DENCZAK: Thank you, Member Diamond. (*referring to giving invocation*). Again, the corrections and changes, Members of Council, you're being asked to suspend Rule 22A to add the second reading of Ordinances 2 to 4. Member Casar, the Chair will recognize that motion at this time.

MEMBER CASAR: Mr. President, I move that Rule 22A be suspended to put Ordinances 2 and through 4 on the agenda; seconded.

PRESIDENT DENCZAK: Moved and seconded to suspend Rule 22A to add second readings of Ordinances 2 through 4 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 2, 3 and 4 are a legal part of your agenda. You're being asked to adopt Ordinance #3 this evening under the second reading. This brings your agenda up to date.

PUBLIC HEARINGS

7:30 P.M. PUBLIC HEARING RE: HIGH AVENUE NW VACATION, S. OF 4TH ST NW:

PRESIDENT DENCZAK: We have a scheduled public hearing for 7:30 p.m. It is requested by Canton City Schools

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to vacate a portion of High Avenue NW south of 4th Street NW. The Planning Commission recommends approval. The Chair opens the public hearing now in regards to this vacation. Is there anyone within the audience wishing to speak for or against the vacation, please come forward....? Is there anyone within the audience wishing to speak for or against the vacation, please come forward....? Is there anyone within the audience wishing to speak for or against the vacation, please come forward....? Apparently not, the Chair declares the public hearing over in regards to this matter. The ordinance will follow later this evening.

PUBLIC SPEAKS (ORDINANCES OR RESOLUTIONS FOR ADOPTION ONLY):

PRESIDENT DENCZAK: Public Speaks under Ordinances or Resolutions for adoption. We have one person signed up to speak. That's Adam Artimez.

MR. ARTIMEZ: I want everyone to know that I asked Ray to let me borrow his special Wizard of Oz props to make me look taller tonight but, he refused. I hope you don't get me later for that Ray.

PRESIDENT DENCZAK: Your 3 minutes are up. (*AUDIENCE LAUGHTER*)

MR. ARTIMEZ: I had to break the ice so I feel a little bit more comfortable up here.

PRESIDENT DENCZAK: Okay, state your name and address.

MR. ARTIMEZ: My name is Adam Artimez residing at 1971 State Street NE, North Canton, Ohio. I stand here as the City of Canton employee and Local 3449 Clerical and Technical Union Vice President to express my opposition to the proposed amendment to increase pay for part-time casual/seasonal employees. I'm against this amendment in 2 parts: the fundamentals of good government and the principle of union and collective bargaining. The City of Canton currently faces financial difficulty. The effort to correct the shortfalls began under the previous Administration, elected officials and Councilmembers. The other people involved with this effort include 5 unions consisting of many employees ranging from clerical, technical, service and safety forces. I recall the summit that was given a few years ago to allow the employees an opportunity to understand a budget's 101 course of how and why this City had gotten into such dire straits. At the time, none of us wanted to hear what we were being told. We were told that the past few negotiated contracts were too generous for the General Fund to absorb and that we were equally responsible for the giving and taking of such raises. Also, that a perfect storm had occurred for this to happen. We had to face the fact of reality that our City had lost many businesses with a large tax revenue base, which had afforded the good government effort to employ people for the services it provides. Of those services, most importantly are the Police and Fire personnel that serve and protect the citizens from crime, death and destruction. But, let's not forget the personnel that work to ensure the proper collection and distribution of money to pay all the government employees, related clerical duties to conduct these services, employees that repair and ensure safe operation of the vehicles and equipment in connection with all of the provided services, employees that remove garbage, clean and repair streets, clean and repair sewers and ensure the supply of clean water, clean the wastewater, keep traffic flowing safely, maintain parts, ensure housing and structures are safe, assist low income homeowners and repair their homes, ensure proper zoning and planning of the City and the important role of community and economic development to bring, to bring growth and revenue back to this City. The list could go on, but I am limited for time. All of these employees, including yourselves, have endured concessions in wage and fringe benefits.

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The effort was to correct the imbalance of the General Fund monies in proportion to the employment from the past. Presently, we are still facing a lack of General Fund money. The unions have bargained in good faith and have understood the dilemma that we are in. However, the unions are still being told a pay raise cannot be afforded. That being said, the same month we are being told we lack General Fund monies and face possible lay-offs, the Administration proposes a raise for employees from this fund. In my opinion, these employees do not perform the vital and necessary functions for the efficient operations of good government. To me, the most ironic and astonishing part of this amendment is the Administration's willingness to give such pay raise to a division of employees without having to fight for it.

PRESIDENT DENCZAK: Mr. Artimez, your 3 minutes are up. Bring your comments to a close.

MR. ARTIMEZ: I'm concluding. Thank you. In my opinion, the morale is at an all-time low and I've talked to many different classified employees finding it harder to keep their spirit up. Employees have expressed the feeling of being kicked while we are down. Personally, I take issue in comparison to my 15 years of hard work and dedicated employment with the City of Canton. Employees are doing more with less and possibly going to be asked this again. Along with others, I am not open to any pay increase on the bottom or top end salary range for any part-time casual seasonal employee 'til the employee who made good faith concessions receive it first. This Council should continue as it has to look ahead for the full impact of the General Fund budget if the Administration exercises a full right, by law, to increase all 100 positions to the top range of salary. Thank you and I appreciate the serious consideration to the opposition others and I have for this proposed amendment.

INFORMAL RESOLUTIONS

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

PRESIDENT DENCZAK CALLED UPON CLERK OF COUNCIL VANCKUNAS TO READ RESOLUTION #87 BY TITLE, AS SHOWN BELOW. THE RESOLUTION IS ON FILE IN ITS ENTIRETY IN THE COUNCIL OFFICE WITH THE AGENDA ITEMS DATED NOVEMBER 8, 2004.

87. BABCOCK, MARY, COUNCILMEMBER AT LARGE: COMMENDING FIREFIGHTERS MICHAEL EVANS AND RAY BITTING FOR RESCUING AN 18 MONTH OLD CHILD FROM A BURNING HOME ON 14TH STREET NW - ADOPTED BY COUNCIL

MEMBER CASAR: Mr. President, I move we adopt Resolution #87; seconded.

PRESIDENT DENCZAK: Moved and seconded that you adopt Resolution #87. Are there any remarks?...

MEMBER BABCOCK: Mr. President, I'd like to have the Resolution read please.

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

CLERK VANCKUNAS READ RESOLUTION #87 IN ITS ENTIRETY: An Informal Resolution submitted by Mary

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Babcock, Councilmember At Large, on this 8th day of November 2004. Whereas, responding to a 9-1-1 call from Mr. Larry Cameron of 1011 14th Street NW, Firefighters arrived at the home of Tawana Gadison at 1007 14th Street NW at approximately 10:57 PM Saturday, March 13, 2004, to find fire blazing in the kitchen and the entire home engulfed with smoke. Moments prior to the arrival of the firefighters, Mr. Cameron was able to save Ms. Gadison from the burning structure by breaking open a first floor window and pulling her out; and, Whereas, just as Mr. Cameron broke open a porch window after learning that a baby was still inside, the Canton City Fire Department promptly arrived on the scene. Eighteen month old A'sian Burt was trapped in an upstairs bedroom; and, Whereas, without a moment's concern for their own safety, firefighters Michael Evans and Ray Bitting entered the burning home and, through heavy smoke, ascended the staircase to the room where little A'sian had been sleeping. Gathering the little boy in their arms, the brave firefighters rushed him to safety, saving his life; and, Whereas, in addition to both Firefighters Michael Evans and Ray Bitting receiving medals of commendation for their courageous acts of March 13, 2004, Firefighter Bitting was also named this year's "Firefighter of the Year." Now, therefore, be it resolved that we, the Members of the Council of the City of Canton, Ohio, do hereby go on public record as commending FIREFIGHTER MICHAEL EVANS AND FIREFIGHTER RAY BITTING, for their selfless acts of courage and determination in saving the live of a helpless 18 month old child from certain death. We offer our sincere thanks for a job well done. (*audience applause*)

PRESIDENT DENCZAK: Are there any remarks?

MEMBER CARBENIA: Mr. President, as the Firefighters will probably tell you, it's not a big deal for them, that's their job, but it's a big deal for us, in the City, and the people that they save, so, thank you.

PRESIDENT DENCZAK: Are there any other remarks?

MAYOR CREIGHTON: Mr. President, on behalf of the Administration, once again we'd like to extend our appreciation, not only to these fine, these 2 fine gentlemen, but to the entire department of the Canton Firefighters. Thank you.

PRESIDENT DENCZAK: Are there any other remarks?... Okay, I believe the question you're voting on now is Ordinance #87. By voice vote, all those in favor signify by saying aye. Those opposed no.

NO REMARKS

RESOLUTION #87 ADOPTED BY UNANIMOUS VOICE VOTE

PRESIDENT DENCZAK: The Resolution is adopted. Member Babcock....?

MEMBER BABCOCK: I want to congratulate you two.

PRESIDENT DENCZAK: You're out.... wait, wait a minute. Mr. Cameron, up here if you want, and take a picture of me. (*audience laughter*) Go ahead.

MEMBER BABCOCK: On behalf of Canton City Council, I'd like to present these to you and from the residents of 14th Street. These were so heavy, I couldn't carry them so I had to have someone....I want to congratulate these 2 men for the courageous deed you did in saving the baby.

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(APPLAUSE AS MEMBER BABCOCK PRESENTS FIREFIGHTER MICHAEL EVANS AND FIREFIGHTER RAY BITTING EACH WITH A RESOLUTION)

MINUTES OF THE MEETING OF NOVEMBER 8, 2004**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 8, 2004.

576. AFSCME PRESIDENT (LOCAL 3449), DIANE BROADWATER, CITY OF CANTON: OPPOSING LEGISLATION CONCERNING PAY INCREASES FOR PART TIME AND/OR SEASONAL/CASUAL EMPLOYEES - PERSONNEL COMMITTEE
577. CANTON FIRE DEPARTMENT, CITY OF CANTON: 2003 CANTON FIRE DEPARTMENT ANNUAL REPORT - RECEIVED & FILED
578. CD & PLANNING DEPARTMENT, MARGY POORMAN, DIRECTOR, CITY OF CANTON: REQUEST TO ESTABLISH A \$1 FAIR REUSE VALUE FOR PARCEL #02-84889 LOCATED ON FREEDOM AVE NE FOR DISPOSITION TO AUDREY JOHNSON-HARDY - COMMUNITY & ECONOMIC DEVELOPMENT CMTE
579. CD & PLANNING DEPARTMENT, MARGY POORMAN, DIRECTOR, CITY OF CANTON: UPDATE ON THE KRESGE PROJECT & CREATION OF A TASK FORCE TO OVERSEE THE MARKETING & DEVELOPMENT OF SAME - COMMUNITY & ECONOMIC DEVELOPMENT CMTE
580. FINNICUM, MARK & GEORGIANNE, 128 PARK AVENUE SW, CANTON, OHIO: REQUEST TO VACATE A PORTION OF GROVE PLACE SW BETWEEN GREENFIELD & PARK AVENUES & BETWEEN LOT 4025-26 ON THE SOUTH & LOT 4052 ON THE NORTH TO PREVENT ITS USE AS A CUT-ACROSS IF RE-OPENED AFTER COMPLETION OF I-77 PROJECT - PLANNING COMMISSION
581. LIQUOR CONTROL DIVISION, 6606 TUSSING RD, PO BOX 4005, REYNOLDSBURG, OHIO 43068-9005: CAN MEX, INC DBA EL RINCON MEXICAN RESTAURANT @ 3212 W TUSC, HAS REQUESTED TRANSFER OF D1, D2, D3, & D3A LIQUOR PERMIT FROM WILLIAM FITZWATER, DBA GRACES PLACE @ 2001 KIMBALL ROAD - INTERGOVERNMENTAL & PUBLIC SERVICE CMTE
582. LIQUOR CONTROL DIVISION, 6606 TUSSING RD, PO BOX 4005, REYNOLDSBURG, OHIO 43068-9005: P & O ENTERTAINMENT LLC, DBA SHIELD BAR & GRILL, HAS REQUESTED A NEW D5 LIQUOR PERMIT @ 1153 MCKINLEY AVE., SW - INTERGOVERNMENTAL & PUBLIC SERVICE CMTE
583. MAYOR JANET CREIGHTON: ANNOUNCING AS OF 11/15/04, DUE TO THE DEPARTURE OF TAD ELLSWORTH, JOE CONCATTO WILL ASSUME THE DUTIES OF SERVICE DIRECTOR & BILL ALLEN WILL ASSUME THE DUTIES OF CHIEF OF STAFF (W/EMPHASIS ON CITY FINANCES)

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ON AN INTERIM BASIS - RECEIVED & FILED

584. PLANNING COMMISSION, MARGY POORMAN, CD DIRECTOR, CITY OF CANTON: RECOMMENDING APPROVAL OF THE PROPOSED CHANGES TO THE OFFICIAL ZONING MAP - JUDICIARY CMTE
585. PLANNING COMMISSION, MARGY POORMAN, CD DIRECTOR, CITY OF CANTON: RECOMMENDING APPROVAL OF REQUEST BY SERVICE DIRECTOR TO VACATE 2ND ST NW CUT-THRU, WEST OF FULTON/SHORB NW, NORTH OF EAST TUSC - PUBLIC SAFETY & THOROUGHFARES CMTE
586. SAFETY DIRECTOR BERNARD HUNT, CITY OF CANTON: REQUESTING AUTHORIZATION TO ACCEPT \$1,000 DONATION FROM WALMART TO ASSIST IN PURCHASE OF WATER RESCUE EQUIPMENT FOR THE CANTON FIRE DEPT, THAT THE NAME OF THE "SMOKE ALERT DONATION FUND" BE CHANGED TO THE "FIRE DONATION FUND," & REQUESTING \$1,000 SUPPLEMENTAL APPROPRIATION FROM 2783 FIRE DONATION FUND - FINANCE COMMITTEE
587. TREASURER ROBERT C. SCHIRACK, CITY OF CANTON: COMPARATIVE REPORT OF AMBULANCE LOCK BOX FOR OCTOBER 2004 - RECEIVED & FILED
588. TREASURER ROBERT C. SCHIRACK, CITY OF CANTON: COMPARATIVE REPORT OF PARKING METER REVENUE FOR OCTOBER 2004 - RECEIVED & FILED
589. TREASURER ROBERT C. SCHIRACK, CITY OF CANTON: COMPARATIVE REPORT OF INCOME TAX CASH RECEIPTS AS OF 10/31/04 - RECEIVED & FILED

ORDINANCES & FORMAL RESOLUTIONS FOR FIRST READING

PRESIDENT DENCZAK: Ordinances and Formal Resolutions for the first readings. Let the journal show that all ordinances are being given their reading as required by State law. Ordinance #1 please.

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

- #1 (1ST RDG) AN ORDINANCE ESTABLISHING A \$5.00 FEE FOR THE REPLACEMENT OF LOST TIME CARDS.
Referred to Finance Committee

ORDINANCES & FORMAL RESOLUTIONS FOR SECOND READING

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

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NOTE: PRESIDENT DENCZAK CALLED UPON CLERK VANCKUNAS TO READ THE FOLLOWING ORDINANCES #2 THROUGH AND INCLUDING #4 FOR THE SECOND TIME BY TITLE, AS FOLLOWS. ORDINANCE #3 WAS ADOPTED FOLLOWING ITS SECOND READING.

RULE 22A WAS SUSPENDED TO ADD # 2 THROUGH #4:

#2 (2ND RDG) AN ORDINANCE AUTHORIZING THE DIRECTOR OF PUBLIC SERVICE TO ENTER INTO CONTRACT WITH CTI ENVIRONMENTAL INCORPORATED IN AN AMOUNT NOT TO EXCEED \$77,500 TO PROVIDE PROFESSIONAL SERVICES FOR THE 49TH ST NE AND GARDENDALE AVENUE NE STORM SEWER PROJECT, GENERAL PROJECT 1074; AMENDING APPROPRIATION O.1/2004; AND DECLARING THE SAME TO BE AN EMERGENCY.

#3 (2ND RDG) **ADOPTED AS ORDINANCE #230/2004** AN ORDINANCE APPROVING AND ACCEPTING THE REPLATTING OF PARTS OF LOTS 3335, 2647, 6585, 309 AND 1938, PART OF OUTLET 314 AND ALL OF LOTS 6584, 16717, 16718, 16719, 17122 AND 17128; AND DECLARING THE SAME TO BE AN EMERGENCY

MEMBER CASAR: Mr. President, I move the statutory rules be suspended on Ordinance #3; seconded

PRESIDENT DENCZAK: There's a move to dispense with the three readings of Ordinance #3. 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 #3; seconded.

PRESIDENT DENCZAK: Moved and seconded that you adopt Ordinance #3. Are there any remarks under this Ordinance?... Very well, roll call vote please.

NO REMARKS

ROLL CALL: 12 YEAS, 0 NAYS

PRESIDENT DENCZAK: Ordinance #3 is adopted

#3 ADOPTED AS ORDINANCE NO. 230/2004

#4 (2ND RDG) AN ORDINANCE ESTABLISHING THE FAIR REUSE VALUE OF ONE PARCEL OF CITY OWNED REAL PROPERTY; AUTHORIZING THE SALE AND CONVEYANCE OF SAID PROPERTY PURSUANT TO THE CITY'S RESIDENTIAL LAND DISPOSITION PROGRAM; AND DECLARING THE SAME TO BE AN EMERGENCY

MINUTES OF THE MEETING OF NOVEMBER 8, 2004**ORDINANCES AND FORMAL RESOLUTIONS FOR THIRD READING**

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

NOTE: PRESIDENT DENCZAK CALLED UPON CLERK VANCKUNAS TO READ THE FOLLOWING ORDINANCES #5 THROUGH AND INCLUDING #14 FOR THE THIRD & FINAL TIME BY TITLE, AS FOLLOWS. ORDINANCE #8 WAS POSTPONED TO 11/15/04 AND ORDINANCE #9 WAS DEFEATED. ALL OTHER 3RD READING ORDINANCES WERE ADOPTED.

#5 (3RD RDG) **ADOPTED AS ORDINANCE NO. 231/2004** AN ORDINANCE ESTABLISHING THE FAIR MARKET VALUE OF REAL PROPERTY IN CONJUNCTION WITH THE FEDERAL CAMPUS PROJECT; AUTHORIZING THE SAME AND CONVEYANCE OF SAID PROPERTY; AND DECLARING THE SAME TO BE AN EMERGENCY

MEMBER CASAR: Mr. President, I move we adopt Ordinance #5; seconded.

PRESIDENT DENCZAK: Moved and seconded that you adopt Ordinance #5. Are there any remarks under this Ordinance?... Very well, roll call vote please.

NO REMARKS

ROLL CALL: 12 YEAS, 0 NAYS

PRESIDENT DENCZAK: Ordinance #5 is adopted.

#5 ADOPTED AS ORDINANCE NO. 231/2004

#6 (3RD RDG) **ADOPTED AS AMENDED ORDINANCE NO. 232/2004** AN ORDINANCE AUTHORIZING THE ~~CHIEF OF STAFF~~ *amended: **DIRECTOR OF PUBLIC SERVICE** TO ADVERTISE, RECEIVE BIDS AND ENTER INTO CONTRACT FOR NUMEROUS ROOF REPLACEMENTS AT THE MEMORIAL CIVIC CENTER; AMENDING APPROPRIATION ORDINANCE NO. 1/2004, 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 #6; seconded.

PRESIDENT DENCZAK: Moved and seconded that you adopt Ordinance #6. Are there any remarks under this Ordinance?

MEMBER CASAR: Mr. President, I move we amend Ordinance #6 per the attached, and I'll read it: Pursuant to Rule 36, I hereby move to amend Agenda Item No. 6 by substituting the phrase *Director of Public Service* for *Chief Of Staff* wherever *Chief of Staff* appears; seconded.

PRESIDENT DENCZAK: Moved and seconded to amend this ordinance by inserting *Service Director* in place of the *Chief of Staff* wherever it appears.

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MEMBER CASAR: Mr. President, although the Chief of Staff now is the Service Director, we really don't know who it will be next week.

PRESIDENT DENCZAK: The question before you now is to amend, does everybody have a copy of this amendment?... Okay....per the copy before each of you. Are there any remarks under this amendment?... All right, the question we're voting on now is the amendment. By voice vote, all those in favor signify by saying aye. Those opposed no.

NO REMARKS

#6 AMENDED 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 #6 is adopted as amended.

#6 ADOPTED AS ORDINANCE NO. 232/2004

#7 (3RD RDG) **ADOPTED AS ORDINANCE NO. 233/2004** AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO AN ENTERPRISE ZONE AGREEMENT WITH HARTVILLE GROUP INC. AND HEINE CONSTRUCTION TO PROVIDE REAL PROPERTY TAX EXEMPTION TO CONSTRUCT A NEW FACILITY; AUTHORIZING THE GRANTING OF 75% TEN YEAR REAL PROPERTY TAX EXEMPTION; 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

MEMBER CASAR: Mr. President, I move we adopt Ordinance #7; seconded.

PRESIDENT DENCZAK: Moved and seconded that you adopt Ordinance #7. Are there any remarks under this Ordinance?

MEMBER CARBENIA: Mr. President, I'm very happy that we're finally getting somebody to start the growth down there. That's a newly annexed area from last year, one of the biggest annexations that this City's ever done and this job, this here, these people have 50 employees now and are planning on another 50. It's an insurance company, insurance for pets, so it must be a good business and we're happy to have them, and that's all I have.

PRESIDENT DENCZAK: Any other remarks?... The questions we're voting on now is Ordinance #7.

NO FURTHER REMARKS

ROLL CALL: 12 YEAS, 0 NAYS

PRESIDENT DENCZAK: Ordinance #7 is adopted.

#7 ADOPTED AS ORDINANCE NO. 233/2004

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#8 (3RD RDG) **POSTPONED UNTIL 11/15/042** 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

MEMBER CASAR: Mr. President, I move we adopt Ordinance #8; seconded.

PRESIDENT DENCZAK: Moved and seconded that you adopt Ordinance #8. Are there any remarks under this Ordinance?

MEMBER DIAMOND: Mr. President, I have some questions for the Administration, whether it's Mr. Concatto or the Mayor. These properties were purchased in 1992 at the cost of \$39,000 and this request is to give the properties to the CCIC for \$1.00 and there also was indicated that there is a business that wishes to use them for further, or future expansion. My questions is this, if the City gives the properties for \$1.00 to the CCIC, does the CCIC then intend to give to this property owner, 2 properties that we paid \$39,000, for a dollar or for free? And then he indicates future economic development or future expansion, has he indicated when that might be and in order for him to receive the property, would he have to follow the CCIC guidelines which would ensure that a certain number of jobs would be created in order for us to give them this property or to sell it at such a low cost?

PRESIDENT DENCZAK: Chief of Staff, Service Director or whatever.

CHIEF OF STAFF CONCATTO: Mr. President, Margy Poorman had an explanation and I know you weren't at the last Committee meeting. That pretty much explained it. I can only say that if this property goes to the CIC, then whoever would get this property or whoever would buy this property would have to do it by CCIC rules and regulations and that would be a determination of the CIC as whether they would be given this property or it be sold or how many jobs would be available. That all would be under the guidelines of CIC. I don't know that we'd do it for a dollar, I think they just pay us for the property over to CIC so the dollar was not a significant number as far as what the property is worth. They would merely pay us for that property over there to them and then the CIC would make a decision if in fact it's going to be used for some commercial entity as far as if they would get any funds, how much they'd pay for the property would be out to bid and those types of things. That's about the best I can give you as an answer to that.

MEMBER DIAMOND: Mr. President, my question is this. I understand the property for economic value, economic value going to the CCIC, what I'm confused about is, is this property only going to the gentleman that appears in my, in my e-mail? Is this property not available for any one else or has he already applied or why is he referenced in this request?

CHIEF OF STAFF CONCATTO: Mr. President. Member Diamond, I can't answer those questions. If Margy was here, she explained it last week and I just don't have those answers. If you want to delay it, we can delay it, I just don't have the answers for you tonight.

MEMBER CARBENIA: Mr. President.....

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PRESIDENT DENCZAK: That all Member Diamond?

MEMBER CARBENIA: Mr. President.....

PRESIDENT DENCZAK: Member Casar....or....Member Carbenia, I'm sorry.

MEMBER CARBENIA: That's close. The... Lisa Miller was handling that piece of property. She said that those other residents there were contacted before and that the, from what I understand, but we can move it off to make sure that, I know that they had, because I asked them who was going to get the property and we talked to her tonight, but I thought that she told me that the other people were given, that they had put it out and they were the only ones that responded, the neighbors.

MEMBER DIAMOND: Mr. President. I would like to request that this be postponed a week until Lisa Miller or Margy Poorman can answer those questions; seconded.

PRESIDENT DENCZAK: Specify what time did you want it postponed?

MEMBER DIAMOND: Until November 15th, next Monday.

PRESIDENT DENCZAK: Was that seconded?.... Moved and seconded to postpone this issue until November the 15th. Are there any remarks?... If not, by voice vote, all those in favor signify by saying aye. Those opposed no.

NO REMARKS

8 POSTPONED BY UNANIMOUS VOICE VOTE

PRESIDENT DENCZAK: Ordinance #8 is postponed until November the 15th.

#9 (3RD RDG) **DEFEATED** AN ORDINANCE EXHIBIT A TO ORDINANCE NO. 164/2001, AS AMENDED, DECLASSIFICATION 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

MEMBER CASAR: I move we adopt Ordinance #9; seconded

PRESIDENT DENCZAK: Moved and seconded that you adopt Ordinance #9. Are there any remarks under this Ordinance?

CHIEF OF STAFF CONCATTO: Mr. President. Members of Council. This Ordinance is not put in place to give a full scale raise for any body. That wasn't the purpose of this Ordinance. The purpose of this Ordinance was to create a range for some specific areas for which the Administration, if need be, could bring in individuals at a higher rate than \$8.00 an hour. The example of this, and Mr. Carbenia, I think had a letter, was in the Building Department recently. Recently we had 2 of the clerical workers in the Building Department off at the same time, both of which did clerical for the Building Department, for which at this time are pretty much with the, the building permits with the roofs and etc. There was nobody that we could find that we could fill this position, you just, it's a specific job, it's not just a clerical job where

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they just do typing. It's about permits, it's about bringing in money. We had an individual that retired there that was willing to come in for a couple weeks. The pay would have been at most \$8.00 an hour. This girl's an experienced person and the other girls there were making \$12 and \$13 an hour. So, it was, and this girl that would have come in to help us out there, would have had to pay PERS on her \$8.00 an hour and she would not come for \$8.00. The whole purpose of bringing this person to the table was to help the union members that were in there relieve some of their work load. It was not to circumvent the union, it was not to create another pay scale, it was merely to help a department that was busy and needed a little bit of help on a temporary basis. This is not a put in place, and if that union or if this Council does not trust the Mayor to make that wage that they think she's going to now pay everybody in the City, casual employees \$14.00 an hour, and then lay off people? That just isn't what this purpose, the purpose of this was for.

MEMBER CARBENIA: Mr. President. Since I was used as a reference in this, the letter that I did sign to the Director and to the Mayor had to do with this person being hired but being hired as an Inspector which was not trained to be an Inspector, does not have the license and is being paid \$14.50 an hour instead of 8 because they put her in, this person into an Inspector's position, and the other employees that are there are the clerical workers making \$11.88, all three of them and the Administrative Assistants making \$13.36 and when you put somebody else in there that makes \$14.50 as a part time, even though it might have been agreed to let that person in there to help them out, but, I guess, I guess I'd wanna pay PERS on \$14.50 too.

CHIEF OF STAFF CONCATTO: Mr. President. The \$14.50 was the only amount of money that we could pay her to get her in there for a couple of weeks. That was agreed to by Local 3449. We talked to them before we did it. They agreed to that on a temporary basis. We understand it was more than that but we felt it was better to pay that person \$14.00 an hour and get the work done necessary in there for the 2 or 3 weeks that one of the employees was gonna be off on sick leave. That's why we did it. We couldn't, we couldn't pay her \$9.00 an hour or \$10.00 an hour because our range was just \$8.00 an hour. That was the whole purpose in coming to this Council to change the, amend the Ordinance, just to make that range a little bit higher so that if this specific situation took place again, we wouldn't have to do that, we'd have a range that would be, that would be consistent with what somebody would want to come to at. That's, that's why that was done.

MEMBER CARBENIA: I guess I'll make my comments under miscellaneous. I won't delay this.

PRESIDENT DENCZAK: Are there any other remarks under this Ordinance?... The question you're voting on now is Ordinance #9. Roll call vote please.

NO REMARKS

ROLL CALL: 0 YEAS, 12 NAYS

PRESIDENT DENCZAK: Ordinance #9 is defeated

#9 ORDINANCE DEFEATED

#10 (3RD RDG) **ADOPTED AS ORDINANCE NO. 234/2004** AN ORDINANCE VACATING A PORTION OF HIGH AVENUE NW, SOUTH OF FOURTH STREET NW; AND DECLARING THE SAME TO BE AN EMERGENCY

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

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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

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

PRESIDENT DENCZAK: Ordinance #10 is adopted.

#10 ADOPTED AS ORDINANCE NO. 234/2004

#11 (3RD RDG) **ADOPTED AS ORDINANCE NO. 235/2004** AN ORDINANCE AMENDING SECTION 539.15, PARK POLICE, OF THE GENERAL OFFENSES CODE OF THE CODIFIED ORDINANCES OF THE CITY OF CANTON

MEMBER CASAR: Mr. President, I move we adopt Ordinance #11; seconded.

PRESIDENT DENCZAK: Moved and seconded that you adopt Ordinance #11. Are there any remarks under this Ordinance?... Very well, roll call vote please.

NO REMARKS

ROLL CALL: 8 YEAS, 4 NAYS
(CASAR, CARBENIA, BABCOCK, MALLONN - NAY)

PRESIDENT DENCZAK: Ordinance #11 is adopted.

#11 ADOPTED AS ORDINANCE NO. 235/2004

#12 (3RD RDG) **ADOPTED AS ORDINANCE NO. 236/2004** AN ORDINANCE AUTHORIZING THE CITY AUDITOR TO PAY A MORAL OBLIGATION IN THE AMOUNT OF \$16,318.00 TO HANNAN ELECTRIC COMPANY; AND DECLARING THE SAME TO BE AN EMERGENCY

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. 236/2004

#13 (3RD RDG) **ADOPTED AS ORDINANCE NO. 237/2004** AN ORDINANCE AUTHORIZING THE DIRECTOR OF PUBLIC SERVICE TO ENTER CONTRACT WITH L3 COMMUNICATIONS SECURITY AND DETECTION SYSTEMS IN AN AMOUNT NOT TO EXCEED \$34,053.44 FOR THE PURCHASE OF AN ENHANCED X-RAY SCANNER WITH CONVEYOR FOR THE CANTON MUNICIPAL COURT PURSUANT TO OR SECTION 125.04; AND DECLARING THE SAME TO BE AN EMERGENCY

MEMBER CASAR: Mr. President, I move we adopt Ordinance #13; seconded.

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PRESIDENT DENCZAK: Moved and seconded that you adopt Ordinance #13. Are there any remarks under this Ordinance?... Very well, roll call vote please.

NO REMARKS

ROLL CALL: 12 YEAS, 0 NAYS

PRESIDENT DENCZAK: Ordinance #13 is adopted.

#13 ADOPTED AS ORDINANCE NO. 237/2004

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#14 (3RD RDG) **ADOPTED AS ORDINANCE NO. 238/2004** A RESOLUTION ACCEPTING THE AMOUNTS AND RATES AS DETERMINED BY THE BUDGET COMMISSION AND AUTHORIZING THE NECESSARY TAX LEVIES AND CERTIFYING THEM TO THE COUNTY AUDITOR

MEMBER CASAR: Mr. President, I move we adopt Ordinance #14; seconded.

PRESIDENT DENCZAK: Moved and seconded that you adopt Ordinance #14. Are there any remarks under this Ordinance?... Very well, roll call vote please.

NO REMARKS

ROLL CALL: 12 YEAS, 0 NAYS

PRESIDENT DENCZAK: Ordinance #14 is adopted. **#14 ADOPTED AS ORDINANCE NO. 238/2004**

ANNOUNCEMENT OF COMMITTEE MEETINGS

PRESIDENT DENCZAK: Announcement of Committee Meetings please.

MEMBER HAWK: Mr. President, Finance Committee will meet Monday November 15th at 7:00 and at 11:00 AM in the Caucus Room for more budget hearings.

PUBLIC SPEAKS (OPEN FORUM--CITY BUSINESS ONLY)

PRESIDENT DENCZAK: Public speaks under Open Forum. We have several people signed up this evening. The first speaker is Vanessa Milican. Is that correct?

MS. MILICAN: Yes, my name is Vanessa Milican. I live at 210 Broad Avenue NW, Apartment 3, Canton, Ohio 44708.

PRESIDENT DENCZAK: Okay, go ahead.

MS. MILICAN: Okay. The reason why I'm here is because I was livin' at 211 Shorb Avenue NW, Canton, Ohio for 2 years and for 2 years I had to fight, by myself, I had to fight off all the prostitution, drug addicts, alcoholics. I lived around this area for like 2 years in-between 2nd and 3rd Streets NW, and August the 1st, around August the 1st around midnight, my ex-landlord and his wife went to their 4 unit apartment building to chase out one of their tenants and his girlfriend with a baseball bat, a gun and pepper spray, and, I stepped out and I spoke out and I told the ex-landlord and his wife how crazy they were for acting the way they was acting, and they took that as being a threat. So, on August the 5th, the ex, the ex-landlord's wife went uptown and she made a false complaint on me stating that I was harassing her and her husband with violence, I was threatening them with violence. On August the 6th, I was hand-delivered some papers from the Stark County Sheriff's Department stating that I was, it was, I'm sorry, forgive me, it was, it was pertaining to petition for several stalking protection orders that was, that was against me. On August the 13th, I had to go to court

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regarding this matter and now I am on a five year warning papers for stalking, for something that I have never done before and this is messin' me up. I mean this is, all of this stuff is kinda like puttin' me down. I never done nothing like this before and the reason why I was put on all of these, on all of this stuff is because I stepped out and I was, forgive me, I'm just kinda nervous at this moment. I just need some help to get my name off the, off the record. I mean, I'm on this five year stuff and all of this, all of these papers is, it goes around in all 50 states. I'm in the system for something that I've never done before and I'm hoping that somebody can possibly help me.

PRESIDENT DENCZAK: Ma'am, this Council can't do anything about this nor the Administration. This is supposed to be a civil matter, and maybe I can.....

MS. MILICAN: The reason why I came up here tonight is because in the paper yesterday I seen this big article about these 2 ladies that live, that lives down around the Newton Zone as I called it and both of these ladies, they have been sticking together, fighting together and trying to keep the, in trying to get the area cleaned up. I'm trying to get the prostitutes and everything off the streets and I've been down, they're getting so much, they're getting help from the law, from the law enforcements and everything, but here I haven't, I've never gotten no help at all with nothin'. For 2 years I've lived in this area and I was bein' threatened. I mean I have to fight for myself, I have, I mean, I didn't know what to do. I didn't know what to say. I mean I had to do, do everything. I mean, I was told to call the cops. I was told that there might, that if I had problems, I should at least try to stay in my house....

PRESIDENT DENCZAK: Ma'am, I'm sorry, but under Council rules, you have 3 minutes to speak and your 3 minutes are up. The Law Director's going to have a talk with you.

MS. MILICAN: Oh, okay.

PRESIDENT DENCZAK: All right?

MS. MILICAN: Thanks, I appreciate it.

PRESIDENT DENCZAK: The next speaker is Beatrice Washington.

MAYOR CREIGHTON: Mr. President, she left. I spoke with her again. I visited her home.

PRESIDENT DENCZAK: Okay. The next speaker is Rev. Limmie Snell.

REV. SNELL: Yes. My name is Rev. Limmie Snell and I live at 2337 16th Street NE in the City of Canton. I pastor the New Morning Star Baptist Church that's located at 611 Hartford Avenue SE in Canton which is in Ward 4. Myself, along with some of the members of my congregation are present tonight because we've had, we've been calling the Canton PD and we were instructed to call Vice concerning the drug trafficking that goes on across the street from the church and next door to the church. One of those addresses is 606 Hartford Avenue SE. The other address is 605 Hartford Avenue SE. I have called numerous occasions and we've had no attention from the Police. We've called Vice on a number of occasions and we got no response from Vice. It's totally pitch black down there. The BP plant is down there and we don't have no lights, no street lights and we want something done about all of the trafficking that goes on in front of our church. Now we have a youth department of about 35 young people that range from anywhere from

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toddlers to 17 year-old people. We already have a problem with trying to teach our children to educate and not to be thugs. Then the habits to be displayed right in front of them, while they're outside in the yard of the church playing, they can see a drug buy, a drug buy, right there in front of them. We need some help to make this not so much go away, but at least get it dealt with, and we need the help of the City Council to help us do something about this.

MEMBER ZACHARY: Mr. President. I had spoken with Rev. Snell after work and I wholeheartedly agree with everything he's saying. I do want to let you know that, Member Casar, I did talk with you briefly after our caucus about the light situation. There is something that can be done about that. One of the things that has been coming to my attention lately, and I don't know if it's because we're getting so much positive press about the Newton Zone, but I've been getting a large number of phone calls regarding the fact that there are areas of the city that people who are being neglected at this point by the Canton Police Department. I've had more than 1 person tell me that they've called the Police and it took them 45 minutes to show up. I've had more than 1 person tell me that they have not shown up, that they can't get a response from Vice. On a personal level, I was involved a couple weeks ago where I was 10 feet from a guy who was shot at on the, at the intersection of Tusc and Belden. If there is a police presence in that area, we can't see it. I'm asking for the Administration, as well as the Safety Director when he comes back, to visit this problem because it is becoming a growing problem with the fact that we feel we cannot get response from Canton Police.

PRESIDENT DENCZAK: Any other remarks?... Thank you Reverend. Member Zachary, if there's a street lighting problem, I think Member Casar probably told you, find the location, the pole numbers and that will be taken care of too. The next speaker is Charlene Snell.

MS. SNELL: Mayor Creighton, Members of the Council and Board, good evening. My name is Charlene Snell and I reside at 2337 16th Street NE, Canton. I'm a Sunday School Teacher and I am a teacher of the woman's craft at New Morning Star Missionary Baptist Church. Our church is located on the 600 block of Hartford SE where these issues are a major concern of mine. The issues that I bring before you today are the lack of street lights which we already addressed and the trafficking in front of or around our church building. Monday through Sunday from dusk to dawn, these drug sales are non-stop. We need protection. Our area needs to be a drug-free zone. Anywhere there are children living or participating in any activities, our children's safety should not be compromised. Lack of light and drug trafficking is an issue. Drive-by shootings have not occurred in our area, thank God, but, when it's in the back of your mind, or it's in your heart that it may happen, some people don't want to come to church because of what they see in the area. Safety is in my neighborhood but safety also needs to be in that neighborhood. I ask that the lights be turned on and drugs be cut out. Thank you.

PRESIDENT DENCZAK: The next speaker is Lemia Broy.

MS. BROY: Good evening. My name is Lemia Broy. I live at 1416 Sycamore Avenue SE in Canton. The zip code is 44707. I bring concerns because I am a parent. I attend the New Morning Star Missionary Baptist Church. I've attended there for the past 6 years. In the 6 years, the drug trafficking has become more and more, it's escalated, I mean to where they just, they don't care who's around, they don't care. We have tried to spearhead some things outside 'cuz as a church, we are a vital part of that community down there, but because of all the riff-raff and the thugs and the different goings on, that are going on down there, it limits our activity, you know, that we want to broaden to the community, the community, to be a help to the community. But, because, I mean, it's just all kind, it's all day, it's every day. It's all night, it's every night. It's just something that really, really needs to be done about it and the children, even our children,

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when they go outside the church, they're coming in telling us, well, they just sold this, they just sold that. I mean, it's not nothing to see the paraphernalia out there in the street. I mean, it's just, it's something really needs to be done about it. You know, I'm concerned because, like I said, I'm a parent and I'm not just concerned about my children, I'm concerned about all children and I'm concerned that as a church, we can't do the work that God has called us to do because this thing has gotten as big as it's gotten and, that's all I have to say. Thank you.

MEMBER ZACHARY: Mr. President. Oonce again I would ask that you visit the situation and look at it very closely. I know that Rev. Snell, his congregation, he has shared with me the fact that they have called everybody that they have possibly can call. They have tried to correct this problem through the means that they have to correct it and on their own and I believe that, as a Councilperson, and as a Council as a whole, that we should help this group, this church, do what they set out to do as far as what their mission is and that is not to have to contend with drug dealers who are right across the street and right next door. So, I'm putting it out to the Administration, if we can get the Police involved in this matter, it would be greatly appreciated. We need an increased presence in that area.

PRESIDENT DENCZAK: Mayor, are you or the Safety Director aware of this problem in that area?

MAYOR CREIGHTON: No, I've not spoken with Rev. Snell. I'd like to talk to him at the conclusion of tonight but I will do some follow-up with the Police Department tomorrow.

PRESIDENT DENCZAK: Thank you. The next speaker is Isaac Butler.

MR. BUTLER: Good evening. My name is Isaac Butler. I live at 1725 Regal Avenue NE, Canton, Ohio 44705. That too, I say a point as a Deacon in the same church, New Morning Star Missionary Baptist Church. Pretty much everything has been said. I just want to point out that the drug trafficking is across the street, and next door. It's not down the street, it's not around the block that we know of. It's across the street. Very poor example to our children. That, to me is a problem because I have 4 young ones of my own and for them to have easy access like that, right at my church, it's a problem for me and it's a problem for others as well. Now, I'd also like to see more Police involvement. We do have a lot, a lack of Police there, you don't see none of them. They don't even survey the neighborhood. So, I just ask that you understand the seriousness of this. I can't stress more than what was already been stressed. There's a lack of involvement of Police and we don't know what to do. That's why we're here. We come to you to ask for help.

PRESIDENT DENCZAK: How long has this been going on? *(inaudible comments from the audience)*

MR. BUTLER: Yes. Yes. Yes.

PRESIDENT DENCZAK: I'm sure the Mayor will look into it very soon. The final speaker is Brenda Baylor.

MS. BAYLOR. My name is Brenda Baylor. I live at 2722 Wood Owl NE and last week, as President of the Neighborhood Association for Georgeview Estates, I received a letter from the Safety Director. To briefly read, it says, would you please, at the request of engineering services to design drainage for Georgeview Estates residents, to the City of Canton 2005 budget. It also goes on to say these funds are requested of budget for engineering and design costs associated with the drainage issues in Georgeview Estates and, what I guess what I need to know is, what does that

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mean? We, I understand it, and I understand that if they do design, okay, some type of drainage, it also does not mean that we're going to get that drainage, and so, I guess I'm asking if this is budgeted for 2005, then when should we see results as far as getting something accomplished as far as the drainage is concerned? I'm asking the question.

PRESIDENT DENCZAK: Can anybody respond to that?

CHIEF OF STAFF CONCATTO: If that, I know that, that letter was addressed to whom?

MS. BAYLOR: The letter was addressed to the Mayor, Michael Coutts Civil Engineer, Craig Chessler, Law Department, Kelly Zachary 4th Ward Councilmember, and myself, Georgeview Estate Neighborhood Association. Would you like to see it?

CHIEF OF STAFF CONCATTO: First, the first stage of any type of drainage issue for a fix-it drainage issue, would be to be able to do the engineering of that, of that area. Now, I, to be honest with you, I don't know if there's been engineering done already, but if not, then that first issue would be to do the engineering. Once the engineering is done, normally we go to the Ohio Public Works Commission for funds, to provide the cost of that work. I can tell you from my little experience at this time, it, you're probably a couple years off to be honest with you. Now, I'm not saying, I have not had time to review Georgeview Estates because I know it's been on the, on the table for a long time. I know there's an issue with Hamilton Avenue, that there's some work scheduled for Hamilton Avenue. I don't know that that's the total to rectify your problems, but, I understand that. But, you're asking me a question, is, if it's just the surveying and engineering, you're probably 2 years at least away before the actual work.

MS. BAYLOR: Okay, can I ask another question?

PRESIDENT DENCZAK: Yes, you may.

MS. BAYLOR: Okay, then does that mean that, you're saying that it is probably a couple years away. Am I to assume then, that once this is done and the costs has been set up, that we could possibly look forward to having the work done within a 2 year period?

CHIEF OF STAFF CONCATTO: Mr. President. I'm not prepared to guarantee you that because there's other Councilmen in this room that will tell you that they have other drainage projects that have been on the table for a long time also. I can only tell you that, that, I don't know where, I'm being honest with you, I don't know where Georgeview Estates, this would be overall drainage problems in the City of Canton. Once I get a hold on that, and my goal is to have a 5 year plan on how we're going to do drainage here in the City of Canton. That's not to say yours is 5 years away, I'm just saying that if we're going to have a drainage problem, we're going to have to have a plan on how to address it. There's a lot of areas other than Georgeview Estates that has drainage problems. There's people sitting here that can tell you it's their problem as well as yours. Certainly this city has an obligation to fix all of them. It would be my goal to have the Ward Councilman present at a meeting where we could set up some agenda and we have something sure of what this looks like between now and the next 5 years. Where Georgeview Estates falls, at this time, I'm not prepared to give an answer.

MS. BAYLOR: Well, I have 2 things to say and first of all, someone told me from the northwest end of town, this has

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been a couple weeks ago when I was at City Council, that they had been fighting their water problem for 30 years. I don't think I'll be here in 30 years, but I will continue to fight for this as long as I can stand and get here. I hope that it will not take that long. I hope that the City recognizes that starting with a new area, that is in great condition, probably says to the rest of the City of Canton, that they can accept wonderful improvements on their areas so, I guess, I guess I'll be perfectly honest, I'm a little tired of hearing about everything else that's being done in Canton because ours was done 4 years ago, which means it should have been done correctly. It is not a 30 year problem. It's not a 10 year problem. So, fixing our area, to me, should be put at the top of the priority list because we represent a new growth in the City of Canton and we are doing our best to try to keep it that way. So, I guess that we would all feel better, if somewhere down the line, we could find out when we might be able to see this happen, and if we're told it's going to be 2, then so be it. If we're told it's going to be 4, at least we have something concrete. But, to be drug on with the situation for 30 years, is a bit much. I think that is a bit much for anybody in Canton and I think it was a bit much for the northwest end and anything else. This Administration is here now. We expect a lot from you, and that's just the way it is. We all pay taxes. So, I just think that, all of Canton deserves more than the Football Hall of Fame. And, I do want to say one more thing. In talking with people, somebody said to me, no wonder people don't move to Canton, there's nothing here, and I also heard the comments that there's nothing here but the Football Hall of Fame. This is a tragedy. I was born and raised here, and I would like to see more of Canton than this and I hate, I hate to see people have to come down here and fight water problems. It doesn't make sense because we pay taxes to correct these problems, to improve these problem to keep them going. None of us should have to deal with the water problems. There's too many others...drugs, to me are far more important as far as something where people should be coming down and complaining about. Water should be something that's automatic.

PRESIDENT DENCZAK: Ma'am, your three minutes are....

MS. BAYLOR: I heard. Thank you.

MEMBER ZACHARY: Mr. President, I just want to say that this whole Georgeview issue, it has really hindered the progress of that neighborhood and it has prevented a lot of people who may have wanted to build a home in that development, from doing so right now until this water issue is settled and to me, that's a loss of revenue for the city, and when I hear neighbors say I'm gonna pay my taxes in escrow, it really doesn't do anything to help us, as a city, get the money that we need in, at least some monies coming in, from tax revenue. So, I would just say that if we can just expedite this project, or move it along in some way shape or form. I know that, Ms. Baylor, thank you for coming down because she's, she's, she's a faithful council attendee. If we, if we can do something to address this problem, I think you will feel a lot more growth in that area than what already is there.

MS. BAYLOR: Now, there's another possibility of another 50 homes, if I'm not mistaken, at least. Fifty to 60 homes that could be built in that area. That's a lot of revenue to the city and, and it really is comments that are made, you know, we don't want to move yet. There are people who own property out there that won't build yet. They're waiting to see. So, I think this is very important.

MISCELLANEOUS BUSINESS

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

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of all, Member of Council, it's been brought to the Chair's attention, that a member of Council was on television, on a food channel testing ribs. Were they free?... No? If I'd have known they were free, I would've been there. Now we'll hear a word from our Treasurer.

TREASURER SCHIRACK: I want to thank Council for their support, endorsement, of Issue 14 and I want to thank the people in the audience and all the people out there that voted in favor of it. It was for the General Fund and I will tell you, I really don't think this city can afford to take any more hits in the General Fund and I want to thank you.

PRESIDENT DENCZAK: Is there any other miscellaneous business?

MEMBER WEST: Yes. There's a lot of paving that's going on around the city and I really, I really like it. But, I think a lot of the problems right now is that you're seeing a lot of dips in the paving, a lot of holes, and I'm getting some calls from residents like on Irwin Place. I noticed that that's probably like the first coat and there has to be another coat. But, are we going to be able to get that completed by the end of the year, by winter time, or?...

CHIEF OF STAFF CONCATTO: Mr. President. It certainly is scheduled before the end of the year. I have a call in to some of those projects, ODOT projects, and only ODOT can give you the time table. I called today and did not get a response yet but especially Member Carbenia asked about Cleveland, ah, Cherry Avenue and Mahoning and if there's any other specific place besides those 2 streets let me know and I will, I will get the time table schedule hopefully tomorrow on that completion. Now they have to complete it pretty soon because they'll quit making blacktop.

MEMBER WEST: And then the second question I have, a statement. I also have to share the sentiment of Member Zachary and the members of the 4th Ward in terms of Police response time. This weekend, an older gentleman got jumped by a bunch of kids, 10th Street NW. I got a call and the neighbors had called the Police and it was like a half hour, 45 minutes later, they still wasn't there. Then, I had called so I was wondering if we can move, or get the Police Chief to look into this matter in terms of response time and I don't know if it's a weekend...? Are we down on staff on the weekends or what the problem was because McKinley is not that far, or McKinley and 10th is not that far from the station itself.

CHIEF OF STAFF CONCATTO: Mr. President. In those specific situations, if we could get the, if not the address, the exact time and the place, then we could pull the report and then just see what the circumstances behind that was because if it's a lack of response because, because our people weren't busy and lack of, and that was the cause, that's one issue. The other issue is they were busy with other calls. Sometimes they have to prioritize those and that's a way for us to determine whether it's a prioritized call or a call that we just lack our ability to get there. The best is that, give us, give me the date and time and give the Safety Director the date and the time and the place and we can evaluate that.

MEMBER WEST: I'll do that, but I'm also very, very concerned because there's a number of seniors that are walking in that area and there seems to be this group of kids that's going around and jumping these seniors for their money. So, I'm real concerned on that and hopefully everybody would keep an eye out for them on that activity.

PRESIDENT DENCZAK: Is there any other miscellaneous business?

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MEMBER CASAR: Mr. President. The Service Director, just to follow up on Member West's comment in regards to the blacktop program. When our former Service Director was sitting where you're sitting now, I guess, I asked that question back in June or July about our blacktopping program because last year it was later than it is now and some of the final streets that they paved were not in very good condition right after they were paved. Superior Avenue being one, and now we have Cherry Avenue which is gonna be, the second coat hasn't been put on yet. Then Mahoning Road, that's a State project and we don't have any control over that one. But, every year we say we're not gonna start it until after the Hall of Fame and we're, in some cases, we're putting, throwing good money away because, prolonging this program, in fact, I think Martin Luther King Drive last year, or, the other one, also being done, or never got done, in fact because of the weather. You know, we're gonna, if we're gonna spend \$500 thousand, a million dollars on blacktopping, we're gonna start this program when it should be started and completed when it should be started, completed not when the snow flies, and it's been that way every year because, and the reason why it's done is because the contractor does the lucrative job at the end of the season which is the City of Canton and that's why we're put on and that's why it's being done. In the summertime, his workforce is out somewhere else, oh well, we'll do the City contract job later, and later is not good for, for blacktop to adhere and we had a lot of problems on that and I think next year, where we contract, whoever the contract is, we should set a starting date and a completion date, not to exceed October 1st.

PRESIDENT DENCZAK: Chief of Staff, when does the hot mix plants close?

CHIEF OF STAFF CONCATTO: I believe the blacktop plants are based on the temperature and the weather. I believe it has to, when it's below maybe 20, I'm not sure exactly what....

PRESIDENT DENCZAK: It's usually around November the 15th.

CHIEF OF STAFF CONCATTO: I'm not sure if they have a specific date that they close or they look at the weather and temperature but, I respect what Member Casar said. I agree with him. I will say that, I will say that the Hall of Fame has anything to do with it, but it won't next year, and that we will take the, your advice and look at putting a starting date and finish date and try to get those bids out a lot sooner. I think we were even sooner this year than the year before but we're still not, obviously, not completing them in a timely manner and I have the same concern that in a couple weeks, they may be, quit making blacktop and we've got some ridges on Cherry Avenue we have to look at but, I'll address that problem tomorrow.

MEMBER CASAR: Mr. President, if I may just, just, real quickly. Service Director, I know under your guidance, you'll take that into consideration but, I'm referring back to many years ago when we had blacktop programs. We didn't have the problem we have. The problem, the program started early June and was completed in the summertime when the hot weather, when it went down it adhered and you get more per your dollar because it stretches more than it does now and it was better programed than we have today, and that's only been in the last 5 or 6 years that I can recall that we're, we're pushing and pushing to get our blacktop down before the first snowfall. In fact, last year, we had a couple snow falls before we ever, before we had all the blacktop down and that shouldn't be. And I know, I know that this Council, I'm not speaking...just for myself, I know that we're gonna make sure that contract, that language is in there, that completion date, and if it isn't completed, there'll be fines attached to it.

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

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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: 11 YEAS, 0 NAYS

PRESIDENT DENCZAK: This meeting is adjourned.

ADJOURNMENT TIME: 8:50 p.m.

ATTEST:

APPROVED:

DEBRA VANCKUNAS
CLERK OF COUNCIL

RAY DENCZAK
PRESIDENT OF COUNCIL