

MINUTES OF THE MEETING OF SEPTEMBER 12, 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, September 12, 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 8 Councilmember Rosemary Diamond 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 M. BERNABEL, GREG HAWK, THOMAS E. WEST, JAMES GRIFFIN, KELLY ZACHARY, TERRY PRATER, DAVID R. DOUGHERTY, RICHARD D. HART & ROSEMARY DIAMOND

PRESIDENT DENCZAK: Thank you, Member Diamond (*referring to invocation*). The Council office received an e-mail from Professor Jackie Welling, Associates Professor at Malone College, stating that some of the students were going to be here. Would you please stand if you're a student from Malone College? (*Applause given to the students*) That's Malone College, not Mallonn. Is Jackie here?... Welcome to City Council.

AGENDA CORRECTIONS & CHANGES

PRESIDENT DENCZAK: Agenda corrections and changes Members of Council. You're being asked to suspend Rule 22A to add second reading of Ordinances 9er through 17. The Chair will recognize that motion now, Member Casar.

MEMBER CASAR: Mr. President, I move we suspend Rule 22A and add Ordinances 9 through and including 17, but excluding 15 which will remain in Committee per the Chairman's request; seconded.

PRESIDENT DENCZAK: Moved and seconded to suspend Rule 22 to add the Ordinances as stated by Member Casar with the exclusion of #15, which will be retained in Committee. 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 the Ordinances are a part of your agenda. You're being asked to suspend Rule 24B to add Resolution #85, Member Casar.

MEMBER CASAR: Mr. President, I move we suspend Rule 24B and add Resolution #85 to this evening's agenda.

PRESIDENT DENCZAK: We're lacking a second here.

MEMBER CARBENIA: Seconded.

PRESIDENT DENCZAK: Moved and seconded to suspend Rule 24B to add Resolution #85 to the agenda. The Council Committee-As-A-Whole, commending the various agencies helping out in Hurricane Katrina. Are there any remarks on this rule suspension?... If not, roll call vote please.

MINUTES OF THE MEETING OF SEPTEMBER 12, 2005

NO REMARKS

ROLL CALL 12 YEAS, 0 NAYS

PRESIDENT DENCZAK: Resolution #85 is a legal part of your agenda.

PUBLIC HEARINGS**7:30 PM PUBLIC HEARING RE: PROPOSED ZONING MAP CHANGES**

PRESIDENT DENCZAK: Now, we have 3 public hearings. We had one scheduled for 7:30pm. It's proposed zoning map amendments on 15th NW, (Kempthorn Motors), West Tusc (Downtown Ford), 839 Cleveland NW (Ganley Lincoln Mercury), Belden SE (the Fire station), Southwest corner of 30th and Cleveland, Atlantic Boulevard (Atlantic Pools), and southeast corner of 8th and Cornelia, that would be Cornelia NE. The Planning Commission recommends approval. Is there anyone in the audience wishing to speak for or against this zoning map amendment, please come forward?... Is there anyone in the audience wishing to speak for or against this zoning map amendment, please come forward?... Is there anyone in the audience wishing to speak for or against this zoning map amendment, please come forward?... Apparently not. The Chair declares the public hearing over in regards to this matter. The matter now rests in the hands of Council. The Ordinance will follow later this evening.

7:31 PM PUBLIC HEARING RE: THE VACATION OF A PORTION OF WELLS AVE SW:

PRESIDENT DENCZAK: We have a scheduled public hearing for 7:31. A request by Christ Presbyterian Church to vacate a portion of Wells Avenue SW from West Tuscarawas Street to 2nd Street SW. The Planning Commission recommends approval of this vacation. Is there anyone in the audience wishing to speak for or against this issue, please come forward?

JUDGE JOHN MILLIGAN: Mr. President, Judge John Milligan from Christ Presbyterian Church inviting City Council to participate and partner with Christ Presbyterian Church and Timken High School, across the street right up here in West Tusc. I will pass a picture of what we're talkin' about and you can pass it along. As you know you've already vacated Wells Avenue north of West Tuscarawas for Timken High School. What's happening in downtown Canton and in particular in this area is really exciting and Christ Presbyterian Church plans to, with your cooperation, to change and use that portion which is now part of Wells Avenue. We own the property on both sides of the street and we will beautify and also make it safe. As you know, it's a one-way street and there are serious traffic problems that are caused now by traffic going up this alley to Tuscarawas Street. Another point, of course, of concern to you is the indication that we will be widening West Tusc and when we do that, that will make the vacation of this street, at that point, even more important. You may also know that you're looking at vacating from 3rd to 5th on Wells also, so that this appears to be the kind of thing that makes the church happy. We've hired an architect and we are prepared to, I think, improve that area substantially and I would trust that you would be proud of what we do. Thank you Mr. President.

PRESIDENT DENCZAK: Anyone else in the audience wishing to speak for or against this vacation, please come forward.... Is there anyone else in the audience wishing to speak for or against this vacation, please come forward.... Is there anyone else in the audience wishing to speak for or against this vacation, please come forward.... Apparently not. The Chair declares the public hearing over in regards to this matter. The matter now rests in the hands of Council. The ordinance will follow later this evening.

7:32 PM PUBLIC HEARING RE: THE ANNEXATION OF 7.784 ACRES KNOWN AS CENTRAL ALLIED/HARMONT ANNEXATION AREA:

PRESIDENT DENCZAK: We had a scheduled public hearing for 7:30. It's an annexation of approximately 7.784 acres known as the Central Allied/Harmont Annexation area; assigning said territory to Ward 6 and zoning

MINUTES OF THE MEETING OF SEPTEMBER 12, 2005

said territory as R-3 (Garden & Townhouse Apartment). The Planning Commission recommends approval. Is there anyone in the audience wishing to speak for or against this annexation, please come forward.

MR. HALL: Mr. President and City Council. My name is Charles Hall. I'm the principal attorney at Hall Law Firm at 6th and Market North. I'm here this evening in 2 capacities. My parents, Charles and Doris Hall live at 5309 Harmont NE which is 3 properties immediately to the south of Harmont, from the area proposed for annexation. So, I'm here this evening on their behalf as their attorney. They're here in Florida and not able to attend this evening. I'm also appearing on behalf of myself and my wife. We live at 2455 46th Street, which is on the southwest corner of the lake. I'm here, first off, to speak in favor of the annexation. I think this is good for the City of Canton. I think it, this property can become a jewel for the City and I'm here to speak in favor of the annexation and the services that it will bring to this 7.784 acres and the services that, hopefully, in the future, Council will bring farther down Harmont, specifically, water and sewer services. However, I'm here also to ask Council to re-consider and as you accept this property into the City, to accept it under an R-1b or R-1c zoning classification under the current city zoning ordinances. Mr. Denczak, with your permission, I have an aerial photograph, which maybe I can publish first to Councilperson Diamond. If you look at this map, and this is from the County Auditor, the new GIS information system that you helped pay for, thank you, you will see that this property and everything within about 1500 feet in any direction of the proposed property, is currently R-1, single family or rural residential. The request that I make on behalf of myself and on behalf of my wife and on behalf of my parents, and I probably speak for 1 or 2 of the neighbors in the crowd, is that when this annexation goes forward, the Council modify or amend the annexation request and change the zoning from the proposed R-3 to R-1b or R-1c. Under Ohio Revised Codes section 703.024, Council has a mandate by the State Legislature to zone this property similar to and compatible with adjacent usages, and with Council's permission, when you look at this exhibit, you will see that everything within a half a mile of the proposed annexed property, is either R-1 single family or rural residential. The proper compatible zoning to bring this property into the city, I'm gonna suggest to you, should probably be R-1b or R-1c. The other thing that I just want to bring to your attention is under the proposed zoning of R-3, that allows a density of usage of 18 units per acre or if this property is brought into the city on an R-3 zoning classification, the owner or potential developer of this property, could, under the zoning classification, bring as many as a 140 dwelling units into this area. That's way too much when you look at what's there and what's around. What I'm asking Council to do is to re-consider, annex the property in, re-zone it as R-1b or R-1c and then, after the property is brought in, when a developer, when a builder, has a proper proposal, let them then come back to Council and ask for the appropriate zone change at that time. Let the developer, let the builder demonstrate to you and convince to you, as Council, and demonstrate to us and convince us, as adjacent property owners, that his proposed development is going to be compatible to that area that's not being annexed, all of us Plain Township residents.....

PRESIDENT DENCZAK: Sir, I'm sorry, but your 3 minutes are up. Bring your remarks to a close.

MR. HALL:but also beneficial to the City of Canton. Thank you.

PRESIDENT DENCZAK: Sir, are you speaking in favor of the annexation?

MR. HALL: With a zone change. Yes sir. Thank you.

PRESIDENT DENCZAK: Do you realize that would be assigned to Ward 6?

MR. HALL: Yes sir, I do.

PRESIDENT DENCZAK: And do you know who the Councilman is in that Ward?

MINUTES OF THE MEETING OF SEPTEMBER 12, 2005

MR. HALL: Yes sir, I do.

PRESIDENT DENCZAK: And you still want to annex? (*Audience laughter*)

MR. HALL: Yes sir, I do.

PRESIDENT DENCZAK: Thank you.

MR. HALL: Thank you.

PRESIDENT DENCZAK: I know Dave, that was a cheap shot.

MR. HARTNETT: My name is Tom Hartnett. I'm an attorney in Canton and I represent Dean Wallace and his family who are....

PRESIDENT DENCZAK: State your address.

MR. HARTNETT: Our address is 200 Market Avenue North. I'd like to follow up with what Charlie said. One of the things that I'm particularly concerned with on behalf of my clients is the possibility that Council truly doesn't know what's going to be built on this property. I represent quite a few developers and there's been quite a few zone changes and it's always the same concerns of nearby residents. Show us what you're going to build; let's see it. Let's know the impact on our property and our neighborhood. In this situation, we just ask for patience. We don't question the annexation at this time, we just question the zoning to allow for the potential for a 130 to 140 units to be placed on this property would do a great injustice to these people. I can't even tell you what it would do to the water rates there and the danger that would possess, or pose. But, I ask, I just ask for patience, I would like you to take away the zoning at this time, remove that from the proposed resolution, just give Mr. Zablo time to present to you what he's going to do on the property. I don't think that's asking too much at this time. He doesn't know, so it's not going to slow him down with what he's going to do. It just gives the City the right to know what's going to happen on the property and to provide the City a little control over the development. I think there's a lot of excitement when development, development happens, and everybody wants to see prosperity. But, I just ask for patience and understanding and let information be gathered so that we can make a proper decision on this. Is it really gonna benefit the City if we just go ahead and blindly authorize this? So, that being said, I hope you can reconsider and I would sincerely ask that you would remove the zoning from this annexation and delay that until more firm plans are set forth by Mr. Zablo with what he wants to do to the property. Thank you.

PRESIDENT DENCZAK: Is there anyone else in the audience wishing to speak for or against this issue, please come forward?...

MR. ROHOLT: I'm Philip Roholt. I'm a resident near by the proposed annexation. Honorable Councilmembers, I'd just like to address.....

PRESIDENT DENCZAK: State your address please.

MR. ROHOLT: 5234 Violet Knoll, Canton. I just wanted to address the wetlands issues that have come up in the past that seem to have been passed and I wasn't sure that the Council was aware that already, the drainage system of the lake is in peril. The lake level has gone up and down since there's been development around the lake, even with single family residences. Now, the proposed development is supposedly going to add more

MINUTES OF THE MEETING OF SEPTEMBER 12, 2005

drainage problems. Martindale Park, within the Canton city, frequently becomes flooded with very minimal overflow at this point and I think that, you know, this is gonna further erode the drainage system. In addition, as already mentioned, all of the residents in that immediate area moved into the area with the express purpose of living in an area where there would be single family homes. We did not expect there to be multiple family dwellings and it will significantly impact the value of our own investments in the area and our own homes and is not the way that we intended to live. So, I'm respectfully asking the Council to reconsider the annexation in terms of what the original plan will be for development and to look into the possibility of preserving it as a wetland, which is sorely needed in the area. That north end of the lake acts as a catchment area for Nimishillen Creek which comes in with various toxins and pollutants from upstream factories and that flat area of the lake is used to detoxify the water and if that becomes developed, then there's more run-off into that area which will further erode the quality of the lake and the downstream river and I don't think that's what Canton city wants, since Nimishillen Creek further runs into the city. Thank you.

PRESIDENT DENCZAK: Is there anyone else in the audience wishing to speak for or against this annexation, please come forward?... Is there anyone else in the audience wishing to speak for or against this annexation, please come forward?... Is there anyone else in the audience wishing to speak for or against this annexation, please come forward?... Apparently not, the Chair declares the public hearing over in regards to this matter. The matter now rests in the hands of Council. The ordinance is only up for second reading this evening. Member Casar, is there, are they going to pass this tonight or is this....

MEMBER CASAR: No, Mr. President, that will be next week.

PUBLIC SPEAKS (ORDINANCES OR RESOLUTIONS FOR ADOPTION ONLY):

PRESIDENT DENCZAK: No one has signed up for Public Speaks under Ordinances or Resolutions for Adoption.

INFORMAL RESOLUTIONS

PRESIDENT DENCZAK: The, it will not be necessary to excuse members. Let the Journal show that all members of Council are present. Resolution #84?...

PRESIDENT DENCZAK CALLED UPON CLERK VANCKUNAS TO READ RESOLUTIONS #84 & 85 BY TITLE, AS SHOWN BELOW. THE RESOLUTIONS ARE ON FILE IN THEIR ENTIRETY IN THE COUNCIL OFFICE WITH THE AGENDA ITEMS DATED SEPTEMBER 12, 2005.

#84. HART, RICHARD D WARD 7 COUNCILMEMBER: COMMENDING WILLIAM R. "TIM" TIMKEN JR. ON HIS CONFIRMATION AS THE US AMBASSADOR TO GERMANY. - ADOPTED BY COUNCIL

MEMBER CASAR: Mr. President, I move we adopt Resolution #84; seconded.

PRESIDENT DENCZAK: Moved and seconded that you adopt Resolution #84. Are there any remarks under this Resolution?... Very well, by voice vote, all those in favor, signify by saying aye. Those opposed no.

NO REMARKS

RESOLUTION #84 APPROVED BY UNANIMOUS VOICE VOTE

PRESIDENT DENCZAK: The resolution is adopted.

MINUTES OF THE MEETING OF SEPTEMBER 12, 2005

#85. COUNCIL-AS-A-WHOLE COMMITTEE AND MEMBER WEST, WARD 2 COUNCILMEMBER: SUPPORTING AND COMMENDING THE EFFORTS OF LOCAL INDIVIDUALS, CIVIC, BUSINESS, CULTURAL AND RELIGIOUS ORGANIZATIONS IN RELIEF FUND-RAISING FOR HURRICANE KATRINA VICTIMS. - ADOPTED BY COUNCIL

MEMBER CASAR: Mr. President, I move we adopt Resolution #85; seconded.

PRESIDENT DENCZAK: Moved and seconded that you pass Resolution #85. Are there any remarks under this resolution?... Very well, by voice vote, all those in favor, signify by saying aye. Those opposed no.

NO REMARKS

RESOLUTION #85 APPROVED BY UNANIMOUS VOICE VOTE

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 SEPTEMBER 12, 2005.

437. AUDITOR R.A. MALLONN, CITY OF CANTON: MONTHLY REPORT BY FUND FOR 8/1/05-8/31/05. - RECEIVED & FILED
438. AUDITOR R.A. MALLONN, CITY OF CANTON: YEARLY REPORT BY FUND FOR 1/1/05-8/31/05. - RECEIVED & FILED
439. LAW DIRECTOR JOSEPH MARTUCCIO, CITY OF CANTON: REQUEST AUTHORIZATION TO PREPARE AMENDMENTS TO CITY CODE CHAPTER 503, JUVENILE OFFENSES, PARENTAL RESPONSIBILITY, RE: TRUANCY VIOLATIONS - JUDICIARY CMTE.
440. LIQUOR CONTROL DIVISION, 6606 TUSSING RD, PO BOX 4005, REYNOLDSBURG OHIO 43068-9005: NOTICE OF REQUEST FOR TRANSFER OF C2 LIQUOR PERMIT FROM BASKET FANFARE LLC, DBA BASKET FANFARE, TO SJLB ENTERPRISES LLC, DBA BASKET FANFARE LLC, 2241 WEST TUSCARAWAS STREET. - INTERGOVERNMENTAL & PUBLIC SERVICE CMTE
441. LIQUOR CONTROL DIVISION, 6606 TUSSING RD, PO BOX 4005, REYNOLDSBURG OHIO 43068-9005: NOTICE OF REQUEST BY SJLB ENTERPRISES LTD LLC, DBA BASKET FANFARE, 2241 WEST TUSCARAWAS STREET, FOR A NEW C1 LIQUOR PERMIT. - INTERGOVERNMENTAL & PUBLIC SERVICE CMTE
442. OHIO DEPARTMENT OF TRANSPORTATION, CENTRAL OFFICE, P O BOX 899, COLUMBUS, OH 43216: COPY OF EXECUTED CO-OPERATIVE CONTRACT BETWEEN THE CITY & THE DIRECTOR OF TRANSPORTATION RE: FULTON DR NW SIGNALS-PHASE 2, FEDERAL PROJECT #E050(019). - SERVICE DIRECTOR

MINUTES OF THE MEETING OF SEPTEMBER 12, 2005

443. SERVICE DIRECTOR CONCATTO, CITY OF CANTON: REQUEST AUTHORIZATION OF \$7,158.43 PAYMENT TO HILSCHER CLARKE ELECTRIC CO. FOR EMERGENCY REPAIRS TO THE SWITCHGEAR FOR THE HIGH SERVICE PUMPS @ NORTHEAST WATER TREATMENT PLANT PER C#414 ON 8/10/85 AGENDA - FINANCE COMMITTEE
444. SERVICE DIRECTOR CONCATTO, CITY OF CANTON: REQUEST LEGISLATION TO CHARGE A 3% CONVENIENCE FEE WITH A \$1.50 MINIMUM FOR ON-LINE PAYMENTS MADE TO ANY CITY DEPARTMENT INTERESTED IN OFFERING THIS METHOD OF PAYMENT; REQUESTING AUTHORITY TO REVIEW THIS FEE EACH FEBRUARY & ALTER AS NEEDED; REQUEST AUDITOR TO FUND THIS ACCOUNT FOR REVENUE & EXPENSES IN TREASURER'S DEPT; & REQUEST \$1,618.00 SUPPLEMENTAL APPROPRIATION FROM GENERAL FUND. - FINANCE CMTE
445. SERVICE DIRECTOR CONCATTO, CITY OF CANTON: REQUEST LEGISLATION AUTHORIZING MAYOR TO WITHDRAW FROM NEFCO EFFECTIVE 9/30/06 IN ORDER TO SPEND THE \$12,000 ANNUAL DUES ON OTHER PRIORITIES. - INTERGOVERNMENTAL & PUBLIC SERVICE CMTE
446. TREASURER ROBERT SCHIRACK, CITY OF CANTON: COMPARATIVE REPORT OF INCOME TAX CASH RECEIPTS AS OF 8/31/05. - RECEIVED & FILED
447. TREASURER ROBERT SCHIRACK, CITY OF CANTON: COMPARATIVE REPORT OF DEPOSITS TO THE AMBULANCE LOCK BOX ACCOUNT FOR MONTH OF AUGUST 2005. - RECEIVED & FILED
448. TREASURER ROBERT SCHIRACK, CITY OF CANTON: TREASURER'S OFFICE BANK RECONCILIATIONS & CITY'S OUTSTANDING INVESTMENTS AS OF 8/31/05. - RECEIVED & FILED
449. TREASURER ROBERT SCHIRACK, CITY OF CANTON: COMPARATIVE REPORT OF PARKING METER REVENUE FOR THE MONTH OF AUGUST 2005. - RECEIVED & FILED

ORDINANCES & FORMAL RESOLUTIONS FOR FIRST READING

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

NOTE: PRESIDENT DENCZAK CALLED UPON CLERK VANCKUNAS TO READ THE FOLLOWING ORDINANCES #1 THROUGH AND INCLUDING #8 FOR THE FIRST TIME BY TITLE & ANNOUNCED THE COMMITTEE REFERRAL, AS FOLLOWS. (Ordinance #8 was adopted following its first reading).

- #1 (1ST RDG) AN ORDINANCE AMENDING APPROPRIATION ORDINANCE NO. 253/2004, AS AMENDED, IS AMENDED BY MAKING THE SUPPLEMENTAL APPROPRIATIONS HEREIN DESCRIBED; AND DECLARING THE SAME TO BE AN EMERGENCY
Referred to Finance Cmte
- #2 (1ST RDG) AN ORDINANCE AUTHORIZING THE EDITING AND INCLUSION OF CERTAIN ORDINANCES AS PARTS OF THE VARIOUS COMPONENT CODES OF THE

MINUTES OF THE MEETING OF SEPTEMBER 12, 2005

CODIFIED ORDINANCES OF CANTON, OHIO; AND DECLARING THE SAME TO BE AN EMERGENCY

Referred to the Judiciary Cmte

#3 (1ST RDG) A RESOLUTION AUTHORIZING THE LAW DIRECTOR TO DISTRIBUTE FREE OF CHARGE TO PUBLIC OFFICIALS AND PUBLIC INSTITUTIONS COPIES OF THE 2005 SUPPLEMENT TO THE CANTON CODIFIED ORDINANCES; TO AFFIX PRICE FOR THE SALE OF SAME; AND DECLARING THE SAME TO BE AN EMERGENCY

Referred to the Judiciary Cmte

#4 (1ST RDG) AN ORDINANCE VACATING PORTIONS OF GROVE PLACE SW AND FOREST AVENUE SW; APPROVING AND ACCEPTING THE REPLATTING OF ALL OF LOT NOS 11663, 15743, 15744, 15745, 15746, 16060 AND THE VACATED PORTIONS OF GROVE PLACE SW & FOREST AVENUE SW; AND DECLARING THE SAME TO BE AN EMERGENCY

Referred to the Public Safety & Thoroughfare Cmte

#5 (1ST RDG) AN ORDINANCE AMENDING ORDINANCE NO. 55/77, AS AMENDED, KNOWN AS THE CITY OF CANTON ZONING ORDINANCE; AND DECLARING THE SAME TO BE AN EMERGENCY (DeHoff Development zone change)

Referred to the Judiciary Cmte

#6 (1ST RDG) AN ORDINANCE APPROVING AND ACCEPTING THE REPLATTING OF LOT NOS 14114 AND 14115; AND DECLARING THE SAME TO BE AN EMERGENCY

Referred to the Public Safety & Thoroughfare Cmte

#7 (1ST RDG) A RESOLUTION APPROVING THE STATEMENT OF SERVICES TO BE PROVIDED TO THE PROPERTY OWNER IN THE DONALD L. MOORE ANNEXATION AREA UPON ITS BEING ANNEXED TO THE CITY OF CANTON, OHIO; AND DECLARING THE SAME TO BE AN EMERGENCY

Referred to the Annexation Cmte

#8 (1ST RDG) **ADOPTED AS ORDINANCE NO. 181/2005** AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO CONTRACT WITH THE OHIO DEPT. OF TRANSPORTATION FOR THE UPGRADING OF INTERSECTIONS; AND DECLARING THE SAME TO BE AN EMERGENCY

Referred to the Public Safety & Thoroughfare and Finance Cmtes

PRESIDENT DENCZAK: Members of Council, the Chair's going to declare an in-house recess for the Public Safety & Thoroughfare and the Finance Committee to meet in regards to Ordinance #8 on your agenda this evening. You're now in recess.

(Council recessed at 7:59 pm for an in-house recess to discuss Ordinance 8. The President of Council reconvened the meeting at 8:05 pm)

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

MINUTES OF THE MEETING OF SEPTEMBER 12, 2005

MEMBER CASAR: Mr. President, I move the Statutory rules be suspended on Ordinance #...no... excuse me
Mr. President, I move we suspend Rule 22A and return Ordinance #8 to the agenda; seconded.

PRESIDENT DENCZAK: Moved and seconded to suspend the rules and add Ordinance 8 to the agenda. Are there any remarks?... If not, roll call vote.

NO REMARKS

ROLL CALL 12 YEAS, 0 NAYS

PRESIDENT DENCZAK: Ordinance 8 is a legal part of your agenda, Member Casar.

MEMBER CASAR: Mr. President, I move Statutory rules be suspended on Ordinance #8; seconded.

PRESIDENT DENCZAK: There's a move to dispense with the 3 readings of Ordinance #8. Are there any remarks under this motion?... Very well, roll call vote please.

NO REMARKS

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 #8; seconded.

PRESIDENT DENCZAK: Moved and seconded that you adopt Ordinance 8. Are there any remarks under this Ordinance?... Very well, roll call vote please.

NO REMARKS

ROLL CALL 12 YEAS, 0 NAYS

PRESIDENT DENCZAK: Ordinance #8 is adopted.

#8 ADOPTED AS ORDINANCE NO. 181/2005

ORDINANCES & FORMAL RESOLUTIONS FOR SECOND READING

PRESIDENT DENCZAK: Ordinances for the Second Reading.

NOTE: PRESIDENT OF COUNCIL DENCZAK CALLED UPON CLERK VANCKUNAS TO READ THE FOLLOWING ORDINANCES #9 THROUGH #17 FOR THE SECOND TIME BY TITLE, AS FOLLOWS. WITH THE EXCEPTION OF ORDINANCE #15, WHICH WAS RETAINED IN COMMITTEE.

#9 (2ND RDG) AN ORDINANCE AMENDING APPROPRIATION ORDINANCE NO. 253/2004, AS AMENDED, BY MAKING THE SUPPLEMENTAL APPROPRIATIONS, REDUCTIONS IN APPROPRIATIONS AND TRANSFERS HEREIN DESCRIBED; AND DECLARING THE SAME TO BE AN EMERGENCY (\$1,155,000 from 1001 General Fund, etc.)

#10 (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 (Warner Rd NE)

MINUTES OF THE MEETING OF SEPTEMBER 12, 2005

- #11 (2ND RDG) AN ORDINANCE ESTABLISHING THE FAIR MARKET 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 (Hert Pl NW)
- #12 (2ND RDG) AN ORDINANCE ESTABLISHING THE FAIR MARKET 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 (Queen Ct NW)
- #13 (2ND RDG) AN ORDINANCE AUTHORIZING THE MAYOR OR DIRECTOR OF PUBLIC SERVICE TO ENTER INTO CONTRACT WITH THE CANTON NEGRO OLDTIMERS ATHLETIC ASSOCIATION TO PROVIDE A GRANT IN AN AMOUNT NOT TO EXCEED \$21,000 TO PURCHASE ADDITIONAL PROPERTY; AND DECLARING THE SAME TO BE AN EMERGENCY
- #14 (2ND RDG) AN ORDINANCE AUTHORIZING CANTON TO ANNEX THE TERRITORY KNOWN AS THE CENTRAL ALLIED/HARMONT ANNEXATION AREA CONTAINING APPROXIMATELY 7.784 ACRES; ASSIGNING SAID TERRITORY TO WARD 6 OF THE CITY; ZONING SAID TERRITORY AS R-3 (GARDEN & TOWNHOUSE APARTMENT DISTRICT); AND DECLARING THE SAME TO BE AN EMERGENCY
PUB HRG 9/12/05 @ 7:32 PM
- #15 **RETAINED IN COMMITTEE** AN ORDINANCE AUTHORIZING THE DIRECTOR OF PUBLIC SAFETY TO ENTER INTO A LEASE AGREEMENT WITH THE CONCERNED CITIZENS OF THE FOURTH WARD, INC.; AND DECLARING THE SAME TO BE AN EMERGENCY
- #16 (2ND RDG) AN ORDINANCE AUTHORIZING THE DIRECTOR OF PUBLIC SAFETY TO ACCEPT A GRANT IN THE AMOUNT OF \$1,000 FROM THE OHIO DEPARTMENT OF PUBLIC SAFETY FOR THE FIRE DEPARTMENT; AMENDING APPROPRIATION ORDINANCE NO. 253/2004, AS AMENDED, BY MAKING THE SUPPLEMENTAL APPROPRIATION HEREIN DESCRIBED; AND DECLARING THE SAME TO BE AN EMERGENCY
- #17 (2ND RDG) AN ORDINANCE AUTHORIZING THE CLERK OF COUNCIL TO CERTIFY TO THE COUNTY AUDITOR UNPAID AND DELINQUENT CHARGES FOR WATER AND/OR SEWER SERVICES; 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 #18.

NOTE: PRESIDENT OF COUNCIL DENCZAK CALLED UPON CLERK VANCKUNAS TO READ ORDINANCES #18 THROUGH #23 FOR THEIR THIRD & FINAL TIME BY TITLE.

MINUTES OF THE MEETING OF SEPTEMBER 12, 2005

#18 (3RD RDG) **ADOPTED AS ORDINANCE NO. 182/2005** AN ORDINANCE ADOPTING THE CITY OF CANTON'S PROPOSED TAX BUDGET FOR THE FISCAL YEAR ENDING DECEMBER 31, 2006; AND DECLARING THE SAME TO BE AN EMERGENCY
PUB HRG HELD 8/22/05@ 7:31 PM

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 12 YEAS, 0 NAYS

PRESIDENT DENCZAK: Ordinance #18 is adopted. **#18 ADOPTED AS ORDINANCE NO. 182/2005**

#19 (3RD RDG) **ADOPTED AS ORDINANCE NO. 183/2005** AN ORDINANCE APPROVING AND ACCEPTING THE DEDICATION OF RIGHT OF WAY AT 4TH STREET NW AND FULTON ROAD; AND DECLARING THE SAME TO BE AN EMERGENCY

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

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

NO REMARKS

ROLL CALL 12 YEAS, 0 NAYS

PRESIDENT DENCZAK: Ordinance #19 is adopted. **#19 ADOPTED AS ORDINANCE NO. 183/2005**

#20 (3RD RDG) **ADOPTED AS ORDINANCE NO. 184/2005** AN ORDINANCE VACATING A PORTION OF WELLS AVENUE SW; AND DECLARING THE SAME TO BE AN EMERGENCY
PUB HRG HELD 9/12/05 @ 7:31 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

ROLL CALL 12 YEAS, 0 NAYS

PRESIDENT DENCZAK: Ordinance #20 is adopted. **#20 ADOPTED AS ORDINANCE NO. 184/2005**

#21 (3RD RDG) **ADOPTED AS ORDINANCE NO. 185/2005** AN ORDINANCE AMENDING ORDINANCE NO. 55/77, AS AMENDED, KNOWN AS THE CITY OF CANTON ZONING ORDINANCE (Official zoning map [Kempthorn, etc])
PUB HRG HELD 9/12/05 @ 7:30 PM

MEMBER CASAR: Mr. President, I move we adopt Ordinance #21; seconded.

MINUTES OF THE MEETING OF SEPTEMBER 12, 2005

PRESIDENT DENCZAK: Moved and seconded that you adopt Ordinance #21. Are there any remarks under this Ordinance?... Very well, roll call vote please.

NO REMARKS

ROLL CALL 12 YEAS, 0 NAYS

PRESIDENT DENCZAK: Ordinance #21 is adopted.

#21 ADOPTED AS ORDINANCE NO. 185/2005

#22 (2ND RDG) **ADOPTED AS ORDINANCE NO. 186/2005** AN ORDINANCE AUTHORIZING THE DIRECTOR OF PUBLIC SAFETY TO ENTER INTO CONTRACT WITH THE BELOIT FIRE DEPARTMENT FOR THE SALE OF CERTAIN PERSONAL PROPERTY NO LONGER NEEDED FOR MUNICIPAL PURPOSES; 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

ROLL CALL 12 YEAS, 0 NAYS,

PRESIDENT DENCZAK: Ordinance #22 is adopted.

#22 ADOPTED AS ORDINANCE NO. 186/2005

#23 (3RD RDG) **ADOPTED AS ORDINANCE NO. 187/2005** AN ORDINANCE APPROVING A CANTON CITY WATER MAIN EXTENSION TO PERRY TOWNSHIP; AUTHORIZING THE DIRECTOR O 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?...

MEMBER CASAR: Mr. President, here we go again extending our water lines out of the City of Canton instead of doing what we should be doing like on Ordinance #14 this evening, we're going to annex and then we're going to provide them water. I realize that a lot of times over the years, I've been griping about the, you know, extending water lines to some areas possibly where we could not annex. But, we gotta look at this that the City of Canton has been blessed with an abundance of water, good drinking water, good water, health and safety reasons. We gotta look at yesterday as history and yes, yesterday is history and that includes today, and our water is good. But, tomorrow is a mystery and the mystery is, we don't know if we're gonna have that good water source, an abundance of water that we have and I think that this Council should start looking at it very seriously because there's many cities, many communities throughout the United States that do not have the water that we're fortunate to have because of our forefathers saw that we're gonna need this water and they extended the Sugarcreek water fields, and I think it's serious. We have to look at this and stop sellin' our water to outside of the City of Canton. We are to provide good, safe drinking water for our constituency and we should continue to do that because tomorrow's a mystery and we're not gonna know if we have the abundance of water.

PRESIDENT DENCZAK: Are there any other remarks?... If not, roll call vote please

MINUTES OF THE MEETING OF SEPTEMBER 12, 2005**ANNOUNCEMENT OF COMMITTEE MEETINGS**

PRESIDENT DENCZAK: Announcement of committee meetings, please.

MEMBER BABCOCK: Mr. President, Public Safety and Thoroughfare will meet on the 19th at 6:30.

MEMBER HAWK: Mr. President, Finance Committee will meet Monday the 19th at 6:30. In addition, there will be a Budget Review Finance Committee Meeting Thursday, September 15th at 9:30 am in the Caucus Room. It is our bi-monthly meeting. It's been very well attended. We're doing a fine job of controlling our budget.

MEMBER PRATER: Mr. President, Annexation Committee will meet 9/19 at 6:30.

MEMBER BERNABEI: Judiciary Committee will meet September 19th at 6:30 pm.

MEMBER HART: Mr. President. A Recycling meeting of the Recycling Committee will also meet at 6:30 next Monday.

PRESIDENT DENCZAK: Anybody else?... Anybody else?... Okay.

PUBLIC SPEAKS (OPEN FORUM--CITY BUSINESS ONLY)

PRESIDENT DENCZAK: Public Speaks, open forum. We have 2 people signed up this evening. We have Reverend Chavers.

REV. CHAVERS: Mayor Creighton, Director Hunt, Director Concatto, Law Director Martuccio, Council President Denczak, Council Members and Citizens of Canton. My name is Warren P. Chavers. I represent and serve as the Chairman of the passage of the Advocacy Coalition....

PRESIDENT DENCZAK: State your address sir, Reverend.

REV. CHAVERS: 2130 31st Street NW. Also, Pastor Bob Dye is the Chairman of that Organization. Many pastors in our community and constituents are quite disturbed with the on-going division and disparities between the City and the Police Department. We're also quite concerned with the obvious and undeniable disciplinary disparities between black and white officers. Not only documented by Police unions, but also voiced by a majority of black law enforcement officers within the department. We have watched this unsavory soap opera which someone once quoted as "as the shield turns". We see it played out in the newspaper that has failed to objectively investigate all sides of these issues and instead inundated the citizens of Canton with a myriad of negative and one-sided comments; especially in regards to black police officers. This wayward ship must be righted before it sinks into the sea of anguish and agony of further civic and social injustice. We are currently closely monitoring a number of situations that include what we believe to be unreasonable, unfair and excessive criminal charges filed against a black police officer whose fate of all places, lies with the Massillon Law Department. This officer faces what we believe to be extreme and unprecedented mal-treatment, even though he was cleared by an arbitrator and reinstated to the police force. He has already lost over a year's salary, suffered public embarrassment and now they want to potentially put him in prison for 5 years. This is outrageous. It is perceived that someone has a vendetta against him. Some in this august body say that that's just my perception. I have heard and I have read in the newspaper that many real concerns have been deemed to be invalid because they are a matter of perception. Well, I counter with this. Perception of a thought process

MINUTES OF THE MEETING OF SEPTEMBER 12, 2005

determines the reception of that thought process and what we perceive and what we know is that there are some insalubrious things going on. We are grateful for the, we are grateful for the police department's Gang Task Force who have made an impact in our neighborhoods of ill repute and we applaud them for risking their lives to make our city safe for our elderly, for our youth and for the children. However, we must question its methods based on the many complaints of civil rights violations that we have heard from the good tax-paying people of our city. While the police department is getting overwhelming positive reviews from the newspaper, it appears that the police department are targeting primarily black people; at least that is overwhelmingly what we see in the newspaper. However, we all know that big money dealers and the biggest perpetrators don't live in the south or northeast end of town, and they are rarely arrested, let alone convicted. When will these known perpetrators be targeted? While we are grateful for the heroic efforts of the police officers to rid our community of negative people, let's not to be, let's not forget to be fair and unbiased just to make headlines. Also, many innocent citizens are extremely frustrated by some of the cowboy and gangster-like tactics that are used by the, some of the members of the task force and maybe some other officers. Many black...

PRESIDENT DENCZAK: Reverend Chavers, I'm sorry, but under Council rules, your 3 minutes are up. Bring your remarks to a close.

REV. CHAVERS: So how much do I have?

PRESIDENT DENCZAK: You have 3 minutes by Council rules.

REV. CHAVERS: I'm just kidding. Okay.

PRESIDENT DENCZAK: I'm not gonna argue with you ,Reverend.

REV. CHAVERS: I'll pray for you to get that job too (*audience laughter*)

PRESIDENT DENCZAK: You can have all the time you need, Reverend. (*laughter*)

REV. CHAVERS: Okay. Many black people are pulled over simply for having a nice vehicle or because they have chrome rims. Oh yes, they always argue tail light and turn signal violations. We strongly urge you not to declare martial art, martial law on our community while you're fighting and filtering out the gangsters and drug dealers. We are not suspects or insurgents. We're God-fearing, respectable citizens and we don't want to be harassed in our own back-yards. Mrs. Mayor, we pray for you and we respect you in your quest to bring our city again to a place of prominence, purpose and prestige. As Canton's highest elected official, you deserve the very best from those who serve under you. I sincerely believe in proper protocol, anyone who is resistant to leadership proves that they don't know what follow-ship means and in our view, is non-compliant and insubordinate. I spoke earlier about righting the ship. As our city leader, we pray that you have all the necessary support from all the departments to steer us back in the right direction and bring some clarity to this situation. To all city leaders of every department, we pray for you that you make it your earnest desire to work together and set aside any individual motives that do not benefit the citizens of Canton and what's best for their welfare. We thank you for listening. God bless you all.

PRESIDENT DENCZAK: The next speaker is LeRoy Linch.

MR. LINCH: (*Mr. Linch is deaf and therefore had an sign language interpreter speak for him*) Honorable President, Council, Mayor. My name is LeRoy Linch. I live at 3911 Highview SW. I am here tonight because the deaf community is outraged about a comment that was in the newspaper September 1st written by the police

MINUTES OF THE MEETING OF SEPTEMBER 12, 2005

department that the deaf was “mute”, that the deaf man was “mute”. If you look up deaf in the dictionary, it means, “mute”, means dumb or silent. They should not use that word because we are not stupid. Many of the deaf community are really upset about this comment because it is a very racial word to our community. It’s like using African/American, don’t use the word mute to describe deaf people, we are not dumb. We are not silent either. (The interpreter said. “That’s very true”) We can talk, we choose not to always talk because hearing people treat us like we are stupid, and make fun of our words so we don’t always use our voice but I am here to tell you I am not dumb, I am not stupid and I do not appreciate you using that word to describe my community. Thank you for letting me speak. Thank you.

MISCELLANEOUS BUSINESS

PRESIDENT DENCZAK: We are now under Miscellaneous business. Is there any Miscellaneous Business?

MEMBER DOUGHERTY: Mr. President. Yeah, I’d just like to thank everybody for their efforts for our picnic over the weekend. Whether you volunteered money or time, or both, it was deeply appreciated. The entertainment was excellent. We had a crowd of nearly 300; approximately 250 adults, 50 children. So again, the weather was beautiful and everyone...we even added face painting this year. So, thanks to Bev and her daughter, came out and did, volunteered their time. The entertainment, Family Time Entertainment, they volunteer their time every year, so, nothing’s paid to them. We will, in the near future, have a resolution for them for their efforts over the past years and volunteering their time, so... Again, thank you very much.

PRESIDENT DENCZAK: Mayor, I have a question to ask you first. Is the Gang Task Force still employed, are they still in action?

MAYOR CREIGHTON: Mr. President, the Gang Task Force has not yet been disbanded. It is continuing, it will be posted as the contract calls for.

PRESIDENT DENCZAK: Okay. Do you want to say something now?

MAYOR CREIGHTON: Yes, I did. Two things, just, first of all, Council and citizens, I think you would be proud to know that your city employees not only organized Katrina efforts and the CARE program, Canton Area Recovery Efforts, but they also collected water and big cans of food that were sent down to Louisiana last Friday and a lot of, a lot of employees are working on your behalf and to represent our city. Secondly, last night we had, what I call, our first formal 9-1-1 memorial service and I’m also proud to share with all of you that your Canton City Fire Department, under the leadership of Captain Vince Harris and all the firefighters at, at Nines were the ones that organized the march. It was wonderful if you were there and I know it’s gonna grow and the good news was that we got everybody from across the County to participate, but it was because of the leadership of our employees that that took place.

PRESIDENT DENCZAK: Is there any other Miscellaneous Business?...

MEMBER WEST: Yes, sir. I was a little disturbed by what I heard just a few minutes ago by Pastor Chavers and I hope that Council heard that. There are some people out there, and although I am thankful for the Gang Task Force for ridding some of Ward 2 of some major, negative behaviors, I’m also concerned at some of the tactics. Just this past week, I got a call from a person on 10th Street who was, said, beat down by the police officer and I talked to Bernie Hunt about that just a few seconds ago and hopefully, we can get down to resolve that issue. But, I hope that we’re looking into some of those complaints that are coming through the community, in specifically, a lot of the black community is what I’m hearing it from so I’m hoping that we can address that

MINUTES OF THE MEETING OF SEPTEMBER 12, 2005

issue. The second thing that I would like to bring to this Council is that although we can sympathize with Hurricane Katrina and, of course, I really appreciate everybody's efforts and I'm going down there as well as sending funds down there. Two years ago, a year and a half ago, when we took Council, before we came to Council, down on Irwin Street, we had a similar situation, although it was much smaller. Many people were homeless and had to go to the Civic Center, and I hope that we do not fall under the same kind of situation as if they would have that small situation happen again and we not come to their aid. So, I'm hoping that we have a plan in place to secure that those residents down on Irwin Place, and I think that also may be, if we could get some dollars and either direct those individuals into a higher ground or do something to rid them of that problem altogether. Several weeks ago, they did have a, they didn't have a flood but that water raised, but every time that water or that creek raised to that level, the residents there start to become scared and I know I've talked about that before. So, I just want to make sure that we have a plan in place that we can assure those residents that they will be safe here in the City of Canton.

PRESIDENT DENCZAK: Are there any other remarks?...

MEMBER ZACHARY: Mr. President. I want to go back to the Gang Task Force because that was something I really, really supported one hundred percent in the beginning and I still do. I want to say that I personally rode with them a couple of weeks ago and although we didn't make any major drug arrests or busts, a lot of intelligence out of the ring was done that particular night that enabled them to catch a couple people later on in the week who are dealing drugs in their neighborhoods. This is something that residents have cried out for. I get calls on a weekly basis of areas that are known drug spots, that the residents do welcome the efforts of the Gang Task Force. I really don't want to see it become a political football, so to speak, or be used as a tool to further anyone's personal agenda within the police department. I do want to make sure that they do their job and they do it right and that they're not profiling. I know all of those guys personally and I don't know if my presence deterred any particular actions that particular night, but, they did a good job. I was there with them, I was there in the presence of these known criminals and I will say that I didn't experience anyone treating anyone unfairly on that particular occasion so, I do think it's something that we need to support as a city. If we have to change the focus of it from being gang-related to neighborhood-related, I am all for that. But, like I said, I do want to make sure that they're doing what they're supposed to be doing and not profiling individuals within particular segments of the community.

PRESIDENT DENCZAK: Is there any other Miscellaneous Business?

DIRECTOR CONCATTO: Mr. President. Just for Member West. The day that we did have the 3 inches of rain, the Mayor, we do have a Task Force that we put in place when we know we're gonna get some extreme rains. One thing we do is have both the police department and fire department check creeks, especially that one at Nimisilla, across from the Canton Negro Oldtimers where that was the flood. I, myself, went out twice to look at it. We do have a plan in place, a plan in place that we can evacuate the people on Irwin, and, there's another street beyond Irwin, however, for a long range plan, it'd be very difficult. That's a flood plain. Probably for a long-range plan it could be relocating those residents because that is within a flood plain. But, we do watch it very carefully. Surprisingly, this 3 inch rain that we had, it didn't raise it up to levels. If you go down by Thurman Munson field, that's another key-area to go. If that floods down there or goes over Mill Street, you know you got some high water. So, we have areas that we look at quite often when we know we're getting rain and we're aware of the people there.

MEMBER CASAR: Mr. President....

PRESIDENT DENCZAK: Member....who's asking for the floor?

MINUTES OF THE MEETING OF SEPTEMBER 12, 2005

MEMBER CASAR: Mr. President. I'd like to ask the Service Director a question if I may.

PRESIDENT DENCZAK: You may.

MEMBER CASAR: Service Director Concatto, who's responsibility is it to clean up the land and the yards around city-owned buildings and then I'm speakin' in regards to the clinic, the Community Clinic.

DIRECTOR CONCATTO: Mr. President.....

MAYOR CREIGHTON: Mr. President. Don, I'll check in the morning, but I believe, I just looked at that not too long ago. It is now the Community Clinic's responsibility and you're reading my mind because I have 3 places that are getting calls from me tomorrow that I'm asking them very politely to clean up their property.

MEMBER CASAR: That's why I asked the question before I put the blame on anyone because it is very unsightly. A clinic should be clean and look like a place where a resident would want to go but it does not look that way and I would really appreciate it if you would find out and take, take care of that. Thank you.

MAYOR CREIGHTON: Okay, and if I'm wrong, I will stand corrected.

DIRECTOR HUNT: Mr. President. Just a comment on the Gang Task Force. I respect all the comments that I've heard today about the Gang Task Force. It will be continued. As I was talking to Councilmember West and Councilmember Hawk, we were at the first neighborhood meeting and at that point in time, the Gang Task Force was primarily envisioned for juveniles, for a lot of the juvenile issues that we had. However, during the summertime, it came, it changed to be just a Gang Task Force. We view this Task Force as a neighborhood response team, or some other neighborhood community help that our police department can provide. So, we look at it as a changing entity and an evolving unit and we will be able to respond to those comments that we get from Councilmembers in a more responsive fashion in the future. Thank you.

LAW DIRECTOR MARTUCCIO: Mr. President. Two items. First, I will be asking the Claims Committee which consists of the Mayor, Law Director, the Majority Leader, Minority Leader and Finance Chairperson to meet with me briefly after Council to discuss pending settlement of pending litigation and a claim. Secondly, I wanted to echo Member Diamond's remarks and prayers about the victims of Katrina. Certainly our hopes and prayers and money go to them. We are fortunate to have homes to go to and families, cars and pets and jobs and so on, but, we too will soon be economic victims on a much lesser scale than them than the folks down South. As you know, we've been involved in aggregation of natural gas for several years and we saved a great deal of money each of those several years. This year, the news is not good. We're in the process of striking for the city and for the Stark County of Governments, the public buildings, the prices are at historic highs for natural gas. Last year we were able to strike at a price somewhere in the \$8.00 plus, range. This year it will probably be closer to \$14.00 per MCF, with the additor included and some of the transportation fees and so on. So, that of course, is due in part, in major part, to the destruction of the ports of call and the drilling platforms and equipment and the increased usage that's been going on all summer of natural gas by electric companies for air conditioning and other countries like China in the process of utilizing more and more and more oil which has also an indirect effect of the price on gas. So, I will keep you apprised of the prices. We'll do the best we can. I would urge all of you, everyone listening and reading, to take steps to insulate your homes now while it's warm and to buy extra flannels and so on because it's going to be an expensive heating season this year. We'll do the best we can in terms of aggregation to strike prices but, they're high. They're the highest they've ever been.

MEMBER CASAR: Mr. President. I'd like to piggyback on that. You said about the oil destruction and so

MINUTES OF THE MEETING OF SEPTEMBER 12, 2005

forth in the, the Louisiana area and the gulf coast. You mentioned a few other things, but what you didn't mention, what you should have mentioned is price gouging.

PRESIDENT DENCZAK: The President Bush, has announced that everybody hold their thermostats at 65 degrees this winter. Now, if somebody can prove to me that the White House thermostat is 65, I'll set mine at 65. Is there any other Miscellaneous Business?

MEMBER CARBENIA: Mr. President. I'm sure in, in Texas they can set them down to 65 but, I'd like to ask a question. I wonder if anybody could answer me here. You know, we get money from taxes that they charge for gasoline. We get money, that's how we do our roads and different things. I would like to know, there's a lot of gas company trucks that run on natural gas. Are they paying the same road tax and taxes as the gasoline people? If they want to charge more, I think we should look into this and have some kind of movement.

PRESIDENT DENCZAK: Is there any other Miscellaneous Business?

MEMBER HART: Mr. President. Yeah, again I just want to thank Member Dougherty because I believe this is what?, the 13th year that he's organized this and when you look at Feed The Needy and when you look into the faces of those folks, you know, that's probably the only decent meal that they have gotten that day, and again, I want to thank him and also on the Gang Task Force, when some of those folks have been chased out of certain areas, prostitution now seems to be coming up to 14th, 15th, and 16th and Fulton where people are being, well men are being propositioned, and, if you could see that the undercover cars are out working those areas, it would be greatly appreciated.

PRESIDENT DENCZAK: Safety Director, are you responsible for the ambulance charges?

MEMBER HUNT: That's correct.

PRESIDENT DENCZAK: All right, at that Feed The Needy, a young lady was bitten by something and I called the ambulance to take care of her because she swelled up. She became very itchy and irritated. I hope that she doesn't get a....she was a very poor person, doesn't even have a telephone. I hope she doesn't get billed for that. I'll have to check that with the medics. That happened Saturday. Saturday afternoon and the only complaint I heard about that Feed The Needy was the bad cooks that they had there. *(Audience laughter)*

PRESIDENT DENCZAK: Is there any other Miscellaneous Business?...

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

ADJOURNMENT TIME: 8:44 PM

ATTEST:

APPROVED:

DEBRA VANCKUNAS
CLERK OF COUNCIL

RAY DENCZAK
PRESIDENT OF COUNCIL