

**MINUTES OF THE MEETING OF JANUARY 23, 2006**

PRESIDENT DENCZAK: With a quorum being present, the Chair calls this meeting of Canton City Council to order. Roll call please.

***ROLL CALL TAKEN BY CLERK VANCKUNAS:***

12 COUNCILMEMBERS PRESENT: (DONALD E. CASAR, JOE CARBENIA, MARY M. CIRELLI, BILL SMUCKLER, GREG HAWK, THOMAS E. WEST, JAMES GRIFFIN, KELLY ZACHARY, TERRY PRATER, DAVID R. DOUGHERTY, RICHARD D. HART, & KARL "BUTCH" KRAUS)

NO COUNCILMEMBERS ABSENT

*The regular meeting of Canton City Council was held on Monday, January 23, 2006, at 7:30 P.M. in the Canton City Council Chamber. The roll call was taken (see above) by Clerk of Council Debra Vanckunas. The invocation was given by At-Large Councilmember Mary M. Cirelli, followed by the Pledge of Allegiance led by President of Council Denczak.*

**AGENDA CORRECTIONS & CHANGES**

PRESIDENT DENCZAK: There are no agenda corrections or changes.

**PUBLIC HEARINGS:**

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

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

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

**INFORMAL RESOLUTIONS**

PRESIDENT DENCZAK: Informal Resolutions. Excusing Members; it will not be necessary to excuse members. Let the journal show that all Members of Council are present. Resolution number 5 please....

***PRESIDENT DENCZAK CALLED UPON CLERK VANCKUNAS TO READ RESOLUTIONS #5-11 BY AGENDA TITLE AS SHOWN BELOW. THE RESOLUTIONS ARE ON FILE IN THEIR ENTIRETY IN THE COUNCIL OFFICE WITH THE AGENDA ITEMS DATED JANUARY 23, 2006.***

5. PERSONNEL COMMITTEE: CONFIRMING THE MAYOR'S REAPPOINTMENT OF JAMES ABBOTT & RON BERGER TO 3-YEAR TERMS ON THE CANTON CONSTRUCTION BOARD EFFECTIVE 1/1/06-12/31/08. - ADOPTED
  
6. PERSONNEL COMMITTEE: CONFIRMING THE MAYOR'S REAPPOINTMENT OF JULIE

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DANNEMILLER, PAUL BAIR & STEVE LAMIELL TO 3-YEAR TERMS ON THE ZONING BOARD OF APPEALS EFFECTIVE 1/1/06-12/31/08. - ADOPTED

7. PERSONNEL COMMITTEE: CONFIRMING THE MAYOR'S REAPPOINTMENT OF SUSAN STEINER TO A 2-YEAR TERM ON THE CANTON INVESTMENT BOARD EFFECTIVE 1/1/06-12/31/07. - ADOPTED
8. PERSONNEL COMMITTEE: CONFIRMING THE MAYOR'S REAPPOINTMENT OF JEFFERY LECHAK, JOSEPH FRIEDMAN & DON TARVER TO 3-YEAR TERMS ON THE BOARD OF BUILDING APPEALS EFFECTIVE 1/1/06-12/31/08. - ADOPTED
11. PERSONNEL COMMITTEE: CONFIRMING THE MAYOR'S REAPPOINTMENTS OF REV. WARREN CHAVERS SR & BILL GLENN TO 2-YEAR TERMS ON THE TAX INCENTIVE REVIEW BOARD EFFECTIVE 1/1/06-12/31/07. - ADOPTED

MEMBER CASAR: Mr. President, I move we adopt Resolution #5; seconded. Mr. President, point of inquiry. Would it be okay with the Chair if we did 5, 6, 7, 8 and 11 all at one time?

PRESIDENT DENCZAK: If Council has no objection, the Chair will recognize that motion.

MEMBER CASAR: Mr. President, I move we adopt Resolutions #5, 6, 7, 8 and 11; seconded.

PRESIDENT DENCZAK: Did you mention all of them?

MEMBER CASAR: Not 9 and 10, Mr. President.

PRESIDENT DENCZAK: Not 9 and 10?... (*INAUDIBLE RESPONSE*) The motion is that Council adopt Resolutions 5, 6, 7, 8 and 11. Are there any remarks?... If not, by voice vote, all those in favor, signify by saying aye; those opposed, no.

NO REMARKS

APPROVED BY UNANIMOUS VOICE VOTE

PRESIDENT DENCZAK: Resolutions 5, 6, 7, 8 and 11 are adopted. Resolution number 9...

9. PERSONNEL COMMITTEE: CONFIRMING THE MAYOR'S APPOINTMENT OF JULIE SPARKS TO A 5-YEAR TERM ON THE CANTON RECREATION BOARD EFFECTIVE 1/1/06-12/31/10. - ADOPTED

MEMBER CASAR: Mr. President, I move we adopt Resolution #9; seconded.

PRESIDENT DENCZAK: Moved and seconded that you adopt Resolution #9; are there any remarks under this resolution?... If not, by voice vote, all those in favor, signify by saying aye; those opposed, no.

NO REMARKS

APPROVED BY UNANIMOUS VOICE VOTE

PRESIDENT DENCZAK: Resolution #9 is adopted. Resolution number 10 please...

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10. PERSONNEL COMMITTEE: CONFIRMING THE MAYOR'S APPOINTMENT OF MARILYN THOMAS JONES TO FILL THE UNEXPIRED TERM OF JIM SPEAKMAN ON THE CANTON PARK COMMISSION. - ADOPTED

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

PRESIDENT DENCZAK: Moved and seconded that you adopt Resolution 10; 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

APPROVED BY UNANIMOUS VOICE VOTE

PRESIDENT DENCZAK: Resolution #10 is adopted.

**COMMUNICATIONS**

PRESIDENT DENCZAK: Under Communications, let the journal show that all communications are received as read, properly referred and filed.

***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 JANUARY 23, 2006.***

46. CD & PLANNING DIRECTOR MARGY POORMAN, CITY OF CANTON: REQUESTING LEGISLATION AUTHORIZING THE MAYOR TO ENTER INTO A FUNDING AGREEMENT WITH SCOPP TO PROVIDE HOME FUNDS IN THE AMOUNT OF \$1,815,000 TO ADMINISTER & IMPLEMENT THE CITY OF CANTON'S HOUSING PROGRAMS FOR 1-YEAR FROM 1/1/06 - 12/31/06. - REFERRED TO COMMUNITY & ECONOMIC DEVELOPMENT & FINANCE COMMITTEES
47. CD & PLANNING DIRECTOR MARGY POORMAN, CITY OF CANTON: REQUESTING LEGISLATION TO ESTABLISH A \$1 FAIR REUSE VALUE FOR A PARCEL LOCATED ON MAHONING ROAD NE & DISPOSITION OF SAME TO CRYSTAL PARK METHODIST EPISCOPAL CHURCH. - REFERRED TO COMMUNITY & ECONOMIC DEVELOPMENT & FINANCE COMMITTEES
48. CD & PLANNING DIRECTOR MARGY POORMAN, CITY OF CANTON: REQUESTING LEGISLATION ESTABLISHING A TIF DISTRICT & AUTHORIZING THE MAYOR TO ENTER INTO A TIF AGREEMENT WITH DEHOFF DEVELOPMENT COMPANY FOR REDEVELOPMENT OF AN AREA BOUNDED BY LESH ON THE NORTH, 30<sup>TH</sup> ON THE SOUTH, HARMONT ON THE WEST & RICHARD ON THE EAST. - REFERRED TO COMMUNITY & ECONOMIC DEVELOPMENT & FINANCE COMMITTEES
49. GREG HAWK, JOE CARBENIA & DONALD E. CASAR, FINANCE COMMITTEE OF CANTON CITY COUNCIL: REQUESTING THE ESTABLISHMENT OF THE JOB CREATION & RETENTION FUND IN THE AMOUNT OF \$250,000 TO BE ADMINISTERED BY THE MAYOR, CD CHAIRMAN

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& FINANCE CHAIRMAN. - REFERRED TO FINANCE COMMITTEE

50. HEALTH BENEFITS COORDINATOR ROSE BRESSON, CITY OF CANTON: DECEMBER 2005 MONTHLY COMPARATIVE REPORT OF INSURANCE CLAIMS, & JANUARY-DECEMBER 2005 PAID CLAIMS & COMPARATIVE REPORT. - RECEIVED & FILED
51. LAW DIRECTOR JOSEPH MARTUCCIO, CITY OF CANTON: REQUESTING LEGISLATION AUTHORIZING THE SERVICE DIRECTOR TO ENTER INTO CONTRACT FOR THE PERIOD OF 1/1/06-12/31/06 & ONE-YEAR RENEWAL OPTION, WITH STARK COUNTY PUBLIC DEFENDER COMMISSION FOR LEGAL SERVICES TO INDIGENTS @ \$195/CASE. - REFERRED TO FINANCE COMMITTEE
52. LIQUOR CONTROL DIVISION, STATE OF OHIO DEPARTMENT OF COMMERCE, 6606 TUSSING ROAD, PO BOX 4005, REYNOLDSBURG OH 43068-9005: NOTICE TO LEGISLATIVE AUTHORITY THAT MARIACHI OF CANTON INC @ 3020 ATLANTIC BLVD NE HAS REQUESTED TO TRANSFER OWNERSHIP OF THE D2,2X,3 LIQUOR PERMIT CURRENTLY HELD BY BRENDA & JOHN BIRD. - REFERRED TO INTERGOVERNMENTAL & PUBLIC SERVICE COMMITTEE
53. LIQUOR CONTROL DIVISION, STATE OF OHIO DEPARTMENT OF COMMERCE, 6606 TUSSING ROAD, PO BOX 4005, REYNOLDSBURG OH 43068-9005: NOTICE TO LEGISLATIVE AUTHORITY THAT EXILE NITE CLUB @ 2360 MAHONING ROAD NE HAS REQUESTED TO TRANSFER OWNERSHIP OF THE D1,2,3,3A LIQUOR PERMIT CURRENTLY HELD BY JEFFREY FRYE MELTON. - REFERRED TO INTERGOVERNMENTAL & PUBLIC SERVICE COMMITTEE
54. LY, KEO Q, 4675 LEONE STREET, LOUISVILLE, OHIO 44641: APPLICATION TO REZONE 3650 HARMONT AVENUE NE FROM R-1A TO PB-3 PLANNED GENERAL BUSINESS FOR A THAI RESTAURANT. - REFERRED TO CITY PLANNING COMMISSION
55. MAYOR JANET WEIR CREIGHTON, CITY OF CANTON: REQUESTING REAPPOINTMENT OF DON TARVER TO THE BOARD OF BUILDING APPEALS FOR A 3 YR. TERM EFFECTIVE 1/1/06-12/21/08. - REFERRED TO PERSONNEL COMMITTEE (See Informal Reso #8)
56. MAYOR JANET WEIR CREIGHTON, CITY OF CANTON: REQUEST TO AMEND THE BARGAINING UNIT PERSONNEL ORDINANCE IN THE POLICE DIVISION. - REFERRED TO PERSONNEL COMMITTEE
57. PLANNING COMMISSION, CITY OF CANTON: RECOMMENDING APPROVAL OF B-4 SPECIAL BUSINESS DISTRICT ZONING FOR THE SIRPILLA ANNEXATION AREA; RECOMMENDING ASSIGNING SAME TO WARD 6. - REFERRED TO CITY LAW DIRECTOR. **PUBLIC HEARING 2/27/06 @ 7:30PM**
58. PLANNING COMMISSION, CITY OF CANTON: RECOMMENDING APPROVAL OF R-2 TWO FAMILY RESIDENTIAL ZONING FOR THE MOORE ANNEXATION AREA; RECOMMENDING ASSIGNING SAME TO WARD 6. - REFERRED TO CITY LAW DIRECTOR. **PUBLIC HEARING 2/27/06 @ 7:31PM**

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59. PLANNING COMMISSION, CITY OF CANTON: RECOMMENDING APPROVAL OF PROPOSED TEXT CHANGES TO SECTION 1129.16 OF THE ZONING CODE REGARDING MOTOR HOMES, TRAILERS, BOATS, ETC IN RESIDENTIAL DISTRICTS. - REFERRED TO LAW DIRECTOR. **PUBLIC HEARING 2/27/06 @ 7:32PM**
60. SAFETY DIRECTOR BERNARD HUNT, CITY OF CANTON: REQUESTING PAYMENT OF A \$1,348.80 MORAL OB. TO ACADEMY PLAIDS FOR SCHOOL CROSSING GUARD EQUIPMENT. - REFERRED TO FINANCE COMMITTEE
61. SAFETY DIRECTOR BERNARD HUNT, CITY OF CANTON: REQUESTING TO MAKE APPLICATION AND ACCEPT THERMAL IMAGING EQUIPMENT FROM THE HOMELAND SECURITY COMMERCIAL EQUIPMENT DIRECT ASSISTANCE PROGRAM FOR THE POLICE DEPARTMENT. - REFERRED TO PPCI & FINANCE COMMITTEES
62. SAFETY DIRECTOR BERNARD HUNT, CITY OF CANTON: REQUESTING TO ACCEPT A \$2,000.00 DONATION FROM WALMART TO PURCHASE WATER RESCUE EQUIPMENT FOR THE FIRE DEPARTMENT, AND REQUESTING A \$2,000.00 SUPPLEMENTAL APPROPRIATION FROM THE 2813 FIREFIGHTERS ASSISTANCE GRANT FUND. - REFERRED TO FINANCE COMMITTEE
63. SERVICE DIRECTOR JOSEPH J. CONCATTO, CITY OF CANTON: REQUESTING LEGISLATION TO ALLOW ODOT TO PERFORM MINOR REHABILITATION AND RESURFACING OF STATE ROUTE 43 FROM CHERRY AVENUE TO NORTH CORPORATION LIMITS IN THE SUMMER OF 2007. - REFERRED TO PUBLIC SAFETY & THOROUGHFARES & FINANCE COMMITTEES
64. SERVICE DIRECTOR JOSEPH J. CONCATTO, CITY OF CANTON: REQUESTING WATER MAIN EXTENSION AT 4825 LAWNDALE ST. NW IN JACKSON TOWNSHIP. - REFERRED TO ENVIRONMENTAL & PUBLIC UTILITIES COMMITTEE
65. SLESNICK, STEPHEN, SIMCO COMPANY,: REQUEST TO VACATE PART OF 13<sup>TH</sup> ST. SE, AN UNNAMED 20' ALLEY NORTH OF 13<sup>TH</sup>, AND AN UNNAMED 15' ALLEY EAST OF HARTFORD SE TO EXPAND STORAGE YARD AND BUSINESS AREA AT SLESNICK IRON & STEEL COMPANY. - REFERRED TO CITY PLANNING COMMISSION
66. ST. PAUL'S CHURCH: LETTER TO CITY COUNCIL ASKING FOR SUPPORT IN MAKING CLEVELAND AVENUE A BI-DIRECTIONAL STREET. - REFERRED TO PUBLIC SAFETY & THOROUGHFARES COMMITTEE
67. WEST, THOMAS, WARD 2 COUNCILMEMBER, CITY OF CANTON: RESUBMITTING LEGISLATION REQUESTS FOR CONVEYING PROPERTY AT 10<sup>TH</sup> & PAYNE CT. NE TO SMHA; AMENDING CITY CODE SECTION 749 TO REGULATE ITINERANT VENDORS W/IN DOWNTOWN CANTON S.I.D.; & LEGISLATION FOR A CANTON YOUTH CITY COUNCIL. - REFERRED TO PPCI, JUDICIARY & PERSONNEL COMMITTEES
68. WEST, THOMAS, WARD 2 COUNCILMEMBER, CITY OF CANTON: REQUESTING CITY COUNCIL ADOPT A PROCESS TO PERMIT WARD COUNCIL MEMBER INVOLVEMENT IN THE

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GRANTING OF COMMUNITY DEVELOPMENT FUNDS. - REFERRED TO COMMUNITY & ECONOMIC DEVELOPMENT COMMITTEE

**ORDINANCES & FORMAL RESOLUTIONS FOR FIRST READING**

PRESIDENT DENCZAK: Under Ordinances for the first reading, let the journal show that all ordinances are being given their reading as required by state law. Ordinance number 1 please...

***NOTE: PRESIDENT DENCZAK CALLED UPON CLERK VANCKUNAS TO READ THE FOLLOWING ORDINANCES #1 THROUGH & INCLUDING #15 FOR THE FIRST TIME BY TITLE & ANNOUNCED THE COMMITTEE REFERRAL, AS FOLLOWS.***

- #1 (1<sup>ST</sup> RDG) AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO AN AMENDED ENTERPRISE ZONE AGREEMENT WITH GLENN REAL ESTATE INVESTMENTS LLC; AND DECLARING THE SAME TO BE AN EMERGENCY REFERRED TO COMMUNITY & ECONOMIC DEVELOPMENT COMMITTEE
- #2 (1<sup>ST</sup> RDG) AN ORDINANCE CREATING THE CITY OF CANTON ECONOMIC GROWTH INITIATIVE PROGRAM AS A DEVELOPMENT TOOL TO RECRUIT AND RETAIN BUSINESS IN THE CITY OF CANTON; AND DECLARING THE SAME TO BE AN EMERGENCY REFERRED TO COMMUNITY & ECONOMIC DEVELOPMENT COMMITTEE
- #3 (1<sup>ST</sup> RDG) AN ORDINANCE AUTHORIZING THE MAYOR AND/OR DIRECTORS OF PUBLIC SERVICE AND SAFETY TO COMPLETE THE CONTRACTING PROCESS FOR VARIOUS CONTRACTS PREVIOUSLY AUTHORIZED BUT NOT COMPLETED BY JANUARY 1, 2006; AND DECLARING THE SAME TO BE AN EMERGENCY REFERRED TO JUDICIARY, COMMUNITY & ECONOMIC DEVELOPMENT & FINANCE COMMITTEES
- #4 (1<sup>ST</sup> RDG) AN ORDINANCE AMENDING APPROPRIATION ORDINANCE NO. 1/2006; AND DECLARING THE SAME TO BE AN EMERGENCY REFERRED TO COMMUNITY & ECONOMIC DEVELOPMENT & FINANCE COMMITTEES
- #5 (1<sup>ST</sup> RDG) AN ORDINANCE APPROVING AND ACCEPTING THE REPLATTING OF LOT 36325 AND PART OF LOT 36326; AND DECLARING THE SAME TO BE AN EMERGENCY REFERRED TO PUBLIC SAFETY & THOROUGHFARES COMMITTEE
- #6 (1<sup>ST</sup> RDG) AN ORDINANCE APPROVING AND ACCEPTING THE FINAL RECORD PLAT FOR WILLOW PARK SUBDIVISION - NO. 2 IN THE CITY OF CANTON; AND DECLARING THE SAME TO BE AN EMERGENCY REFERRED TO PUBLIC SAFETY & THOROUGHFARES COMMITTEE
- #7 (1<sup>ST</sup> RDG) AN ORDINANCE APPROVING AND ACCEPTING THE REPLATTING OF PARTS OF OUTLOTS 286 AND 287 AND APPROVING AND ACCEPTING THE DEDICATION OF PART OF WARNER ROAD S.E.; AND DECLARING THE SAME TO BE AN

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## EMERGENCY

REFERRED TO PUBLIC SAFETY &amp; THOROUGHFARES COMMITTEE

- #8 (1<sup>ST</sup> RDG) AN ORDINANCE APPROVING AND ACCEPTING THE REPLATTING OF LOTS 35750 AND 39722; AND DECLARING THE SAME TO BE AN EMERGENCY  
REFERRED TO PUBLIC SAFETY & THOROUGHFARES COMMITTEE
- #9 (1<sup>ST</sup> RDG) AN ORDINANCE AUTHORIZING THE DIRECTORS OF PUBLIC SERVICE AND SAFETY TO ADVERTISE, RECEIVE BIDS AND ENTER INTO CONTRACT FOR SUPPLY ITEMS, MATERIALS AND PROFESSIONAL SERVICES FOR THE CITY OF CANTON'S OPERATIONS DURING THE 2006 CALENDAR YEAR; AUTHORIZING ALTERNATIVELY THE PURCHASE OF SAID ITEMS PURSUANT TO THE STATE COOPERATIVE PURCHASING AGREEMENT AND/OR ODOT PURCHASING AGREEMENT; AND DECLARING THE SAME TO BE AN EMERGENCY  
REFERRED TO FINANCE COMMITTEE
- #10 (1<sup>ST</sup> RDG) AN ORDINANCE AUTHORIZING THE DIRECTOR OF PUBLIC SERVICE TO ENTER INTO AMENDMENT #1 WITH CTI ENVIRONMENTAL SERVICES, INC. IN AN AMOUNT NOT TO EXCEED \$51,500.00 FOR ADDITIONAL ENGINEERING SERVICES FOR THE 49<sup>TH</sup> STREET NE AND GARDENDALE AVENUE NE STORM SEWER PROJECT, GP 1074; AND AMENDING APPROPRIATION ORDINANCE NO. 1/2006; AND DECLARING THE SAME TO BE AN EMERGENCY  
REFERRED TO ENVIRONMENTAL & PUBLIC UTILITIES & FINANCE COMMITTEES
- #11 (1<sup>ST</sup> RDG) AN ORDINANCE APPROVING A THREE-YEAR COLLECTIVE BARGAINING AGREEMENT BETWEEN THE CITY OF CANTON AND CPPA LOCAL 98; AND DECLARING THE SAME TO BE AN EMERGENCY  
REFERRED TO PERSONNEL COMMITTEE
- #12 (1<sup>ST</sup> RDG) AN ORDINANCE APPROVING A CANTON CITY WATER MAIN EXTENSION TO PLAIN TOWNSHIP; AUTHORIZING THE DIRECTOR OF PUBLIC SERVICE TO ENTER INTO CONTRACT FOR THE EXTENSION OF SAID WATER MAIN; AND DECLARING THE SAME TO BE AN EMERGENCY  
REFERRED TO ENVIRONMENTAL & PUBLIC UTILITIES COMMITTEE
- #13 (1<sup>ST</sup> RDG) AN ORDINANCE AUTHORIZING THE DIRECTOR OF PUBLIC SERVICE TO ENTER INTO A PROFESSIONAL SERVICES CONTRACT FOR STOP-LOSS INSURANCE FOR CITY EMPLOYEES AND THEIR DEPENDENTS; AND DECLARING THE SAME TO BE AN EMERGENCY  
REFERRED TO PERSONNEL COMMITTEE
- #14 (1<sup>ST</sup> RDG) AN ORDINANCE AUTHORIZING THE DIRECTOR OF PUBLIC SERVICE TO ADVERTISE, RECEIVE BIDS AND ENTER INTO CONTRACTS FOR MOVING AN HISTORICAL HOUSE AND CONSTRUCTING A FOUNDATION, CONSTRUCTION OF AN ACCESSORY BUILDING AND SITE PREPARATION; AND DECLARING THE SAME TO BE AN EMERGENCY  
REFERRED TO COMMUNITY & ECONOMIC DEVELOPMENT, PPCI & FINANCE

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- #15 (1<sup>ST</sup> RDG) AN ORDINANCE APPROVING A THREE-YEAR COLLECTIVE BARGAINING AGREEMENT BETWEEN THE CITY OF CANTON AND THE FOP; AND DECLARING THE SAME TO BE AN EMERGENCY  
REFERRED TO PERSONNEL COMMITTEE

**ORDINANCES & FORMAL RESOLUTIONS FOR SECOND READING**

PRESIDENT DENCZAK: Under Ordinances & Formal Resolutions for Second Reading, there are none.

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

PRESIDENT DENCZAK: Under Ordinances & Formal Resolutions for the third and final reading, there are no none.

**ANNOUNCEMENT OF COMMITTEE MEETINGS**

PRESIDENT DENCZAK: Announcement of committee meetings please.

MEMBER CARBENIA: Mr. President, Community & Economic Development will meet 5:30 next Monday, on the 30<sup>th</sup> of January.

MEMBER PRATER: Mr. President, Personnel Committee will meet January 30<sup>th</sup> at 5:30.

MEMBER KRAUS: Mr. President, Public Safety & Thoroughfare will meet next Monday, 5:30.

MEMBER HAWK: Mr. President, Finance Committee will meet Monday, January 30<sup>th</sup> at 5:30.

MEMBER WEST: Mr. President, Judiciary Committee will meet next Monday at 5:35.

MEMBER GRIFFIN: Mr. President, Environmental & Public Utilities Committee will meet Monday at 5:30.

MEMBER DOUGHERTY: Mr. President, Public Property Capital Improvement will also meet Monday, 5:30.

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

PRESIDENT DENCZAK: Public Speaks Open Forum, City Business Only. We have 1 person signed up to speak, Theodore Hunter.

MR. HUNTER: Good evening, first of all, I'd like to thank you for giving me the opportunity to speak tonight.



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PRESIDENT DENCZAK: State your name and address please.

MR. HUNTER: My name is Theodore Hunter; I now live at 1601 - 4<sup>th</sup> Street NE, Canton, Ohio.

PRESIDENT DENCZAK: Okay, Mr. Hunter, according to Council Rules, you have to state your specific subject matter and you have just simply said "city of Canton, Ohio." Can you tell me what your specific subject matter is going to be?

MR. HUNTER: My specific subject matter is the demolition of my home and the breaking-in of my home.

PRESIDENT DENCZAK: Okay.

MR. HUNTER: Okay, January 10<sup>th</sup>, my sons and I were coming from Mt. Union College watching a wrestling match. I told them to drop me off at home at 1901 - 4<sup>th</sup> Street SE. The utilities at that home, the taxes are paid up; utilities are paid up. They've never been turned off; I've had them on for more than 5 years. I'm living in that home; that home is furnished. It's not the neatest home, but my tools were in that home. My sons and I worked extremely hard and spent a lot of money working on that home. Over the summer, I decided to move in. We put a new roof on the homes, my sons and I climbed that building, we put the roof on. We tuck-pointed the basement. We put a floor in the basement. We put windows in the house. We did extensive dry wall in the house. We invested a great deal of money in that house; my family did. This was a house that we were all supposed to move into. This house was 80 to 90% completed. The City Code Department promised a lawyer that I had asked to have an injunction to stop the City from tearing down my home. This lawyer told me that Gary Baker, the Code Enforcement Officer, told him he would allow at least one more date, at least one more date, so we could get this injunction. That injunction was overridden by the Safety Director. I went to talk to Mr. Hunt and Mr. Hunt was very indignant with me. He asked me why do you have 2 houses. It would matter if I had a thousand houses; Mr. Hunt would not have asked that question to anyone else. I don't believe he would have. He was very indignant. I went to talk to the Mayor; I left her my number. I asked her secretary to call me. The Mayor has not responded to me yet. On the Martin Luther King Day celebration, the Mayor said and I quote, some of her goals were to build and not destroy, to help and not to hurt. The following day, I watched my bedroom fall into my basement. I was writing a letter to the Mayor at that particular time. I was at DeHoff Library. A friend of mine came in and said do you realize they're tearing down your house right now. How would you feel if you invested your money, your time, your children's time, how would you feel if someone took all that you can leave to your children? See black men are always ostracized for not doing what they're supposed to do. I have raised 4 children, 3 of my children are in college at this present time. The 4<sup>th</sup> son is on the honor roll at Timken High School. People know me from the community. Mr. Hart, you know me from Crenshaw, I was the wrestling coach. I was the one that went 10 and 0. And nobody has done that since.

PRESIDENT DENCZAK: Mr. Hunter, I'm sorry, but under Council Rules, your 3 minutes are up.

MR. HUNTER: I understand, sir.

PRESIDENT DENCZAK: I'm going to ask the Mayor...are you aware of this situation?

MAYOR CREIGHTON: Mr. President, I was made aware of this situation.

PRESIDENT DENCZAK: What is being done...was your house torn down?

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MR. HUNTER: Yes, sir, it was on the 17<sup>th</sup>.

PRESIDENT DENCZAK: And it was 80 to 90% complete....

MR. HUNTER: Yes, sir.

PRESIDENT DENCZAK: And you're remodeling it....

MR. HUNTER: Yes, sir, we were.

PRESIDENT DENCZAK: Mr. Hunt, are you aware of this?

SAFETY DIRECTOR HUNT: Mr. President, I have spoken to Mr. Hunter at length about this home and about other homes that he owns in the City. Any action taken by the City of Canton Building Department is legal. We provided the proper notice and unfortunately I can't speak any further because it's my understanding that Mr. Hunter has an attorney and we may be involved in litigation in this matter.

MR. HUNTER: Mr. Denczak, people of Council, I was not given a notice. January 10<sup>th</sup>, my home was broken into, my water was turned off and the water meter was taken. Now I was responsible for that water meter. I went and called the Water Department around midnight and they told me that the Code Department had told them to go in the house. As I further talked to the Water Department, they told me that the man told them, it looks like someone lives here, this house is locked up. They told him to break into my house anyway. How would anybody feel if someone broke into their house and took something out of it.

PRESIDENT DENCZAK: Mr. Hunter, just a moment please. Was this home listed on the tear-down sheet?

SAFETY DIRECTOR HUNT: That's correct.

MR. HUNTER: I was living in the home. One of the Code Officers came to the home during the summer. I took her through the home and my sons can witness this. I took her through the home, I showed her where we were going. She stated, you basically have things done. The only thing you really need to do is some painting, a little more dry wall. I'm allergic to paint; I painted on the outside of the house. I cannot paint inside of a house. Now this is documented proof; you can call Aultman Hospital. I cannot, I'm allergic to paint. I cannot paint. That's the only thing that really needed to be done. Okay?

PRESIDENT DENCZAK: Well, sir, because I'm told now that you have a case pending against the City, I suppose sir, I don't think we can discuss this any further...

MR. HUNTER: Sir, I don't have a case...

PRESIDENT DENCZAK: I'm going to ask my Law Director to respond...

MR. HUNTER: I don't have a case pending again the City; I have not even made a formal complaint about the tearing down of my home. The only complaint, formal complaint, that I have made was that they broke into my home, invaded my privacy. That's what I complained about formally to the City. But I will make a complaint about the demolition.

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PRESIDENT DENCZAK: Well, sir, I want to see where the city of Canton stands. Law Director Martuccio?... Are you familiar with this?

LAW DIRECTOR MARTUCCIO: Mr. President, I believe that a restraining order was attempted to be filed or had actually been filed last week on Tuesday or Wednesday...

MR. HUNTER: Yes, sir, I think so...no, it was Tuesday that it was supposed to be filed. As it was supposed to be filed, they were tearing down my house. When I called the young lawyer, he said that Craig Chessler had informed him that the house was being demolished at that particular time.

LAW DIRECTOR MARTUCCIO: Mr. Hunter, I would probably recommend for your own benefit that if you have indeed retained Mr. Morris...?

MR. HUNTER: Yes.

LAW DIRECTOR MARTUCCIO: ...that perhaps he and I continue the conversation. You want to be careful about what you say here on the record if you do decide to file litigation or if there is a lawsuit pending, you want to be careful for your own sake...

MR. HUNTER: The only thing I asked Mr. Morris to do was to file an injunction to stop tear-down of my home; that's all that I asked him to do.

PRESIDENT DENCZAK: Okay, sir, thank you. *(MR. HUNTER EXCUSED FROM MICROPHONE)*

MR. HUNTER: Thank you.

PRESIDENT DENCZAK: Whose ward is this home in?

MEMBER ZACHARY: Mr. President, that's in the Fourth Ward and I am a bit concerned, because it seems like if we have a process for demolition or you're not or we don't contact the homeowner...there's a fundamental problem with that. Mr. Hunter, I do have to ask, were you at all contacted in any way, shape or form, and offered any options as far as getting this home off of the demo list, whether recently or in the past?...

PRESIDENT DENCZAK: Well, we can't do that now... *(REFERRING TO THE FACT THAT MR. HUNTER IS NOW SEATED IN THE AUDIENCE & IS NOT PERMITTED TO SPEAK)*

MEMBER ZACHARY: I'm sorry, Mr. President.

PRESIDENT DENCZAK: I'm going to ask that you meet with the gentleman after Council Meeting and see what you can resolve, okay?... You see the Councilwoman after the meeting.

**MISCELLANEOUS BUSINESS**

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

MEMBER CARBENIA: Mr. President, under Miscellaneous, I would like to ask, I mean, how can somebody

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from the Water Department break in a door to go in and do something in a home? I mean if we're going to have to go into somebody's home, don't we use a police officer to go? I mean, that's what happened with some homes that I had there on Maple Avenue, I had to have police officers go there and escort the people in to clean the house and they had some things they had to do at this house. So I don't know how we would send me out to get into somebody's house and break their doors and get into their home; that is invasion of privacy. I mean I know that the Water Department, the guy just done what he was told to do, but it seems to me that it's not correct to do it that way.

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

MEMBER HAWK: Mr. President, I'd like to thank Director Hunt. On Friday, the 13<sup>th</sup>, it was a particularly nice day, very sunny, very warm. And there were prostitutes all over the corner of 6<sup>th</sup> & Shorb. I put in a call to Mr. Hunt. He immediately dispatched a cruiser which really helped in alleviating the problem. I think the bigger concern along these lines is the fact that I stood on that corner watching cars go past; I didn't know whether I should call for traffic department directions or vice department to chase the prostitutes. There were at least 2 new body style Chrysler 300s that circled continuously. One very nice BMW down there looking for, I don't know what they were looking for, but you don't go around that block 5 or 6 times without looking for...

PRESIDENT DENCZAK: Don't say a 2005 Sable. (*REFERRING TO HIS OWN AUTOMOBILE*)

MEMBER HAWK: No, sir, it was not. I would recognize that vanity plate. But...some of the folks actually did have vanity plates on the cars. So I think we might want to explore the fact that we need to begin looking into john-sweeps...just to try to alleviate some of this problem in order to pick up the, instead of the prostitutes, let's start looking to the people who frequent the prostitutes. I thank Mr. Hunt for his very expedient remedy for meeting that problem. Thank you.

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

MEMBER WEST: Mr. President, just a quick question to Safety Director Bernie Hunt. Again, once again, the community has applauded the efforts of Council putting up security cameras but now that we got one up, we would like to know when the others are coming?

SAFETY DIRECTOR HUNT: Mr. President, I met with representatives of Barco Security last week; they showed me the latest in technology for the wireless camera. So I'm hopeful that at some point in time, we'll be able to bring that in and show Council how that works.

MEMBER WEST: Thank you so much; our community is definitely desperately needing it.

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

MEMBER ZACHARY: Mr. President, if I could just ask Safety Director Hunt as well, when you bring in people to do their demonstration, could we make this a public meeting because I've had numerous questions from constituents who want to know how it works and what the follow up will be from the Police Department.

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

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

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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

PRESIDENT DENCZAK: This meeting is adjourned.

ADJOURNMENT TIME:      7:53 P.M.

ATTEST:

APPROVED:

DEBRA VANCKUNAS  
CLERK OF COUNCIL

RAY DENCZAK  
PRESIDENT OF COUNCIL