

**MINUTES OF THE MEETING OF FEBRUARY 13, 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, February 13, 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 Ward 2 Councilmember Thomas West, followed by the Pledge of Allegiance led by President of Council Denczak.*

**AGENDA CORRECTIONS & CHANGES**

PRESIDENT DENCZAK: Agenda Corrections, Members of Council. You're being asked to suspend Rule 22A to add the second reading of Ordinances 4 through and including #11. The Chair will recognize that motion now, Member Casar....

MEMBER CASAR: Mr. President, I move we suspend Rule 22A and add Ordinances 4 through 11 back on the agenda; seconded.

PRESIDENT DENCZAK: Moved and seconded to add Ordinances 4 through and including number 11 to the agenda; are there any remarks?... If not, roll call vote please.

NO REMARKS

ROLL CALL: 12 YEAS, 0 NAYS

PRESIDENT DENCZAK: Rule 22 is suspended and the ordinances, 4 through and including number 11, are a legal part of your agenda. You are asking to suspend Rule 24B for Resolutions #12 and #16 to be added to the agenda, Member Casar...

MEMBER CASAR: Mr. President, I move we suspend Rule 24B and add Resolutions #12 and 16 to this evening's agenda; seconded.

PRESIDENT DENCZAK: Moved and seconded to suspend Rule 24B on Resolution 12 and 16; are there any remarks?.... If not, roll call vote please.

NO REMARKS

ROLL CALL: 12 YEAS, 0 NAYS

PRESIDENT DENCZAK: Resolutions 12 and 16 are a legal part of your agenda.

**PUBLIC HEARINGS:**

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

**MINUTES OF THE MEETING OF FEBRUARY 13, 2006****PUBLIC SPEAKS (ORDINANCE OR RESOLUTIONS FOR ADOPTION ONLY):**

PRESIDENT DENCZAK: Public Speaks, Ordinances & Resolutions for Adoption. One person has signed up for that...Carmine Russo?...

MR. RUSSO: Good evening City Council President, Mayor and Councilmembers. My name is Carmine Russo; I'm President of the Canton, Ohio area American Postal Workers Union. My address is 679 North Wabash Avenue, Brewster, Ohio 44613. The United States Postal Service has announced plans to consolidate the mail processing operations at the Canton, Ohio facility into the Akron Mail Processing Center. According to the postal service, this is being done in order to realize savings in the cost of processing mail in Canton and all post offices within the 446 and 7 areas. In September of 2005 postal management continued to study and determined that they might realize significant savings by consolidating the processing of mail in the 446 and 447 zip code areas into the Akron plant. The study was completed without the knowledge or input of the labor organizations, the representatives and more than 275 employees who work in the Canton facility. In fact the union was not even notified of the study until late November, 2005. In communications with the union, the postal service stated the study had not yet been completed. The consolidation would displace many employees who have to travel...who will have to travel to Akron to continue working for the postal service. The City of Canton would lose its postmark and a considerable amount of tax base. Postal facilities in places like Alliance, Minerva, New Philly, Millersburg, Brewster and another almost 80 offices would have to alter their hours of operation and dispatch time in order to transport the mail a considerably extra amount of distance. It would be very difficult to maintain delivery standards in these areas. Business and postal patrons who rely on timely and efficient processing and delivery of the mail would have their mail routinely delayed. Investigation by the Canton, Ohio area local has revealed that trucks currently transporting for processing of the mail in the Canton plant are routinely late and it results in processing delays. Moving the processing further away would only increase these delays. The union has documentation showing this and I have it here if anyone would like copies of them. The union also has documentation on processing mail, the mail hours per mail hour in Akron, which...I apologize, in fiscal year 2005, the Canton plant processed more mail per man hour than Akron did. Postal management has not solicited input from elected officials of any municipality or postal patron. 2005 saw the USPS record the largest amount of revenue in its history. The consolidation of mail from Canton to Akron would not bring about the savings anticipated and would to delays in transportation, disruption of service, and cost the City of Canton its postmark. The Constitution of the United States says all citizens are entitled to uniform mail service at uniform rates. And this should not be changed. Thank you for giving me this time to speak, and I have truck reports and a copy of 446 and 7 offices if you would like copies of those. Thank you.

**INFORMAL RESOLUTIONS**

PRESIDENT DENCZAK: Informal Resolutions; excusing members. Let the journal show that all members of Council are present.

***NOTE: PRESIDENT DENCZAK CALLED UPON THE CLERK OF COUNCIL TO READ THE FOLLOWING INFORMAL RESOLUTIONS #12 THROUGH & INCLUDING #16 BY AGENDA TITLE. ALL INFORMAL RESOLUTIONS WHICH FOLLOW, LISTED BY AGENDA TITLE, ARE ON FILE IN THEIR ENTIRETY IN THE COUNCIL OFFICE WITH THE AGENDA ITEMS FILE DATED FEBRUARY 13, 2006.***

**MINUTES OF THE MEETING OF FEBRUARY 13, 2006****RULE 24B SUSPENDED TO ADD RESOLUTIONS #12 & 16:**

12. ENVIRONMENTAL & PUBLIC UTILITIES COMMITTEE OF COUNCIL: RECOMMENDING LEGISLATION WAIVING THE 3.4% AUTOMATIC CPI INCREASE IN CITY SEWER RATES. - ADOPTED & LAW DIRECTOR

MEMBER CASAR: Mr. President, I move we adopt Resolution #12; seconded.

PRESIDENT DENCZAK: Moved and seconded that you adopt Resolution #12; 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

RESOLUTION #12 ADOPTED BY UNANIMOUS VOICE VOTE

PRESIDENT DENCZAK: The resolution is adopted and will be sent to the Law Director.

13. KRAUS, JR., KARL A. "BUTCH", WARD 8 COUNCILMEMBER; HART, RICHARD D., WARD 7 COUNCILMEMBER, CARBENIA, JOE, WARD 9 COUNCILMEMBER, & CASAR, DONALD E., COUNCILMEMBER-AT-LARGE: OPPOSING ANY CONSOLIDATION OF MAIL PROCESSING FROM THE CANTON MAIL PROCESSING CENTER INTO THE AKRON MAIL PROCESSING CENTER & SUPPORTING A GAO INVESTIGATION INTO ANY CONSOLIDATION EFFORT. - ADOPTED

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

MEMBER KRAUS: Mr. Chairman....Mr. President?

PRESIDENT DENCZAK: One moment. It's moved and seconded that you adopt Resolution 13; are there any remarks?...

MEMBER KRAUS: Could I have the Clerk please read that resolution? As a body we are very strong with it.

PRESIDENT DENCZAK: Madam Clerk, would you please read Resolution #13?

RESOLUTION #13 READ BY CLERK OF COUNCIL VANCKUNAS: Submitted By Karl "Butch" Kraus, Ward 8 Member, Richard D. Hart, Ward 7 Member, Joseph Carbenia, Ward 9 Member, & Donald E. Casar, At-Large Member, On This 13th Day of February, 2006 Whereas, The employees of the United States Postal Service in the Canton area provide a most-needed service in a timely and efficient manner; and Whereas, The USPS has announced plans to consolidate Canton's mail processing into the Akron Mail Processing Facility; and Whereas, This announcement was made with little consideration as to the effects a consolidation would have on the continued timely processing and delivery of mail and without any input from Canton's elected officials, postal patrons, or involved union representatives; and Whereas, This consolidation would cost the City our postmark and a large portion of tax base; and Whereas, There has been no review by any outside agency in regards to the feasibility of this consolidation; Now, Therefore, Be It Resolved: That we, the Members of the Council of the City Canton, Ohio, do hereby go on public record, and join with the Mayor of the City of Canton, in opposing any consolidation of mail processing from the Canton Mail Processing Center into the Akron Mail Processing Center; and Be It Further Resolved: That Canton City Council and the Mayor's Office hereby support a Government Accounting Office (GAO) investigation into any consolidation effort; and Be It Further Resolved: That any effected elected official, customer, or labor union be permitted to offer input prior into any further

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discussion on consolidation of mail processing facilities, work, or transportation of the mail.

PRESIDENT DENCZAK: Are there any remarks under this resolution?

MEMBER CARBENIA: Mr. President, once again this is a serious problem. You know, we lost the...gas company had a place down here for us to go and complain and we ended up losing that and it shows that if you want to try to get something done, you can't get it done. Now we're going to have to use Akron to do our mail. It's just not correct. We have a lot of workers down here; it takes a lot of money off those workers. I hope that we can get together and go to Mr. Regula and whoever else we have to go to to get this turned around; this is a serious problem. And there are a lot of union members but there are a lot of other people connected with this, other union members and the citizens of this City who will lose money because of them doing their consolidation. Once again we're being trampled by the above.

PRESIDENT DENCZAK: Any other remarks?...

MAYOR CREIGHTON: Mr. President, thank you. I want everyone to know that I have met with Carmine Russo who is the local president and the state president, and the past president of the local. And I've also been in contact with Congressman Regula's office. They are indeed as concerned as we are. I know that it has not yet been decided; there are a lot of rumors circulating but I've been assured by the Congressman's Office that it has gone to the next step. There are over a hundred jobs that we are concerned about and I know that Carmine and his union will be meeting with Congressman Regula and we are in regular contact...Carmine and I talk probably weekly.

MEMBER WEST: Mr. President, I'm also concerned about this because right now Ohio is ranked 11<sup>th</sup> in massive layoffs and I know Stark County has a lot to do with that as well with Hoover and all these other plants and their layoffs. And I'd like to see us really make a strong statement to the State. I'm glad that we are meeting with Regula and some of the State officials in regards to this and hopefully we can let our voice be heard loudly that of course we want our jobs here in Stark County.

MEMBER KRAUS: Mr. President, again I have to apologize for being a new member. My first resolution...I would have liked to have everybody's signature on it as a body and I know everybody would support it. And I'm learning, give me some time.

PRESIDENT DENCZAK: Member Kraus, for this free lesson I'm going to give you, you can move to amend this resolution to include the entire Council, if you so wish.

MEMBER KRAUS: I would like to have everybody's name on that resolution 'cause it's, I think it's...

PRESIDENT DENCZAK: Make it in a motion.

MEMBER KRAUS: I make a motion to amend the resolution to have everybody's name on it from Council; seconded.

PRESIDENT DENCZAK: Moved and seconded to amend this resolution; are there any remarks?...

MEMBER CIRELLI: Under the amendment... (INAUDIBLE)

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PRESIDENT DENCZAK: What's that?... *(INAUDIBLE)* Moved and seconded to amend the resolution to include all members of Council as the authors. Are there any remarks?... If not, by voice vote, all those in favor, signify by saying aye; those opposed, no.

NO REMARKS

MOTION APPROVED BY UNANIMOUS VOICE VOTE

PRESIDENT DENCZAK: This is Council-as-a-whole submitting this resolution. Member Cirelli?...

MEMBER CIRELLI: Mr. President. Mayor Creighton, when you speak with the people, will you ask them if they have already started the procedure because at Christmas time, it was brought to my attention not only through my own mail, but some constituents called me also, and mail from Canton sent within Canton was already postmarked through Akron. So will you ask them if they were doing a test thing or whatever. I would really appreciate it. Thank you.

PRESIDENT DENCZAK: Are there any remarks under this resolution as amended?.... The Chair has a question to ask, Member Carbenia. Whose idea is this? What arm of the government is trying to do this, do you know?

MEMBER CARBENIA: Not really, other than the postmaster general, is the one that's probably trying to downsize his department. Some committee within government is trying to do it.

PRESIDENT DENCZAK: Somebody just raised our postage rate 2 cents and now they want to take jobs away. Doesn't make sense. If there are no further remarks, the question you're voting on now is the ordinance as amended. By voice vote, all those in favor signify by saying aye; those opposed, no.

NO FURTHER REMARKS

RESOLUTION #13 APPROVED BY UNANIMOUS VOICE VOTE

PRESIDENT DENCZAK: The ordinance is passed as amended.

14. SMUCKLER, BILL, COUNCILMEMBER-AT-LARGE; HAWK, GREG, WARD 1; CIRELLI, MARY M., COUNCILMEMBER-AT-LARGE, WEST, THOMAS E., WARD 2; DOUGHERTY, DAVID R., WARD 6; & HART, RICHARD D., WARD 7 COUNCILMEMBER: SUPPORTING A LIST OF GOALS & OBJECTIVES FOR CANTON CITY COUNCIL, 2006-2007. - POSTPONED TO 3/13/06

MEMBER CASAR: Mr. President, I move that we postpone....

PRESIDENT DENCZAK: No, put it on the floor first.

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

PRESIDENT DENCZAK: Moved and seconded that you adopt resolution #14; are there any remarks under this resolution?...

MEMBER SMUCKLER: Mr. President, in lieu of this Council wanting to get together and form, and do a committee on this, I'd like to postpone this to 3/13/06...30 days.

PRESIDENT DENCZAK: Moved and seconded to postpone this until when?

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MEMBER SMUCKLER: 3/13/06.

PRESIDENT DENCZAK: 3/13/06. Are there any remarks under this postponement?... If not, by voice vote, all those in favor signify by saying aye; those opposed, no.

NO REMARKS

MOTION APPROVED BY UNANIMOUS VOICE VOTE

PRESIDENT DENCZAK: Resolution #14 is postponed.

15. WEST, THOMAS E., WARD 2 COUNCILMEMBER: COMMENDING HELEN ZUGCIC ON HER 90<sup>TH</sup> BIRTHDAY. - ADOPTED

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

PRESIDENT DENCZAK: Moved and seconded that you adopt resolution #15; are there any remarks under this resolution?....

MEMBER WEST: Mr. President, ordinarily we would not give out a resolution for birthdays. But this young lady, 90 years old, Helen Zugcic, she was very instrumental in creating the Homestead Act and pushing for that legislation for seniors. And I would like to have that read.

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

RESOLUTION #15 READ BY CLERK OF COUNCIL VANCKUNAS: Respectfully Submitted By Ward 2 Councilmember Thomas E. West, on this 13th day of February, 2006. Whereas, As Ward 2 Councilmember, I am most gratified and do hereby join with all the duly elected Members of the Council of the City of Canton in according to Helen Girtler Zugcic the respect and honor she so richly deserves as she celebrates her 90<sup>th</sup> birthday with family and friends; and Whereas, Sharing the same birth date as Abe Lincoln, Helen Girtler Zugcic was born February 12, 1916 in Canton, Ohio to Carl and Eva (Greshner) Girtler. The Girtlers were German immigrants who came to America fleeing war-torn Europe. In their determined quest for freedom, they had to leave behind a very ill and 'measled' child to come to America, thus, beginning a new journey for themselves and the children to come; and Whereas, Helen spent her childhood days swimming at Cook's Pool, roller skating on Canton streets until her skate key would wear-out and playing tennis on the courts at Nimisilla Park. She attended McKinley High School. As a young lady she married Fred Zugcic and together they had 3 children. She was a devoted mother but due to hard economic times, she was forced to work outside the home at doing private housekeeping and also working at Canton Stamping and Weber Dental to pay for family medical bills; and Whereas, Helen's strong desire to become involved in her community put her to work silently behind the scenes for many local candidates and issues. She loved to listen to talk radio and decided to embark on a pilgrimage to help senior and disabled citizens get a reduction on their property taxes. She painstakingly wrote letters, circulated petitions and walked door to door honoring her convictions. She was very successful. One of her proudest accomplishments was lobbying Representatives William Healy, Irene Smart and other state officials to enact the Homestead Exemption Act; and, Whereas, As Helen is recognized this day by a celebration in her honor, we are proud to join with her children, Joseph, Mary Ann (Healy) and Carol (Sukosd) in commemorating her upon the occasion of her 90<sup>th</sup> birthday and her many accomplishments. Now, Therefore, Be It Resolved That I, Thomas West, and the Members of the Council of the City of Canton, Ohio, do hereby go on public record as commending HELEN GIRTLER ZUGCIC her time, efforts and community service to the citizens of Canton. Thank you, Helen, and may God bless you upon this blessed occasion. We wish you the

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best of health and happiness. (APPLAUSE)

MEMBER WEST: Mr. President, she's not with us but her daughter Carol is here. Carol, can you stand? (APPLAUSE)

PRESIDENT DENCZAK: Are there any further remarks under this resolution?.... All those in favor of this resolution, signify by saying aye; those opposed, no.

NO FURTHER REMARKS                      RESOLUTION #15 APPROVED BY UNANIMOUS VOICE VOTE

PRESIDENT DENCZAK: The resolution is adopted. I understand the resolution was presented previously.

16. WEST, THOMAS E., WARD 2 COUNCILMEMBER: EXTENDING SUPPORT TO THE PROPOSED ABCD HOMES V LOCATED ON SCATTERED SITES IN WARD 2 & 4. - ADOPTED

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

PRESIDENT DENCZAK: Moved and seconded that you adopt Resolution #16; are there any remarks on this resolution?... If not, by voice vote, all those in favor signify by saying aye; those opposed, no.

NO REMARKS                                      RESOLUTION #16 APPROVED BY UNANIMOUS VOICE VOTE

PRESIDENT DENCZAK: The resolution is adopted. Carol, I forgot to tell you, but the resolution that was presented to you, did it come in a frame? (INAUDIBLE RESPONSE) Yeah, okay, you owe us \$5 for the plaque.

**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 FEBRUARY 13, 2006.***

91. AUDITOR RICHARD A. MALLONN II, CITY OF CANTON: CERTIFICATE OF THE TOTAL AMOUNT FROM ALL SOURCES FOR 2006 DATED 2/6/2006. - CLERK OF COUNCIL

92. CANTON TOWERS RESIDENTS: SUBMITTING A PETITION TO STOP CIGARETTE SMOKING IN & AROUND CANTON TOWERS. -

93. GILLEMS, PASTOR ACE L., GOD GIVEN CHURCH OF GOD IN CHRIST: COPY OF LETTER SENT TO GUY CICCHINI REQUESTING DONATION OF VACANT 9<sup>TH</sup> & CHERRY MCDONALD'S BUILDING TO THE GOD GIVEN CHURCH OF GOD IN CHRIST TO BE USED FOR GRACE OPERATION & DEVELOPMENT CENTER. -

94. HART, RICHARD D., WARD 7 COUNCILMEMBER, CITY OF CANTON: LETTER TO MAYOR, SAFETY DIR, BUDGET DIR, LAW DIR & BUILDING CODE DEPT PROPOSING THAT THE CITY OFFER A \$100 FLAT FEE PERMIT PER SINGLE FAMILY HOME BEING REHABED IN CANTON.

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95. HEALTH BENEFITS ADMINISTRATOR ROSE BRESSON, CITY OF CANTON: JANUARY 2006 MONTHLY COMPARATIVE REPORT OF INSURANCE CLAIMS, & JANUARY 2006 PAID CLAIMS & COMPARATIVE REPORT. - RECEIVED & FILED
  96. LIQUOR CONTROL DIVISION (STATE OF OHIO), 6606 TUSSING ROAD, PO BOX 4005, REYNOLDSBURG OH 43068-9005: NOTIFICATION THAT THE WILD WEST SALOON INC HAS REQUESTED TO TRANSFER OWNERSHIP OF D2-2X-3-3A-6 LIQUOR PERMIT FROM E BURY INC, DBA MELINIS @ 3000 ATLANTIC BLVD NE. - INTERGOVERNMENTAL & PUBLIC SERVICE COMMITTEE
  97. MAYOR JANET WEIR CREIGHTON, CITY OF CANTON: REQUESTING COUNCIL CONFIRMATION OF HER REAPPOINTMENT OF WILLIAM RUDNER TO A 3-YR TERM ON SARTA EFFECTIVE 4/1/06-3/31/09. - PERSONNEL CMTE
  98. MAYOR JANET WEIR CREIGHTON, CITY OF CANTON: REQUESTING COUNCIL CONFIRMATION OF HER REAPPOINTMENT OF CHESTER WARREN TO A 3-YR TERM ON SARTA EFFECTIVE 4/1/06-3/31/09. - PERSONNEL CMTE
  99. SAFETY DIRECTOR BERNARD L. HUNT, CITY OF CANTON: REQUESTING LEGISLATION TO PAY A \$2,434.46 MORAL OB TO EWING CHEVROLET & \$106.25 TO BLUE TECHNOLOGIES FOR THE POLICE DEPT. -
  100. SERVICE DIRECTOR JOSEPH J. CONCATTO, CITY OF CANTON: REQUESTING LEGISLATION TO ADVERTISE, RECEIVE BIDS & CONTRACT FOR THE MIDWAY AVENUE & 19<sup>TH</sup> STREET NE IMPROVEMENT, GP 1072; REQUESTING A \$490,620 SUPPLEMENTAL APPROPRIATION FROM THE 4552 MIDWAY AVENUE NE IMPROVEMENT FUND & A \$175,000 TRANSFER FOR SAME. -
  101. SERVICE DIRECTOR JOSEPH J. CONCATTO, CITY OF CANTON: REQUEST TO APPROPRIATE/TRANSFER \$625,000 IN CAPITAL IMPROVEMENT FUNDS TO THE CIC IN ORDER TO PURCHASE A DETENTION BASIN BUILT BY TOP ENTERPRISES LLC IN THE GLENN HOLLOW VISTAS ALLOTMENT. -
  102. SLIMAN, SAMUEL J., AGENT FOR PETITIONER: SUBMITTING TO CLERK OF COUNCIL THE ANNEXATION PETITION DOCUMENTS FILED WITH STARK COUNTY COMMISSIONERS FOR THE DIOGUARDI ANNEXATION AREA. - ANNEXATION CMTE
  103. TREASURER ROBERT C. SCHIRACK, CITY OF CANTON: COMPARATIVE REPORT OF DEPOSITS & PAY INS TO AMBULANCE LOCK BOX ACCOUNT FOR MONTH OF JANUARY 2006. - RECEIVED & FILED
  104. TREASURER ROBERT C. SCHIRACK, CITY OF CANTON: COMPARATIVE REPORT OF PARKING METER REVENUE FOR THE MONTH OF JANUARY 2006. - RECEIVED & FILED
  105. TREASURER ROBERT C. SCHIRACK, CITY OF CANTON: COMPARATIVE REPORT OF INCOME TAX RECEIPTS AS OF 1/31/06. - RECEIVED & FILED



**MINUTES OF THE MEETING OF FEBRUARY 13, 2006****ORDINANCES & FORMAL RESOLUTIONS FOR FIRST READING**

PRESIDENT DENCZAK: 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 #3 FOR THE FIRST TIME BY TITLE & ANNOUNCED THE COMMITTEE REFERRAL, AS FOLLOWS.***

- #1 (1<sup>ST</sup> RDG) AN ORDINANCE DECLARING CERTAIN IMPROVEMENTS TO PARCELS OF REAL PROPERTY LOCATED IN THE CITY OF CANTON, (LESH ROAD/30TH STREET REDEVELOPMENT AREA) TO BE A PUBLIC PURPOSE, EXEMPTING SUCH IMPROVEMENTS FROM REAL PROPERTY TAXATION, REQUIRING THE OWNER OF THE IMPROVEMENTS TO MAKE SERVICE PAYMENTS IN LIEU OF TAXES, ESTABLISHING A MUNICIPAL PUBLIC IMPROVEMENT TAX INCREMENT EQUIVALENT FUND FOR THE DEPOSIT OF SUCH SERVICE PAYMENTS AND RELATED AUTHORIZATIONS PURSUANT TO OHIO REVISED CODE SECTIONS 5709.40, 5709.42 AND 5709.43; AND DECLARING THE SAME TO BE AN EMERGENCY  
REFERRED TO COMMUNITY & ECONOMIC DEV & FINANCE COMMITTEES
- #2 (1<sup>ST</sup> RDG) AN ORDINANCE AUTHORIZING THE MAYOR OR DIRECTOR OF PUBLIC SERVICE TO ENTER INTO A LEASE AGREEMENT WITH THE CANTON CITY SCHOOL DISTRICT BOARD OF EDUCATION FOR THE LEASE OF LAND ADJACENT TO THE STARK COUNTY FAIRGROUNDS; AND DECLARING THE SAME TO BE AN EMERGENCY  
REFERRED TO PPCI, PARK & RECREATION & FINANCE COMMITTEES
- #3 (1<sup>ST</sup> RDG) AN ORDINANCE AUTHORIZING THE DIRECTOR OF PUBLIC SERVICE TO ENTER INTO AGREEMENT WITH THE OHIO DEPARTMENT OF TRANSPORTATION FOR CITY MAINTENANCE OF INTERSTATE HIGHWAYS WITHIN CANTON CITY LIMITS AND REIMBURSEMENT BY THE STATE FOR SUCH MAINTENANCE; AND DECLARING THE SAME TO BE AN EMERGENCY  
REFERRED TO PUBLIC SAFETY & THOROUGHFARES COMMITTEE

**ORDINANCES & FORMAL RESOLUTIONS FOR SECOND READING**

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

***NOTE: PRESIDENT DENCZAK CALLED UPON CLERK VANCKUNAS TO READ THE FOLLOWING ORDINANCES #4 THROUGH & INCLUDING #11 FOR THE SECOND TIME BY TITLE AS REQUIRED BY STATE LAW, AS FOLLOWS.***

- #4 (2<sup>ND</sup> RDG) AN ORDINANCE AUTHORIZING CANTON TO ANNEX THE TERRITORY KNOWN AS THE SIRPILLA ANNEXATION AREA CONTAINING APPROXIMATELY 7.027 ACRES; ASSIGNING SAID TERRITORY TO WARD 6 OF THE CITY; ZONING SAID TERRITORY AS B-4 (SPECIAL BUSINESS DISTRICT); AND DECLARING THE SAME TO BE AN EMERGENCY

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- #5 (2<sup>ND</sup> RDG) AN ORDINANCE AUTHORIZING CANTON TO ANNEX THE TERRITORY KNOWN AS THE MOORE ANNEXATION AREA CONTAINING APPROXIMATELY 1.992 ACRES; ASSIGNING SAID TERRITORY TO WARD 6 OF THE CITY; ZONING SAID TERRITORY AS R-2 (TWO FAMILY RESIDENTIAL DISTRICT); AND DECLARING THE SAME TO BE AN EMERGENCY
- #6 (2<sup>ND</sup> RDG) AN ORDINANCE AMENDING SECTION 1129.16, STORAGE OF VEHICLES IN ZONING DISTRICTS, OF THE CODIFIED ORDINANCES OF THE CITY OF CANTON
- #7 (2<sup>ND</sup> RDG) AN ORDINANCE AUTHORIZING THE LAW DIRECTOR TO ENTER INTO CONTRACT WITH THE BELOW-NAMED CITIES AND VILLAGES TO PROVIDE LEGAL REPRESENTATION CONCERNING THE PROSECUTION OF CRIMINAL CASES AND RELATED MATTERS BY THE CITY PROSECUTOR'S OFFICE; AND DECLARING THE SAME TO BE AN EMERGENCY
- #8 (2<sup>ND</sup> RDG) **ADOPTED AS ORDINANCE NO. 16/2006** AN ORDINANCE AUTHORIZING PAYMENT TO THE STATE IN THE AMOUNT OF \$150,830.00 FOR THE I-77 IMPROVEMENT PROJECT; AND DECLARING THE SAME TO BE AN EMERGENCY

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

PRESIDENT DENCZAK: There is a move to dispense with the 3 readings of Ordinance #8; 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 #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. 16/2006**

- #9 (2<sup>ND</sup> RDG) **ADOPTED AS ORDINANCE NO. 17/2006** AN ORDINANCE AUTHORIZING THE DIRECTOR OF PUBLIC SERVICE TO ENTER INTO A MODIFICATION WITH URS CORPORATION IN AN AMOUNT NOT TO EXCEED \$127,976.00 FOR THE TUSCARAWAS STREET IMPROVEMENTS, GP 1064; AMENDING APPROPRIATION ORDINANCE NO. 1/2006; AND DECLARING THE SAME TO BE AN EMERGENCY

MEMBER CASAR: Mr. President, I move we suspend statutory rules on Ordinance #9; seconded.

PRESIDENT DENCZAK: There is a move to dispense with the three readings of Ordinance #9; are there any remarks?... If not, roll call vote please.

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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 #9; seconded.

PRESIDENT DENCZAK: Moved and seconded that you adopt Ordinance #9; are there any remarks under this ordinance?... Very well, roll call vote please.

NO REMARKS

ROLL CALL: 12 YEAS, 0 NAYS

PRESIDENT DENCZAK: Ordinance #9 is adopted.

**#9 ADOPTED AS ORDINANCE NO. 17/2006**

#10 (2<sup>ND</sup> RDG) AN ORDINANCE AUTHORIZING THE DIRECTOR OF PUBLIC SERVICE TO ADVERTISE, RECEIVE BIDS AND ENTER INTO CONTRACT FOR THE PURCHASE OF TWO REAR LOADING HIGH COMPACTION GARBAGE TRUCKS FOR THE SANITATION DEPARTMENT; AND DECLARING THE SAME TO BE AN EMERGENCY

#11 (2<sup>ND</sup> RDG) AN ORDINANCE AUTHORIZING THE CITY AUDITOR TO PAY A MORAL OBLIGATION IN AN AMOUNT NOT TO EXCEED \$109,508.91 TO CARGILL SALT COMPANY; 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.

***NOTE: PRESIDENT DENCZAK CALLED UPON CLERK VANCKUNAS TO READ THE FOLLOWING ORDINANCES #12 THROUGH & INCLUDING #19 FOR THE THIRD TIME BY TITLE AS REQUIRED BY STATE LAW, AS FOLLOWS. ORDINANCE #12 WAS AMENDED.***

#12 (3<sup>RD</sup> RDG) **ADOPTED AS ORDINANCE NO. 18/2006** 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

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?...

MEMBER CASAR: Mr. President, I move we amend Ordinance #12, as per the copy that all Councilpersons have; seconded.

**AMENDMENT:** Pursuant to Rule 36, I hereby move to amend Agenda Item No. 12 by substituting the numerical

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figure of \$2,065,000.00 for \$1,815,000.00 in the caption and Section 1 of the original language.

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

NO REMARKS

AMENDMENT APPROVED BY UNANIMOUS VOICE VOTE

PRESIDENT DENCZAK: The question you're voting on now is the ordinance as amended. Are there any remarks under this ordinance as amended?...

MEMBER HAWK: Mr. President, I had the opportunity to speak with Jay Murdock and I had asked him the question in committee meetings. This Stark County Out of Poverty Partnership Program is a very good program. I'm very glad to see that Mr. Murdock has indicated to all of us in Council that the bulk of this fund will be used for owner occupied housing to assist people in purchasing owner occupied housing and the renovation of owner occupied housing, and limiting the amount of funds that were spent on rental rehabilitation. In past years they have spent twice as much money on rental rehabilitation as they have on owner occupied housing. I'm very glad to see that they've refocused. And with that refocus, I'm very confident and capable of supporting this legislation. Thank you.

PRESIDENT DENCZAK: Any other remarks?... The question you're voting on now is Ordinance #12 as amended; roll call vote please.

NO FURTHER REMARKS

ROLL CALL: 12 YEAS, 0 NAYS

PRESIDENT DENCZAK: Ordinance #12, as amended, has been is adopted.

**#12 ADOPTED AS ORDINANCE NO. 18/2006**

#13 (3<sup>RD</sup> RDG) **ADOPTED AS ORDINANCE NO. 19/2006** 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

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

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

NO REMARKS

ROLL CALL: 12 YEAS, 0 NAYS

PRESIDENT DENCZAK: Ordinance #13 is adopted.

**#13 ADOPTED AS ORDINANCE NO. 19/2006**

#14 (3<sup>RD</sup> RDG) **ADOPTED AS ORDINANCE NO. 20/2006** 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

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

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

NO REMARKS

ROLL CALL: 12 YEAS, 0 NAYS

PRESIDENT DENCZAK: Ordinance #14 is adopted. **#14 ADOPTED AS ORDINANCE NO. 20/2006**

#15 (3<sup>RD</sup> RDG) **ADOPTED AS ORDINANCE NO. 21/2006** 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

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

PRESIDENT DENCZAK: Moved and seconded that you adopt Ordinance #15. Are there any remarks?... If not, roll call vote please.

NO REMARKS

ROLL CALL: 12 YEAS, 0 NAYS

PRESIDENT DENCZAK: Ordinance #15 is adopted. **#15 ADOPTED AS ORDINANCE NO. 21/2006**

#16 (3<sup>RD</sup> RDG) **ADOPTED AS ORDINANCE NO. 22/2006** 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

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

PRESIDENT DENCZAK: Moved and seconded that you adopt Ordinance #16. Are there any remarks under this Ordinance?... Very well, roll call vote please.

NO REMARKS

ROLL CALL: 12 YEAS, 0 NAYS

PRESIDENT DENCZAK: Ordinance #16 is adopted. **#16 ADOPTED AS ORDINANCE NO. 22/2006**

#17 (3<sup>RD</sup> RDG) **ADOPTED AS ORDINANCE NO. 23/2006** 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

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

PRESIDENT DENCZAK: Moved and seconded that you adopt Ordinance 17. Are there any remarks under

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this Ordinance?... Very well, roll call vote please.

NO REMARKS

ROLL CALL: 12 YEAS, 0 NAYS

PRESIDENT DENCZAK: Ordinance #17 is adopted. **#17 ADOPTED AS ORDINANCE NO. 23/2006**

#18 (3<sup>RD</sup> RDG) **ADOPTED AS ORDINANCE NO. 24/2006** 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

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. 24/2006**

#19 (3<sup>RD</sup> RDG) **ADOPTED AS ORDINANCE NO. 25/2006** 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

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?...

SERVICE DIRECTOR CONCATTO: Mr. President, just to clarify a little bit because this is a somewhat of an unusual request because it's one person. This is an elderly lady that's having some very serious problems with her well water. She lives on Lawndale; this street runs east off of Woodlawn. We have a water line running down Woodlawn NW which is in Perry Township, well, Jackson Township over there. And this really takes that connection into that water line that already exists on Woodlawn, taking it 140' at the expense of this landowner, of this property owner, and running water to this property owner's house. This property is approximately a mile, mile and a half outside of the City. We're not really running a major water line, we're just running one off of Woodlawn about 140'.

PRESIDENT DENCZAK: Are there any other remarks?

MEMBER CIRELLI: Mr. President, question to the Service Director. Mr. Concatto, I understand she has a well and it's not functioning properly and that's why we're doing this...is that correct, sir?

SERVICE DIRECTOR CONCATTO: Yes.

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MEMBER CIRELLI: Mr. Concatto, I don't know which home you're speaking about or what have you; is this potentially going to happen to other people in that neighborhood also?

SERVICE DIRECTOR CONCATTO: This is the only request that we have from this particular lady, so I cannot answer the question of whether...I believe there's only 1 or 2 more houses on that lot, on that block. But that's the only request we got was from her.

PRESIDENT DENCZAK: Are you through, Member Cirelli? (*INAUDIBLE RESPONSE*)

MEMBER CASAR: Mr. President, you say there's a line already there. Where's the line at and how long has it been there and why is it there?

SERVICE DIRECTOR CONCATTO: The water line that exists is on Woodlawn Avenue NW, which Woodlawn runs off of West Tusc all the way to Belden...to Whipple I believe. This is right about 21<sup>st</sup> Street, Lawndale runs off that. I can't answer how long the water line's been there, the major water line. I don't have that answer for you.

PRESIDENT DENCZAK: Finished, Member Casar?... (*INAUDIBLE RESPONSE*)

MEMBER CARBENIA: Mr. Chairman, I'd like to ask if...have you asked that person that if we give her water, if we get out, they'd be willing to sign a paper to come into the City of Canton?

SERVICE DIRECTOR CONCATTO: Mr. President, I don't know, but I'm going to guess that we have not asked her that. Because that's a long way off from being in the City, I mean that's quite a few properties that we'd have to annex to get there, but the answer to your question is no.

MEMBER CARBENIA: Well I would hope that from now on that we start asking people to the north of us to, if they want our water, to sign a paper saying if we get up there with our City property is touching theirs and we ask them to annex in, they should sign a paper. They do it in the southern part of this, down in Canton South and so on, they are asking to sign a paper and if they don't sign a paper, they don't give it to them.

SERVICE DIRECTOR CONCATTO: Mr. President, I believe that's reasonable and I would do that.

PRESIDENT DENCZAK: Any further remarks?... The question you're voting on now is Ordinance #19; roll call vote please.

NO REMARKS

ROLL CALL: 10 YEAS, 2 NAYS (CASAR & CARBENIA)

PRESIDENT DENCZAK: Ordinance #19 is adopted with the emergency.

**#19 ADOPTED AS ORDINANCE NO. 25/2006**

**MINUTES OF THE MEETING OF FEBRUARY 13, 2006****RECONSIDERATION OF DEFEATED ORDINANCE****O#27 DEFEATED 2/6/2006:**

#20 **ADOPTED AS ORDINANCE NO. 26/2006** AN ORDINANCE APPROVING A CANTON CITY WATER MAIN EXTENSION TO PLAIN TOWNSHIP; AUTHORIZING THE DIRECTOR OF PUBLIC SERVICE TO ENTER INTO CONTRACT FOR THE EXTENSION OF SAID WATER MAIN; AND DECLARING THE SAME TO BE AN EMERGENCY.

MEMBER WEST: Mr. President, I'd like to make a motion to reconsider the Canton City water main extension to Plain Township in Willow Brook Estates; seconded.

PRESIDENT DENCZAK: Moved and seconded to reconsider Ordinance #27. Are there any remarks under this motion?... If not, by roll call.

NO REMARKS

ROLL CALL: 9 YEAS, 3 NAYS

(CIRELLI, SMUCKLER, HAWK, WEST, ZACHARY, PRATER, DOUGHERTY, HART & KRAUS - YEA;  
CASAR, CARBENIA, GRIFFIN - NAY)

PRESIDENT DENCZAK: The motion to reconsider has been passed. The question before you now is Ordinance #27. The Chair will recognize a motion to adopt Ordinance #27.... The Chair will recognize a motion to adopt Ordinance #27.

MEMBER CASAR: Mr. President, I move we adopt Ordinance #27; seconded.

PRESIDENT DENCZAK: Moved and seconded that you adopt Ordinance #27. Are there any remarks?...

SERVICE DIRECTOR CONCATTO: Mr. President, hopefully everybody received the fact sheet that I put...should have been in your boxes for today. Talking about water line extensions. I'm not going to go over this fact sheet with you; you already have it, unless you had some questions. But I did want to include this with some information based on this request.

MEMBER CIRELLI: Mr. President. Question to Service Director again. Mr. Carbenia, I heard the...

PRESIDENT DENCZAK: Wait a minute, who are you asking the question now?...

MEMBER CIRELLI: Joe Concatto.

PRESIDENT DENCZAK: I didn't know Carbenia became the Service Director. Mayor, I wish you'd inform us of these... Go ahead, ask your question to the Service Director.

MEMBER CIRELLI: Mr. Concatto. I have a letter here dated December 15<sup>th</sup> from J. D. Williams to you, sir, and it was talking about this, more or less, this issue. Do you want to look at it?... It was a pie chart, does that help you out a little bit?...

SERVICE DIRECTOR CONCATTO: Yes.

MEMBER CIRELLI: Okay, I guess my question to you is did that, and that was dated 2005, did Council have



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that in their presence, sir, before....because I didn't see this until after the vote.

SERVICE DIRECTOR CONCATTO: I did not give it to them. I did not give them that chart prior to last week's vote.

MEMBER CIRELLI: Okay. Thank you.

SERVICE DIRECTOR CONCATTO: If they got it, they would have gotten it on their own.

MEMBER CIRELLI: Okay, thank you very much, sir. And, Mr. President, I had voted against this at the last meeting and then after I somehow received this and spoke at length with Mr. Williams and came to the conclusion that we in essence by extending the water lines there and, Mr. Concatto if I'm in error, you can correct me. That we will keep the City of Canton's water rates down. And that this property is nowhere near where we could possibly annex them. Am I correct or incorrect on that, sir?

SERVICE DIRECTOR CONCATTO: Correct.

MEMBER CIRELLI: Okay, one more question to Mr. Concatto. In my conversation with Mr. Williams, he had told me that eventually we're probably going to have, due to the EPA's requirements of everything, update all our water wells and what have you in our facilities there. And I just want to know who all would share the cost when something like that has to be done? Is it City, County, Federal and State or what, can you give me an idea of that sir?

SERVICE DIRECTOR CONCATTO: Mr. President. As you know, I did raise the water rates in 2006, beginning in 2006. That the funding, there's a 12.6 million dollar study done out there to fix our 3 water plants, water treatment plants. And the cost of that will be born by the raise of about \$8 per family per year. Which will equal about \$50,000 a year to help us pay that back, the 12.6 million dollars. But that would be everybody, that rate will go up for everybody, all outside users, inside users.

MEMBER CIRELLI: Mr. President. Mr. Concatto, is the rate, you say \$8 per family straight across?

SERVICE DIRECTOR CONCATTO: There's \$8.44 on someone that would use 1,037 cubic feet of water a month, I believe that's how it was.

MEMBER CIRELLI: Mr. President. Mr. Concatto, thank you. I just wanted a clarification for that, I thought it was based on the cubic feet and that's why I just wanted to have that clarification, sir. Thank you very much

MEMBER KRAUS: Mr. President...

MEMBER WEST: Mr. President, just real quick. Joe, the rates currently are 1 ½ times or 2 ½ times what the people pay, what the citizens of Canton pay?

SERVICE DIRECTOR CONCATTO: It's 150% surcharge; so they pay 150% what your water bill is.

MEMBER WEST: And that's 51% of the revenues coming in from, for..our revenue in the Water Department is coming from the outside, correct? Outside the City?

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SERVICE DIRECTOR CONCATTO: That's correct; of the 31% of outside users, they pay about 51%.

MEMBER KRAUS: Mr. President. Mr. Concatto, are we going to keep the Water Department at the table at our Drainage Committee meetings?

SERVICE DIRECTOR CONCATTO: Mr. President, that's why we changed the name of the Drainage Committee meeting to the Public Works Committee meeting and either J. D. or Tyler should be there. They were not at the last meeting. They were scheduled to be there; they could not be there, but they will be...that's why, again, we changed that committee so we could have all parties sitting at the table discussing not only drainage issues but other issues within the City. Such as old water pipes and sewer pipes, of which I know you have an interest in, as other members of Council have. But the answer to your question is the Water Department will be at that meeting.

MEMBER KRAUS: Thank you, I appreciate that.

PRESIDENT DENCZAK: Service Director, when you extend these water lines to the outlying districts, do they ever ask for sanitary sewers also?

SERVICE DIRECTOR CONCATTO: The extension of the sanitary sewers is not in connection with water lines. Do they ask?...I think there are some areas that we do that. But typically it's not in connection, they don't ask.

PRESIDENT DENCZAK: And what was the reason this Ordinance #19, what was the reason for that request?

SERVICE DIRECTOR CONCATTO: It was her, this lady's water well--that she was having problems with her water well, the one on Lawndale?...

PRESIDENT DENCZAK: Okay, it wasn't a septic tank?

SERVICE DIRECTOR CONCATTO: It was not septic, it was a water well problem.

PRESIDENT DENCZAK: Okay. Are there any further remarks?.... The question you're voting on now is the reconsideration of Ordinance #27; roll call vote please.

NO FURTHER REMARKS  
ROLL CALL: 9 YEAS, 3 NAYS  
(CIRELLI, SMUCKLER, HAWK, WEST, ZACHARY, PRATER, DOUGHERTY, HART & KRAUS - YEA;  
CASAR, CARBENIA, GRIFFIN - NAY)

PRESIDENT DENCZAK: Ordinance #27 has been adopted with the emergency clause.

**#20 ADOPTED AS ORDINANCE NO. 26/2006**

**ANNOUNCEMENT OF COMMITTEE MEETINGS**

PRESIDENT DENCZAK: Announcement of committee meetings please.

MEMBER CARBENIA: Mr. President, Community Development Committee will meet 6:30, 2/27/06.

MEMBER HAWK: Mr. President, Finance Committee will meet February 27<sup>th</sup> at 6:30.

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MEMBER PRATER: Mr. President, Personnel Committee will meet February 27<sup>th</sup>, 6:30.

MEMBER DOUGHERTY: Mr. President, Public Property Capital Improvement will also meet that evening at 6:30.

MEMBER CASAR: Mr. President, Parks & Recreation will also meet at 6:30.

MEMBER KRAUS: Mr. President, Public Safety & Thoroughfare will meet on the same night, 6:30, 2/27.

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

PRESIDENT DENCZAK: Public Speaks under Open Forum; we have two people signed up to speak. The first speaker is Theodor Hunter.

MR. HUNTER: Good evening. My name is Theodore Hunter; I live at 1601 - 4<sup>th</sup> Street NE, Canton, Ohio. I notice that we have some wrestlers in the room. But we wrestle not against flesh and blood, but against principalities, against powers, against the rulers of the darkness of this world, against spiritual wickedness in high places. This comes from Ephesians 6:12. The same God that you pray to in your invocation is the same God that knows what you're doing in all things. That you may try to hide. You will be exposed for the good and for the evil that you do. We will all be judged for our deeds. If we stand for truth and righteousness, God will stand beside us forever. This is a quote from Dr. Martin Luther King. Thank you.

PRESIDENT DENCZAK: The next speaker is Alton Carter.

MR. CARTER: Good evening, Council. My name is Alton Carter Jr., I lived in Canton, Ohio all 47 years of my life...

PRESIDENT DENCZAK: State your address please.

MR. CARTER: Address, I was getting ready to do that. Address 1410 Sandal Place NE. I got a few issues tonight. They got to do with the streets of Canton, Ohio and a lot of vacant houses and not being boarded up like they should be. You got gang members that's meeting in these houses. I'm a youth mentor too of this City, by the way. (*SOME WORDS HERE ARE NOT UNDERSTANDABLE*) Yes, I been in papers throughout the City and throughout Akron and the *Cleveland Plain Dealer*. I go through my neighborhood, which I grew up on 9<sup>th</sup> Street NE, but the northeast end of town is on red alert as far as I'm concerned with the youth. They're very out of line in this City. I speak to some of them out there. They walks the middle of the streets; they don't want to move when you drive an automobile. I know I'd hit 'em—if I was a licensed driver, I'm in trouble. I also want to know can you all do something about these youth walking in the middle of the streets? We have sidewalks, know what I mean? Rowland and 7<sup>th</sup> Street, go somewhere sometime and they'll be rows standing at the stop signs, you know, asking for money. I'm at a light, you know, and you then you got a car behind me trying to stop on the sidewalk 'cause the lady's scared somebody's going to try to rob her or what, you know? I just want to know can you all do something about the youth of our City? Yes, we got gangs in our City, true enough. And there's gangs in all cities. And like I'm telling these gangs, we're going to charge their acts against parents, 'cause that's what they're doing. What they're doing is cute—it ain't cute out there. And I'm just letting you all know, I've seen these young guys driving cars. I live in an alley, a dead end alley. They be driving their cars, parking their cars, going places, I know what they're doing—I'm pretty sure as I speak you all know what they're doing. But these youth is driving cars with no license, that's going through stop signs left and right, you know, and with this

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somebody's going to get killed. And they're going to keep on going. So I'm here today to talk to you all Council, I took a day of vacation to come here; it's the first time I've been to a meeting in 2 years. And I just see a lot of bad ethics and they'll do some time. You know, our youth's pretty out of line in the City. And something need to be done 'cause they can't be doing this. And back in the day, you got pulled by the ear, you know what I'm saying? You know I mean? I'm going to close this up right, but Mayor, I just, I analyzed that the streets, now we gotta start riding around and watching these youth. They're smart, they're smart kids, they ain't no dummies. They're very smart. Down there, they have, they're breaking into abandoned homes and they have meetings in these homes, you know, and they turn out the young ladies with drugs and everything. I see this, you know, and I could do nothing about it 'cause I don't got the authority to do something about it. But I just urge you all to tell these owners that got these houses to board the windows up and doors up and get rid of some of these cars that's sitting in yards too 'cause they could do anything in these cars, you know what I'm saying? So I'm going to close this, I just need to speak out on some issues but as far as the northeast in Canton, Ohio, it's getting low as far as I'm concerned, you know. Cause they're coming to your cars and I don't like that. I'm a retired serviceman, you know, we got kids shooting guns, you know, and here I am a (*WORD HERE NOT UNDERSTANDABLE*)...you know, I'm dangerous too with my hands too, but I ain't going to let no kids take me out. I work hard, got a lot of kids, I got grandkids now, I got young youth that I speak to and some of them are a little scared right now 'cause the parents is trying to tell them to get involved.

SAFETY DIRECTOR HUNT: Mr. President. Mr. Carter, I'd like to speak to you after City Council meeting if you have time to wait. The City of Canton has a very aggressive demolition program; we also have a very aggressive junk vehicle operation; we have a officer, Officer Crider, who is assigned 8 hours a day to junk vehicles. So I'd like to talk to you later, get some information from you so that we can not only get Mr. Crider, Officer Crider, but also we do have a gang task force that has been very active as you can see by some articles in the paper. They've been very active and if you can give me some information, we can get them active in your neighborhood also.

MR. CARTER: Thank you.

MEMBER WEST: Mr. President, I also want to address that issue about kids walking in the streets. And although I do believe what he's saying in terms of....

PRESIDENT DENCZAK: (*INAUDIBLE--NOT USING MICROPHONE. HE IS ASKING MEMBER WEST TO SPEAK UNDER MISCELLANEOUS BUSINESS*)

MEMBER WEST: Okay.

**MISCELLANEOUS BUSINESS**

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

MEMBER WEST: Yes, as I was saying. I think what Mr. Carter was saying in terms of the kids walking in the middle of the street, sometimes that is an indication that it is gang involved, but at the same time, when we look at 9<sup>th</sup> Street or we look at 2<sup>nd</sup> Street all the way up to 12<sup>th</sup> Street, Casar and I have talked about this many times, is that the sidewalks are, a lot of them are broken up and a lot of them are not kept well and I think that's also an indication that we have to look out 'cause not all people walking in the middle of the street is gang involved; some of them are because the sidewalks are not maintained and we have to get aggressive with that hopefully this term. And then secondly, you said something about a house that they have a lot of gang activity in. Whatever ward that

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is in, please let us know because we can address that, as Bernie Hunt has also mentioned.

PRESIDENT DENCZAK: Is there any other Miscellaneous Business?

MEMBER ZACHARY: Mr. President, I'd like to ask the Service Director a question about the list of streets he gave us all. This would be the third year that we will have, or at least I will have submitted streets to be repaved for the repaving program and I'm looking at the list for Ward 4 and once again, I do have to go on public record as saying most of the streets on this list are not streets I submitted. And I would like to know if at all possible exactly how much money are we working with because if I can pick and choose off of this list the most economic streets to get done, I'd like to get as many done as possible because I do have constituents who have been waiting for a while to have their streets done.

SERVICE DIRECTOR CONCATTO: Mr. President, the total figure hasn't, we haven't finished the capital projects yet to know that, whether it's...I just can't answer that. Last year we ended up I believe with a million two for the year. Hopefully we can get that kind of money again this year. We have some major infrastructure issues that we have to deal with this year. As far as the list that you received, it's just something that we have. You can change that list entirely if you wish. I will tell you that we look at streets that are in bad shape, not necessarily ones that may have gotten a lot of complaints on, because some streets, the people that complain about streets don't normally necessarily compare it to another street that could be worse than theirs. I understand that. But you're welcome to change that list. It's you ward, let us know what you want. We are working on Sherrick; I know that's been on your list for a while...

MEMBER ZACHARY: Three years.

SERVICE DIRECTOR CONCATTO: I'm not telling you we're getting it done; I'm just saying we're trying to...

MEMBER ZACHARY: Keep working at it, Joe, please. Keep working at it.

SERVICE DIRECTOR CONCATTO: As I think Mr. Kraus and Ms. Cirelli, in our meeting, we talking about Sherrick Road and the condition and not necessarily the condition of the surface of the road, but the condition of the subsurface of the road. We had discovered that there could be some water leaks in there that we have to fix before we fix the surface of the road. But as I had said at that meeting, Sherrick Road has been on our list for a long time. We have a responsibility to start looking at that. It just might have to cost us more money than just normally we would...

MEMBER ZACHARY: I will trade you 10 of these unknown streets for one Sherrick Road—just one Sherrick Road for 10 of these that I didn't submit.

SERVICE DIRECTOR CONCATTO: Feel free to change that list.

MEMBER WEST: Mr. President, if I could just add to that real quick. Before we look at some of these streets, we also got to make certain that the water mains, that they're not going in there and fixing the water main. Cause I think last year, they had just did Mahoning Road, and now O'Jays Parkway, and then they had to do...a water main busted or something and they had to go in and they tore it all us. So please make sure we correspond with the proper departments.

SERVICE DIRECTOR CONCATTO: Mr. President, as Mr. Kraus had said in our Public Works Committee, one

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of the reasons that we had the Water Department there is that we identify the paving program to them and they can identify to us the repairs. I can't promise you that a road could be paved today and there be a water line break tomorrow. I can promise you that we shouldn't anticipate repairing or replacing a water line on a street that we just paved. We should coordinate that. But I cannot guarantee that there would be a water line break on a street that's just been paved, that we would not know.

PRESIDENT DENCZAK: The Mayor wishes to make an announcement and remind Council that previously you have stated your committees are going to meet on February 27<sup>th</sup> at 6:30. And the Chamber of Commerce would like to meet in these Chambers, same day, at 5:30. Remember that your committee meetings will be at 6:30; the Chamber of Commerce wishes to meet with you in these Chambers at 5:30 on February the 27<sup>th</sup>. 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: 8:39 P.M.

ATTEST:

APPROVED:

DEBRA VANCKUNAS  
CLERK OF COUNCIL

RAY DENCZAK  
PRESIDENT OF COUNCIL