

MINUTES OF THE MEETING OF JANUARY 30, 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 30, 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 Bill Smuckler, followed by the Pledge of Allegiance led by President of Council Denczak.

AGENDA CORRECTIONS & CHANGES

PRESIDENT DENCZAK: Agenda corrections or changes. Members of Council, you're being asked to suspend Rule 22A to add the second reading of Ordinances 11 through and including number 25. Member Casar, the Chair will recognize that motion.

MEMBER CASAR: Mr. President, I move we suspend Rule 22A and add Ordinances #11 through and including #25 on tonight's agenda; seconded.

PRESIDENT DENCZAK: Moved and seconded to suspend Rule 22A to add Ordinances 11 through and including #25 to the agenda under second readings; 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 legal part of your agenda.

PUBLIC HEARINGS:

PRESIDENT DENCZAK: There is no schedule public hearing 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.

INFORMAL RESOLUTIONS

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

MINUTES OF THE MEETING OF JANUARY 30, 2006COMMUNICATIONS

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 JANUARY 30, 2006.

69. CIRELLI, MARY M., COUNCILMEMBER-AT-LARGE, CITY OF CANTON: LETTER TO MAYOR & CD DIRECTOR REQUESTING THAT ALL CDBG FUNDING BE PLACED ON THE CITY'S WEBSITE FOR PUBLIC EXAMINATION. - RECEIVED & FILED
70. HART, RICHARD D., WARD 7 COUNCILMEMBER, CITY OF CANTON: LETTER TO COUNCILMEMBERS REQUESTING CO-SPONSORS OF AN ORDINANCE GOVERNING OUR TREES IN CANTON. - RECEIVED & FILED
71. LAW DIRECTOR MARTUCCIO, CITY OF CANTON: REQUEST TO ENTER INTO 2-YR CONTRACTS W/LOUISVILLE, NORTH CANTON, EAST CANTON, EAST SPARTA, HARTVILLE, MAGNOLIA, & WAYNESBURG FOR THE CANTON LAW DEPT TO PERFORM THEIR PROSECUTORIAL DUTIES IN CANTON MUNICIPAL COURT. - INTERGOVERNMENTAL & PUBLIC SERVICES COMMITTEE
72. LIQUOR CONTROL DIVISION, STATE OF OHIO, 6606 TUSSING ROAD, POB 4005, REYNOLDSBURG OHIO 43068-9005: NOTICE TO LEGISLATIVE AUTHORITY THAT SCOTT GUBESH, DBA SCOTTY'S @ 1117 WERTZ AVE NW HAS REQUESTED TO TRANSFER OWNERSHIP OF D5 LIQUOR PERMIT CURRENTLY HELD BY THOMAS & SHELLEY REX. - INTERGOVERNMENTAL & PUBLIC SERVICE COMMITTEE.
73. LIQUOR CONTROL DIVISION, STATE OF OHIO, 6606 TUSSING ROAD, POB 4005, REYNOLDSBURG OHIO 43068-9005: NOTICE TO LEGISLATIVE AUTHORITY THAT MARK & FRANCES MILLS, DBA MILL INN @ 1537 HARRISON AVE SW HAS REQUESTED TO TRANSFER OWNERSHIP OF D2, D2X, D3 LIQUOR PERMIT CURRENTLY HELD BY MICHAEL ALTIMORE. - INTERGOVERNMENTAL & PUBLIC SERVICE COMMITTEE
74. LIQUOR CONTROL DIVISION, STATE OF OHIO, 6606 TUSSING ROAD, POB 4005, REYNOLDSBURG OHIO 43068-9005: ADVISING THAT NO HEARING WILL BE HELD RE: CITY COUNCIL'S OBJECTION TO THE RENEWAL OF BZA CONVENIENT MART'S C-1-2 LIQUOR LICENSE @ 216 ROWLAND AVE NE, & WILLIAM FITZWATER'S D-1-2-3 LIQUOR PERMIT @ GRACE'S PLACE, 2001 KIMBALL SE, BECAUSE BOTH LIQUOR PERMITS HAVE BEEN TRANSFERRED TO NEW OWNERS. - INTERGOVERNMENTAL & PUBLIC SERVICE COMMITTEE.
75. RECREATION DISTRICT, NADINE L. SAWAYA, DIRECTOR: 2005 ANNUAL REPORT OF CANTON JOINT RECREATION DISTRICT. - RECEIVED & FILED
76. SAFETY DIRECTOR BERNARD L. HUNT, CITY OF CANTON: REQUESTING ADDITIONAL

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PAYMENT &/OR CONTRACT ADDENDUM W/ODOT FOR IMPROVEMENT OF I-77 & STREETScape DECORATIVE SIGNALIZATION IN THE AMOUNT OF \$150,830. - PUBLIC SAFETY & THOROUGHFARE & FINANCE COMMITTEES.

77. SERVICE DIRECTOR JOSEPH J. CONCATTO, CITY OF CANTON: REQUESTING TO ENTER INTO MODIFICATION #3 W/URS CORPORATION IN AN AMOUNT OF \$127,976 FOR PROFESSIONAL SERVICES IN THE WEST TUSC STREET IMPROVEMENT PROJECT (GP 1064); & REQUESTING A \$127,976 TRANSFER OF FUNDS FOR SAME. - PUBLIC SAFETY & THOROUGHFARE & FINANCE COMMITTEES.
78. SERVICE DIRECTOR JOSEPH J. CONCATTO, CITY OF CANTON: REQUESTING TO ADVERTISE, RECEIVE BIDS, & ENTER INTO CONTRACT FOR PURCHASE OF TWO REAR LOADING HIGH COMPACTION GARBAGE TRUCKS FOR SANITATION DEPARTMENT. - PUBLIC PROPERTY CAPITAL IMPROVEMENT & FINANCE COMMITTEES.
79. SERVICE DIRECTOR JOSEPH J. CONCATTO, CITY OF CANTON: REQUESTING A \$109,508.91 MORAL OBLIGATION PAYMENT TO CARGILL SALT COMPANY FOR THE PURCHASE OF ROAD SALT. - FINANCE COMMITTEE.

ORDINANCES & FORMAL RESOLUTIONS FOR FIRST READING

PRESIDENT DENCZAK: We're now under Ordinances & Formal Resolutions 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 #10 FOR THE FIRST TIME BY TITLE & ANNOUNCED THE COMMITTEE REFERRAL, AS FOLLOWS.

- #1 (1ST RDG) AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO A FUNDING AGREEMENT WITH STARK COUNTY OUT OF POVERTY PARTNERSHIP, INC. TO PROVIDE HOME FUNDS IN THE AMOUNT OF \$1,815,000.00, FOR THE ADMINISTRATION AND IMPLEMENTATION OF THE CITY'S HOUSING PROGRAMS; AND DECLARING THE SAME TO BE AN EMERGENCY REFERRED TO COMMUNITY & ECONOMIC DEVELOPMENT & FINANCE COMMITTEES
- #2 (1ST RDG) AN ORDINANCE ESTABLISHING THE FAIR REUSE VALUE OF ONE PARCEL OF CITY-OWNED 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 REFERRED TO COMMUNITY & ECONOMIC DEVELOPMENT & FINANCE COMMITTEES
- #3 (1ST RDG) AN ORDINANCE AUTHORIZING THE AUDITOR TO RENAME THE 1150 GENERAL

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ECONOMIC DEVELOPMENT FUND TO THE 1150 JOB CREATION AND RETENTION FUND; AND DECLARING THE SAME TO BE AN EMERGENCY REFERRED TO FINANCE COMMITTEE

- #4 (1ST RDG) AN ORDINANCE AUTHORIZING THE DIRECTOR OF PUBLIC SERVICE TO ENTER INTO CONTRACT WITH THE STARK COUNTY PUBLIC DEFENDER COMMISSION FOR THE PROVISION OF LEGAL SERVICES TO INDIGENTS; AND DECLARING THE SAME TO BE AN EMERGENCY REFERRED TO FINANCE COMMITTEE
- #5 (1ST RDG) AN ORDINANCE AMENDING EXHIBIT A TO ORDINANCE NO. 40/2000, AS AMENDED, THE CLASSIFICATION PLAN FOR BARGAINING UNIT PERSONNEL EMPLOYED BY THE CITY OF CANTON; AND DECLARING THE SAME TO BE AN EMERGENCY REFERRED TO PERSONNEL COMMITTEE
- #6 (1ST RDG) AN ORDINANCE AUTHORIZING THE CITY AUDITOR TO PAY A MORAL OBLIGATION IN AN AMOUNT NOT TO EXCEED \$1,348.80 TO ACADEMY PLAIDS; AND DECLARING THE SAME TO BE AN EMERGENCY REFERRED TO FINANCE COMMITTEE
- #7 (1ST RDG) AN ORDINANCE AUTHORIZING THE DIRECTOR OF PUBLIC SAFETY TO MAKE APPLICATION AND ACCEPT A GRANT FROM THE HOMELAND SECURITY COMMERCIAL EQUIPMENT DIRECT ASSISTANCE PROGRAM; AND DECLARING THE SAME TO BE AN EMERGENCY REFERRED TO PUBLIC PROPERTY CAPITAL IMPROVEMENT & FINANCE COMMITTEES
- #8 (1ST RDG) AN ORDINANCE AUTHORIZING THE DIRECTOR OF PUBLIC SAFETY TO ACCEPT A DONATION TO ASSIST IN THE PURCHASE OF WATER RESCUE EQUIPMENT; AMENDING APPROPRIATION ORDINANCE NO. 1/2006, AS AMENDED, BY MAKING THE SUPPLEMENTAL APPROPRIATION HEREIN DESCRIBED; AND DECLARING THE SAME TO BE AN EMERGENCY REFERRED TO FINANCE COMMITTEE
- #9 (1ST RDG) AN ORDINANCE AUTHORIZING AND CONSENTING TO MINOR REHABILITATION RESURFACING OF STATE ROUTE 43 FROM CHERRY AVENUE TO THE NORTH CORPORATION LINE UNDER THE SUPERVISION OF THE DIRECTOR OF TRANSPORTATION OF THE STATE OF OHIO; AND DECLARING THE SAME TO BE AN EMERGENCY REFERRED TO PUBLIC SAFETY & THOROUGHFARES & FINANCE COMMITTEES
- #10 (1ST RDG) AN ORDINANCE APPROVING A CANTON CITY WATER MAIN EXTENSION TO JACKSON 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

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

NOTE: PRESIDENT DENCZAK CALLED UPON CLERK VANCKUNAS TO READ THE FOLLOWING ORDINANCES #11 THROUGH & INCLUDING #25 FOR THE SECOND TIME BY TITLE AS REQUIRED BY STATE LAW, AS FOLLOWS. ORDINANCES #12, 19, 21, 23 & 25 WERE ADOPTED FOLLOWING THEIR SECOND READINGS.

#11 (2ND 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

#12 (2ND RDG) **ADOPTED AS ORDINANCE NO. 2/2006** 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

MEMBER CASAR: Mr. President, I move that statutory rules be suspended on Ordinance #12; seconded.

PRESIDENT DENCZAK: There is a move to dispense with the three readings of Ordinance #12; 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 #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. 2/2006

#13 (2ND 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

#14 (2ND RDG) AN ORDINANCE AMENDING APPROPRIATION ORDINANCE NO. 1/2006; AND DECLARING THE SAME TO BE AN EMERGENCY

#15 (2ND RDG) AN ORDINANCE APPROVING AND ACCEPTING THE REPLATTING OF LOT 36325

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AND PART OF LOT 36326; AND DECLARING THE SAME TO BE AN EMERGENCY REFERRED TO PUBLIC SAFETY & THOROUGHFARES COMMITTEE

- #16 (2ND 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
- #17 (2ND 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 EMERGENCY
- #18 (2ND RDG) AN ORDINANCE APPROVING AND ACCEPTING THE REPLATTING OF LOTS 35750 AND 39722; AND DECLARING THE SAME TO BE AN EMERGENCY
- #19 (2ND RDG) **ADOPTED AS ORDINANCE NO. 3/2006** 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

MEMBER CASAR: Mr. President, I move that statutory rules be suspended on Ordinance #19; seconded.

PRESIDENT DENCZAK: There is a move to dispense with the three readings of Ordinance #19; 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 #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. 3/2006

- #20 (2ND 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 49TH STREET NE AND GARDENDALE AVENUE NE STORM

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SEWER PROJECT, GP 1074; AND AMENDING APPROPRIATION ORDINANCE NO. 1/2006; AND DECLARING THE SAME TO BE AN EMERGENCY

#21 (2ND RDG) **ADOPTED AS ORDINANCE NO. 4/2006** 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

MEMBER CASAR: Mr. President, I move we suspend the statutory rules on Ordinance #21; seconded.

PRESIDENT DENCZAK: There is a move to dispense with the three readings of Ordinance 21; 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 #21; seconded.

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

NO REMARKS

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

PRESIDENT DENCZAK: Ordinance #21 is adopted. **#21 ADOPTED AS ORDINANCE NO. 4/2006**

#22 (2ND 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

#23 (2ND RDG) **ADOPTED AS ORDINANCE NO. 5/2006** 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

MEMBER CASAR: Mr. President, I move that statutory rules be suspended on Ordinance #23; seconded.

PRESIDENT DENCZAK: There is a move to dispense with the three readings of Ordinance #23; 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 #23; seconded.

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PRESIDENT DENCZAK: Moved and seconded that you adopt Ordinance 23; are there any remarks under this ordinance?... Very well, roll call vote please.

NO REMARKS

ROLL CALL: 12 YEAS, 0 NAYS

PRESIDENT DENCZAK: Ordinance #23 is adopted. **#23 ADOPTED AS ORDINANCE NO. 5/2006**

#24 (2ND 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

#25 (2ND RDG) **ADOPTED AS ORDINANCE NO. 6/2006** 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

MEMBER CASAR: Mr. President, I move we suspend the statutory rules on Ordinance #25; seconded.

PRESIDENT DENCZAK: There is a move to dispense with the three readings of Ordinance 25; 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 #25; seconded.

PRESIDENT DENCZAK: Moved and seconded that you adopt Ordinance 25; are there any remarks under this ordinance?...

MEMBER SMUCKLER: Mr. President, I wish to support Ordinance 25 tonight, but I support it like we do on certain occasions down here, not liking all parts of an ordinance. I'm not unhappy with the payment scheduled; I'm unhappy with the number of sergeants and lieutenants that are included in this ordinance. I thought several years ago when the FOP negotiated to reduce the number of lieutenants and sergeants due to attrition, I was thrilled. I believe that the number of officers versus patrolmen, that if anybody ran their business that way, they would be out of business. I wholeheartedly believe that we do need working supervision and my concern is, is that when we are paying detectives sergeant rank and they're not supervising anybody, then why are we paying them sergeant rank? My concern is the number of sergeants, lieutenants, majors, chief...for the non-bargaining personnel is at a ratio of at least 3 to 1. If you take out some of the sergeants that are detective, it's 5 to 1. I will vote for this, but I believe that we ought to have more CPPA, more patrolmen in the streets, than having...and having less officers. Thank you.

PRESIDENT DENCZAK: Are there any other remarks?.... Very well, the question you're voting on now is the adoption of ordinance 25. Roll call vote please.

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NO FURTHER REMARKS ROLL CALL: 11 YEAS, 0 NAYS, 1 ABSTENTION (ZACHARY)

PRESIDENT DENCZAK: Ordinance #25 is adopted. **#25 ADOPTED AS ORDINANCE NO. 6/2006**

ORDINANCES AND FORMAL RESOLUTIONS FOR THIRD & FINAL READING

PRESIDENT DENCZAK: There are no ordinances for the third and final reading.

ANNOUNCEMENT OF COMMITTEE MEETINGS

PRESIDENT DENCZAK: Announcement of committee meetings please.

MEMBER PRATER: Mr. President, Personnel Committee will meet Monday, February 6th, at 6:00.

MEMBER CARBENIA: Mr. President, Economic Development Committee will meet 6:00 on February 6th.

MEMBER DOUGHERTY: Mr. President, Public Property Capital Improvement will also meet that evening at 6 p.m.

MEMBER GRIFFIN: Mr. President, Environmental & Public Utilities will meet at 6:00 on February the 6th.

MEMBER HAWK: Mr. President, Finance Committee will meet February 6th at 6:00.

MEMBER KRAUS: Mr. President, Public Safety & Thoroughfare will meet at 6:15 February 6th, Caucus Room.

LAW DIRECTOR MARTUCCIO: Mr. President, while I'm not a member of, nor do I head a committee, I apologize for not having been in Caucus, but if you recall, we wanted to have—we being the Law Department and the Administration—at some point wanted to have an informational session with Council about the dozen or so gas wells that are on the Water Pollution Control Center's property. Bringing in experts to talk about what's there, the infrastructure, the price we can get and renegotiate and so on and so on and so on. Did the Environmental and Public Utility want to meet next Monday at 5:30? I believe that was the last communication we had—if that's Council's pleasure?

MEMBER GRIFFIN: Do it at that time?

LAW DIRECTOR MARTUCCIO: If that's Council's pleasure, yeah.

MEMBER GRIFFIN: Fine. I'm sorry, 5:30.

LAW DIRECTOR MARTUCCIO: And I'm sorry I forgot to bring that up again.

PUBLIC SPEAKS (OPEN FORUM--CITY BUSINESS ONLY)

PRESIDENT DENCZAK: Public Speaks Open Forum; we have two people signed up this evening. The first

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one is Mohammad Rashidioun...am I pronouncing that right?---- (INAUDIBLE RESPONSE) Right there to that microphone on your left.

MR. RASHIDIOUN: Thank you for the opportunity given to me tonight. This is my first experience being here.

PRESIDENT DENCZAK: State your name and address please.

MR. RASHIDIOUN: First name is Mohammad...M-O-H-A-M-M-A-D...Rashidioun...R-A-S-H-I-D-I-O-U-N. I'm a case manager by profession...worked in social services around this are for the last 15 years.

PRESIDENT DENCZAK: For the record, state your address.

MR. RASHIDIOUN: 813 - 18th Street NW, Canton, Ohio, 44703.

PRESIDENT DENCZAK: Okay, go ahead.

MR. RASHIDIOUN: I am here to present to you a project that a group of local businessmen have worked on to bring the professional indoor soccer back to Canton. We believe that after 10 years of absence of The Invaders, the market for soccer has dramatically increased. We see a great number of small kids starting to play soccer, girls and boys. Particularly in Jackson Township, North Canton and in Canton itself. There are a group of very good, qualified soccer clubs around here locally, such as BOCA (*UNSURE OF SPELLING*) United, North Canton Strikers, and other feeder programs that are producing great soccer players to the local high schools and hopefully to the colleges around the country. We believe by bringing the professional indoor soccer back, we will provide a very healthy environment where exercise and good sportsmanship is very essential. We believe that we can create an environment where the entire family can get together and spend quality time together while watching a competitive soccer game. Our hope is that the City will accommodate for us since we are very small business people to have some kind of financial capacity to be able to play at the Civic Center because we believe that's the most appropriate place where people are used to coming and watching soccer from all parts of northeast Ohio. We believe that the market is so vast at this time that there is only one competition and that's in Cincinnati, it's called Cincinnati Excite. The rest of the northeast Ohio actually is pretty much out of any type of professional indoor or outdoor soccer team. We believe that by being able to provide this environment, we can bring outsiders to Canton city and help Canton city by those outsiders spending their tax dollars in here and visiting all the sites in the Canton area and enjoy the city and its people.

PRESIDENT DENCZAK: Sir, I'm sorry but under Council Rules, your 3 minutes are up. So bring your remarks to a close.

MR. RASHIDIOUN: Three minutes? Okay. As I mentioned, one more point I'd like to make here is that probably is something to add to what The Invaders were all about is that we are committed, personally, as a social worker and the rest of the members of this club, are absolutely committed to be intimately connected to the community, to the children, to the schools, by providing a healthy environment, by coaching and mentoring the children around the county, especially in the Canton area. As I mentioned earlier, our problem is financial and we appreciate any help that you can provide or direct us to...whether is be through a grant or direct help, assistance from the City. We appreciate that and I think it would be beneficial to the entire community.

PRESIDENT DENCZAK: Thank you, sir.

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MR. RASHIDIOUN: I'd like to submit a copy of this to the Mayor....(*HANDING SOMETHING TO MAYOR CREIGHTON*) Thank you very much.

SERVICE DIRECTOR CONCATTO: Mr. President, for Council's information, we are meeting with the Canton Crusaders soccer team on February 8th at 1:00 in the Mayor's Office to discuss rental options at the Civic Center and to see what their plan is for 2006. I believe Councilman Casar has agreed to join us at that meeting for Council representation.

PRESIDENT DENCZAK: The next speaker is Darnell Austin.

MR. AUSTIN: Mr. President, my name is Darrell Austin, I live at 1427 Sycamore Avenue SE, Canton, Ohio, 44707 is the zip code. I'm here in regards to the EPA's most recent approval of a solid waste rail transfer station and it's located at 1800 Allen Avenue SE. And the EPA seems somehow or another wants to disregard those individuals who live in that residential area. And as a board member on those committees for building a better community, I stand here today in shock because no one knew about it. And this is how they try to sneak attack these things in on you as a City. Respectfully, I immediately called the Mayor and left a message with her, as well as Commissioner Regula, who both have corresponded with me as well. This permit approval authorizes the construction of a proposed JMW solid waste rail transfer station and allows JMW to increase the amount of solid waste transferred at the transfer facility. Those individuals in the southeast end community as a matter of fact are disapproving of such an action. We would hope that this great city would stand behind us just as God promised Jacob, Isaac and Abraham, the land, we deserve it as well in the southeast end community. Thank you, Mr. President.

PRESIDENT DENCZAK: Is this in your ward, Member Zachary?

MEMBER ZACHARY: Yes, it is, Mr. President. I had spoken with Darrell Sunday, I believe it was, and he had mentioned that he was going to be meeting with the Mayor. I just want to ask, is the City of Canton going to go through the formal appeal process to appeal this decision?....or Mr. Service Director?...Law Director?...

LAW DIRECTOR MARTUCCIO: Mr. President, Member Zachary. I would like to invite myself to that meeting if possible. The problem is I understand it was clearly stated by the speaker that it is something not welcome here. It is something perceived as a threat. I know there are other cities around Ohio fighting these very things as we speak. My old home town of Girard included. I understand that Mr. Hagan has recently introduced some legislation regarding the future tighter control of these areas. Unfortunately for we legal officers of cities, we're sworn to uphold the law. If the law is currently Constitutional, if our local Health Department says it has met with the standards they are sworn to enforce, then I'm not sure we can appeal ourselves. For example, if it is has met the muster of the Health Department, I'm not sure that we can appeal against our own clients at the Health Department. What I do want to do is find out more about it. Certainly the facts are very crucial to the issue. Look into the law a little more and see if there is some remedy here that we can pursue. Without knowing more, that's what we intend to do at this point.

MAYOR CREIGHTON: Mr. President, I just got the e-mail this afternoon, Kelly, from the Health Department. Darrell had called over the weekend and I did return the call to him yesterday actually. And so we're going to get something together and Joe and I just talked about it tonight. So we just got the information today.

MEMBER ZACHARY: I'd like to invite myself to that meeting as well.

MINUTES OF THE MEETING OF JANUARY 30, 2006**MISCELLANEOUS BUSINESS**

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

MAYOR CREIGHTON: Mr. President, if I may, I would just like to extend my appreciate to City Council this evening. What you did tonight was momentous in the fact that you passed the EGI and that is so important to give our Economic Development Department an additional tool that we can continue to grow this city. And I would also like to publicly thank Joe Carbenia; he was part of the committee that worked along with City Council and the Administration once again showing that there is a cooperation. And I mean it sincerely, what you did tonight is a step forward for this city and I know that we will be thanking you again in the future.

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

SERVICE DIRECTOR CONCATTO: Mr. President, first, we have a public works committee meeting on February 1st, 2006 at 2:00 at the Engineer's Office. I invite Council, if they wish to attend. These are our meetings that we have monthly to talk about storm sewers, to talk about water problems, to talk about street problems. We try to cover all of the issues that we have. That's at 2:00 at the Engineer's Office so anybody, any Councilmember wishing to attend, may do so. That's Wednesday...what is today, I have trouble with today, I've been in mediation all day. The second thing I would like to say is that we now have an agreement with the Urban Housing Foundation to transfer to them the money necessary to purchase enough lots in the Summit area to build 14 market-rate housing. They have purchase agreements with the necessary number of properties to build these 14 houses. Those purchasing agreements will probably go into effect tomorrow because I think the deadline was the 31st. They will use our, the City's money, to do that. And they are on their way to begin this project that was defined almost a year ago.

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

PRESIDENT DENCZAK: This meeting is adjourned.

ADJOURNMENT TIME: 8:04 P.M.

ATTEST:

APPROVED:

DEBRA VANCKUNAS
CLERK OF COUNCIL

RAY DENCZAK
PRESIDENT OF COUNCIL