

MINUTES OF THE MEETING AUGUST 6, 2007

PRESIDENT PRO TEM CASAR: (*SOUND OF GAVEL*) 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:

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

CLERK TIMBERLAKE: Eleven present, one absent Mr. President. (GREG HAWK ABSENT)

PRESIDENT PRO TEM CASAR: Thank you Madame Clerk. We will now have the invocation given by Councilper...member Joseph Carbenia. Please remain standing for the pledge of allegiance.

The regular meeting of Canton City Council was held on Monday, August 6, 2007 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 Ward 9 Councilmember Joseph Carbenia, followed by the Pledge of Allegiance led by President Pro Tem Casar.

AGENDA CORRECTIONS & CHANGES

PRESIDENT PRO TEM CASAR: Thank you Member Carbenia. We're now under agenda corrections. Members of Council, you are being asked to suspend Rule 22A to add the Ordinances of second reading, Ordinances #11 through and including #24. Member Carbenia, the Chair will recognize that motion.

MEMBER CARBENIA: I, I ah, move that ah, Rule 22A suspension and add second readings ah, from ah, to add second readings #11 through and including #24.

MEMBER CIRELLI: Seconded.

PRESIDENT PRO TEM CASAR: It has been moved and seconded to suspend Rule 22A to add the second reading Ordinances through #12 this evening's agenda. Are there any remarks? If not, roll call vote please

NO REMARKS

ROLL CALL: 11 YEAS, 0 NAYS

CLERK TIMBERLAKE: Eleven yeas.

PRESIDENT PRO TEM CASAR: Rule 22A has been suspended and Ordinances are a legal part of your agenda.

PUBLIC HEARINGS

PRESIDENT PRO TEM CASAR: We have scheduled for this evening 2 public hearings. First, at 7:30, the first one is an ordinance amending Ordinance #55/77, as amended, known as the City of Canton zoning ordinance and declaring the said to be an emergency. Lots #32534, 32535, 32536 and 32537 is located on the northwest corner of Market Avenue North and 30th Street NW, assigning to Ward 9, R-1 single family residents to BP-1, planned office, Planning Commission recommended the approval. Is there anyone in the auder..the aud, the audience, wanting to speak on or for against this zone change, please come forward, give your name and

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address please. Ladies first. (*LAUGHTER*)

MS. KORZAN: Thank you. Good evening. My name is Rachel Korzan and my address is 212 34th Street NW. I've been a resident of Market Heights for 18 years. Many of my neighbors are in the room tonight and we are here on behalf of the 30th Street NW Market Avenue property. Please raise your hand, those of you that are from Market Heights neighborhood? (*A VISUAL SHOW OF HANDS WAS MADE*) Thank you. We have had a neighborhood association since 1994. Our neighbors joined together initially because of the increased crime in our neighborhood. We were told that this quote, organization would stay together approximately 5 to may be 7 years tops, end of quote. We are here to say that many years later, we have passed that and we are still a strong neighborhood association. The city has become stronger because of our neighborhood. The Stark Community Foundation, which consists of Chase Bank, which by the way, happened to be Bank One, at the time, the Repository, the City of Canton and the Community Foundation all wanted to help those who wanted to make a difference in their neighborhoods. The leadership is comprised of neighborhood representatives from all over the city representing many of the wards. The Leadership Council was started back in 1998 with 8 groups and has grown to over 40 neighborhood groups. We have been loyal to our city while population has declined since 1990, many of our neighbors have stayed here. We staff our schools with volunteers, we worship in our community churches and synagogues, we work on community projects, we represent our city boards and school boards. Members of our communities have a positive impact through service to organizations such as the Boy Scouts, the Girl Scouts, volunteers for Habitat for Homes, historic preservation and the list goes on. What kind of city do you want to live in? Thirtieth Street and Market Avenue is the gateway to our neighborhood. This whole situation started when Market-ites had a dream. We wanted to put a sign on the corner of that lot to welcome our neigh...to welcome people to our neighborhood. The original owners sold the property. The new owners have been trying to get it re-zoned business instead of building new homes on that lot, lots. We would like to keep the lots residential. There are several empty buildings further west on 30th Street that could still be used for a bank. This property on Market Avenue is overgrown because the current owners are not keeping the property mowed. I believe the city mows it quite frequently. If the lot has not been well attended, why should a company benefit? We would like to see the lot kept neat too. Our neighborhood Leadership Council coined the phrase, 'you don't have to move to live in a better neighborhood'. Market Heights neighbors would like to still keep this property from being re-zoned business. Thank you. (*OVERWHELMING APPLAUSE*)

PRESIDENT PRO TEM CASAR: Is there anyone else in the audience wishing to speak (*SOUND OF GAVEL*) ...is there anyone else in the audience wishing to speak for or against, please come forward.

MS. SILAGY-WESSON: Good evening. My name is Pat Silagy-Wesson and I am a 24 year resident of Market Heights. I'm also a member of the Steering Committee for the neighborhood association. Ah, there's 3 concerns about this proposed zoning change and I speak against the zoning change. Ah, the first is, it will bring increased traffic. Ah, there's been a lack of input from the larger neighborhood of 450 plus households and a lack of comprehensive planning at the neighborhood level to deal with these kind of issues. Ah, traffic. A bank with an entrance, an exit and a drive-through will obviously increase traffic congestion. Ah, Stark County Area Transportation Study draft we saw listed 30th Street and Market as the 6th most hazardous intersection in Stark County with 44 accidents from '04 through '06 and 20 of these caused injuries. In fact, we do have some pictures later that there was an accident there on Saturday. Imagine what this corner will be like traffic-wise with the plan changes. Also, traffic will mean traffic problems mean the police are diverted from crime fighting duties. Ah, secondly, neighborhood input isn't required when these changes are approved by the Planning Commission and only property owners in close proximity must be notified before Council votes. Many

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neighbors were surprised. Plans for a specific business have already been drawn before a zoning change is approved. Should not a major change from open green space to a bank with 57% pavement be presented to 450 plus households, at least for question and answers before a decision is made. And, the final issue is comprehensive planning at the neighborhood level. This is not just one bank, one corner right now. This may look like prime commercial development material to some people but to us, this is the gateway to our neighborhood. What about the long-term impact of a zone change? A spot zoning change only protects our homes in the short run. What happens when the next developer argues that there are businesses on all 4 corners and a precedent has been set? Already there are 5 to 6 homes for sale on the 30th Street border of our neighborhood and 1 house on 31st Street in very close proximity to 30th and Market. Can you guarantee us protection from a domino affect of commercial development like has happened on Cleveland Avenue and West Tusc? Canton paid, I believe, \$125,000.00 to a design group in 1999 and \$2,000.00 for a master plan. From an article in the Repository, they noted a lack of well-defined neighborhoods and recommended collaboration between the city and neighborhood groups. Well, here we are and this is your opportunity to do that. We are loyal, a civic-minded neighborhood. Please reassure us that we made the right decision by staying in the city and we are your constituents. Please vote against this zone change. Thanks very much. (*OVERWHELMING APPLAUSE*)

MEMBER CARBENIA: Mr. President.

PRESIDENT PRO TEM CASAR: Is there anyone else in the audience wishing to speak for or against this zone change, please come forward?

MEMBER CARBENIA: Ah, Mr. President. Um, Mr. President.

PRESIDENT PRO TEM CASAR: Yes Joe.

MEMBER CARBENIA: Ah, the young lady didn't give her address.

PRESIDENT PRO TEM CASAR: Sorry. I think she did.

CLERK TIMBERLAKE: I thought she did.

PRESIDENT PRO TEM CASAR: I think she did. Proceed please.

MR. WEBER: Hi. My name is Jerry Weber. I'm the architect that represents Fifth Third Bank in this project. My address is 13711 Madison Avenue and that's in Lakewood, Ohio. Zip Code 44107. Um, I've heard a couple of comments tonight regard the neighborhood. Ah, there was a deed restriction on the property and that deed restriction required an affirmative vote of those who are listed on the deed restriction in order to go through with this process. That was voted on and 14 out of 18 were affirmative in, which is about 77% ah, of the affected properties with their deed that approved this zoning change. Um, a bank, ah, in my ah, experience, has been one of the ah, cornerstones of ah, neighborhoods and ah, ah, cities and towns and what-not around the state, around the country and ah, we've been invited in other communities to become to the gateway to their communities. Our building, if anybody's interested, I did bring photographs and ah, ah, drawings of the proposed bank. Ah, it's a um, very residential looking building, a gable roof, brick, shingles, has a coupla, shutters, brick points and ah, it fits very well in ah, I guess you could describe it as a western reserve type of

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architecture. Um, one of the comments was how do we stop the growth of going west bound on 30th or north bound on Market Street. Our initial proposal was in discussions with the Council and Planning, there's a 5-ft strip that isn't included in the re-zoning along the north property line. That north 5 ft strip would remain as residential and then the bank even went further and proposed that we would ah, grant, or deed it or whatever the legality terms are, to the association so that the whole association of the neighborhood would control that property but it would be maintained by the bank as part of their property. And, the other issue was, you know, how do you control expansion going down 30th to the west? Well, we can do the same thing along the west property line. We could carve out a 5 ft strip, deed it to the association, maintain it for them and that always remains residentially zoned. I don't know what the legalities of doing that are. We'd have to talk to the Law Director and ah, and ah, other attorneys that are involved in the project. Ah, but I would propose that and see if that went through legally. Um, traffic concerns. About 40% of bank traffic is passed through traffic meaning it's already on the property, it's already on the streets. Ah, you or I going to the drug store, might stop off at the bank to get some money out of the ATM. We might be coming home from work and we stop off to deposit our check. One of the things that the bank's, ah, philosophy is, is they want to become members of the community. Ah, each bank, branch, is autonomous meaning each branch, ah, bank branch has the decision making capabilities of ah, deciding on mortgages, personal loans, business loans. Ah, the bank puts up with what's called a seven-office and it includes offices for the items that I just mentioned or in addition, would be ah, investment banking and things like that. So, now, people in the neighborhood don't have to go downtown to do all their banking. They can go right to the local branch, and the bank does want to become part of the community and they do become part of the community. Um, those are my comments and, I, ask that the Council vote affirmative in changing the zoning on this property. Thank you.

PRESIDENT PRO TEM CASAR: Thank you. Is there anyone else in the audience wishing to speak for or against the proposed zone change, please come forward. Is there anyone? Please give your name and address please.

MS. HOFACRE: I'm Cynthia Hofacre. I live at 335 36th Street NW. As a 26 year resident of Market Heights, I oppose this latest assault on our neighborhood. Strong, full, intact neighborhoods are needed in our city. Market Heights is one of the last such remaining neighborhoods. You'd only look a few blocks in any direction to see how unplanned commercialization of our neighborhood has left its mark. We have empty, abandoned, uncared for business properties all over this city. Is this what we want for yet another neighborhood? Would it not be more fitting to reclaim those already vacant buildings and properties? The Planning Commission has given its approval and they are supposed to be planning and looking ahead for the future of our city. Are they really looking ahead to protect the future of Market Heights? This went through the Planning Commission so fast, that we did not have the opportunity to ask questions. Here are just a few of the comments, the concerns and the questions that I have heard over and over again as I have been talking with our neighbors. What plans are in place should Fifth Third Bank decide to close its doors at that corner lot? We are told this is a zone change for planned business only, but really, what good, would we as a neighborhood gain from a lot that is reverted back to residential if there's an empty commercial building sitting on it? How will they stop future zone changes along 30th Street along Market Avenue in that corridor? I am concerned that the current property owners or the bank, we're not sure which, has offered monetary compensation to the property owners in the vicinity of the lot. How will Market Heights be protected from other entities offering monies to get a zone change? Why does the Planning Commission think that we even need another Fifth Third Bank within a 2 mile radius of one that's being built on Cleveland Avenue? Not to mention the 4 banks within walking distance of this lot. What thought has been given to the safety of the residents in our neighborhood? What impact would

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the bank have on the already heavily traveled and accident prone Market intersection? With quick interstate access and the increased bank robberies now a days, will this bring in an undesirable element? I have with me tonight a copy of the last Canton Quarterly that was delivered to all of Canton residents and I would like to share just a few lines out of an article that appeared on page 9, and there's a very nice picture of Bill Smuckler and Don Casar and Mary Cirelli on this page... and it reads.... "Canton City Councilmen At Large are responsible for all of Canton. We, we are only part of a solution to Canton's problem. We work with ward councilmen to make Canton neighborhoods stronger. We can't be effective without your input." This begs the question, so where are we, as a neighborhood in this process? If the leaders of this City truly believe and stand behind their statements, to the importance of reclaiming, retaining and listening to it's neighborhoods, I ask you to vote no on this zoning change. (*OVERWHELMING APPLAUSE*)

PRESIDENT PRO TEM CASAR: (*SOUND OF GAVEL NUMEROUS TIMES*) Is there anyone in the audience wishing to speak, please come forward. Give your name and address please.

MR ROSS: Yes, my name is Dick Ross and different than the other speakers, I've only been in this neighborhood for about 4 years. My address, thank you Mary, my address is 213 31st Street NW. It was 20 some years ago I stood before you. I lived on Bedford, and it was a struggle then to maintain a neighborhood, and we lost after 25 years and it's gone. My home's gone. (*Mr. Ross became very emotional*) I don't want this to happen any more. When we moved, my kids said, and I have a lot of them, hey, we're going to a neighborhood with a name to it. Market Heights. The question, I think, that lies in front of all of you is how do you make decisions? What values will motivate you? What's the evidence to support which ever decision you make? What's outstanding for me are these people. How often is this Chamber mostly empty? How often you gather so many people with such strong convictions that have worth, meaning and value? They are not able, as the bank, to spend money as they can. I think the bank project has merit, but, what is failing is the capacity of our government to engage the people in an enterprise that infects them. Yes, you followed the letter of the law. You notified all that needed to be notified and you discovered in doing that, that you missed the real people who really matter, and that is all the rest of us that is around that area. On the other side of the street, it isn't even Canton. So, I ask you to reconsider if you've already made up your mind, I'm asking you to reconsider to go back to your hearts and ask yourselves a deeper question than one of economics and that is, how do we preserve ourselves in a, in a coun... in our, ah, community and without neighborhoods, there is no community. It doesn't exist, and this is the community. Look at 'em. And, I ask you to vote for them because this is what they want and then go back to the drawing boards. Get the Planning Commission to engage them. I think something can be worked out. We should be able to work together but you can't do that when it all happens slide a hand and thanks to Mr. Hart, we happen to know about it and we gathered together. So, I ask you, in conclusion, to vote no so that we might reconsider how best to do this. Thank you. (*OVERWHELMING APPLAUSE*)

PRESIDENT PRO TEM CASAR: Is there anyone else?...

MR. ALECUSAN: Thank you Mr. Casar. My name is Emil Alecusan. I'm a resident of Market Heights. I live at 3360 West Harvard Boulevard NW. Mr. Ross mentioned, look at your heart, look at the values but we realize that some of Council's consideration revolved around economic development. Ok. I am opposed to the zoning change, and I want to present... I am a believer in economic development if done the right way, and in this case, I do not believe this situation, with this commercial business in this area, is doing it the right way and I'd like to share with you some perspectives if we look at it from purely economics. Ok? It is not

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necessarily beneficial, beneficially financial to this city in doing so. With the focus to adding jobs to the city, we're looking at a retail branch of 3 or 4 tellers perhaps, a couple office managers, maybe another person. Maybe a payroll of \$180,000.00, at a 2% income tax, we're all here tonight for \$3,600.00 coming into the coffers of the city, \$3,600.00. It's out, .00007, ok, of the city's annual \$54 million dollar budget. This commercial business at this single site, with a small fixed number of modest paying positions, and little capacity for growth based on a traditional retail bank is a very low forum of economic development by comparison, the Market Heights Neighborhood Association of our 450 owner occupied homes. If we assume an average income per household, based on Canton City School District, of \$25,000.00 per household and that doesn't include the higher income just north of our Canton City School District, if we just look at this, 450 homes, at \$25,000.00 a household, that's an \$11,250,000.00 payroll. That's excluding such large companies like Timken and the hospitals, that would make Market Heights one of the larger companies in this city based on it's payroll. If we just use that \$11,200,000.00 payroll at the \$25,000.00, we're talkin' about \$225,000.00 of benefit of financial income to this city. At a 2% tax, this conservatively generates 62 times more than the bank will be bringing in. Based on our payroll of \$11.3 million versus \$180,000.00. If you just look at a 2, a 2% inflationary increase in our payroll over the next year, that will be \$225,000.00 or 25% more than this bank will bring in when we establish it. On the negative side of this economic

PRESIDENT PRO TEM CASAR: Mr. Alecusan, will you please read your mark, your approaching your 3 minutes.

MR. ALECUSAN: If these people, if we just lose 3 people, we will have lost half of the payroll, ok, of the city. In addition, Fifth Third is making an aggressive expansion in Stark County and the headline in a most recent financial report is, buy-out rumors likely behind Fifth Third stock. Do we want another vacant area? There are many areas in the city on the west at the Miller Sales in the ah, other outlots, as well on the DeHoff lots, not to mention the city's service facility, if we were to say, let's re-utilize that city service facility, sell it, let Fifth Third Bank have it, let them do it, the city generates several hundred thousand dollars as well. In conclusion, my point is, that economic development is just not about jobs. It's about retaining a strong neighborhood and retaining the population base that's a part of it. Thank you very much. (APPLAUSE)

PRESIDENT PRO TEM CASAR: Mr. Fay.

MR. FAY: Ah, good evening ah, Mayor, Council President, Members of Council. My name's Bob Fay. I'm the President of Market Heights Neighborhood Association and I live at 3425 Logan Avenue. My wife and I have lived there for about 25 years and I've been a resident of the city for over 40 years and um, I very, very much appreciate everybody who came out here tonight. Let me see those hands again. (DISPLAY OF HANDS FROM THE AUDIENCE) All right! (APPLAUSE) Very much appreciate... okay, you're digging into my time. Um, very much appreciate everybody who came out here tonight. Ah, Mr. Carbenia, Carbenia, who is supporting this, his, as, as, as all of you know, and I've talked to all of you, he represents a very small portion of our neighborhood, approximately 2, 3 blocks of our neighborhood. Mr. Hart, Mr. Kraus, represent a lot bigger portion of our neighborhood and, and Mr. Hart, as was noted earlier, was the one who alerted us to this, ah, letter that was announcing this, ah, change. Ah, you may think that we're a perfect neighborhood, and we're not. We're a neighborhood under attack, just as much as they are under attack at 9th and Shorb and at 4th and Brown. Now, we've got different issues, but here's the last newsletter I sent out. Twenty-six came back as vacant houses. Twenty-six came back as vacant houses. Five of these are along 30th Street as vacant houses. So, we have challenges in our neighborhood. They're a little bit different but they still are big challenges that

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we have and we have decided as a neighborhood organization to stick together. Most of us could move out of the city if we wanted to, but there, there's positives with being in the city. The diversity, the closeness, the education. It goes on and on and on, the positive things about Canton and so we have stressed that and continued to build our organization and, and it's, it's very simple here tonight. We've not the big fancy bank. Ah, we don't have the big fancy architect from Cleveland. No, we're just local people here and it's very simple. We just need you to stand with us, the neighbors of Market Heights. We just need you to stand with us against the non-resident owner of this property. He doesn't live in the city. We just need you to stand with us against the non-resident real estate company that's brokering this deal. They're not a resident of the City of Canton. We just need you to stand with us against the non-resident architect that you heard here tonight. We just need you to stand with us against the non-resident builder that's going to build this branch because on Cleveland Avenue, they're using a builder out of Cleveland. We just need you to stand with us against the, the, against the, the additional traffic that we fear and the additional....

PRESIDENT PRO TEM CASAR: Mr. Fay, you've exceeded your 3 minutes. Will you bring your remarks to a close.

MR. FAY: Thank you. Thank you Mr. President. We just need you to stand with us. We're just the residents of Market Heights. We're the homeowners of Market Heights. We're the voters of Market Heights and we need you to stand with us. Thank you. (*APPLAUSE*)

PRESIDENT PRO TEM CASAR: Is there anyone else in the audience wishing to speak for or against this matter, please come forward?... Is there anyone else in the audience wishing to speak for or against this matter, please come forward?... Is there anyone in the audience wishing to speak for or against this matter, please come forward?... Apparently not. So, this portion of the public ah, hearing is closed and the ordinance will be taken up later in in the evening. Thank you. Ah, we have another public hearing scheduled for 7:31. An ordinance amending Ordinance No. 55/75, 77, I'm sorry, as amended, known as the City of Canton zoning ordinance and declaring the same to be an emergency, city-wide rezoning, planning. Planning Commission recommended approval. Is there anyone in the audience wishing to speak for or against this zone change, please come forward?... Is there anyone in the audience wishing to speak for or against this zone change, please come forward?... Is there anyone in the audience wishing to speak for or against this zone change, please come forward?... Apparently not, and I, this part, this zoning ah, public hearing is also closed and this Ordinance will also be dealt with later this evening. Thank you all.

PUBLIC SPEAKS

PRESIDENT PRO TEM CASAR: We are now.... where we at here? We are now under Public Speaks. There's no one signed up to speak for matters pertaining to Council agendas this evening.

INFORMAL RESOLUTIONS

PRESIDENT PRO TEM CASAR: Informal Resolutions. We are now under Informal Resolutions. Mr....Member Carbenia, would you please make a motion to excuse Members Hawk and President Schulman.

MEMBER CARBENIA: Yes. Mr. President, I'd excuse, like to excuse Members, ah, Member Hawk and President Schulman from tonight's meeting.

MEMBER CIRELLI: Seconded.

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PRESIDENT PRO TEM CASAR: It's been moved and seconded to excuse Members Hawk and President Schulman from this evening's meeting. Are there any remarks? If not, roll call please.

NO REMARKS

ROLL CALL: 11 YEAS, 0 NAYS

CLERK TIMBERLAKE: Eleven yeas Mr. President.

PRESIDENT PRO TEM CASAR: Member Hawk and President Schulman has been excused from this evening's meeting.

COMMUNICATIONS

PRESIDENT SCHULMAN: We're now under Communications. Let the Journal show that all communications are received as read.

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 AUGUST 6, 2007.

433. ANNEX., DIR., SLIMAN: REQ ORDINANCE ATTACHING THE UPCOMING KOCH KNIGHT ANNEX., TO CURRENT CEDA AGMT W/ OSNABURG. - ANNEXATION COMMITTEE
434. AUDITOR MALLONN (CITY): CERTIFICATE OF TOTAL AMT FR: 2007 ALL SOURCES. - RECEIVED & FILED
435. AUDITOR MALLONN (CITY): SUBMIT MONTHLY REPORT BY FUND THRU 7/31/07. - RECEIVED & FILED
436. AUDITOR MALLONN (CITY): SUBMIT YEARLY REPORT BY FUND THRU 7/31/07. - RECEIVED & FILED
437. COMMUNITY & ECONOMIC DEVELOPMENT DIRECTOR MARGY POORMAN, CITY OF CANTON: AUTHORIZE MAYOR OR SERV DIRECTOR TO ENTER INTO AN AGREEMENT W/COATING SERVICES, INC. FOR THE NEW JOB CREATION INCENTIVE PROGRAM & NET PROFITS INCENTIVE PROG. - COMMUNITY & ECONOMIC DEVELOPMENT COMMITTEE
438. COMMUNITY & ECONOMIC DEVELOPMENT DIRECTOR MARGY POORMAN, CITY OF CANTON: REQUEST AN ORDINANCE IN ACCORDANCE W/O# 190/97 LAND DISPOSITION PROG. TO ESTABLISH THE FAIR MARKET VALUE OF A PARCEL OF REAL PROPERTY ON CLARENDON AVE SW & AUTHORIZING THE DISPOSITION OF SAID PROPERTY. - COMMUNITY & ECONOMIC DEVELOPMENT COMMITTEE
439. CULTURAL CENTER FOR THE ARTS, NKA, ARTS IN STARK, APPLICANT, 1001 MARKET AVENUE: APPLICATION OF VACATION OF A PORTION OF WISE CT NW, AKA DESERT INN CT NW. - PLANNING COMMISSION
440. GROFFRE INVESTMENTS, APPLICANT, 8184TH STREET SE, CANTON, OH: APPLICATION OF VACATION OF A 0.026 ACRE STRIP ALONG THE S. R-O-W LINE OF MULBERRY RD SE. -

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PLANNING COMMISSION

441. HAWK, GREG, WARD 1 CNCLMBR, CITY OF CANTON: REQUEST TO LAW DIRECTOR TO PREPARE LEGISLATION TO INCREASE PENALTY FOR PROSTITUTE-RELATED ACTIVITIES WITHIN 1,000 FT OF OUR SCHOOLS & PARKS. - JUDICIARY COMMITTEE
442. HAWK, GREG, WARD 1 CNCLMBR, CITY OF CANTON: REQUEST TO LAW DIRECTOR TO PREPARE LEGISLATION TO DEMOLISH 1231 - 12TH ST NW DUE TO IT POSING A LIFE-SAFETY RISK TO THE RESIDENTS OF CITY OF CANTON. - FINANCE COMMITTEE
443. HEALTH COMMISSION, ROBERT PATTISON, CITY OF CANTON HEALTH DEPARTMENT: REQUEST ADDITIONAL FUNDS OF \$15,000.00 BE APPROP INTO THE 1001 30 30 01 73458 SUPPLIES ACCT. TO OPERATE THE FOREIGN TRAVEL CLINIC & OTHER CLINICS TO PROVIDE REQUESTED VACCINATIONS TO THE RESIDENTS OF OUR COMMUNITY WHO TRAVEL OUT OF THE COUNTRY FOR THE REMAINDER OF 2007. - FINANCE COMMITTEE
444. HERSHBERGER, URIE, APPLICANT, 1365 YALE AVE., NW, CANTON, OH 44703: APPLICATION OF VACATION OF A 132.7 FT PORTION OF LUTHER PL NE FR: WALNUT AVE TO REX AVE. - PLANNING COMMISSION
445. LIQUOR CONTROL DIVISION, (OHIO): REQUEST NEW C1 LIQUOR PERMIT FOR AZAEL INC, DBA LA REYNA @ 1123 - 12TH ST NW. - RECEIVED & FILED
446. LIQUOR CONTROL DIVISION, (OHIO): REQUEST TRANSFER OF OWNERSHIP OF C1 C2 FR: BP PRODUCTS NORTH AMERICA INC DBA BP FOOD MART 5048 TO: GIANT OHIO LLC DBA GIANT 447 @ 2211 W. TUSCARAWAS. - RECEIVED & FILED
447. SERVICE DIRECTOR, JOSEPH CONCATTO, CITY OF CANTON: AUTHORIZE MAYOR TO APPLY FOR, ENTER INTO AN AGREEMENT & RECEIVE FUNDS FOR 2008 PROGRAM OF YEAR FR: CLEAN OHIO CONSERV. FUND THRU THE NATURAL RESOURCES ASSIT. COUNCIL & OHIO PUB. WKS COMM. - FINANCE COMMITTEE
448. SERVICE DIRECTOR, JOSEPH CONCATTO, CITY OF CANTON: AUTHORIZE MAYOR TO APPLY FOR, ENTER INTO AGREEMENT & RECEIVE FUNDS FOR 2008 PROGRAM FR: DIRECTOR OF OH. PUBLIC WORKS COMM.; AUTHORIZE MAYOR TO EXECUTE CONTRACTS FOR CURRENT STATE CAPITAL IMPROV. & LOCAL TRANSPORTATION IMPROV. PROG. FUNDING FOR CAPITAL IMPROV. PROJ. - FINANCE COMMITTEE

ORDINANCES & FORMAL RESOLUTIONS FOR FIRST READING

PRESIDENT PRO TEM CASAR: : We're now under first reading of Ordinances. Madame Clerk, would you read the Ordinances by title for the first reading.

NOTE: PRESIDENT PRO TEM CASAR CALLED UPON CLERK TIMBERLAKE TO READ ORDINANCES #1 THROUGH #10 FOR THE FIRST TIME BY TITLE & ANNOUNCED THE COMMITTEE REFERRAL, AS FOLLOWS: (ORDINANCES #6 & #10 WERE ADOPTED ON THEIR FIRST READING)

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- #1 (1ST RDG) AN ORDINANCE AMENDING APPROPRIATION ORDINANCE #241/2006 AS AMENDED BY MAKING THE SUPPLEMENTAL APPROPRIATION HEREIN DESCRIBED; AND DECLARING THE SAME TO BE AN EMERGENCY
Referred to the Finance Committee
- #2 (1ST RDG) AN ORDINANCE AMENDING EXHIBIT 'A' TO ORDINANCE NO. 40/2000, AS AMENDED, THE CLASSIFICATION PLAN FOR BARGAINING UNIT PERSONNEL EMPLOYED BY THE CITY OF CANTON; AND DECLARING THE SAME TO BE AN EMERGENCY
Referred to the Personnel Committee
- #3 (1ST RDG) AN ORDINANCE AMENDING VARIOUS CHAPTERS OF PART 11, PLANNING AND ZONING CODE OF THE CODIFIED ORDINANCES OF THE CITY OF CANTON
PUBLIC HRG 9/10/07 @ 7:30 PM
Referred to the Judiciary Committee
- #4 (1ST RDG) AN ORDINANCE AMENDING ORDINANCE NO. 55/77, AS AMENDED, KNOWN AS THE CITY OF CANTON ZONING ORDINANCE; AND DECLARING THE SAME TO BE AN EMERGENCY
Referred to the Judiciary Committee **PUBLIC HRG 9/10/07 @ 7:31 PM**
- #5 (1ST RDG) AN ORDINANCE AMENDING APPROPRIATION NO. 241/2006, AS AMENDED, BY MAKING A SUPPLEMENTAL APPROPRIATION HEREIN DESCRIBED; AND DECLARING THE SAME TO BE AN EMERGENCY
Referred to the Finance Committee
- #6 (1ST RDG) **ADOPTED AS ORDINANCE #141/2007** AN ORDINANCE DIRECTING THE DIRECTOR OF PUBLIC SERVICE TO ENTER INTO PARKING AGREEMENTS WITH CORNERSTONE 1 & 2 FOR THE LEASE OF PARKING SPACES IN THE CORNERSTONE PARKING GARAGE; AND DECLARING THE SAME TO BE AN EMERGENCY
Referred to the Finance Committee
- #7 (1ST RDG) AN ORDINANCE AMENDING APPROPRIATION ORDINANCE NO 241/2006, AS AMENDED, BY MAKING THE APPROPRIATION TRANSFER HEREIN DESCRIBED; AND DECLARING THE SAME TO BE AN EMERGENCY
Referred to the Finance Committee
- #8 (1ST RDG) AN ORDINANCE ESTABLISHING THE FAIR MARKET VALUE OF REAL PROPERTY IN CONJUNCTION WITH THE 49TH STREET AND GARDENDALE AVENUE NE STORM SEWER IMPROVEMENTS, GP 1074; AUTHORIZING THE DIRECTOR OF PUBLIC SERVICE TO NEGOTIATE AND PURCHASE SAID PARCELS AT THE ESTABLISHED FAIR MARKET VALUES AND ENTER INTO PERMANENT STORM SEWER/PEDESTRIAN TRAIL EASEMENTS; AND DECLARING THE SAME TO BE AN EMERGENCY
Referred to the Community & Economic Development Committee

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- #9 (1ST RDG) AN ORDINANCE AUTHORIZING THE MAYOR OR ANNEXATION DIRECTOR, ON BEHALF OF THE CITY, TO FILE AN AMENDED COOPERATIVE ECONOMIC DEVELOPMENT AGREEMENT IN A PREVIOUSLY FILED ANNEXATION; AND DECLARING THE SAME TO BE AN EMERGENCY
Referred to the Annexation Committee
- #10 (1ST RDG) **ADOPTED AS ORDINANCE #142/2007** AN ORDINANCE DECLARING THE BUILDINGS LOCATED AT 1231 12TH STREET NW TO BE A PUBLIC NUISANCE; AUTHORIZING THE DIRECTOR OF PUBLIC SAFETY TO ENTER INTO CONTRACT FOR THE DEMOLITION OF SAID BUILDING; AUTHORIZING THE CLERK OF CANTON CITY COUNCIL TO CERTIFY THE COSTS OF DEMOLITION TO THE STARK COUNTY AUDITOR; AND DECLARING THE SAME TO BE AN EMERGENCY
Referred to the Finance Committee

PRESIDENT PRO TEM CASAR: At this time, the Chair will declare an in-house recess for the Finance Committee to meet regarding Ordinances #6 and #7 on your agenda this evening. Six and #10, I'm sorry. You are now in recess.

(COUNCIL RECESSED @ 8:08 PM TO DISCUSS ORDINANCES #6 AND #10. COUNCIL RECONVENED @ 8:19 PM)

PRESIDENT PRO TEM CASAR: We will now reconvene Council after the recess. Member Carbenia I will ah, motion to suspend Rule 20A to place Ordinances #6 and #10 back on this evening's agenda.

MEMBER CARBENIA: Ah, yes, Mr. President. I move we suspend Rule 22A to place Ordinances ah, #6 and #10 back on the, this evening's agenda.

MEMBER CIRELLI: Seconded.

PRESIDENT PRO TEM CASAR: It has been moved and seconded to place Ordinances #6 and #10 back on this evening's agenda. Are there any remarks?... If not, roll call.

NO REMARKS

ROLL CALL: 11 YEAS, 0 NAYS

PRESIDENT PRO TEM CASAR: Ordinances #6 and #10 are now a legal part of your agenda.

MEMBER CARBENIA: Mr. President.

PRESIDENT PRO TEM CASAR: Member Carbenia.

MEMBER CARBENIA: I move we suspend the Statutory Rules on Ordinances #6 and #10.

MEMBER CIRELLI: Seconded.

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PRESIDENT PRO TEM CASAR: There's a move to suspend the Statutory Rules on Ordinances #6 and Ordinance, ya gotta take one Ordinance at a time, Ordinance #6.

MEMBER CARBENIA: We're already on #6.

PRESIDENT PRO TEM CASAR: It has been moved and seconded to sus, suspend the Statutory Rules. Any remarks?... If not, roll call please.

NO REMARKS

ROLL CALL: 11 YEAS, 0 NAYS

CLERK TIMBERLAKE: Eleven yeas Mr. President.

PRESIDENT PRO TEM CASAR: You've heard the 3 readings. Is there a move to adopt? Member Carbenia.

MEMBER CARBENIA: Mr. President, I move we adopt Ordinance #6.

MEMBER CIRELLI: Seconded.

PRESIDENT PRO TEM CASAR: Moved and seconded to adopt Ordinance #6. Are there any remarks?... If not, roll call please.

NO REMARKS

ROLL CALL: 11 YEAS, 0 NAYS

CLERK TIMBERLAKE: Eleven yeas, Mr. President.

ORDINANCE #6 ADOPTED AS ORDINANCE #141/2007

PRESIDENT PRO TEM CASAR: Mr. ah...I mean, Clerk, would you please read Ordinance #10 by title. Okay. Member Carbenia, I wou.... suspend the Statutory Rules please.

MEMBER CARBENIA: Yes sir. Could you ah.... I move to suspend the Statutory Rules on ah, Ordinance #10.

MEMBER CIRELLI: Seconded.

PRESIDENT PRO TEM CASAR: There's a move to suspend the Statutory Rules on Ordinance #10. Are there any remarks?... If not, roll call please.

NO REMARKS

ROLL CALL: 11 YEAS, 0 NAYS

CLERK TIMBERLAKE: Eleven yeas, Mr. President.

PRESIDENT PRO TEM CASAR: Statutory Rules has been suspended. Is there a move to adopt Ordinance #10?

MEMBER CARBENIA: Mr. President. I move to, we adopt Ordinance #10.

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MEMBER CIRELLI: Seconded.

PRESIDENT PRO TEM CASAR: It's been moved and seconded to adopt Ordinance #10. Are there any remarks?... If not, roll call please.

NO REMARKS

ROLL CALL: 11 YEAS, 0 NAYS

CLERK TIMBERLAKE: Eleven yeas Mr. President.

PRESIDENT PRO TEM CASAR: Ordinance #10 has been adopted.

ORDINANCE #10 ADOPTED AS ORDINANCE #142/2007**ORDINANCES & FORMAL RESOLUTIONS FOR SECOND READING**

PRESIDENT PRO TEM CASAR: We are now under Ordinances for their second reading. Madame Clerk would you please read Ordinance #11 through and including #26, #24 by title only.

NOTE: PRESIDENT PRO TEM CASAR CALLED UPON CLERK TIMBERLAKE TO READ ORDINANCES #11 THROUGH #24 FOR THEIR SECOND TIME BY TITLE AS REQUIRED BY STATE LAW, AS FOLLOWS: (ORDINANCE #14 WAS ADOPTED ON ITS SECOND READING)

#11 (2ND RDG) A RESOLUTION WITHDRAWING CANTON'S OBJECTION TO THE RENEWAL OF A LIQUOR PERMIT LOCATED WITHIN THE CITY; AND DECLARING THE SAME TO BE AN EMERGENCY

#12 (2ND RDG) AN ORDINANCE AUTHORIZING THE MAYOR OR DIRECTOR OF PUBLIC SAFETY TO ENTER INTO CONTRACT WITH THE DOMESTIC VIOLENCE PROJECT INC. TO PROVIDE A GRANT IN AN AMOUNT NOT TO EXCEED \$50,000.00 FOR MISCELLANEOUS SHORT TERM HOUSING SERVICES; AND DECLARING THE SAME TO BE AN EMERGENCY.

#13 (2ND RDG) AN ORDINANCE AUTHORIZING THE MAYOR OR DIRECTOR OF PUBLIC SERVICE TO ENTER INTO CONTRACT WITH THE YMCA OF CENTRAL STARK COUNTY TO PROVIDE A GRANT IN AN AMOUNT NOT TO EXCEED \$32,500.00 FOR CENTRAL SERVICES; AND DECLARING THE SAME TO BE AN EMERGENCY

#14 (2ND RDG) **ADOPTED AS ORDINANCE #143/2007** AN ORDINANCE AUTHORIZING THE MAYOR OR DIRECTOR OF PUBLIC SERVICE TO ENTER INTO CONTRACT WITH THE CANTON REGIONAL CHAMBER OF COMMERCE TO PROVIDE A GRANT IN AN AMOUNT NOT TO EXCEED \$175,000.00 FOR A COMPREHENSIVE ECONOMIC & DOWNTOWN DEVELOPMENT PROGRAM; AND DECLARING THE SAME TO BE AN EMERGENCY

PRESIDENT PRO TEM CASAR: Member Carbenia.

MEMBER CARBENIA: Ah, Mr. President. I move we suspend the Statutory Rules on Ordinance #14.

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MEMBER CIRELLI: Seconded.

PRESIDENT PRO TEM CASAR: It's been moved and seconded to suspend the Statutory Rules on Ordinance #14. Are there any remarks?... If not, roll call.

NO REMARKS

ROLL CALL: 11 YEAS, 0 NAYS

CLERK TIMBERLAKE: Eleven yeas, Mr. President.

PRESIDENT PRO TEM CASAR: You've heard the 3 readings. Is there a mo, mo, move to adopt?...

MEMBER CARBENIA: Mr. President. I move we adopt Ordinance #14.

MEMBER CIRELLI: Seconded.

PRESIDENT PRO TEM CASAR: It's been moved and seconded to adopt Ordinance #14. Are there any remarks?... If not, roll call please.

NO REMARKS

ROLL CALL: 11 YEAS, 0 NAYS

CLERK TIMBERLAKE: Eleven yeas, Mr. President.

PRESIDENT PRO TEM CASAR: Ord... Ordinance #14 has been adopted.

ORDINANCE #14 ADOPTED AS ORDINANCE #143/2007

#15 (2ND RDG) AN ORDINANCE AMENDING ORDINANCE NO. 17/88 AS AMENDED; AUTHORIZING THE MAYOR TO ENTER INTO AN AMENDED CONTRACT WITH THE CANTON COMMUNITY IMPROVEMENT CORPORATION TO ADMINISTER ADDITIONAL COMMUNITY DEVELOPMENT BLOCK GRANT FUNDS IN AN AMOUNT NOT TO EXCEED \$500,000.00; AND DECLARING THE SAME TO BE AN EMERGENCY

#16 (2ND RDG) AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO A FUNDING AGREEMENT WITH STARK COUNTY OUT OF POVERTY PARTNERSHIP INC. TO PROVIDE CDBG FUNDS IN THE AMOUNT OF \$50,000.00 AND HOME FUNDS IN THE AMOUNT OF \$775,000.00 FOR THE ADMINISTRATION AND IMPLEMENTATION OF THE CITY'S HOUSING PROGRAMS AND DECLARING THE SAME TO BE AN EMERGENCY

MEMBER WEST: Mr. President.

PRESIDENT PRO TEM CASAR: Member West.

MEMBER WEST: Wasn't that amended to 575?

PRESIDENT PRO TEM CASAR: The amendment will take place under the final reading next week.

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- #17 (2ND RDG) AN ORDINANCE AUTHORIZING THE MAYOR OR DIRECTOR OF PUBLIC SERVICE TO ENTER INTO A JOB CREATION TAX INCENTIVE AND NET PROFITS INCENTIVE AGREEMENT WITH PARK POULTRY INC. PURSUANT TO THE CITY'S ECONOMIC GROWTH INITIATIVE PROGRAM; AND DECLARING THE SAME TO BE AN EMERGENCY
- #18 (2ND RDG) AN ORDINANCE AUTHORIZING THE MAYOR OR DIRECTOR OF PUBLIC SERVICE TO CONVEY CITY OWNED REAL PROPERTY NO LONGER NEEDED FOR MUNICIPAL PURPOSES TO THE CANTON COMMUNITY IMPROVEMENT CORPORATION; AND DECLARING THE SAME TO BE AN EMERGENCY
- #19 (2ND RDG) AN ORDINANCE ESTABLISHING THE FAIR REUSE VALUE OF ONE PARCEL OF CITY OWNED PROPERTY; AUTHORIZING THE SALE AND CONVEYANCE OF SAID PROPERTY PURSUANT TO THE CITY'S RESIDENTIAL LAND DISPOSITION PROGRAM; AND DECLARING THE SAME TO BE AN EMERGENCY
- #20 (2ND RDG) AN ORDINANCE AMENDING APPROPRIATION ORDINANCE NO. 241 AS AMENDED BY MAKING THE SUPPLEMENTAL APPROPRIATION HEREIN DESCRIBED; AND DECLARING THE SAME TO BE AN EMERGENCY
- #21 (2ND RDG) AN ORDINANCE AMENDING APPROPRIATION ORDINANCE NO. 241/2006 AS AMENDED BY MAKING THE SUPPLEMENTAL APPROPRIATION HEREIN DESCRIBED; AND DECLARING THE SAME TO BE AN EMERGENCY
- #22 (2ND RDG) AN ORDINANCE AMENDING SECTION 943.13 GENERAL DISCHARGE PROHIBITIONS OF THE CODIFIED ORDINANCES OF THE CITY OF CANTON.
- #23 (2ND RDG) AN ORDINANCE AMENDING APPROPRIATION ORDINANCE NO. 241/2006 AS AMENDED BY MAKING THE APPROPRIATION TRANSFERS HEREIN DESCRIBED; AND DECLARING THE SAME TO BE AN EMERGENCY
Referred to the Finance Committee
- #24 (2ND RDG) AN ORDINANCE AMENDING SECTION 971.02, SCHEDULE OF RENTAL RATES AND OTHER CHARGES OF THE CODIFIED ORDINANCES OF THE CITY OF CANTON

ORDINANCES & FORMAL RESOLUTIONS FOR THIRD AND FINAL READING

PRESIDENT PRO TEM CASAR: We're now under Ordinances for their third and final reading. Madame Clerk, would you please read Ordinance #25 by title.

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NOTE: PRESIDENT PRO TEM CASAR CALLED UPON CLERK TIMBERLAKE TO READ THE FOLLOWING ORDINANCES #25 THROUGH #30 FOR THEIR THIRD AND FINAL READING BY TITLE AS REQUIRED BY STATE LAW, AS FOLLOWS.

#25 (3RD RDG) **DEFEATED** 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 (LTS #32534, 32535, 32536 & 32537 ON NW CORNER OF MARKET AVE. N & 30th ST NW)
PUB HRG 8/6/07 @ 7:30 PM

PRESIDENT PRO TEM CASAR: Member Carbenia.

MEMBER CARBENIA: Ah, Mr. President. I move we adopt Ordinance #25.

MEMBER CIRELLI: Seconded.

PRESIDENT PRO TEM CASAR: It's been moved and seconded to adopt Ordinance #25. Are there any remarks?

MEMBER CIRELLI: Mr. President.

PRESIDENT PRO TEM CASAR: Member Cirelli.

MEMBER CIRELLI: Thank you sir. Um, on this very important piece of legislation that's here tonight, I've heard of economic development, but, what price of economic development and at who's expense? First of all, we have to look at this situation that we would possibly be putting other constituents in. There is no retention basin considered at all. That means, and as we all know, water flows to the steepest area. That would definitely flow downward, because it would be concrete or blacktop and it would flow down into other wards where we already have water an drainage problems, especially in the storm sewers. Secondly, the traffic there is horrendous. I was already aware of the accident on Saturday. On 3 different occasions I went and sat out there and observed the traffic flow and at 3 different times of the day. Third, ah, a constituent contacted me and they said, no disrespect, but, Fifth Third Bank, they seem to be the WalMart of the banking industry cuz every time you turn around, they're going up somewhere. I have looked at where they're other buildings are. They are very nice buildings but none of them did I see was on a such a congested area. The one on Cleveland Avenue is down from the intersection of 44th. The one on Tusc, I believe it's Bellflower intersects and that is not a very busy, ah, intersection there. Four, the empty buildings are all over the community. You know, there's obviously a way of making money by putting up buildings and then going out of business, but, they're all over. It's called a tax loss and businesses like that. I mentioned that and I appreciate that and I appreciate the Law Director looking into something that I had asked him about and the possibility of if a business does end up, in somewhere, in the future that we can build into our ordinances that they have to retain that and return it to what it was before they ever took place of the construction. Fifth, there's an unwritten policy, generally, if people vote with the Councilmember of the ward. Well, approximately 10 years ago, and our Auditor sitting here, God bless you RA, when you preceded me in Ward 3, I was a Councilmember before that and I was a lone vote on this floor of saying no, we cannot vote a ah, turn a ah, single family into a duplex. At that time, I made the plea of, that our city was going into too many rental properties. Now, look at Canton approximately 10 years later, we're over 50% rental properties. So, these are all the reasons why I will not support this resolution,

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or, I mean this Ordinance. Thank you. (*APPLAUSE*)

MEMBER SMUCKLER: Mr. President.

PRESIDENT PRO TEM CASAR: Member Smuckler.

MEMBER SMUCKLER: Based on some, um, past history here, I may have given some erroneous information at the Market Heights meeting and, um, Mr. Law Director, could you clarify the vote on this, this evening please.

PRESIDENT PRO TEM CASAR: Law Director Martuccio.

LAW DIRECTOR MARTUCCIO: Member Smuckler, yes, I'd be happy to. The reason for your confusion is a rather badly drafted Ordinance, back in 1988 which I might add was before I was in the Law Department. (*LAUGHTER*) No reflection on previous authors. It's a detailed Ordinance and it is the reason for the source of confusion, but I looked at it in light of the State ordinance, which it's patterned after. As you all know by now, we're a Statutory city and we, and Charter cities have to live by State Law in matters of procedure and substance for the most part. Let me simplify it by saying this. The Ordinance that's before you is as recommended by the Planning Commission. Both our Codified Ordinance and the State Law say simply, it comes before you as written, it takes a majority of the elected members to pass it. So, it doesn't matter how many are here tonight, there are 12 of you elected. It would take, it will take 7 votes to pass this, this evening. Seven yeses, as it's written. If this Council were to take one of the other choices offered in our Ordinance, than we would be dealing with the rule of three-quarters and that's where the 9 comes in. Um, if, again, we have 12 elected members and three-fourths of that is 9. If this Council were to, to recommend to send this back to the Planning Commission, on a remand, that would take 9 votes. If they wanted to modify it and then pass it, that would take 9 votes. Um, but, to simply give it a thumbs up or a thumbs down, it, it's a majority of 7. Ah, it will take 7 votes to pass this tonight, 8 votes to pass it as an emergency which becomes effective immediately upon being signed by the Mayor. If only 7 votes pass it, it takes 30 days for those of you who are unfamiliar with that process. Um, any other questions about that? Okay.

MEMBER ZACHARY: Mr. President.

MEMBER WEST: Mr. President.

PRESIDENT PRO TEM CASAR: Member Zachary.

MEMBER ZACHARY: Um, just really quickly. Mary ah, touched on something and I'd like to say that when I first came into Council, I was told by a long time Councilperson that you have to have 7 to get anything done, and you usually get the ward councilperson what they want and I didn't agree with those things then and I don't agree with them now. I believe that is something that is a right thing to do, and you do it because it's the right thing. To Mr. Weber, you mentioned some things when you came and spoke and brought this to, wanting to be part of the community, wanting to be a member of the community and that the North Market area is the gateway to the city, and I would just like you to know that I'm a 4th Ward representative right now, there is another gateway into the City and that's right on East Tusc. I live in that area, I have to travel pretty much to Market Avenue to go to the bank, especially on the weekends. I pretty much have to go to 30th Street to do anything. There is an area of the city that, historically has been under-served and overlooked and, we would

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love to have a Fifth Third Bank facility in our area. I would welcome the opportunity to meet with you, if you would like to look at the area but I'm sure from the studies you have done, have indicated that this is a bad area to place a bank economically for your business or you would rather put your banking institution where you feel the money is and, stereo-typically, that's not always where all the money is. There's a lot of economic power in what people feel are in poverish communities, but we just happen to have to take our coins collectively to other areas of the city in order to do anything or purchase anything so, if you're willing and if Fifth Third is willing, I know you've been trying to be a good neighbor and, and you're doing a lot for ah, the City of Canton in other areas, but, I would welcome the opportunity to sit down and talk to you if wanna put a bank in the 4th ward. I'm sure Tom would too. (APPLAUSE)

MEMBER GRIFFIN: Mr. President. Mr. President.

PRESIDENT PRO TEM CASAR: Member Griffin.

MEMBER GRIFFIN: It is true, I have family and friends up in that area but I'm basing my opinion on a police report I have here that says there were 25 accidents at 30th and Market from August 2nd 06 to August 2nd 07. I feel that even though you might say that this is the safe traffic going in and out, that the left hand turn's gonna be our, our selling, or the downfall. Ah, ya know, the city knows and ODOT knows that it's a dangerous intersection and they're doing things to help it, but I feel that putting a bank there is going to allev..eliminate all the, all the good things that they're tryin' to do. Ah, I feel sorry for the people who have the investment there. We have the same problem out in our area where they wanted a bank and residents did not want it, so.... another thing I feel, ah, in my area, we have Raff Road and West Tusc is very popular and people from my neighborhood go to Raff Road or to Valleyview to get out on Tusc. I feel and, I feel the same thing's gonna happen up there and they're gonna go over onto Harvard Avenue. You're going to have more accidents on Harvard. We have a school over there on Harvard and 30th and I would hate to see an accident over there and have a child injured. That's why, unfortunately Joe, I'm against it. (APPLAUSE)

MEMBER WEST: Mr. President.

MEMBER SMUCKLER: Mr. President.

PRESIDENT PRO TEM CASAR: Any other Councilpersons want to speak before I ah...

MEMBER WEST: Yes, Mr.... Mr. President.

PRESIDENT PRO TEM CASAR: Member West.

MEMBER WEST: Mr. President. This is very hard for me because, for the last year I've been working pretty, pretty good with Fifth Third through a lot of the festivities we have. They're one bank that has done a lot of good in terms of supporting some of the community events and some of the festivities that we put on here in Canton. Also, having a loan there some time ago, that was probably one of the best banks that I have dealt with. So, to have them in the 2nd ward, I would definitely welcome that. I've talked to them about that on 12th, 12th Street, but I have to say that looking at 30th Street and looking at ah, know, the, the specifics about that, but I hope that um, in the future when we look at endeavors like this, that we would include all the residents, or the residents that live in that particular area, um, to address this once, the individuals today and talking to the residents, ah, some of the residents that are out here in the, in the audience, um, they're flat, of course against

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this and Joe, I think, when I did the street renaming at the O'Jays Parkway, many people said, do your homework. Make certain that we get the signatures and get the votes. What I heard these people say today is that they didn't get notified. Um, and that kinda concerns me. I don't know the specifics about that, but I hope that, in the future, when we look at endeavors like this, that we would include all the residents, or the residents that live in that particular area to address this concern so that everyone's input is heard. Thank you. (APPLAUSE)

MEMBER SMUCKLER: Mr. President.

PRESIDENT PRO TEM CASAR: As a member of Council, I'll speak and then I'll get back to you Member Smuckler. Ah, I too attended the meeting up there that they had a few weeks ago and one of the questions myself and Member Smuckler did ask was regard to the traffic study. Well, we did receive that traffic study, I have checked it out and I see that it by, that they estimate they'll be an estimate of ah, 45 entrances and 35 exits during the peak hours and 102 both exits, and in da, I mean, in ah, in the A.M. hour and in the peak hour, P.M., be 102 ah, entrances in approximately the same exists obviously. They estimated that there are approx, there are 2,650 vehicles in the A.M. and 2,860 vehicles in the P.M. So, in the A.M., it would be 3% more traffic and in the P... P.M. 5%. They also estimated that most of the individuals drive along Market Avenue will not be coming from other, they were to be their normal routine of going to and from wherever they go during the day, so, really, according to the study, it will increase the traffic and that was one of my main concerns. But, I guess my concern is, more than anything else, I, I, I've been a Ward Councilman and I've been a Councilman At Large for 26 years in the City of Canton, and I've always taken the neighbors into consideration, but I feel that this bank, if it was placed over, probably would be the best of 2 worlds. Ah, that lot's not going to stay vacant forever, it, it, I've been to Willoughby, Lake, Lake, Lakeside, let me, Lakeview, today I was at Kent and I've, I've noticed Third, Fifth Third Banks. They are all being maintained beautifully, they have landscape that is as nice as any home in, around the City and I, I just feel that, that, I've always, I've always looked out for the benefit of the neighbors and of the neighborhoods and I, I think my record shows that. But, I really feel that this is the best thing for that area. We're, we're getting rid of a blight area, we're not infringing upon the neighborhood, the traffic count justifies it, it wouldn't interfere upon traffic. You go to 12th and Market and they have probably 10 more, 10 times more accidents than they have at Market and 30th. So, I guess what I'm trying to say is that, in the future, when someone else comes and wants a zone change, it has to come before this Council and 2 years and before it could be even a planned development, like this one is, in 2 years ago when they wanted to put a zone, ah, zone, ah, video store in there, it was eventually withdrawn, I did not support that. I would not have supported it, but in my conscience, and as someone said, spoke, speak from your heart, well I'm going to my heart and I think that this is a good investment for the City of Canton. Not necessarily for economic development, sure that helps, but also to beautify an area with something that's good for the neighborhood. Good for 30th Street. No one's going to build a house on 30th and Market. It's a vacant land. It's not productive. Let's make it productive. Let's get together and do something productive for the City of Canton instead of squabbling about we don't want anything in that land. I'm supporting this because I feel it's the best thing that's been come along for a long time for this area. Member Smuckler.

MEMBER SMUCKLER: Mr. President. Usually ah, tax increases and zoning issues bring a full house on a Monday night, and um, I've had my share of them over the years. I was the Ward Councilman in Joe's ward and with all due respect, and I think Joe's an excellent Ward Councilman, um, I meant what I wrote Mrs. Hofacre. In spite of whatever my personal feelings have been over the years, I've always voted with the constituents consistently on zoning issues and that even meant when it came down to the Boy Scouts. I will be voting no this evening. (APPLAUSE)

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PRESIDENT PRO TEM CASAR: Are there any comments, any other comments? Member Carbenia.

MEMBER CARBENIA: Mr. President. Yes Mr. President. This is ah, pretty difficult situation. I feel, in my heart, and I think it's the right thing to do, to have this bank put on that corner. I've been the Councilman of that corner for, I think, maybe, since the first, ah, say, right after the census was done and ah, ah, the ward was changed. Ah, that's in the 9th ward. Almost, most of these people, as they said, are the Market Heights people, which are really not even, some of them not even close to that corner. That corner, that corner has been a shabby, terrible looking corner for years. I've had to have, if you don't mind please, I've had to have, ah, the city cut that grass numerous times, rather than the people who own it, no matter, ah, you, you've checked and it's been from one person to the other. I think it's a, a good looking piece of property and it's a, a good place. It's a good, nice looking building, I've seen all the drawings. Ah, Fifth Third Bank has always been ah, I've seen them all over the state, Cincinnati, different places and I always thought that was a nice looking bank. Well, I, I think it should come here. The engineering study shows that there's only a 3% increase in traffic in the morning and 5% in the evening. I, I, I know that there's some accidents there, but there's, that's not gonna change. It's not gonna change, as long as people turn right on, on red and they crash the sign, trash the street, the ah, red lights. It's just ah, it's just a bad thing. I don't wanna see any children killed up at the school. I have ah, 5 children, 13 grandchildren, 4 great grandchildren. I love those kids and I love those kids that's going to go to school up there, but, this is pretty far away. It's pretty far fetched thing. And, also, um, every time we try to do anything up there to improve that district, everybody's against it. They don't want the Boy Scouts. They don't want the Bed and Breakfast. Even Kelly, she said she voted against the bed and breakfast. She wants it in her area. She voted against the bank, she wants it in her area. I guess that's good and I'm sure that these people would all say go ahead and take it. (LAUGHTER) But, I feel that, ah, it's ah, it's gonna enhance the area. I think ah, and it is economic, it's it's really not that much as ah, as it was explained but, I think it's an addition to the neighborhood. There is all businesses around there and it was mentioned, you know, it doesn't have to go there, it can go up 30th Street, up west on 30th Street. Everything, ah, it's okay if it's in another section, another neighborhood. So, ah, at that, I think it's a good addition. I think it's a beautiful building and I ask you to vote yes on it.

MEMBER HART: Mr. President.

PRESIDENT PRO TEM CASAR: Member Hart.

MEMBER HART: Um, our city and this general area was rated number 1 as the place to move a business to and the communities in this area can be very proud because northeastern Ohio is not dead and when I look at our city as a Councilperson, and as a school teacher, I see our neighborhoods and our cities becoming better. The Mayor, Canton City's Council has worked hard with neighborhood organizations to make our city a better place to live that we can raise our quality of life, that our city is a great place to come back to and raise a family at. I feel that we have every opportunity within the next years, as our neighborhoods improve, to see Canton, Ohio voted as a great place to come to live and to raise a family. We've got all the potential. Over my tenure on this Council I've opposed economic development on Market Avenue. I opposed the Boy Scouts. I'm an Assistant Scout Master to Troupe 244. I opposed the video store and the City of Canton's only going to be as strong as it's neighborhoods and I think we only need to look at any of the main thoroughfares throughout this city and I don't want to see Market Avenue look like any of the other areas. I've been a member of Canton Preservation and I believe in adoptive reuse of buildings and we have many vacated buildings up at 30th Street which would make great bank branches. A centrally located bank with great interest rates and great service is gonna have people lined up on 30th and Cromer, in that area, to do business at the Fifth Third Bank, not by

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having, having bank branches at every mile. They're interested in good interest rates and service. Now, my challenge to the neighbors is this, and I stated this about 12 or 13 years ago, and, this is my challenge to everybody here, and I don't want to have you raise your hands again but, sit down with the owner, negotiate a price and buy it. That's a big challenge because we talked about productivity and I can't think of anything more productive in that area to have it as a nice park with a welcome to Market Heights as an entrance way to the City of Canton, and I believe in one thing, that there's power in your numbers because your cause will be just and right. Just take the time. You said your neighborhood organization would only last maybe 5 years and how many years ago has that been? I issue you a challenge and I'll bet you, in the next few years, you could come back with this purchase. Thank you. (APPLAUSE)

MEMBER KRAUS: Mr. President

PRESIDENT PRO TEM CASAR: Member Kraus.

MEMBER KRAUS: Unlike a Councilman At Large who can look at the whole City and can vote with his heart and this is not in my ward and I usually try to look at the ward person and go his way because he knows his ward. I have a Fifth Third Bank in my ward now at 44th Street. Unfortunately, it was an area that was blighted. Fifth Third Bank in that area has improved it. I had no opposition. Unfortunately, though the bank is not in my ward, all the constituents are in my ward and if I would have gotten one email or letter to justify in my heart to vote for it, I would. But, as a Ward Councilman, I have to vote the people that I represent. I am their vote on this Council and out of 47 emails and letters, they were all asking me to support them and as their ward councilman, I, I, I am with them. They are the people that elect me and I am their representative on this Council. Thank you. (APPLAUSE)

PRESIDENT PRO TEM CASAR: Is there any further remarks?... If not, roll call please.

NO REMARKS

ROLL CALL: 2 YEAS, 9 NAYS
(CASAR & CARBENIA - YEA)

(THUNDEROUS APPLAUSE & JUBILATION FROM THE AUDIENCE FOR THE DEFEAT OF THE ORDINANCE- SOUND OF THE GAVEL) **ORDINANCE #25 DEFEATED AS VOTED**

#26 (3RD RDG) **ADOPTED AS ORDINANCE #144/2007** 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 (LTS 42465 THRU 42479 ON HANNAH CIRCLE NW)

PUB HRG 8/6/07 @ 7:31 PM

PRESIDENT PRO TEM CASAR: Member Carbenia.

MEMBER CARBENIA: I move we adopt Ordinance #26.

MEMBER CIRELLI: Seconded.

PRESIDENT PRO TEM CASAR: It, it's been moved and seconded to adopt Ordinance #26. Are there any remarks?... If not, roll call please.

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NO REMARKS

ROLL CALL: 11 YEAS, 0 NAYS

CLERK TIMBERLAKE: Eleven yeas, Mr. President.

ORDINANCE #26 ADOPTED AS ORDINANCE #144/2007

#27 (3RD RDG)

ADOPTED AS ORDINANCE #145/2007 AN ORDINANCE APPROVING & ACCEPTING THE REPLATTING OF OUTLOTS 1188 & 1189; AND DECLARING THE SAME TO BE AN EMERGENCY (JAMES REED)

PRESIDENT PRO TEM CASAR: Member Carbenia.

MEMBER CARBENIA: Mr. President. I move we adopt Ordinance #27.

MEMBER CIRELLI: Seconded.

PRESIDENT PRO TEM CASAR: It's been moved and seconded to adopt Ordinance #27. Are there any remarks?... If not, roll call please.

NO REMARKS

ROLL CALL: 11 YEAS, 0 NAYS

CLERK TIMBERLAKE: Eleven yeas, Mr. President.

PRESIDENT PRO TEM CASAR: Ordinance #27 has been adopted.

ORDINANCE #27 ADOPTED AS ORDINANCE #145/2007

#28 (3RD RDG)

AN ORDINANCE APPROVING & ACCEPTING THE FINAL RECORD PLAT FOR THE QUEEN ESTHER'S SUBDIVISION IN THE CITY OF CANTON; AND DECLARING THE SAME TO BE AN EMERGENCY

PRESIDENT PRO TEM CASAR: Member Carbenia.

MEMBER CARBENIA: Mr. President. I move we adopt Ordinance #28.

MEMBER CIRELLI: Seconded.

PRESIDENT PRO TEM CASAR: It's been moved and seconded to adopt Ordinance #28. Are there any remarks?... If not, roll call please.

NO REMARKS

ROLL CALL: 10 YEAS, 1 NAY
(CIRELLI - NAY)

CLERK TIMBERLAKE: Ten yeas, one nay.

PRESIDENT PRO TEM CASAR: Ordinance #28 has been adopted. Ordinance #29 please.

ORDINANCE #28 ADOPTED AS ORDINANCE #146/2007

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#29 (3RD RDG) AN ORDINANCE APPROVING & ACCEPTING THE REPLATTING OF ALL OF LOTS 23352 THRU 23354; APPROVING & ACCEPTING THE DEDICATION OF ADDITIONAL RIGHT OF WAY TO THE SOUTH SIDE OF 25TH STREET NE; AND DECLARING THE SAME TO BE AN EMERGENCY

PRESIDENT PRO TEM CASAR: Member Carbenia.

MEMBER CARBENIA: Mr. President. I move we adopt Ordinance #29.

MEMBER CIRELLI: Seconded.

PRESIDENT PRO TEM CASAR: It's been moved and seconded to adopt Ordinance #29. Are there any remarks?... If not, roll call please.

NO REMARKS

ROLL CALL: 11 YEAS, 0 NAYS

PRESIDENT PRO TEM CASAR: Ordinance #29 has been adopted. Ordinance #30.

ORDINANCE #29 ADOPTED AS ORDINANCE #147/2007

#30 (3RD RDG) AN ORDINANCE AMENDING ORDINANCE #241/2006, AS AMENDED, BY MAKING THE SUPPLEMENTAL APPROPRIATIONS HEREIN DESCRIBED; AND DECLARING THE SAME TO BE AN EMERGENCY

PRESIDENT PRO TEM CASAR: You've heard the reading of Ordinance #30. Is there a move to adopt? Member Carbenia.

MEMBER CARBENIA: Mr. President. I move we adopt Ordinance #30.

PRESIDENT PRO TEM CASAR: It's been moved and ad... seconded to adopt Ordinance #30. If not, roll call please.

NO REMARKS

ROLL CALL: 11 YEAS, 0 NAYS

CLERK TIMBERLAKE: Eleven yeas, Mr. President.

PRESIDENT PRO TEM CASAR: Ordinance #30 has been adopted.

ORDINANCE #30 ADOPTED AS ORDINANCE #148/2007

ANNOUNCEMENT OF COMMITTEE MEETINGS

PRESIDENT SCHULMAN: We are now under comm.. Announcement of Committee Meetings, please.

MEMBER CARBENIA: Mr. President.

PRESIDENT PRO TEM CASAR: Member Carbenia.

MEMBER CARBENIA: Community and Economic Development will meet at 6:15 on, what date is that now,

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the, ah.....?

CLERK TIMBERLAKE: 8/20.

MEMBER CARBENIA:August 20th? And also, the Finance Committee will meet on August 20th at 6:15.

PRESIDENT PRO TEM CASAR: Thank you.

MEMBER PRATER: Mr. President.

MEMBER WEST: Mr. President.

PRESIDENT PRO TEM CASAR: Member Prater.

MEMBER PRATER: Mr. President. Personnel Committee will meet August 20th at 6:15.

MEMBER WEST: Mr. President.

PRESIDENT PRO TEM CASAR: Member West.

MEMBER WEST: Judiciary Committee will meet August 20th 6:15.

PRESIDENT PRO TEM CASAR: Anyone else? Annexation?

MEMBER SMUCKLER: Mr. President. Annexation will also meet at 6:15 on August 20.

PRESIDENT PRO TEM CASAR: Okay. Is that it? Okay.

PUBLIC SPEAKS (OPEN FORUM--CITY BUSINESS ONLY)

PRESIDENT PRO TEM CASAR: We're now under Public Speaks, Open Forum. We have 1 speaker signed up to speak tonight. The first speaker is Eric Resnick. Will you please come forward? Give your name and address please.

MR. RESNICK: Thank you Mr. President. I am Eric Resnick and I live at 1828 Grace Avenue NE in Canton, Ohio and I'd first like to commend all of you for the find display of democracy. (APPLAUSE) Mr. President, Members of Council and the Administration, I'd like to um, I'd like to call your attention to something that you might have missed and you may have missed it because it received a scant, 7 small paragraphs in our local newspaper of record over 2 days of coverage, 3 paragraphs 1 day, 4 the next. And, it was that over this weekend, the City of Canton had it's 8th homicide in 2007. Now the, visitors are all gone and it's time to air our laundry with, among family and friends, and in this particular case, the victim was a 17 year old man, I'm sorry, 19 year old man by the name of Andrew Duncill, and his name can be added to what is becoming a very long list of homicides in this city. A very disturbing list. Mr. President, I, I have lived in the northeast end of Canton for all but a couple of my 43 years. And, the house that I live in now, I've been there for almost 20 years. I purchased it in 1988. About 120 yards from my back yard was Benny Angelo's house. Benny Angelo was the first murder of 2007. On my, out my front door, about 150 yards down the hill was Steven Height's house. Steven Height was the 7th. Now, I never considered my neighborhood to be

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dangerous until very recently and as my Member of Council, Mr. Dougherty will, will back up the area where I live, is mostly owner-occupied homes and that area of Grace Avenue tends to be people who have lived there an awful lot longer than I have. Some of them raised their kids there from the 1950s and they're still living in those homes and in between those homes, there's new families moving in and buying those home and they have young pre-school children. Mr. President, Madame Mayor, what are they thinking? In 2004, the first year of this Administration, when this Mayor and this Safety Director were sworn in, there were 4 murders in the City of Canton. We've doubled that and it's only August. Canton's core has become very dangerous.....

PRESIDENT PRO TEM CASAR: Mr. Resnick, you have exceeded your 3 minutes. Would you please leave...br, bring your remarks to a close.

MR. RESNICK: Thank you Mr. President. My, my, in closing, my remarks are that Canton's core has become dangerous and you as Members of Council need to hear people say it and we, as citizens of Canton, need to do something about it, very much like what these folks did here tonight because it's too late for the people who are murdered, it was too late for Susan Seiler, who stood before you 4 weeks ago and told you that she was leaving the city and it's gonna be too late for a lot more if something doesn't happen. Thank you Mr. President. (APPLAUSE)

MISCELLANEOUS BUSINESS

PRESIDENT SCHULMAN: We're now under Miscellaneous Business, is there any miscellaneous business?

MEMBER CIRELLI: Mr. President.

PRESIDENT PRO TEM CASAR: Member Cirelli.

MEMBER CIRELLI: Thank you sir for indulging me. I would just like to make this Honorable Body aware of why I voted no on Ordinance #28. It had to do with a ah, Queen Esther's sub-division and um, Mayor, I wanna thank Mr. Bruce Williams because he came down to Council tonight in our caucus and explained what ah, my concerns are. It had to do with sidewalks. Now, to my understanding, this is going to be a sub-division for elderly people and they're putting sidewalks on the inner quadrant, not on the outer quadrant, by some of the people who'll have to cross the street to get to a sidewalk and as we all know, we're trying to encourage people to walk and what have you, and I just don't think it's right that we should exclude those senior citizens and make them second class citizens and I think we will regret that we've done this but, I was just one vote. Thank you sir.

MEMBER HART: Mr. President.

MEMBER ZACHARY: Mr. President

PRESIDENT PRO TEM CASAR: Member Hart.

MEMBER HART: Yeah, I just wanted to invite all Councilmembers over ah, next Tuesday on 32nd Street NW, Mt. Vernon Neighborhood Organization is having their ah, their neighborhood party there from 5 until 8:00 and everybody is invited.

MEMBER WEST: Mr. President.

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PRESIDENT PRO TEM CASAR: Member West.

MEMBER WEST: Over the past 30 days, we have had 3 major festive, festive, festivals that occurred in this city. We had the Joyfest, we had the O'Jays and we had the Hall of Fame. Our city services have done a wonderful job in all of these events, and brought a major economic impact to the City of Canton and I think that we should all be very happy that no incidents occurred during that time, I mean, besides the one that you had indicated. But, we definitely need to applaud all of our city services because they were on their J-O-B during all of that time. *(APPLAUSE)*

MEMBER ZACHARY: Mr. President

PRESIDENT PRO TEM CASAR: Member Zachary.

MEMBER ZACHARY: Um, I too would like to commend the residents of Market Heights for coming down cuz I know, from personal experience, there is power in numbers, especially when it comes to neighborhood organizations. I started one in my own development a number of years ago and I, I, I'm proud of the fact that you guys are still going strong with it because we've kinda fizzled out, waned and, and, and, get re-energized and then we fizzled out but ah, one thing I would like to say, ah, Member Hart touched on something about wanting to see Canton be a great place to live, number 1 for being a great place to live. I will preface what I'm about to say by saying that sometimes, we as individuals, have concerns as long as they're in our backyard, and as long as it's not in my backyard, ah, we turn a blind eye to it. I see, I see a number of faces in Council tonight that I have never seen over the past 3 and a half years. You don't have to come down to yell at us all the time. You don't have to come down to complain. Just come down to see what's going on in your city because as you had mentioned before, you didn't know things were going on until Richard told you. Ah, he's very proactive in that manner but, you're here tonight. You're in numbers. But, if we are truly going to see the City of Canton be a city that people put on their list as the number 1 place to live, raise a family and, and, retire, then we have to care more about than just our backyard. Market Heights is a beautiful area and, and I think it's wonderful, but it's not all of Canton and I think that history show that when things affect your area, you come out, you come out strong and that's a good thing but also, it, Canton consists of more than just that area. So, come down. Come to Council. I'm gonna be around for the next few months or so. I'd like to see more faces down here just to say, hey, we're interested, we care about what's going on in our city. *(APPLAUSE)*

MEMBER CARBENIA: Ah, Mr. President.

PRESIDENT PRO TEM CASAR: Member Carbenia.

MEMBER CARBENIA: Ah, I have one statement before we adjourn. I would like to also thank all the residents from Market Heights for comin' here and kickin' my butt, but, ah, um, you have spoken and ah, the Council has taken that up and voted your way. Um, that's, that's the American way. That's the way it should be done and not be like some of the groups that they have in Washington where it's dollars. But, this is not dollars, this is a real concern for your neighborhood. I'd like to apologize just to the point that I thought it would be a good addition. Not that I was wrong, because I still think I'm right *(LAUGHTER)* I always had a hard head, so, at that, unless anybody has anything else, I'd like to call for adjournment.

MEMBER WEST: Mr., Mr. President.

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PRESIDENT PRO TEM CASAR: Member West.

MEMBER WEST: Even though I voted against ah, this Ordinance, I also want to applaud Joe. I know what it's like to take on a, a, a, a bear, for the right reason, I mean, that is a blighted, blighted corner and believe that was going to be a great thing. But, you guys worked with him, but now I'm asking each and everyone of you out there, to support Joe in working with Joe to clean up that corner. I mean, really clean up that corner. (APPLAUSE) Don't wait cuz, he's, he waits, I mean, he says the grass gets high. Don't wait. Don't call Joe to get the grass cut. Go ahead and cut it. I mean, you guys can do that because you're so unified. So, please help Joe in trying to bring something positive to that corner. Thank you. (APPLAUSE)

PRESIDENT PRO TEM CASAR: I would like to state that I ah, supported it. I believe it would have been a good thing for the neighborhood. I voted from my heart, not for development purposes. I just felt that being here as many year as I have, I represented wards, I represented the city At Large, and I really feel that would be a good, ah, add, addition to your area. Ah, obviously you people didn't think so. I could have taken the easy way out and voted yes also. But, that isn't what my heart told me to do. We will go forward and hopefully, ah, things will get better and maybe some day you'll have a park there or maybe some day you'll agree to have development. Whatever it is, good luck to you.

MEMBER KRAUS: Mr. President. Mr. President.

PRESIDENT PRO TEM CASAR: Member Kraus.

MEMBER KRAUS: Again, I, I would like to say to the neighborhood association. As you know, I'm very active in the associations. In 2 years, we've taken that association from staleness, ahead, and I continue to do that. I applaud Joe because he's lookin' at his ward. I voted my heart because of the people I represent. But, I offer my services. You guys meet on Monday nights. It's tough for me to get there. I will make any meeting I can. I will offer any assistance to help you. We shouldn't have to come here every 2 years to either vote yes or no on what that lot's gonna do. We, and I'm not too far away, I live on Loma Linda. I'm a member of Plain Center. I represent Mt. Vernon. We have a bank. I represent Plain Center. I represent Market Heights and, I will do, whatever you guys wanna do to get that thing where you need to have it and I'm offering my services now and the rest of the time. I'm your representative. I will do whatever you need to get where you need to be with that. (APPLAUSE)

MEMBER CIRELLI: Mr. President.

MEMBER CARBENIA: Mr. President, I move we adjourn.

PRESIDENT PRO TEM CASAR: I move... second?

MEMBER CIRELLI: Seconded.

PRESIDENT PRO TEM CASAR: It's been moved and seconded that you adjourn....roll call vote please.

NO REMARKS

ROLL CALL: 11 YEAS, 0 NAYS

CLERK TIMBERLAKE: Eleven yeas Mr. President.

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PRESIDENT PRO TEM CASAR: The meeting of Canton City Council is adjourned. (*Gavel falls*)

ADJOURNMENT TIME: 9:08 P.M.

ATTEST:

APPROVED:

CYNTHIA TIMBERLAKE
CLERK OF COUNCIL

DONALD E. CASAR
PRESIDENT PRO TEM