

**MINUTES OF THE MEETING OF AUGUST 21, 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 TIMBERLAKE:***

12 COUNCILMEMBERS PRESENT: (DON 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)

ALL 12 COUNCILMEMBERS PRESENT

PRESIDENT DENCZAK: Will you please stand. We will have the invocation given by member Casar. Please remain standing for the Pledge of Allegiance.

MEMBER CASAR: Members of Council, Ladies and Gentlemen, a good friend of ours, a fellow Council person passed away Saturday night, Harold Jim Roach. May I ask for everybody to say a silent prayer in his memory and for his, his soul and pray that he has a good life hereafter. Jim was a good democrat and a good public servant. He treated his constituents well. He represented them well. He was a good family man. He was a good church-going individual and I'm sure he'll have a good hereafter life and, and I just wish a couple moments of silence for Jim Harold Roach. *(A moment of silence was taken in memory of the passing of Harold Jim Roach)*

*The regular meeting of Canton City Council was held on Monday, August 21, 2006, at 7:30 P.M. in the Canton City Council Chamber. The roll call was taken (see above) by Clerk of Council Cynthia Timberlake. The invocation was given by Majority Leader Don Casar followed by the Pledge of Allegiance led by President Ray Denczak.*

PRESIDENT DENCZAK: Thank you member Casar, and, ah, I would be remiss if I didn't make a comment about former Councilman, Harold Jim Roach. Ah, I was very close to Jim and, and Jim was unique in the political arena. His word was his bond. He never misguided me or misled me and for those reasons, I admired and respected him and I'm gonna miss him greatly. Thank you.

**AGENDA CORRECTIONS & CHANGES**

PRESIDENT DENCZAK: Agenda corrections Members of Council. You are being asked to suspend Rule 22 to add the second readings of Ordinances #5 through and including #20. Member Casar, the Chair will recognize that motion at this time.

MEMBER CASAR: Mr. President. I move we suspend rule 22A to add ordinances 5 through and including 20 with the exception of 19 which will be retained in committee by the Committee Chairman's request; seconded.

PRESIDENT DENCZAK: Moved and seconded to suspend Rule 22. Are there any remarks? If not, roll call vote please.

NO REMARKS

ROLL CALL: 12 YEAS, 0 NAYS

MEMBER CASAR: Mr. President. I made a mistake. It should have been, ah, who, I mean a committee for the it should have been a committee for the Ordinance #12, not 19.

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CLERK TIMBERLAKE: That's correct.

PRESIDENT DENCZAK: Will instruct the Council Clerk to make that change, but the motion still is as stands. You're being asked to suspend Rule 24 to add Resolutions 60 and 70. Member Casar.

MEMBER CASAR: Mr. President. I move we suspend rule 24B to add Ordinance #69 only. Ordinance #, ah, Resolution #70 will be retained in committee also; seconded.

PRESIDENT DENCZAK: Moved and seconded to suspend Rule 24 to add Resolution 69 only. Are there any remarks...

NO REMARKS

ROLL CALL: 12 YEAS, 0 NAYS

PRESIDENT DENCZAK: Rule 24B is suspended and Resolution #69 is a legal part of your agenda. This brings your agenda up to date Members of Council.

**PUBLIC HEARING**

PRESIDENT DENCZAK: We have a number of public hearings scheduled. The first one is for 7:30pm. It's an ordinance vacating a portion of DeWalt Avenue NW and declaring the same to be an emergency and assigning to Ward 2. The Planning Commission is recommending approval. Is there anyone in the audience wishing to speak for or against this vacation, please come forward. Is there anyone in the audience wishing to speak for or against this vacation, please come forward. Is there anyone in the audience wishing to speak for or against this vacation, please come forward. Apparently not, the Chair declares the public hearing over in regards to this matter. The matter now rests in the hands of Council. The ordinance will follow later this evening.

We had one scheduled for 7:31. It's an ordinance vacating portions of Noel Court NW, Harriet Avenue NW and Croad Court NW; approving and accepting the replatting of all lots 1890, 1891, 19130, 19131, 2926 through 2931 and the vacated portions of Noel Court NW, Harriet Avenue NW and Croad Court NW; approving and accepting the dedication of two 15 ft. Turn-out radiuses and a 20 ft. Waterline easement; and declaring the same to be an emergency. It's the Building Industry and Summit Housing. It's assigned to Ward 1. Planning Commission recommends approval. Is there anyone wishing to speak for or against this ordinance/vacation, please come forward. Is there anyone wishing to speak for or against this ordinance/vacation, please come forward. Is there anyone wishing to speak for or against this ordinance/vacation, please come forward. Apparently not, the Chair declares the public hearing over in regards to this matter. The matter rests in the hands of Council. Council will follow later this evening.

We had a scheduled public hearing for 7:32pm. It's an ordinance amending Ordinance No 55/77 as amended known as the City of Canton zoning ordinance and declaring the same to be an emergency; James Reed Enterprises assigning to Ward 5. Zoning the same as PB-4. The Planning Commission recommends approval. Is there anyone wishing to speak for or against this ordinance/vacation, please come forward. Is there anyone wishing to speak for or against this ordinance/vacation, please come forward. Is there anyone wishing to speak for or against this ordinance/vacation, please come forward. If not, the Chair declares the, declares the public hearing over in regards to this zoning ordinance.

We have the final one. It's an ordinance vacating a portion of Ruth Place NW and declaring the same to be an emergency, assigned to Ward 9. The Planning Commission recommends approval. Is there anyone wishing to

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speak for or against this vacation, please come forward. Is there anyone wishing to speak for or against this vacation, please come forward. Is there anyone wishing to speak for or against this vacation, please come forward. Apparently not, the Chair declares the public hearing over in regards to this matter. The matter is in the hands of Council and will follow later this evening. I need a recess.

**PUBLIC SPEAKS**

PRESIDENT DENCZAK: We have two people signed up for Public Speaks this evening, under this portion. The first person is Bob Knight. Mr. Knight.

MR. KNIGHT: *(The microphone for this portion of public speaks was not turned on, therefore, portions of Mr. Knight's public speaks is inaudible as indicated)* My name is Bob Knight. I live at 813 928 Richard NW. Thank you Mr. President. The Summit Housing Project *(inaudible)* I signed a petition to help release the monies that the state provided to help this project unfold. Even before the homes were purchased, the problem *(inaudible)* I attempted to remedy this by going to neighborhood meetings, contacting various city agencies and through this Council. I was met with resistance on every corner. After doing one of those walk-arounds with representatives from most of the city departments, they didn't find no enforceable violations that would merit the city cleaning up the filthy, rat-infested *(inaudible)* surrounding these homes. Finally, the Mayor got involved and sent a crew out to clean this up. After the homes were purchased *(inaudible)*. Salvagers broke out the windows and the doors of these homes in the Summit area. Even though the BIA did board up the homes, the salvagers, prostitutes and kids moved in leaving the homes *(inaudible)*. The BIA made very little attempt to keep these homes secure *(inaudible)*. The inside of these homes were deplorable; the rotting food, the wet furniture, mold and whatever else you can imagine and all the time *(inaudible)*. I expressed my concern many times to all of the city agencies. Before it got to this point, they told me it was not their problem *(inaudible)*. Now, what I have to assume from all of this is that the city has more concern about the *(inaudible)* ..... Even the asbestos removal was not done according to State and Federal standards which was overlooked by City Inspectors. I received a mailing about the lot sizes *(inaudible)* and I've talked to some of the neighbors about *(inaudible)* ....that is not the case. I was always concerned about the 14 homes being built and not being able to be sold. *(Inaudible)*..... lays the foundation for future projects of this type throughout our city and not make the same mistakes this time and not make them *(inaudible)* ..... residents tolerate the safety and health issues as they go through. Please vote yes to accept these group homes and for the record, I have never applied for a loan from the city. I am not mad because you didn't buy my house and those are the rumors going around city hall *(inaudible)*

PRESIDENT DENCZAK: The next speaker is Veronica Callahan.

MS. CALLAHAN: *The microphone for this portion of public speaks was not turned on, therefore, portions of Ms. Callahan's public speaks is inaudible as indicated)* My name is Veronica Callahan. My address is 3406 34<sup>th</sup> Street NE, Canton, Ohio 44705. Good evening Mr. Denczak, Mayor Creighton and all members of council. Today I am standing here as a resident of the City of Canton. *(Inaudible)* I would like to commend the members of Council for really voicing their opinion of their constituents at the Judicial meeting on August 10, 2006 in Council concerning the Charter Government. I would like to make you aware that I have attended all the meetings on this subject of charter government as well as the meeting a couple of weeks ago, as well as I attended some neighborhood meetings, council meetings that Mr. Smuckler and Mr. Martuccio decided to address the neighborhood leadership council in May. Today, I would like to make my voice heard. I feel some of those same conclusions. I'm not convinced that all resources *(inaudible)* ....are available under our present government structure has been exhausted and/or implemented. I would like to share a couple quotes from the local government charter or master charter that was prepared by Law Director Joe Martuccio. Many of the proposed

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changes that were supposed to be some of the recent failures of the charter government have come to pass. He stated in his writings that more simplified publications of, of, of reading and some writings of ordinances, the Mayor and the Law Director to be elected to four terms separately, professional qualifications for some members of Board of Health and other elected (*inaudible*). Another quote from that piece of document, was adding that the charter does not give you a magic, a magic (*inaudible*) as many charters also experience financial difficulties and litigation over the extent of their home rule, home rule powers. The people on the Board of this charter process, and many of us across the city are being assessed high taxes for school levies, we have to play, pay for our children to participate in athletics, also, our property taxes has been, has went up more than ever before. The process, the process that families are facing today are already overwhelming and the average at this time is not economically realistic in my opinion. Names have already been submitted to possibly sit on the charter council which was, has not been approved of which I would be very curious to know how many are represented of low-income housing families, minorities, grass roots working patients, faith based organizations or just plain neighborhood people. Additionally, how can a fair election for this proposed charter committee take place in such a short period of time and it appears that this process is being shoved down our throats in a hurry (*inaudible*)... our vote. There are so many things that remain unanswered and responses have concluded allowing an election of a charter committee and whatever they come up with can be voted by the people. Another responsive thing, a charter gives us certain recognitions of powers, um, excuse me, .. A charter gives us certain recognitions, and, and, powers left to be heard at the State level and at the Federal levels. I believe that we already have the power and it's not being used to it's total potential. I do not know about you, but I am not comfortable with the suggestion of let's put it all in a bag and toss it up and see what comes out. Let us fully use what we have in place and when that becomes exhausted, then let's talk about change. I was really hopeful that Council will vote against this process and my only wish would be if the petitioners deserve this, that there is any kind of way that we can guarantee that the signatures will be reputable, reputation of all the people. I do want the members of Council to.....

PRESIDENT DENCZAK: Ma'am your three minutes are up. Bring your remarks to a close.

MS. CALLAHAN: .... okay... to know that I fully support the votes of the City of Canton but I wish that people would keep in mind that you're here to represent your constituents and the people and not your personal venues. Thank you. (*APPLAUSE*)

PRESIDENT DENCZAK: The Chair must remind the two previous speakers to follow Council rules and in the future, make sure you print your name and not write it.

**INFORMAL RESOLUTIONS**

PRESIDENT DENCZAK: It will not be necessary to excuse members. Let the journal show that all members of Council are present. Resolution #67 please.

***NOTE: PRESIDENT DENCZAK CALLED UPON THE CLERK OF COUNCIL TO READ THE FOLLOWING INFORMAL RESOLUTIONS #67 THROUGH #70 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 AUGUST 21, 2006.***

#67. COUNCIL AS A WHOLE: COMMENDING DIANNE TALARICO, SUPERINTENDENT OF CANTON CITY SCHOOLS FOR HER YEARS OF SERVICE. - ADOPTED

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PRESIDENT DENCZAK: Member Casar.

MEMBER CASAR: Mr. President, I move we adopt Resolution #67; seconded.

PRESIDENT DENCZAK: Moved and seconded that you adopt Resolution #67. Are there any remarks?

MEMBER HART: Superinten... oh.... okay...

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

MEMBER HART: Ah, ah, yes.

PRESIDENT DENCZAK: Ah, ah, ah, or....

MEMBER HART: Mr. ah, Mr. President. I apologize, sir. Mr. President, I would like to have the ah....

PRESIDENT DENCZAK: Member, maybe, maybe, Mrs. Talarico would like somebody else to....

MEMBER HART: Okay, I would like to have her come up and make the presentation and have the Resolution read, please.

PRESIDENT DENCZAK: You want it read now? First?

MEMBER HART: Yes.

PRESIDENT DENCZAK: Madame Clerk, will you please read the Resolution/

CLERK TIMBERLAKE: Dianne Talarico was born with the sense of caring and commitment for special needs children. She has earned an outstanding reputation within the world of education and educators as a professional and highly competent individual. Dianne attended Lehman High School in Canton, graduated from Bowling Green University and received her Master's Degree from San Francisco State University double majoring in Education Grades K-12 and Special Education Grades K-12; and, WHEREAS, Dianne has always had a love and passion for 'special needs' children. During her high school years, she worked at the Canton City Recreation Department, the City Treasurer's office under Dan Myers and at Patrick's Dairy Queen on Cleveland Avenue. She was also a playground supervisor at Fairmont and Woodland Schools while, which she enjoyed immensely; and, WHEREAS, prior to her appointment of Superintendent of Canton City Schools, Dianne held many teaching positions in California and Ohio including being the Principal of the American Overseas School in Rome, Italy. Further, she has shared her knowledge in many written publications and has been guest speaker at many special events concerning Special Education Needs; and WHEREAS, Dianne is married to Enrique Navas. Together, they enjoy many nieces and nephews. They especially cherish the time spent with their 'bonus children'. As Dianne departs from the Canton City School system to continue her journey work with children in California, we, Canton City Council, along with her mother Gloria, wish her well in her new position. NOW THEREFORE, BE IT RESOLVED: That we, Members of the Council of the City of Canton, Ohio, do hereby go on public record to recognize, give special tribute to & commend most highly, an outstanding member of our Canton community, DIANNE TALARICO, for her extraordinary hard work and dedication to helping 'special needs children'. By following your heart, furthering your education, and sharing your knowledge with others, you have made the world a better place to live in and proven to yourself and others, that dreams come true. Congratulations and Best Wishes! *(Applause as Member Hart presented the Resolution plaque to Ms. Talarico)*

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PRESIDENT DENCZAK: Are there..... are there.....wait.....woah, woah, woah. Member Hart, is this your first Council meeting? It has to be voted on first. (LAUGHTER) It may come out to be a tie and I'd have to break it.

MS. TALARICO: Shall I give this back?

PRESIDENT DENCZAK: Yes, give it back please.

MEMBER HART: I was just taken back by her beauty. (LAUGHTER) She outshines (*inaudible*)

PRESIDENT DENCZAK: You just shot down the tie vote here. Ah, are there any remarks?... If not, by voice vote, all those in favor signify by saying aye; those opposed no.

NO REMARKS

RESOLUTION #67 IS ADOPTED BY UNANIMOUS VOICE VOTE

PRESIDENT DENCZAK: The Resolution is adopted. Now...

MS. TALARICO: (*Member Hart presented Ms. Talarico with the Resolution and plaque.*) Thank you.

PRESIDENT DENCZAK: Are you trying to suggest you get two kisses. (LAUGHTER) No, You don't want to say anything else?

MEMBER HART: Well I just, I just want to say, as a school teacher for many years in Canton City Schools, I've got 31 years in education, ah, you know you see Superintendents come and go and um, I guess with anything, any organization, ah, you can tell a lot by what happens in that organization by the leadership up at the top, and it, ah, you know, at times, Canton City Schools ah, lately, has gotten a bad wrap for a lot of different reasons, um, some may be deserved, some may be not so well deserved but, that's with the Superintendent's leadership, and, ah, a lot of soldiers underneath her, whether they be custodians, whether they be school secretaries, and teachers, ah, and administrators, have pulled together and ah, she leads a school district that is on the rise and is on the improvement and, ah, when the school district takes off, you always see a lot of other things take off in this community and, and again, um sometimes, it's a very difficult job but, ah, you've done well and on behalf of (*inaudible*).....I've been response for the special education teachers, I thank you. (APPLAUSE)

MS. TALARICO: Thank you. Mr. President. Am I allowed to make a comment or two?

PRESIDENT DENCZAK: Yes you may.

MS. TALARICO: Okay. Thank you. By the way Mr. President, once upon a time when my grandfather Anthony P. Tatarica Sr. was alive, I campaigned for you sir.

PRESIDENT DENCZAK: OH.....

MS. TALARICO: Oh. (AUDIENCE LAUGHTER)

MEMBER SMUCKLER: Mr. President. Mr. President. Point of information.

PRESIDENT DENCZAK: Where's I lose control? Yes... what is your point?

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MEMBER SMUCKLER: Could you tell us how long ago that was? (*LAUGHTER*)

MS. TALARICO: I'm 49 years old Mr. President.

PRESIDENT DENCZAK: It's not nice to ask a woman her age.

MS. TALARICO: (*Chuckle*) It was a while ago.

PRESIDENT DENCZAK: Yes.

MS. TALARICO: And... I enjoyed every minute of it. I passed out your emery boards.

PRESIDENT DENCZAK: You can have....

MS. TALARICO: I still have them too, actually.

PRESIDENT DENCZAK: You can have all the time you want to talk.

MS. TALARICO: (*Laughter*) Um, Council, Madame Mayor, by the way, I received your letter and I am grateful for it. This is quite an honor for me, but the greater honor was being able to come home to my home town and serve the children in the district that educated me in the City of Canton where I spent my entire youth until I went off to college. It's a great place and you are great people and you were the village that helped Canton city rise. It took all of us and as I look around, um, at the Council Members, I think our paths have crossed in the past 5 years and I'm richer for the opportunity that I had to work with all of you. I'm leaving it in great hands with Marla Kidd Jones. I'm delighted that she's the interim Superintendent and the first African American female Superintendent in Canton which delights me greatly. I never thought I'd see the day but, I'm, I'm very excited and the only thing I'll tell you is that I am called to serve in another place and although people think Santa Monica and Malibu is all that and it doesn't have its challenges, I'm going because at one of my high schools, there are race riots between Latino and African American students and so I got the phone call and I responded to the phone call but, it has been my honor to serve the children here and to serve in this community and to partner with the city. Great things have happened and will continue to happen with your leadership. Thank you and God Bless You. (*APPLAUSE*)

PRESIDENT DENCZAK: Member Hart, I hope you understand that all the accolades you paid, she can't do anything to help you now. (*Chuckle*) She's well-deserving of that. Next one's #68 please.

#68. COUNCIL AS A WHOLE: COMMENDING WALTER HENDERSON. - ADOPTED

PRESIDENT DENCZAK: Member Casar.

MEMBER CASAR: Mr. President, I move we adopt Resolution #68; seconded.

PRESIDENT DENCZAK: Moved and seconded that you adopt Resolution 68, are there any remarks under this Resolution? Member Hawk... I'm sorry, Member West.

MEMBER WEST: Mr. President. I am going to be delivering this Proclamation. Who did you call me?

PRESIDENT DENCZAK: (*Chuckle*) I took an aspirin so I'm seeing double over here. Member West.

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MEMBER WEST: Oh, okay. But, I'm, I'm going to be taking this proclamation to Walter but I would like it read for the record.

PRESIDENT DENCZAK: You'd like it read and adopted?

MEMBER WEST: Yes Sir.

PRESIDENT DENCZAK: Okay. Madame Clerk, would you read the Resolution.

CLERK TIMBERLAKE: Walter B. Henderson was born a talented athlete. As a 1970 graduate of McKinley High School, Walter continued his career as an athlete as a United States National 100 Meter Champion, Western Athletic Champion, Pan American Champion, United States Federation Champion, All-Ohio Champion and Kentucky Relay Champion, and; WHEREAS In 1975, Walter earned a Business and Master Degree in Guidance Rehabilitation at the University of Mexico. In 1977, he began work at the Stark Community Action agency as Chief Executive Officer. Walter continued to serve in the community by volunteering countless hours of help to college students, sharing his knowledge of track and field training; and, WHEREAS Walt has worked diligently in the leadership role. As a small measure of his endeavors, Walt was part of the \$6.3 million William Hunter Head Start Family Development Center Campus, \$1.3 million William Malloy Child Development Center in Massillon and \$1.0 million Mahoning Road Commercial Plaza; and, WHEREAS, as a devoted humanitarian, Walter Henderson's love for people remains on the move today. He has been an advocate for people and his uncompromising commitment has uplifted the lives of countless people and families. NOW, THEREFORE, BE IT RESOLVED: That we, Members of the Council of the City of Canton, Ohio, do hereby go on public record to recognize and commend most highly an outstanding athlete, humanitarian and individual, WALTER HENDERSON, for earning our high regard and for serving our community with pride in 30 years of public service and volunteering. Thank you Walt, for making our community a better place to live, work and play.

PRESIDENT DENCZAK: Are there any remarks?

MEMBER DOUGHERTY: Mr. President. Yeah, I just want to publicly thank Mr. Henderson for his efforts in my ward. He knew I was trying to redevelopment Mahoning Road Plaza and one day gave me a phone call and said I think I have an idea and if we work together, we can make good things happen and that's exactly what happened out there. With the Council's support, he's got a great complex. Another thing I told him, I said, you know Walter, I, I, there's five big things on my list that my constituents want. One of them is a grocery store. We don't have a grocery store out there. Can you help me with that and this project? And, he says, I think I can and we worked together with that and within Mayor Watkins and Service Director Mike Miller and we, and we, and we, we made it happen with everybody's effort and it's a great complex out there. They're still expanding matter-a-fact, so there's still some projects on the burner that when you see them developed, all will be gone but, he'll be responsible two, three years from now with what happens out there. So, I just wanna publicly thank him. Thank you.

PRESIDENT DENCZAK: Are there any further remarks?... If not, the question that we're voting on is the Resolution. By voice vote, all those in favor signify by saying aye. Those opposed no.

NO REMARKS

RESOLUTION #68 IS ADOPTED BY UNANIMOUS VOICE VOTE

PRESIDENT DENCZAK: Resolution #68 is adopted. Resolution # 69 please.

#69 GRIFFIN, J., WARD 3 COUNCILMEMBER; REQUESTING A STREET LIGHT ON THE EXISTING

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POLE #795B3-60 BETWEEN 206 SMITH AVE., SW & 212 SMITH AVE., SW - ADOPTED

PRESIDENT DENCZAK: Member Casar.

MEMBER CASAR: Mr. President, I move we adopt Resolution #69; seconded.

PRESIDENT DENCZAK: Moved and seconded that you adopt Resolution #69. 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 #69 IS ADOPTED BY UNANIMOUS VOICE VOTE

PRESIDENT DENCZAK: The Resolution is adopted.

#70 **RETAINED IN COMMITTEE**

PRESIDENT DENCZAK: Resolution #70 is held in committee.

**COMMUNICATIONS**

PRESIDENT DENCZAK: All communications are received as read, filed and properly referred.

#382. AUDITOR, R A MALLONN (CITY): CERTIFICATE OF THE TOTAL AMOUNT FROM ALL SOURCES FOR 2006. - RECEIVED & FILED

#383. CD & PLANNING DIRECTOR MARGY POORMAN, CITY OF CANTON: AUTHORIZE THE MAYOR TO ENTER INTO AN ENTERPRISE ZONE AGREEMENT W/UNION METAL CORP FOR THE EXPANSION OF THE FACILITY @ 1432 MAPLE AVE., NE - COMMUNITY & ECONOMIC DEVELOPMENT CMTE

#384. CD & PLANNING DIRECTOR MARGY POORMAN, CITY OF CANTON: REQUEST ORDINANCE IN ACCORDANCE WITH ORDINANCE 190/97 TO ESTABLISH THE FAIR REUSE VALUE OF 5 PARCELS OF REAL PROPERTY & AUTHORIZING THE DISPOSITION OF SAID PROPERTY (PROJECT REBUILD) . - COMMUNITY & ECONOMIC DEVELOPMENT CMTE

#385. CD & PLANNING DIRECTOR MARGY POORMAN, CITY OF CANTON: REQUEST ORDINANCE IN ACCORDANCE WITH ORDINANCE 190/97 TO ESTABLISH THE FAIR MARKET VALUE OF 7 PARCELS OF REAL PROPERTY & AUTHORIZING THE DISPOSITION OF SAID PROPERTY (ABCD, INC). - COMMUNITY & ECONOMIC DEVELOPMENT & FINANCE CMTES

#386. CLERK OF COUNCIL, CINDY TIMBERLAKE, CITY OF CANTON: REQUEST OF FORMAL RESOLUTION WITHDRAWING THE CITY'S OBJECTION TO THE ISSUANCE OF THE LIQUOR PERMIT FOR CW HUTH INDUSTRIES, INC DBA STARK COUNTY SPORTS PUB ON 508 CLEVELAND AVE., NW). - INTERGOVERNMENTAL & PUBLIC SERVICE CMTE

#387. LAW DIRECTOR JOSEPH MARTUCCIO, CITY OF CANTON: REQUESTING CONSIDERATION OF AN ORDINANCE APPROVING THE EDITING & INCLUSION OF CERTAIN ORDINANCES

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ADOPTED FR: 7/30/05 TO 7/30/06, TO BE INCLUDED INTO THE CODIFIED ORDINANCES OF THE CITY OF CANTON; SUBMITTING A RESOLUTION AUTHORIZING THE CITY LAW DIRECTOR TO DISTRIBUTE, FREE OF CHARGE, TO PUBLIC OFFICIALS & PUBLIC INSTITUTIONS, COPIES OF THE 2006 SUPPLEMENT TO THE CANTON CITY CODE & TO AFFIX THE PRICE FOR THE SALE OF THE 2006 SUPPLEMENT TO THOSE HOLDERS OF THE CANTON CITY CODE. - JUDICIARY COMMITTEE

- #388. LAW DIRECTOR JOSEPH MARTUCCIO, CITY OF CANTON: REQUEST AUTHORIZATION FOR THE LAW DEPARTMENT TO PREPARE & PRESENT LEGISLATION ON BEHALF OF THE SAFETY DIRECTOR WHICH INCLUDES THE FOLLOWING: ADOPT, APPLY, & AUTHORIZE ENFORCEMENT OF THE RESIDENTIAL CODE OF OHIO; THE MAYOR SIGN & SUBMIT AN APPLICATION TO THE OHIO BOARD OF BUILDING STANDARDS REQUESTING CERTIFICATION OF THE CITY'S BUILDING DEPT; AND THAT CANTON CODIFIED ORDINANCES, INCLUDING CHAPTERS 1317 HEATING, VENTILATING & AIR CONDITIONS; 1333, RESIDENTIAL BUILDING CODE; AND 1351 PURPOSE & SCOPE, BE AMENDED TO UPDATE THE CITY BUILDING CODES TO ACHIEVE COMPLIANCE WITH THE RESIDENTIAL CODE OF OHIO APPLICABLE PUBLIC & RESIDENTIAL BUILDINGS INCLUDING 1-, 2- AND 3-FAMILY DWELLINGS AS PROMULGATED BY THE OHIO BOARD OF BUILDING STANDARDS. - JUDICIARY COMMITTEE
- #389 LIQUOR CONTROL DIVISION (OHIO): REQUEST TRANSFER OF OWNERSHIP OF C COX STOCK FROM SUSAN F FRANK, D.B.A. FULTON DRIVE THRU TO NADER ALSHAKHAATREH, FULTON ROAD DRIVE-THRU INC (1<sup>ST</sup> FL SOUTH UNIT & BSMT, 1133 FULTON RD NW. - INTERGOVERNMENTAL & PUBLIC SERVICE COMMITTEE
- #390 LIQUOR CONTROL DIVISION (OHIO): SUBMITTING NOTICE OF A NEW PERMIT APPLICATION (MURPHY OIL USA INC., D.B.A. MURPHY USA #7163, 4030 TUSCARAWAS ST W). - INTERGOVERNMENTAL & PUBLIC SERVICE COMMITTEE
- #391 MAYOR JANET CREIGHTON, CITY OF CANTON: REQUEST AUTHORIZATION TO ACCEPT A GRANT F: THE CANTON REGIONAL CHAMBER OF COMMERCE, PRO FOOTBALL HOF COMMITTEE IN THE AMOUNT OF \$50,000 TO BE UTILIZED FOR THE CANTON CIVIC CENTER RESTROOM RENOVATION PROJECT. - FINANCE COMMITTEE
- #392 PLANNING COMMISSION, CITY OF CANTON: RECOMMENDING APPROVAL OF REPLAT OF OUTLOT 1123 AND DEDICATION OF PART OF GEORGETOWN ST NE. - PUBLIC SAFETY & THOROUGHFARES COMMITTEE
- #393 SAFETY DIRECTOR BERNARD HUNT, CITY OF CANTON: AUTHORIZE THE DIRECTOR OF PUBLIC SAFETY TO ENTER INTO A TWO-SCHOOL YEAR CONTRACT RETROACTIVE TO 8/24/06 W/THE CANTON CITY SCHOOL DISTRICT BOARD OF EDUCATION TO PROVIDE FOR THE UNIFORMED SERVICES OF TWO ON-DUTY POLICE OFFICERS ASSIGNED EXCLUSIVE TO MCKINLEY & TIMKEN HIGH SCHOOLS IN AN AMOUNT NOT TO EXCEED \$75,000.00 PER SCHOOL YEAR. - FINANCE COMMITTEE
- #394 SERVICE DIRECTOR JOSEPH CONCATTO, CITY OF CANTON: REQUEST AUTHORIZATION FOR THE DIRECTOR OF PUBLIC SERVICE TO ADVERTISE, RECEIVE BIDS & ENTER INTO CONTRACT TO REMODEL THE SINK AREAS IN THE CONCESSION STANDS @ THE CANTON

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CIVIC CENTER. - PUBLIC PROPERTY CAPITAL IMPROVEMENT & FINANCE COMMITTEES

- #395 SERVICE DIRECTOR JOSEPH CONCATTO, CITY OF CANTON: REQUEST AN ADDITIONAL \$50,000 FOR THE 38<sup>TH</sup> STREET NW IMPROVEMENT, GP 1067 (SEE 2<sup>ND</sup> RDG O#20); REQUEST SAID APPROPRIATION TRANSFER FR: 4501-202001 - CAPITAL - ENGINEER ADMINISTRATION TO: 4501 202072 - CAPITAL - 38<sup>TH</sup> ST NW IMPROVEMENT, GP 1067. - PUBLIC SAFETY & THOROUGHFARES & FINANCE COMMITTEES
- #396 SERVICE DIRECTOR JOSEPH CONCATTO, CITY OF CANTON: REQUEST AUTHORIZATION TO ENTER INTO A PROFESSIONAL SERVICES CONTRACT WITH GOT ENVIRONMENTAL, INC. IN AN AMOUNT NOT TO EXCEED \$24,500 IN WHICH TO PROVIDE CONSULTING SERVICES TO IMPLEMENT A CITY-WIDE CURBSIDE RECYCLING PROGRAM; REQUEST AUTHORIZATION TO ACCEPT GRANT FR: THE STARK-TUSCARAWAS-WAYNE JOINT SOLD WASTE MANAGEMENT DISTRICT IN WHICH TO PAY FOR THIS PROGRAM. - FINANCE COMMITTEE
- #397 TREASURER, ROBERT SCHIRACK, CITY OF CANTON: COMPARATIVE REPORT OF CASH RECEIPTS FILED AS OF 7/31/06. - RECEIVED & FILED

**ORDINANCES & FORMAL RESOLUTIONS FOR FIRST READING**

PRESIDENT DENCZAK: We're now under Ordinances and Formal Resolutions for First Reading. Let the journal show that all ordinances are being given their reading as required by State Law. Ordinance #1 please.

***NOTE: PRESIDENT DENCZAK CALLED UPON CLERK TIMBERLAKE TO READ THE ORDINANCES #1 THROUGH #5 FOR THE FIRST TIME BY TITLE & ANNOUNCED THE COMMITTEE REFERRAL, AS FOLLOWS.***

- #1 (1<sup>ST</sup> RDG) AN ORDINANCE AMENDING APPROPRIATION ORDINANCE #1/2006, AS AMENDED, BY MAKING THE SUPPLEMENTAL APPROPRIATIONS HEREIN DESCRIBED; AND DECLARING THE SAME TO BE AN EMERGENCY  
Referred to the Finance Committee
- #2 (1<sup>ST</sup> RDG) AN ORDINANCE AUTHORIZING THE MAYOR AND THE DIRECTOR OF PUBLIC SERVICE TO ENTER INTO AGREEMENT WITH PITMAN PROPERTIES IN AN AMOUNT NOT TO EXCEED \$70,000 FOR ENGINEER WORK TO COMPLETE AN INDUSTRIAL PARK; AND DECLARING THE SAME TO BE AN EMERGENCY  
Referred to Public Property Capital Improvement and Finance Committees
- #3 (1<sup>ST</sup> RDG) AN ORDINANCE AUTHORIZING THE DIRECTOR OF PUBLIC SAFETY TO ACCEPT A 2006 FIRE SAFETY FUND GRANT FROM ALUMINUM CANS FOR BURNED CHILDREN IN THE AMOUNT OF \$479.30 FOR THE FIRE DEPARTMENT; AMENDING APPROPRIATION ORDINANCE #1/2006 AS AMENDED BY MAKING A SUPPLEMENTAL APPROPRIATION HEREIN DESCRIBED; AND DECLARING THE SAME TO BE AN EMERGENCY  
Referred to Finance Committee
- #4 (1<sup>ST</sup> RDG) APPROVING A CANTON CITY WATER MAIN EXTENSION TO PLAIN TOWNSHIP;

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AUTHORIZING THE DIRECTOR OF PUBLIC SERVICE TO ENTER INTO A CONTRACT FOR THE EXTENSION OF SAID WATER MAIN AND DECLARING THE SAME TO BE AN EMERGENCY

Referred to Environmental & Public Utilities Committee

**ORDINANCES & FORMAL RESOLUTIONS FOR SECOND READING**

PRESIDENT DENCZAK: Ordinances and Formal Resolutions for their second readings.

***NOTE: PRESIDENT DENCZAK CALLED UPON CLERK TIMBERLAKE TO READ THE FOLLOWING ORDINANCES #5 THROUGH #20 FOR THE SECOND TIME BY TITLE AS REQUIRED BY STATE LAW, AS FOLLOWS:***

#5 (2<sup>ND</sup> RDG) AN ORDINANCE ESTABLISHING THE FAIR MARKET VALUE OF REAL PROPERTY IN CONJUNCTION W/THE TUSCARAWAS STREET WIDENING & STREETSCAPING IMPROVEMENT PROJECT, G.P. 1064; AUTHORIZING THE MAYOR OR DIRECTOR OF PUBLIC SERVICE TO NEGOTIATE & PURCHASE SAID PARCELS AT THE ESTABLISHED FAIR MARKET VALUES AND DECLARING THE SAME TO BE AN EMERGENCY.

#6 (2<sup>ND</sup> RDG) **ADOPTED AS ORDINANCE 131/2006** AN ORDINANCE AMENDING APPROPRIATION ORDINANCE #1/2006, AS AMENDED BY MAKING THE SUPPLEMENTAL APPROPRIATIONS, APPROPRIATION TRANSFERS & INTER-FUND TRANSFERS HEREIN DESCRIBED AND DECLARING THE SAME TO BE AN EMERGENCY.

MEMBER CASAR: Mr. President. I move the statutory rules be suspended on Ordinance #6; seconded.

PRESIDENT DENCZAK: There's a move to dispense with the three readings of Ordinance #6. 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 #6; seconded.

PRESIDENT DENCZAK: Moved and seconded that you adopt Ordinance #6. Are there any remarks under this Ordinance?... Very well, roll call vote please.

NO REMARKS

ROLL CALL: 12 YEAS, 0 NAYS

PRESIDENT DENCZAK: Ordinance #6 is adopted.

**#6 ADOPTED AS ORDINANCE # 131/2006**

#7 (2<sup>ND</sup> RDG) AN ORDINANCE APPROVING & ACCEPTING THE REPLATTING OF ALL OF LOTS 23330 THRU 23334 AND APPROVING & ACCEPTING THE DEDICATION OF ADDITIONAL RIGHT OF WAY ON 25<sup>TH</sup> ST NE AND DECLARING THE SAME TO BE

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## AN EMERGENCY

- #8 (2<sup>ND</sup> RDG) AN ORDINANCE APPROVING & ACCEPTING THE REPLATTING OF ALL OF LOTS 24279 THRU 24281 AND DECLARING THE SAME TO BE AN EMERGENCY
- #9 (2<sup>ND</sup> RDG) AN ORDINANCE APPROVING & ACCEPTING THE REPLATTING OF ALL OF LOTS 29135 THRU 29139, 42545, 29133, 29134 & PART OF LOT 6254; APPROVING & ACCEPTING THE DEDICATION OF A PORTION OF HOFFMAN CT AND DECLARING THE SAME TO BE AN EMERGENCY.
- #10 (2<sup>ND</sup> RDG) AN ORDINANCE APPROVING & ACCEPTING REPLATTING OF ALL OF LOTS 13800, 13801 & 13802 AND DECLARING THE SAME TO BE AN EMERGENCY
- #11 (2<sup>ND</sup> RDG) AN ORDINANCE VACATING PART OF A 15' UNNAMED ALLEY FROM THE EAST LINE OF DERBY COURT TO THE WESTERLY LINE OF LOT 33355; APPROVING & ACCEPTING THE REPLATTING OF THE VACATED PORTION OF THE 15' UNNAMED ALLEY & ALL OF LOTS 3134, 3135, 3417 THRU 3419, 6607 THRU 6627, 19193, 19194, 20383, 20384, 33355, 37080, 39151, 39934, 39935, PART OF OUTLOTS 60 THRU 63, 176, 332 & PART OF LOTS 6475, 6628 & 6494 AND DECLARING THE SAME TO BE AN EMERGENCY  
**PUBLIC HRG. 9/11/06 @ 7:30 PM**
- #12 (2<sup>ND</sup> RDG) **RETAINED IN COMMITTEE** AUTHORIZING THE DIRECTOR OF PUBLIC SAFETY TO ADVERTISE, RECEIVE BIDS & ENTER INTO CONTRACT FOR THE PURCHASE OF COMPUTERIZED ON-STREET PARKING ENFORCEMENT EQUIPMENT; AUTHORIZING THE DIRECTOR OF PUBLIC SAFETY TO ALTERNATIVELY PURCHASE .....

MEMBER CASAR: Mr. President. Point of order, point of information, #12 was to remain in committee.

PRESIDENT DENCZAK: Yes, the Clerk was reading the title of the ordinance only and she'll make note of that. Okay.

#12 (2<sup>ND</sup> RDG) ....AUTHORIZING THE DIRECTOR OF PUBLIC SAFETY TO ALTERNATIVELY PURCHASE COMPUTERIZED ON-STREET PARKING ENFORCEMENT EQUIPMENT; AMENDING APPROPRIATION ORDINANCE #1/2006, AS AMENDED AND DECLARING THE SAME TO BE AN EMERGENCY. This is being retained in Committee.

#13 (2<sup>ND</sup> RDG) **ADOPTED AS ORDINANCE 132/2006** AN ORDINANCE AMENDING EXHIBIT A TO ORDINANCE NO. 40/2000, AS AMENDED, CLASSIFICATION PLAN FOR BARGAINING UNIT PERSONNEL EMPLOYED BY THE CITY OF CANTON AND DECLARING THE SAME TO BE AN EMERGENCY.

MEMBER CASAR: Mr. President. I move to sus..suspe... suspend the statutory rules for Ordinance #13; seconded

PRESIDENT DENCZAK: There's a move to dispense with the three readings of Ordinance #13. 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 #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 # 132/2006**

#14 (1<sup>ST</sup> RDG) **ADOPTED AS ORDINANCE 133/2006** AN ORDINANCE AMENDING EXHIBIT A TO ORDINANCE #164/2001, AS AMENDED THE CLASSIFICATION PLAN & SALARIES FOR ALL MANAGEMENT & NON-BARGAINING UNIT EMPLOYEES OF THE CITY OF CANTON AND DECLARING THE SAME TO BE AN EMERGENCY.

MEMBER CASAR: Mr. President. I move to suspend the statutory rules on #14; seconded

PRESIDENT DENCZAK: There's a move to dispense with the three readings of Ordinance 14. 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 #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 # 133/2006**

#15 (2<sup>ND</sup> RDG) AUTHORIZING MAYOR TO SUBMIT THE NECESSARY APPLICATIONS TO THE DIRECTOR OF PUBLIC WORKS COMMISSION & EXECUTE CONTRACTS FOR CURRENT STATE CAPITAL IMPROVEMENT & LOCAL TRANSPORTATION IMPROVEMENT PROGRAMS FUNDING FOR CAPITAL IMPROVEMENT PROJECTS AND DECLARING THE SAME TO BE AN EMERGENCY.

#16 (2<sup>ND</sup> RDG) AN ORDINANCE AUTHORIZING THE MAYOR TO APPLY FOR, ENTER INTO AGREEMENT & RECEIVE FUNDS FOR THE 2007 PROGRAM YEAR FROM THE CLEAN OHIO CONSERVATION FUND AND DECLARING THE SAME TO BE AN EMERGENCY.

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- #17 (2<sup>ND</sup> RDG) AUTHORIZING DIRECTOR OF PUBLIC SAFETY TO ACCEPT A GRANT IN THE AMOUNT OF \$3,500.00 FROM THE OHIO DEPT OF PUBLIC SAFETY FOR THE FIRE DEPARTMENT AMENDING APPROPRIATION ORDINANCE #1/2006, AS AMENDED BY MAKING SUPPLEMENTAL APPROPRIATION HEREIN DESCRIBED AND DECLARING THE SAME TO BE AN EMERGENCY.
- #18 (2<sup>ND</sup> RDG) AN ORDINANCE AUTHORIZING THE DIRECTOR OF PUBLIC SERVICE TO ADVERTISE, RECEIVE BIDS & ENTER INTO CONTRACT FOR THE RESTORATION OF THE LOWER ROOF AREAS OF THE CITY HALL BUILDING AND DECLARING THE SAME TO BE AN EMERGENCY.
- #19 (2<sup>ND</sup> RDG) **DEFEATED** AN ORDINANCE PROVIDING FOR THE SUBMISSION TO ELECTORS OF THE CITY OF CANTON THE QUESTION, "SHALL A COMMISSION BE CHOSEN TO FRAME A CHARTER?" & FOR THE ELECTION OF MEMBERS OF THE CHARTER COMMISSION AND DECLARING THE SAME TO BE AN EMERGENCY.

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

PRESIDENT DENCZAK: There's 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?

MEMBER SMUCKLER: Mr. President. A number of the Council people have talked to me about postponing Ordinance 19 to the May primary. Unfortunately, due to State Statute, we can't vote yea or nay on that this evening to postpone it to the May primary. It has to be within a 120 to 60 day window. I move that we postpone Ordinance #19 until January 29<sup>th</sup>, 2007; seconded.

PRESIDENT DENCZAK: Name the date again.

MEMBER SMUCKLER: January 29<sup>th</sup>, 2007.

PRESIDENT DENCZAK: Moved and seconded to postpone this ordinance until January 29<sup>th</sup>, 2007. Are there any remarks?

MEMBER CASAR: Mr. President. I'd like to simply say that we have a piece of legislation in front of us. I think we should dispose of it and then if the maker of this particu, partic, particular ordinance wi..wishes to do that, then he could do that in January, whatever. I feel very strongly that we should dispose of this piece of legislation this evening as we said two weeks that we would do; and secondly, I feel very strongly also, that if the, if the make of this Resolution, I mean this Ordinance is really sincere about the people wanting to change the city council, the city government, then he should go out and achieve the necessary votes for referendum and not put

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it on through this Body.

MEMBER WEST: Mr. President. This came through my committee and I think that I'm the one who asked to postpone it. Specifically because .... excuse me.... because, currently coming up, we have a governor's race and we have a lot of state races going on and all the people do not clearly understand what charter government is all about, um, and I thought that it was necessary to postpone this matter so that we educate the voters but at the same time, we bring it up during a time when we're really dealing with city matters and in May, that's when we'll be dealing with city matters. So, as I told this member, I would not be able to support this without having the time allotted for, um, for my voters, for my constituents to vote on or to understand this.

PRESIDENT DENCZAK: Are there any other remarks?... Members of Council, this motion calls for a voice vote, however, because of the nature of this issue, the Chair's going to ask for a roll call vote. Roll call vote please.

NO REMARKS

ROLL CALL: 5 YEAS, 7 NAYS

PRESIDENT DENCZAK: The motion to postpone is defeated.

MEMBER SMUCKLER: Mr. President. Then the ordinance remains before us, is that correct?

PRESIDENT DENCZAK: That's correct.

MEMBER SMUCKLER: Mr. President. I'll make a few brief remarks and let the cards fall where they may then. We, the people, in order to form a more perfect union, still true. City of Canton has the opportunity that if you believe the government's broke, re-do the government. If you believe things are broke, you have the opportunity to fix things and you can do that through charter. Now, I've said time and time again, for all the meetings that I've had, it's not a perfect formula. I'm not crazy about the formula but this is all we have to work with. If I wait until the State fixes something, all you have to do is look at our school system. They're a disaster, and it's because the State hasn't taken a look into the funding to fix the school systems. All they do is play politics in government, and I'm not talking about the school system itself being a disaster, I'm talking about the funding formula. Yeah, we all have children in these schools, they have to write checks now to go. The funding is a disaster. We're in a situation now, where we can offer the people, not a charter, but an opportunity to devote. A lot of years ago, that was a precious commodity for a lot of people. I'm just asking not to vote yea or nay on the charter, to vote yea or nay of establishing a charter commission. If the charter comes back favorable, you vote for it. If the charter doesn't come back favorable, you don't vote for it. That's all I'm asking. *(APPLAUSE)*

MEMBER WEST: Mr. President. I'd like to make a comment as well. I think, as I said, I'm probably going to have to vote no because of the timing and we're not postponing it. Um, but, it will also give me some time to fix the problem. I think a lot of people right here are looking at, and the reason we want to vote this down, is because we will not have representation from every ward. We're concerned about what this commission is made up of and I'm going to be working with the Law Department. I'll be bringing something forward to everybody here in about a week or so, but, I'm going to be working with the Law Department specifically about seeing if we can make a constitutional amendment to change that 15 member commission to reflect our, our, our parts of our wards or all of wards or quadrants. Some of the things we're going to look at, here in the near future, so, right now, I have to vote no, specifically, so I can try to fix this issue.

MEMBER CASAR: Mr. President.

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PRESIDENT DENCZAK: Any one else want to speak? Member Casar.

MEMBER CASAR: Mr. President. I'll start out the same way Member Smuckler did; we the people. Well, we the people are not 15 members of this community that will write the charter. That's my problem. We would not be represented in a, in a, in a ward-type concept. We don't know how they would come back. They are not representing the majority of the citizens of Canton. They are 15 people that put their name on the ballot and probably have enough money to run to get elected. I don't think that's the fair way of doing it but that's the way the state statute says that's the way it has to be done. But, as I said earlier, if this, if this council person, Member Smuckler, really wishes the people be heard, then go out and get the 1300 votes you need and let the people put it on the ballot that way. Also, and I, and I, and I feel very strongly about this, why are we trying to fix something that really isn't broken? We don't have the perfect form of government in this city, but I think we do a pretty good job and really what the people of this city are really concerned about is give us good drinking water, take care of our streets, take care of the snow, remove our trash and give us good law enforcement and protection. That's all they care about. They could care less if we have a charter city or a statutory city. So, who are we really trying to fool other than someone that lit the torch, and we have a few members of this Council carrying it around.

PRESIDENT DENCZAK: Are there any other remarks?

LAW DIRECTOR MARTUCCIO: Mr. President. Not knowing the outcome of the vote that's about to take place, the ordinance that's before Council now is clearly for the November placement of this issue before city voters. If this passes, by a, it requires 8 votes, two-thirds of Council, the, the Board of Elections will place this issue on the ballot shall a commission be chosen to frame a charter. The Board will also be instructed to, expect to receive and file petitions for people who want to run for the Charter Commission. Right now, the ordinance says they have until this Friday at 4:00 to do that. If a member of Council, in the event this passes, wanted to amend it, we have an amendment available granting another 15 days to the 60<sup>th</sup> day before the election, which is permissible under the Constitution of Ohio, Article 18, Section 8. Again, if a member of Council wants to advance that amendment to give those filers extra time, they can do so with a motion and we have copies for the Clerk. If not, sorry.

PRESIDENT DENCZAK: Are there any other further remarks?

MEMBER HART: Mr. President. Through some research I came up with a copy of a November 6<sup>th</sup>, 1962 it was a Tuesday, it was the proposed Charter. And, and when I looked at the document, um, I see 15 people's names on this, probably spent a great deal of time and for many of them the, you know, they're well-known names ah, in their day. You know, charter government is an extremely im....you know, could possibly be one of the best things we could do for this city but, again, my concern is making sure and, that their's as many people as possible that wish to make it on the ballot and that we do try to get as much representation from the city as we can because, just like all of us and those who have run at-large, you know, you're running at-large in the city and it's a, it's a, it's a big endeavor, and, hopefully, if we can get enough people interested in this that are gonna educate themselves, you know, they can do something that's going to be very positive for this community and, given enough time, you know, we're gonna get, hopefully, the best selection of people that are willing to give of their time because, you know, it's gonna take not hours, but, probably hundreds of hours worth if not thousands of hours to put something together, and I was being solicited by some body that, ah, you know, for the charter and they say you know, people have the right to their own heaven and hell which is very true. We make that. But, hopefully, if we can get some good dedicated people that are going to be working on this, you know, we're gonna have a heaven, we're not gonna have a hell that's gonna have to be constantly re-amended and we're gonna do something that people are gonna be able to educate themselves and are gonna be able to make, you know, good

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decisions and the voters will be able to make a better and more intelligent decision, given time. Thank you.

MEMBER KRAUS: I've given this a lot of thought. I listened to a lot of people and it's a bottom line issue with me. My constituents in my ward, when I talked to them, it's never been an issue of charter, it's never been an issue of the people. It's been an issue of getting 15 people to do something different than we are already being accused of listening to Columbus. Now they want us to listen to 15 people we have no idea how, who or what and now we're just gonna be again, back in some body else's hand. With me, it's never been an issue of charter or people. It's been an issue of the commission and I think we have to change that. Some where along the line, whenever we do this again to include the people that's sitting on this panel who has to listen to what Columbus says or what that charter says and we have some input into it. Thank you.

PRESIDENT DENCZAK: Any other remarks?... The question before you now is Ordinance #19. Roll call vote please.

NO REMARKS

ROLL CALL: 4 YEAS, 8 NAYS

PRESIDENT DENCZAK: The Ordinance is defeated.

#20 (2<sup>ND</sup> RDG) **ADOPTED AS ORDINANCE #134/2006** AN ORDINANCE AUTHORIZING THE DIRECTOR OF PUBLIC SERVICE TO ADVERTISE, RECEIVE BIDS & ENTER INTO CONTRACT FOR THE 38<sup>TH</sup> ST NW IMPROVEMENT GP 1067; AMENDING APPROPRIATION ORDINANCE #1/2006, AS AMENDED BY MAKING THE SUPPLEMENTAL APPROPRIATION & APPROPRIATE TRANSFER HEREIN DESCRIBED AND DECLARING THE SAME TO BE AN EMERGENCY

MEMBER CASAR: Mr. President. I move we adopt Ordinance, no, I move we suspend the statutory rules on #20; seconded.

PRESIDENT DENCZAK: There's a move to dispense with the three readings of Ordinance 20. 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 20 per the copy that all Council persons have in front of them.

PRESIDENT DENCZAK: No, ah, move...move to adopt the Ordinance first.

MEMBER CASAR: Mr. President. I move to adopt the Ordinance 20; seconded

PRESIDENT DENCZAK: Moved and seconded that you adopt Ordinance #20. Are there any remarks under this Ordinance?... Member Casar.

MEMBER CASAR: Mr. President. I move we amend Ordinance #20 per the copy of all Council persons have in front of them; seconded.

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PRESIDENT DENCZAK: Moved and seconded to amend this Ordinance per the copy before each of you. Are there any remarks?... The question before you now is the amendment. Are there any remarks under the amendment?.. If not, by voice vote, all those in favor signify by saying aye. Those opposed no.

NO REMARKS

THE AMENDMENT PASSED BY UNANIMOUS VOICE VOTE

PRESIDENT DENCZAK: The amendment has passed. The question before you now is the Ordinance as amended. Are there any remarks under this Ordinance, as amended?... Very well, roll call vote please.

NO REMARKS

ROLL CALL: 15 YEAS, 0 NAYS

PRESIDENT DENCZAK: Ordinance #20 as amended is adopted.

**#20 ADOPTED AS ORDINANCE # 134/2006**

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

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

***NOTE: PRESIDENT DENCZAK CALLED UPON CLERK TIMBERLAKE TO READ THE FOLLOWING ORDINANCES #21 THROUGH #31 FOR THE THIRD TIME BY TITLE AS REQUIRED BY STATE LAW, AS FOLLOWS. ALL THE ORDINANCES WERE ADOPTED BY COUNCIL FOLLOWING THEIR THIRD READING.***

#21 (3<sup>RD</sup> RDG) **ADOPTED AS ORDINANCE #135/2006** AN ORDINANCE VACATING A PORTION OF DEWALT AVENUE NW AND DECLARING THE SAME TO BE AN EMERGENCY.

**PUBLIC HRG. 8/21/06 @ 7:30 PM**

PRESIDENT DENCZAK: 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: 12 YEAS, 0 NAYS

PRESIDENT DENCZAK: Ordinance #21 is adopted.

**#21 ADOPTED AS ORDINANCE # 135/2006**

#22 (3<sup>RD</sup> RDG) **ADOPTED AS ORDINANCE #136/2006** AN ORDINANCE VACATING PORTIONS OF NOEL COURT NW, HARRIET AVE NW AND CROAD COURT NW AND APPROVING AND ACCEPTING THE REPLATTING OF ALL OF LOTS 1890, 1891, 19130, 19131, 2926 THROUGH 2931 AND THE VACATED PORTIONS OF NOEL COURT NW, HARRIET AVE NW, AND CROAD COURT NW; APPROVING AND ACCEPTING THE DEDICATION OF TWO 15 FOOT TURN-OUT RADIUSSES AND A 20 FOOT WATERLINE EASEMENT AND DECLARING THE SAME TO BE AN EMERGENCY.

**PUBLIC HRG. 8/21/06 @ 7:31 PM**

PRESIDENT DENCZAK: Member Casar.

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MEMBER CASAR: Mr. President, I move we adopt Ordinance #22; seconded.

PRESIDENT DENCZAK: Moved and seconded that you adopt Ordinance 22. Are there any remarks under this Ordinance?

SERVICE DIRECTOR CONCATTO: Mr. President. Just a point of information that tomorrow the houses on the Summit Project will be starting demolition. (APPLAUSE)

PRESIDENT DENCZAK: Any other remarks?... Roll call vote please.

NO REMARKS

ROLL CALL: 12 YEAS, 0 NAYS

PRESIDENT DENCZAK: Ordinance #22 is adopted. **#22 ADOPTED AS ORDINANCE # 136/2006**

#23 (3<sup>RD</sup> RDG) **ADOPTED AS ORDINANCE #137/2006** AN ORDINANCE AMENDING ORDINANCE NO. 55/77, AS AMENDED KNOWN AS THE CITY OF CANTON ZONING ORDINANCE AND DECLARING THE SAME TO BE AN EMERGENCY

**PUBLIC HRG. 8/21/06 @ 7:32 PM**

PRESIDENT DENCZAK: Member Casar.

MEMBER CASAR: Mr. President, I move we adopt Ordinance #23; seconded.

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

NO REMARKS

ROLL CALL: 12 YEAS, 0 NAYS

PRESIDENT DENCZAK: Ordinance #23 is adopted. **#23 ADOPTED AS ORDINANCE # 137/2006**

#24 (3<sup>RD</sup> RDG) AN ORDINANCE VACATING A PORTION OF RUTH PLACE NW AND DECLARING THE SAME TO BE AN EMERGENCY. **PUBLIC HRG. 8/21/06 @ 7:33 PM**

PRESIDENT DENCZAK: Member Casar.

MEMBER CASAR: Mr. President, I move we adopt Ordinance #24; seconded.

PRESIDENT DENCZAK: Moved and seconded that you adopt Ordinance 24. Are there any remarks under this Ordinance? Very well, roll call vote please.

NO REMARKS

ROLL CALL: 12 YEAS, 0 NAYS

PRESIDENT DENCZAK: Ordinance #24 is adopted. **#24 ADOPTED AS ORDINANCE # 138/2006**

#25 (3<sup>RD</sup> RDG) **ADOPTED AS ORDINANCE #139/2006** AN ORDINANCE AMENDING ORDINANCE NO. 174/83 AND DECLARING THE SAME TO BE AN EMERGENCY.

PRESIDENT DENCZAK: Member Casar.

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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? Very well, roll call vote please.

NO REMARKS

ROLL CALL: 12 YEAS, 0 NAYS

PRESIDENT DENCZAK: Ordinance #25 is adopted.

**#25 ADOPTED AS ORDINANCE # 139/2006**

#26 (3<sup>RD</sup> RDG) **ADOPTED AS ORDINANCE #140/2006** AN ORDINANCE AUTHORIZING THE MAYOR OR DIRECTOR OF PUBLIC SERVICE TO FILE AN APPLICATION WITH THE STATE OF OHIO TO PARTICIPATE IN THE CLEAN OHIO ASSISTANCE FUND, APPLY FOR FINANCIAL ASSISTANCE AND ADMINISTER THE FUNDS RECEIVED; AUTHORIZING THE MAYOR OR DIRECTOR OF PUBLIC SERVICE TO ENTER INTO CONTRACT WITH BROWNFIELD RESTORATION GROUP IN AN AMOUNT NOT TO EXCEED \$300,000.00 AND NO. 1/2006, AS AMENDED, BY MAKING THE SUPPLEMENTAL AP DECLARING THE SAME TO BE AN EMERGENCY.

PRESIDENT DENCZAK: Member Casar.

MEMBER CASAR: Mr. President, I move we adopt Ordinance #26; seconded.

PRESIDENT DENCZAK: Moved and seconded that you adopt Ordinance 26. Are there any remarks under this Ordinance? Very well, roll call vote please.

NO REMARKS

ROLL CALL: 12 YEAS, 0 NAYS

PRESIDENT DENCZAK: Ordinance #26 is adopted.

**#26 ADOPTED AS ORDINANCE # 140/2006**

#27 (3<sup>RD</sup> RDG) **ADOPTED AS ORDINANCE #141/2006** AN ORDINANCE AMENDING APPROPRIATION ORDINANCE 1/2006 AS AMENDED, BY MAKING THE SUPPLEMENTAL APPROPRIATION HEREIN DESCRIBED; AND DECLARING THE SAME TO BE AN EMERGENCY (*\$5,000 FROM UNAPP BAL OF 2328 PHI FUND TO 2328 PHI FUND*)

PRESIDENT DENCZAK: Member Casar.

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

NO REMARKS

ROLL CALL: 12 YEAS, 0 NAYS

PRESIDENT DENCZAK: Ordinance #27 is adopted.

**#27 ADOPTED AS ORDINANCE # 141/2006**

#28 (3<sup>RD</sup> RDG) **ADOPTED AS ORDINANCE #142/2006** AN ORDINANCE AMENDING ORDINANCE NO. 164/2001, AS AMENDED, THE CLASSIFICATION PLAN AND SALARIES FOR ALL

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MANAGEMENT AND NON-BARGAINING UNIT EMPLOYEES OF THE CITY OF CANTON; AMENDING EXHIBIT A TO ORDINANCE NO. 164/2001, AS AMENDED AND DECLARING THE SAME TO BE AN EMERGENCY.

PRESIDENT DENCZAK: Member Casar.

MEMBER CASAR: Mr. President, I move we adopt Ordinance #28; seconded.

PRESIDENT DENCZAK: Moved and seconded that you adopt Ordinance 28. Are there any remarks under this Ordinance? Very well, roll call vote please.

NO REMARKS

ROLL CALL: 12 YEAS, 0 NAYS

PRESIDENT DENCZAK: Ordinance #28 is adopted. **#28 ADOPTED AS ORDINANCE # 142/2006**

#29 (3<sup>RD</sup> RDG) **ADOPTED AS ORDINANCE #143/2006** AN ORDINANCE AMENDING APPROPRIATION ORDINANCE NO. 1/2006, AS AMENDED, BY MAKING THE SUPPLEMENTAL APPROPRIATION HEREIN DESCRIBED AND DECLARING THE SAME TO BE AN EMERGENCY. (*\$1,030 FR: UNAPP BAL OF 2111 STREET MAINT TO 2111 10-40-10 STREET MAINT*)

PRESIDENT DENCZAK: Member Casar.

MEMBER CASAR: Mr. President, I move we adopt Ordinance #29; seconded.

PRESIDENT DENCZAK: Moved and seconded that you adopt Ordinance 29. Are there any remarks under this Ordinance? Very well, roll call vote please.

NO REMARKS

ROLL CALL: 12 YEAS, 0 NAYS

PRESIDENT DENCZAK: Ordinance #29 is adopted. **#29 ADOPTED AS ORDINANCE # 143/2006**

#30 (3<sup>RD</sup> RDG) **ADOPTED AS ORDINANCE #144/2006** AN ORDINANCE AUTHORIZING THE MAYOR OR DIRECTOR OF PUBLIC SERVICE TO ENTER INTO A CONTRACT FOR THE SALE OF THE HOUSE LOCATED AT 402 HIGH AVE., S.W. AND DECLARING THE SAME TO BE AN EMERGENCY.

PRESIDENT DENCZAK: Member Casar.

MEMBER CASAR: Mr. President, I move we adopt Ordinance #30; seconded.

PRESIDENT DENCZAK: Moved and seconded that you adopt Ordinance 30. Are there any remarks under this Ordinance? Very well, roll call vote please.

NO REMARKS

ROLL CALL: 12 YEAS, 0 NAYS

PRESIDENT DENCZAK: Ordinance #30 is adopted. **#30 ADOPTED AS ORDINANCE # 144/2006**

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#31 (3<sup>RD</sup> RDG) **ADOPTED AS ORDINANCE #145/2006** AN ORDINANCE ESTABLISHING THE FAIR MARKET VALUE OF REAL PROPERTY; AUTHORIZING THE DIRECTOR OF PUBLIC SERVICE TO NEGOTIATE AND PURCHASE SAID PARCELS AND DECLARING THE SAME TO BE AN EMERGENCY.  
(*PARCEL #52/17218 & 52/17220, DIANO REALTY*)

PRESIDENT DENCZAK: Member Casar.

MEMBER CASAR: Mr. President, I move we adopt Ordinance #31; seconded.

PRESIDENT DENCZAK: Moved and seconded that you adopt Ordinance 31. Are there any remarks under this Ordinance? Very well, roll call vote please.

NO REMARKS

ROLL CALL: 12 YEAS, 0 NAYS

PRESIDENT DENCZAK: Ordinance #31 is adopted. **#31 ADOPTED AS ORDINANCE # 145/2006**

**ANNOUNCEMENT OF COMMITTEE MEETINGS**

PRESIDENT DENCZAK: Announcement of Committee Meetings please.

MEMBER HAWK: Mr. President.

PRESIDENT DENCZAK: Member Hawk.

MEMBER HAWK: Finance Committee will meet Monday, September 11<sup>st</sup> at 6:30 in the Caucus Room.

MEMBER PRATER: Mr. President.

PRESIDENT DENCZAK: Member Prater.

MEMBER PRATER: Personnel Committee will meet Monday September 11<sup>st</sup> at 6:30.

MEMBER GRIFFIN: Mr. President.

PRESIDENT DENCZAK: Member Griffin.

MEMBER GRIFFIN: Environmental and Public Utilities will meet Monday, September 11<sup>th</sup> at 6:30.

MEMBER DOUGHERTY: Mr. President.

PRESIDENT DENCZAK: Member Dougherty.

MEMBER DOUGHERTY: Public Property Capital Improvement will also meet the 11<sup>th</sup> at 6:30.

MEMBER KRAUS: Mr. President.

PRESIDENT DENCZAK: Member Kraus.

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MEMBER KRAUS: Public Safety & Thoroughfares doesn't have anything for that night, but, I'm gonna meet with Finance as Capital Improvement might have some information on the #12 that we kept in committee from tonight.

PRESIDENT DENCZAK: Any other committees?...

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

PRESIDENT DENCZAK: We have several people signed up to speak. Once again, I must remind you people who want to speak under Public Speaks that when you sign up, you must print your name. The reason for that rule is so that I can read and pronounce your names correctly. I have a difficult name to pronounce so I know what it is to scribble my name. So, please, in the future, print your names. The first speak is Henry Preston.

MR. PRESTON: Mr. President, Madame Mayor, Members of Council and other Concerned Citizens. My name is Henry Preston. I live at 1718 Market Avenue North, Canton, 44714. This evening, I'm here to talk about some of the police policies that I'm really am happy with the Canton Police Department. On the evening of July 10<sup>th</sup>, approximately 10 PM, a resident from the Park Place apartments called the Canton Police Department for assistance to remove a male trespasser from inside the Park Place apartments. The trespasser had been asked to leave many times prior to the call for police assistance. Two Canton Police Officers arrived at the Park Place Apartments at approximately 15 minutes after the call was placed, requesting police assistance. The trespasser left shortly before the officers arrived. The one officer that I met and spoke to was very professional and informed me that it is Canton Police policy that an officer will respond to a trespassing complaint from an apartment complex resident. This was comforting to know as some police city department..some city police departments will not respond to a trespassing complaint from an apartment resident unless a felony crime has been committed. Many cities require that a trespassing complaint which is not felony related must be called in from somebody that is from the apartment my..management staff. More often than not, apartment staff are not always readily available so I applaud the Canton Police Department for having a trespassing response policy that provides this level of safety for the City of Canton. Also, I want to applaud the decision to place the Police Officer at the SARTA Cornerstone Bus Terminal. I felt this action was overdo and I hope that it will never be reversed. I feel much safer at the SARTA Bus Terminal with the Police Officer's presence as do many of the other SARTA riders. The FBI 2004 crime report for Canton, Ohio lists Canton as having approximately 1 and a half to 3 times higher crime rate than the national average in the 7 crime categories that the FBI tracks. Canton's crime statistics are comparable to large cities such as Cleveland, Ohio and Dallas, Texas which also have crime rates. In these two comparison charts, Canton is higher than Dallas or Cleveland. Cleveland is rated as number 12<sup>th</sup> and Dallas is rated as number 22<sup>nd</sup> in the most dangerous to leave...to live in, in the United States. Canton seems to be a magnet seeking to commit crime in Stark County. I have referred to the 2004 crime statistics because they are the most recent and complete statistics that I could find. Use in the Canton Police's own published crime statistics for 2000 and 1999, Canton was still above the national average in most of the categories that the FBI tracks. In con...I mentioned these crime statistics because I consider the resources required are effectively being utilized for supporting the two policies that I had mentioned by providing a needed increase in the level of safety for the citizens of Canton. In conclusion, I want to praise the Canton Police Department for the two policies that I have mentioned because they do provide a significantly increased level of security for the SARTA riders and the apartment residents in Canton. Maintaining public safety is not just a responsibility for the Police Department, so I strongly encourage all the leaders in Canton to continue and maintain the look for ways to improve public safety for the City of Canton. Thank you. (APPLAUSE)

PRESIDENT DENCZAK: The next speaker is Patricia Kirk.

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MS. KIRK: Good evening. My name is Patricia Kirk. I live at Canton Towers, 131 5<sup>th</sup> Street NE. This is a congratulations. Last Friday, the 18<sup>th</sup>, there was an Urban Forestry Conference at Mount Union College and I want to congratulate Canton, Ohio for having one of the largest representations there. We were the only city with a Law Director, Mr. Martuccio, Attorney Mariella Mastell, Park Commissioner or Park Commission, Doug Perry and Doug Fulton, Civil Engineer Dan Moeglin and a Malone College Professor, Dr. Steven Diakuff. Lola Lewis, who is an Urban Forester, organized it and Pam Fagler of the Earth Action Partnership helped during the conference. If you remember, Lola and Pam gave a presentation to this Body in June 6<sup>th</sup>, 2005 about Tree City USA. I believe this brief exposure to knowledgeable people improving their communities, showed Canton how a tree ordinance can impact future development. Other people became aware of Canton's intent which helped Canton's image tremendously and I also might add that it has a very positive affect on improving the crime rate. Please keep up the good work. Thank you very much. (APPLAUSE)

PRESIDENT DENCZAK: The Next speaker is Rev. Hatchett.

REV. HATCHETT: My name is Rev. Houston Hatchett 1901 14<sup>th</sup> Street SE in the City of Canton. Thank you Council for hearing me. On July the 27<sup>th</sup>, I parked downtown ah, went into a couple businesses. I came out and had a ticket on my windshield. I checked the meter. I had 18 minutes left on the meter. When I looked across the street, I saw another city employee walking across the street and I called him over and asked him to verify the fact that I was parked legal and he said that I was and he gave me a phone number of our Tom Jones to call. I called this Tom Jones and he started giving me a run around about the person that witnessed had less seniority than the person that wrote the, wrote the ticket. I wasn't concerned about seniority, I was concerned about the ticket that I didn't deserve. So, ah, I came here to present it to you guys. What is, what is the, I asked this Tom Jones, was it policy that he give so many tickets at a certain time. He said no, that wasn't his policy. I asked him what was, what I, why did I get a ticket so that's what I was asking the question I was asking. Why did I get a ticket? I paid the ticket. I want my \$5.00 back. (APPLAUSE)

PRESIDENT DENCZAK: Let me find out what's going on here. Saf...Safety Director, ah, are you aware of this situation?

SAFETY DIRECTOR HUNT: We are hopeful that any ticket that we give is a ticket that should have been given because of the past due parking meter. If there's an issue concerning your meter and you believe it wasn't proper, I'd like to talk to you later after, ah, Council meeting and we'll find out what we can do.

REV. HATCHETT: If the meter's working properly, I had 18 minutes. I already stated that. So, and, it was verified by one of the employees, a Ricky Mitchell. He gave me his name also. A Ricky Mitchell. I think he works with the parking assistant also because he had those free parking bags on..with him when he, when I talked to him.

PRESIDENT DENCZAK: Sir, you had a witness that you had 15, or 18 minutes left?

REV. HATCHETT: Yes I did; a witness. An employee of the City. Matter-a-fact, I understand he's a, he's a meter person too. He had some of those free bags, you know that signal you can park free.

PRESIDENT DENCZAK: Well sir, I'll tell you this. If the City doesn't give you your \$5.00 back, I'll give you your \$5.00 back. (APPLAUSE)

REV. HATCHETT: Very good. Thank you Mr. President.

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SERVICE DIRECTOR CONCATTO: We're not, we're not going to give you your ticket back. We want to see this \$5.00 come out of his pocket. *(Laughter)*

PRESIDENT DENCZAK: But..... in return for the \$5.00 that I give, I'd like to have that hat. *(Laughter)* You'll look into that then Safety Director? Thank you very much. The next speaker is Philip DeChellis.

MR. DECHILLIS: My name is Philip DeChellis. Um, I'm, I have the Napoli's Italian Eatery at the 221 Market Avenue, downtown. I've been down here for about, approximately 16 years and I would like to address, tonight, an issue with some of the special events that's going on downtown. Ah, a lot of these events actually do help a lot of our, our businesses down here. But, in the same respect, when they do set up the evening before, ah, they kinda kill any business that we're going to normally do and a lot of the times, this happens on a Friday night, which is probably the restaurant's busiest night of the week, and, I've talked to other people and I talked to Tom and we're trying to resolve this issue to actually, ah, instead of shutting down the street at 5:00, actually, actually close it around 10:00 or 9:00 at a more feasible time when business is a, is a, concluded. Ah, also, on security, one of the events that we had about 2 weeks ago, it was actually on the day of the, of the enshrines, the night we had the fire works. Um, somebody had scratched my car that night. It was parked on the street and, ah, I did call the Police. They told me that there was no way they could come down that night, it was so busy. Actually, there was nobody downtown. But, in the future, I believe that we should have some kind of security and more police presence downtown, if we're going to have these events. We do need them downtown. I can't say anything more than that. Thank you. *(APPLAUSE)*

PRESIDENT DENCZAK: Member West.

MEMBER WEST: Mr. President. I did talk with Bill um, and I also spoke with the Chamber and the Chamber said they had four events going on. I asked them to compile those events and what time they needed, actually needed the road to close. Um, I also sent a communication up to the Administration, Bernie Hunt, who replied and they said that everything's different. I'll let him speak for himself. Um, but that was one issue, specifically with the downtown, the downtown vendors. They're, saying they're losing business because they're shutting down the streets earlier the night before and my proposal is for them to shut all events, across the city, at 9:00 that way it's consistent across the city so that events happening throughout the area, everybody knows the streets are being closed at 9 for special events.

PRESIDENT DENCZAK: The next speaker is Verla Allen.

MS. ALLEN: Mr. President. If I have your permission please, may I let, have my sister pass out a letter to each one of you that is concerning what I am here to speak about.

PRESIDENT DENCZAK: You bet.

MS. ALLEN: Thank you sir. My name is Verla Allen and I lived in Canton most of my life. Most recently though, I do live in another town. I, we come to Canton, downtown Canton every Friday night for almost eleven years. I've been going downtown Canton since I was a teenager. It's been one of my favorite places to be as far as fond memories I've had. I had, I have developed multiple sclerosis and in order to go to my favorite restaurant, Napoli's every Friday night, there is not one handicapped parking spot on the street of Market period. Um, I have called the Mayor and she's been very nice to me on the phone. There are two parking, handicapped parking spaces by the courthouse and there are two handicapped parking spaces from Tusc to Second Street. That's it. I have been told that if there, even if there was eight handicapped spaces in downtown Canton, 15 people would show up, but at least eight people would have a place to park. I've been told that handicapped

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people can park for free. Well, if there's no where to park, what good does it do to park for free? I have no where to park. I can't park at a spot that is available and free six blocks away and be able to walk down to the pizza shop and get in the door because I am unable to do that walk. I would like to make suggestion and I'd like to thank Tom West for inviting me here and being so kind to listen to me, that in most big cities like the City of Columbus and Akron, Ohio, what they have done is put in a blue meter which is just for handicapped and we pay just the same as everybody else to park; but at least we have a place to park. We don't mind paying. It's not a matter of I can park anywhere I want to, I can park for free if there is no space available, I don't get it. It don't make any sense to me at all to say you can anywhere you want to and it's free if there is no where. So, I would like to hope that the City Council, with their big hearts that they have would like to remember that even though we're handicapped, we cannot get around the same as we used to, that we enjoy downtown Canton. I grew up in downtown Canton. I've lived in Canton almost all of my life and I have such fond memories of coming down here as a child when it was such a busy city and going ice skating and going to high school down here and attending the functions I did and the one thing about downtown Canton, it still has that home, everybody's family and friends-type atmosphere and it's what makes me like it the most. If you go to the bigger, ah, the more urban areas, the larger restaurants, the busier areas, it's like hurry up and eat and get out of here. If you go into downtown Canton, you feel like you're family. You feel like everyone belongs and it brings back very fond memories to me and I, there are more people than just people with multiple sclerosis that are suffering with mobility problems. There are people that maybe have had a stroke, maybe they have rheumatoid arthritis, there could be any number of reasons why, why they have that problem, but, please, will you think about it and talk amongst yourself and try to offer us some means of being able to park our car and go eat. If, if we go to a private restaurant that is a restaurant that is on private property, it is the law that they designate handicapped parking spaces so that we have a place to park. We go into a public place in downtown Canton, there is no place to park. So, thank you for listening to me. *(APPLAUSE)*

PRESIDENT DENCZAK: Thank you Ms. Allen. Safety Director, Mayor, I certainly hope that you'll look into that. That, that sounds like it, that theres, it deserves some merit.

MEMBER WEST: Law Director. Mr. President. Law Director. Is there a state law that requires us to have certain handicapped parking per block?

PRESIDENT DENCZAK: Law Director.

LAW DIRECTOR MARTUCCIO: Mr. President. Member West. I believe there are some state laws that include the formulae approach. I don't know them. I will research them and get back to you and the Administration about it.

MEMBER WEST: Thank you.

PRESIDENT DENCZAK: Ah, Mr. DeChellis, because of that commercial, I'm going to have to charge you for that. *(Laughter)*

MR. DECHELLIS: *(Inaudible comment with more laughter. Mr. DeChellis was too far away from the microphone.)*

PRESIDENT DENCZAK: Mr. DeChellis, the fine is \$5.00 here. *(Laughter)* Give it to the revenue in the back of the room. *(Laughter)* Ah, Veronica Callahan spoke under the other....yeah. Final speaker is Ida Ross Freeman.

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PRESIDENT DENCZAK: My name is Ida Ross Freeman and I live at 1129 7<sup>th</sup> Street NE, Canton, Ohio and um, I'm here today to speak on the City Charter. I suppose what I'm gonna say is kinda mute now but, I'm gonna say it anyway. As I have read in the local newspaper....newspaper and listened and listened to the audio news media in reference to the questionable char...charter for the City of Canton, some of the Council persons are for it and some are not and according to Ed Balent, the fate of the charter government is up in the air, quote, unquote. Maybe it is and maybe it's not. It's looks, it looks like we may not have a chance to, we may not get to have our say as citizens because some of the Council persons think we are not intelligent enough to make a decision about the charter being placed on the ballot. Maybe their thinking on this matter might be right because we have not showed up in full-force to address the questions to.... um, to address or question this issue. Why? It seems to me that it is the older Council people that are displaying most displeasure of this proposed charter. I can't help but wonder why. It is because of their fear of ... is it because of their fear of relinquishing power and the unknown. I mean, after all, some of these people have been in office for most of life, which to me, means they are old, they are old and their thoughts are old. (*Chuckle and laughter*) I mean, no, I mean no disrespect, I mean disno.... ah, I mean no disrespect to our elders and thank them for their job well done. We now need people who are more receptive to new and global ideas. Yesterday's thoughts and ideas will not work in today's government and job market. We really need to think about what this charter will bring to this city by being our own governing agent locally. We are no longer just Canton. I see us in the global market and this required people, requires people who are and can be more global in thought if we are to grow more economically. Name recognition is great for job references but for managing our city, we need to rid our cities of stale thinkers, idealists and bring a change for our city and its future. I see petitions being signed by the community people as a whole and then placed, and those, and then the issue placed on the ballet in May. Not now. We should not do this charter right now because it might confuse the people and this is so important, for important, I feel for Ca...I feel this is so important for the future of Canton. Thank you. (*Applause*)

PRESIDENT DENCZAK: I think the last speaker just 'zinged' me. (*Laughter*) Now I'm gonna 'zing' her back. Under the Council rules Ida, please print your name and....44703 is not specific subject matter, that's a zip code.

So, please, in the future, print your name and state your specific subject matter. Okay?

**MISCELLANEOUS BUSINESS**

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

MEMBER ZACHARY: Mr. President. Just a couple things real quickly. For those individuals who came to Council tonight to thank, ah, whoever, for a job well done, thank you for your comments. It's very rare that ah, someone will actually take the time to actually show up in person and say thank you. It spurs us on. Um, just point of information, Mr. Preston, SARTA actually pays for the police officers who are at Cornerstone. They do it through a security grant that we get. It's not done with tax payers money, hopefully, we can keep the grant going so that we can ah, keep the officers down there because it has been a welcome relief to the people who ride the bus. So, and ah, and also um, Ms. Allen, I feel for your situation and may we can take that \$70,000 we're considering ah, buying cameras to mark, chalk mark cars and actually put it to good use and put some handicapped spaces (*applause*) downtown.

PRESIDENT DENCZAK: Is there any other miscellaneous business.

MAYOR CREIGHTON: Yes, Mr. President. I just wanted to remind everybody that tomorrow at 9:00 we will be swearing in twelve new police officers. (*Cheers & applause from the audience*)

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PRESIDENT DENCZAK: Any other miscellaneous business?

MEMBER HART: Yes, Mr. President. (*Very emotionally, Richard Hart expressed his condolences upon the loss of Jim Roach*) Um, I would like to remember Jim Roach who is a very avid scouter. He had a very profound impact on many youth in this community at his church and the thing I liked about him is when he couldn't run the hills down at 7-Ranges in Tusca-Zoar, he ran the kitchen at 7 Ranges over the years and when we would have work days there, he and his groups of retired scouters were there and they literally cooked meals for thousands of kids and the leaders and, and, their leaders on work days and it's that kind of dedication to the youth that he had that's gonna be sorely missed for everybody in scouting here in Canton. And, I also want to offer very special accolade for our Mayor on her birthday tomorrow. (*Applause*) I thought she was 35 and Service Director Concatto said no Richard, she's a lot older than that. (*Laughter*)

SERVICE DIRECTOR CONCATTO: She's right up there with all the Councilmembers. (*Laughter*)

MEMBER CARBENIA: The old ones.

PRESIDENT DENCZAK: Mr. Concatto. You're out of order. I'll fire him for you Mayor. You finished Member Hart?

MEMBER HART: Yes.

LAW DIRECTOR MARTUCCIO: Mr. President. Thank you. Two items to follow up on. First, with regard to Member West's request. Just so everyone understands, the reason a charter commission consists of 15 at-large folks from the City in which they run, non-partisan, is because the Ohio Constitution says that. Back in 19...the middle 1980's, a lot of well meaning people here on Council had the same concerns about the Charter Commission not being representative of the City. Mr. Prater gave the example of how school board have to be made up of people from a particular quadrant and so on. Um, the only way to change that is to change that Constitutional Amendment, Article 18, Section 8. Perhaps the General Assembly can be moved to get it on the ballot by the State of Ohio voters to take it on, or perhaps the people of the State of Ohio will do it but it's something that obviously Mr. West is asking us to look at, just so you understand the City of Canton, City Council can't change that in and of itself. Secondly, I want to thank Patricia Kirk for thanking the City for being involved in the Urban Forestry Program. Um, I may sound like a tree hugger, but I learned a lot Friday about how important they are in so many ways and how we can be held liable for trees that may fall and hurt, or hurt or kill people or damage property. It's also something that can assist greatly towards helping to relieve global warming. So, it's the right thing to do for a lot of reasons and we'll be presenting some programs and ordinances to Council as we develop them. Thank you.

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

MEMBER CASAR: Mr. President.

PRESIDENT DENCZAK: Member Casar.

MEMBER CASAR: I move we adjourn; seconded.

PRESIDENT DENCZAK: Moved and seconded that you adjourn. Roll call vote.

NO REMARKS

ROLL CALL: 12 YEAS, 0 NAYS

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CLERK TIMBERLAKE: 12 yeas Mr. President.

PRESIDENT DENCZAK: This meeting is adjourned.

ADJOURNMENT TIME: 9:11 PM

ATTEST:

APPROVED:

CYNTHIA TIMBERLAKE  
CLERK OF COUNCIL

RAY DENCZAK  
PRESIDENT OF COUNCIL