

MINUTES OF THE MEETING OF APRIL 7, 2003

The regular meeting of Canton City Council was held on Monday, April 7, 2003, at 7:30 P.M. in the Canton City Council Chamber. The meeting was called to order by President of Council Ray Denczak. The roll call was then taken (as follows) by Clerk of Council Debbie Vanckunas. The invocation was given by Councilmember Mary M. Babcock, followed by the Pledge of Allegiance led by President of Council Denczak.

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 OF COUNCIL:

11 COUNCILMEMBERS PRESENT: (BILL SMUCKLER, DONALD E. CASAR, MARY M. BABCOCK, GREG HAWK, KATHLEEN ALTIERI BUCHER, CRAIG MASSEY, JOHN R. MROCKOWSKI, DAVID R. DOUGHERTY, RICHARD D. HART, ROSEMARY DIAMOND & JOE CARBENIA)

1 COUNCILMEMBER ABSENT (RICHARD A. MALLON II)

AGENDA CORRECTIONS & CHANGES

PRESIDENT DENCZAK: Agenda Corrections & Changes, Members of Council--you are being asked to suspend Rule 22A to add Second Reading of Ordinances #4 through 9'er to the agenda. The Chair will recognize that motion now, Member Smuckler.

MEMBER SMUCKLER: Mr. President, I move to suspend Rule 22A to add Ordinances 4 through 9 to the agenda; seconded.

PRESIDENT DENCZAK: Moved and seconded to suspend Rule 22A to add Ordinances for the Second Reading, Ordinances 4 through 9'er; are there any remarks?... If not, roll call vote please.

NO REMARKS

ROLL CALL: 11 YEAS, 0 NAYS

PRESIDENT DENCZAK: Rule 22A has been adopted and the ordinances are a legal part of your agenda.

PUBLIC HEARINGS

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

PUBLIC SPEAKS (ORDINANCES OR RESOLUTIONS FOR ADOPTION ONLY)

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

INFORMAL RESOLUTIONS

PRESIDENT DENCZAK: Informal Resolutions--excusing members, Member Smuckler.

MEMBER SMUCKLER: Mr. President, I move that Member Mallonn be excused this evening; seconded.

PRESIDENT DENCZAK: Moved and seconded that Member Mallonn be excused; are there any remarks?... If not, roll call vote please.

NO REMARKS

ROLL CALL: 11 YEAS, 0 NAYS

PRESIDENT DENCZAK: Let the journal show that Member Mallonn is excused. Resolution 35 please.

PRESIDENT DENCZAK CALLED UPON CLERK OF COUNCIL VANCKUNAS TO READ RESOLUTIONS #35-#39 BY TITLE, AS SHOWN BELOW. THE RESOLUTIONS ARE ON FILE IN THEIR ENTIRETY IN THE COUNCIL OFFICE WITH THE AGENDA ITEMS FILE DATED April 7, 2003.

35. HAWK, WARD 1 MEMBER, ALTIERI-BUCHER, WARD 2 MEMBER, & MASSEY, WARD 4 MEMBER: OFFERING THE CITY'S SUPPORT TO HELP IN THE RELOCATION OF THE CANTON POLICE & FIREMAN'S CREDIT UNION FROM 114 HARRISON AVE NW TO THE SCENIC RAILWAY PROJECT AREA. - ADOPTED BY COUNCIL

MEMBER SMUCKLER: Mr. President, I move we adopt Resolution #35; seconded.

PRESIDENT DENCZAK: Moved and seconded that you adopt Resolution 35; are there any remarks under this resolution?... Very well, by voice vote, all those in favor, signify by saying aye--those opposed, no.

NO REMARKS

RESOLUTION ADOPTED BY UNANIMOUS VOICE VOTE

PRESIDENT DENCZAK: Resolution #35 is adopted.

36. MASSEY, WARD 4 MEMBER: RECOMMENDING NAMING OF A 20' UNNAMED ALLEY BETWEEN TUSCARAWAS & 2ND STREET SE AS "LONG PLACE SE". - ADOPTED & LAW DIRECTOR

MEMBER SMUCKLER: Mr. President, I move we adopt Resolution #36; seconded.

PRESIDENT DENCZAK: Moved and seconded that you adopt Resolution #36; are there any remarks under this resolution?... Very well, by voice vote, all those in favor, signify by saying aye--those opposed, no.

NO REMARKS

RESOLUTION ADOPTED BY UNANIMOUS VOICE VOTE

PRESIDENT DENCZAK: Resolution #36 is adopted; a copy will be sent to the Law Director.

37. MASSEY, WARD 4 MEMBER: RECOMMENDING NAMING OF A 15' UNNAMED ALLEY, BEING THE FIRST ALLEY EAST OF HARTFORD AVE SE, AS "RANDLE COURT SE". - ADOPTED & LAW DIRECTOR

MEMBER SMUCKLER: Mr. President, I move we adopt Resolution #37; seconded.

PRESIDENT DENCZAK: Moved and seconded that you adopt Resolution 37 are there any remarks under this resolution?... Very well, by voice vote, all those in favor, signify by saying aye—those opposed, no.

NO REMARKS

RESOLUTION ADOPTED BY UNANIMOUS VOICE VOTE

PRESIDENT DENCZAK: Resolution #37 is adopted; a copy will be sent to the Law Director.

38. MASSEY, WARD 4 MEMBER: RECOMMENDING NAMING OF A 12' UNNAMED ALLEY, THE FIRST ALLEY WEST OF COOK AVE SW, AS "LAFAY COURT SW". - ADOPTED & LAW DIRECTOR

MEMBER SMUCKLER: Mr. President, I move we adopt 38; seconded.

PRESIDENT DENCZAK: Moved and seconded that you adopt Resolution #38; are there any remarks?... Very well, by voice vote, all those in favor, signify by saying aye—those opposed, no.

NO REMARKS

ADOPTED BY UNANIMOUS VOICE VOTE

PRESIDENT DENCZAK: Resolution #38 is adopted; a copy will be sent to the Law Director.

39 MASSEY, WARD 4 MEMBER: RECOMMENDING NAMING OF A 14' UNNAMED ALLEY BETWEEN GOBEL & WALLACE AVE SE AS "RAMOS COURT SE". - ADOPTED & LAW DIRECTOR

MEMBER SMUCKLER: Mr. President, I move we adopt Resolution #39; seconded.

PRESIDENT DENCZAK: Moved and seconded that you adopt Resolution #39; are there any remarks?... If not, by voice vote, all those in favor, signify by saying aye—those opposed, no.

NO REMARKS

ADOPTED BY UNANIMOUS VOICE VOTE

PRESIDENT DENCZAK: The Resolution is adopted and referred to the Law Director.

INFORMAL RESOLUTION #40 ADDED TO THE AGENDA—SEE JOURNAL PAGE #251 HEREIN.

COMMUNICATIONS

PRESIDENT DENCZAK: All Communications are received as read. Member Smuckler, it's the Chair's understanding that there's a communication to be added to the agenda from the Mayor.

MEMBER SMUCKLER: Yes, Mr. President, I understand. I got a copy of it here in front of me, I understand what it's all about now. Would you please...I move we suspend Rule 22A and add Communication #144 to the agenda; seconded.

PRESIDENT DENCZAK: One moment please... Member Smuckler, your motion is to add this to the agenda. The Chair has to make a referral of this communication. Under your Council Rules, the Chair is not allowed to make referrals to the committee-as-a-whole; therefore, it should be committee-as-a-whole, but since I can't do that any more, I'm going to refer the matter to you, the Majority Leader. So the question before Council now is the adding of this communication from the Mayor on the agenda. Are there any remarks?... Roll call vote please.

NO REMARKS

ROLL CALL: 11 YEAS, 0 NAYS

PRESIDENT DENCZAK: The communication is added to your agenda; it's a legal part of your agenda. The Chair is referring this communication to the Majority Leader, Member Smuckler.

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 April 7, 2003.

136. AUDITOR KIM R. PEREZ, CITY OF CANTON: MONTHLY REPORT BY FUND FOR 3/1/03-3/31/03. - RECEIVED & FILED
137. AUDITOR KIM R. PEREZ, CITY OF CANTON: YEARLY REPORT BY FUND FOR 1/1/03-3/31/03. - RECEIVED & FILED
138. AUDITOR KIM R. PEREZ, CITY OF CANTON: REQUEST FOR ADDITIONAL AMENDED CERTIFICATE DATED 3/28/03. - CLERK OF COUNCIL
139. BABCOCK, MARY M., COUNCILMEMBER-AT-LARGE, CITY OF CANTON: REQUEST TO EXTEND CITY INCOME TAX FILING DATE FOR MILITARY RESERVISTS CALLED TO SERVE FOR WAR IN IRAQ. - LAW DIRECTOR
140. HART, RICHARD D., WARD 7 COUNCILMEMBER, CITY OF CANTON: REQUEST MEETING TO DISCUSS DEVELOPMENT OF A CURBSIDE RECYCLING PROGRAM FOR CITY OF CANTON. - RECEIVED & FILED
141. LIQUOR CONTROL DIVISION, STATE OF OHIO 6606 TUSSING ROAD, PO BOX 4005, REYNOLDSBURG, OHIO 43068-9005: NOTIFICATION THAT EST 97 INC., DBA HOB NOB TAVERN @ 1604 HARRISBURG RD NE, 1ST FLOOR, HAS REQUESTED D5 STOCK TRANSFER. - INTERGOVERNMENTAL & PUBLIC SERVICE COMMITTEE
142. SAFETY DIRECTOR JOSEPH J. CONCATTO, CITY OF CANTON: REQUEST TO ENTER INTO

CONTRACT WITH UTILITY TRUCK EQUIPMENT FOR PURCHASE OF 2003 VERSALIFT SST-37-ENH AERIAL TOWER IN AMOUNT NOT TO EXCEED \$69,143 FOR TRAFFIC ENGINEERING DEPT. - LAW DIRECTOR (See O#1, 1st Rdg)

143. SERVICE DIRECTOR MICHAEL L. MILLER, CITY OF CANTON: REQUEST TO ADVERTISE & RECEIVE BIDS TO EXTEND CITY WATER LINES IN LAWRENCE-CHESTER ALLOTMENT ON KEATS RD FROM MARKET TO BYRON, BYRON FROM SHELLY TO NORTH TERMINUS, SHELLY FROM MARKET TO WOODCREST, & WOODCREST FROM BYRON TO SHELLY AT ESTIMATED COST OF \$181,087.10. - LAW DIRECTOR (See O#2, 1st Rdg)

SUSPENDED RULE 22A TO ADD #144:

144. MAYOR RICHARD D. WATKINS, CITY OF CANTON: LETTER TO SPEAKER OF OHIO HOUSE LARRY HOUSEHOLDER RE: CUTS IN UNDIVIDED LOCAL GOVERNMENT FUNDS. - MAJORITY LEADER (See Resolution #40)

ORDINANCES & FORMAL RESOLUTIONS FOR FIRST READING

PRESIDENT DENCZAK: We'll move on, here, Members of Council while Member Smuckler is drafting a resolution. Ordinances and Formal Resolutions for their first reading & referral. 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 VANCKUNAS TO READ THE FOLLOWING ORDINANCES #1 THROUGH #3 FOR THE FIRST TIME BY TITLE & ANNOUNCED THE COMMITTEE REFERRAL, AS FOLLOWS.

- #1 (1ST RDG) AN ORDINANCE AUTHORIZING THE DIRECTOR OF PUBLIC SAFETY TO ENTER INTO CONTRACT WITH UTILITY TRUCK EQUIPMENT IN AN AMOUNT NOT TO EXCEED \$69,143.00 PURSUANT TO OHIO REVISED CODE SECTION 5513.01, FOR THE PURCHASE OF A 2003 VERSALIFT SST-37-ENH AERIAL TOWER FOR THE TRAFFIC ENGINEERING DEPARTMENT; AND DECLARING THE SAME TO BE AN EMERGENCY
Referred to the Public Property Capital Improvement & Finance Committees
- #2 (1ST RDG) AN ORDINANCE AUTHORIZING THE DIRECTOR OF PUBLIC SERVICE TO ADVERTISE AND RECEIVE BIDS TO EXTEND CITY OF CANTON WATER LINES; AND DECLARING THE SAME TO BE AN EMERGENCY
Referred to the Environmental & Public Utilities Committee
- #3 (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 2nd Reading Portion of Next Council Agenda

ORDINANCES & FORMAL RESOLUTIONS FOR SECOND READING

PRESIDENT DENCZAK: Ordinances for their second reading.

NOTE: PRESIDENT DENCZAK CALLED UPON CLERK VANCKUNAS TO READ THE FOLLOWING ORDINANCES #4 THROUGH #9 FOR THE SECOND TIME BY TITLE, AS FOLLOWS.

- #4 (2ND RDG) AN ORDINANCE AMENDING ORDINANCE NO. 174/95, AUTHORIZING THE CITY AUDITOR TO ESTABLISH AND/OR MAINTAIN PETTY CASH AND/OR CHANGE DRAWER FUNDS FOR THE MUNICIPAL CLERK OF COURTS AND THE POLICE DEPARTMENT; AND DECLARING THE SAME TO BE AN EMERGENCY
- #5 (2ND RDG) AN ORDINANCE APPROVING A CANTON CITY WATER MAIN EXTENSION TO PERRY TOWNSHIP; AUTHORIZING THE DIRECTOR OF PUBLIC SERVICE TO ENTER INTO CONTRACT FOR THE EXTENSION OF SAID WATER MAIN; AND DECLARING THE SAME TO BE AN EMERGENCY
- #6 (2ND RDG) AN ORDINANCE APPROVING A CANTON CITY WATER MAIN EXTENSION TO PLAIN TOWNSHIP; AUTHORIZING THE DIRECTOR OF PUBLIC SERVICE TO ENTER INTO CONTRACT FOR THE EXTENSION OF SAID WATER MAIN; AND DECLARING THE SAME TO BE AN EMERGENCY
- #7 (2ND RDG) AN ORDINANCE AUTHORIZING THE DIRECTOR OF PUBLIC SERVICE TO ADVERTISE, RECEIVE BIDS AND ENTER INTO CONTRACT IN AN AMOUNT NOT TO EXCEED \$418,202.00 FOR THE CANTON STATION SITE DEVELOPMENT PROJECT; AND DECLARING THE SAME TO BE AN EMERGENCY
- #8 (2ND RDG) AN ORDINANCE AUTHORIZING THE DIRECTOR OF PUBLIC SAFETY TO ENTER INTO AGREEMENT WITH THE CANTON CITY SCHOOL DISTRICT BOARD OF EDUCATION TO PROVIDE TWO POLICE OFFICERS; AND DECLARING THE SAME TO BE AN EMERGENCY
- #9 (2ND RDG) AN ORDINANCE AUTHORIZING THE DIRECTOR OF PUBLIC SERVICE TO ENTER INTO AGREEMENT WITH AMERICAN ELECTRIC POWER IN AN AMOUNT NOT TO EXCEED \$85,000.00 FOR THE SHORB AVENUE AND 4TH STREET N.W. IMPROVEMENT PROJECT, GP 1050; AND DECLARING THE SAME TO BE AN EMERGENCY

ORDINANCES & FORMAL RESOLUTIONS FOR THIRD READING

PRESIDENT DENCZAK: There are no Ordinances for their third reading.

ORDINANCES & FORMAL RESOLUTIONS – POSTPONED MATTER

PRESIDENT DENCZAK: Ordinances and Formal Resolutions; Postponed Matters, Member Smuckler.

POSTPONED FROM 3/3, 10, 17 & 24/2003:

#10 **POSTPONED AGAIN TO APRIL 21, 2003** (RECEIVED ALL 3 RDGS) AN ORDINANCE AMENDING CHAPTER 787, SEXUALLY ORIENTED BUSINESSES OF THE CODIFIED ORDINANCES OF THE CITY OF CANTON; AND DECLARING THE SAME TO BE AN EMERGENCY

MEMBER SMUCKLER: Mr. President, I move we adopt Ordinance #10; seconded.

PRESIDENT DENCZAK: Moved and seconded that you adopt Ordinance #10; are there any remarks under this ordinance?...

MEMBER SMUCKLER: Mr. President, I move we postpone Ordinance #10 until April 21st, 2003; seconded.

PRESIDENT DENCZAK: Moved and seconded to postpone Ordinance #10 until April 21st, yeas 2003; are there any remarks?... If not, by voice vote, all those in favor signify by saying aye—those opposed, no.

NO REMARKS

MOTION APPROVED BY UNANIMOUS VOICE VOTE

PRESIDENT DENCZAK: Ordinance #10 is postponed until April 21st, year 2003.

ANNOUNCEMENT OF COMMITTEE MEETINGS

PRESIDENT DENCZAK: Announcement of Committee Meetings please.

MEMBER HAWK: Mr. President, Environmental and Public Utilities Committee will meet at 6:45 next Monday evening.

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

MEMBER MROCZKOWSKI: Mr. President, Finance Committee will meet the same time, same place.

PUBLIC SPEAKS (OPEN FORUM--CITY BUSINESS ONLY)

PRESIDENT DENCZAK: How far is that resolution coming, Member Smuckler?... (INAUDIBLE RESPONSE) ...Well, we'll go to Public Speaks. Public Speaks, Open Forum. We have one person signed up for Public Speaks, Mr. Zengler.

MR. ZENGLER: My name is Rick Zengler, 940 Los Olas NW, President of AFSCME Local 3449. Campaign time is upon us and unfortunately a good department and a good manager are being hurt, embarrassed and maligned all in the name of politics. The CD Department, or the Community Development Economic Planning Department, is doing its job—those tasks it is always meant to do and those that are being assigned to it by other elected officials in other departments. Sheila Barrino is a capable, dependable department head, and she is doing the work currently of three jobs. Her current one, her past one, and that of aiding the CCIC because that post has been vacant now for several months. As far as economic development, people have asked what has been going on there because they don't see anything. The Luna Grille, the Federal complex, Diamed, the train station, Onesto and Kresge and hundreds of acres of land that have been annexed in the last 12 months are just some of those aspects. And also within the 6th Ward, the Mahoning Road

Shopping Center has been a direct result of CD intervention. Under Ms. Barrino, the Department is becoming more aggressive for grants. Currently there are nearly \$2 million of grants requests waiting for public input so that we can get finalization to send to Columbus. In the last audit, it was a clean slate, and that's been the first time in several times, and that was under the direction of Ms. Barrino. The staff that she has is currently efficient and they are currently at odds with what to do with all the campaign rhetoric that has been going on. For those who need more info on exactly what the Community Development Department is all about and what it does, this book here is called "CAPER". For those of you, it's a public record for anyone who is interested, it is available to the public for review. It is almost a step by step account of where all the money went. About 3 or 4 weeks ago, it was on public display for public comment. And this was in Council Office. So any Councilperson had the right and had the opportunity to look at that. I also, and I will not read each one of these verbatim, these are letters from some of the employees since the last *Repository* articles came out. Anna Marie Keller, "it is truly unfair to blame all of Canton's problems and/or failures on a director who's only held this position for one year. She should be given a fair chance to implement some of her ideas--after all, she did replace a director that held the position for at least 20 years." From Wendy McDonald, "as the director, Sheila Barrino has faced many difficult challenges in this past year due to the reduction of staff in this department. I believe she has done her best to implement all the programs on a State/Federal level." From Tammy Barth, "I am an employee of the Economic Development Department. I am appalled with the candidate's comments criticizing our department and its director. One candidate commented that the Economic Development Department should better promote rental property programs. That person needs to know the Economic Development Department has not offered rental rehab grants for at least 3 years." From Maria Talbert, Renee Biggums....(TIMER SOUNDING)

PRESIDENT DENCZAK: I'll let you finish.

MR. ZENGLER: ...and Debbie Singleton, they all have a petition form of letter supporting Ms. Barrino and the department. Sue Graham, "I enjoy working for the department and Ms Barrino. She is knowledgeable about federal/state/city guidelines, when they must be followed and how to release the monies." For those who do not know what the CD monies go to, she emphasizes also that there is 20-some ordinances on file over the past year where Council signed out on them and voted in those things. So there is a Council record of those things. And finally, Michelle Arnold also endorses Ms. Barrino. I would like to point out that these are labor people endorsing not only their department, but their department head. Thank you.

MISCELLANEOUS BUSINESS

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

MEMBER SMUCKLER: Mr. President, I'd like to move back under resolutions on the agenda.

PRESIDENT DENCZAK: The Chair will go back to the resolutions, Member Smuckler. Go ahead, what do you want to do?

INFORMAL RESOLUTIONS

MEMBER SMUCKLER: I have a resolution from Member Carbenia and whoever else would like to sponsor this, to co-sponsor this, and let me just read it and we can move on from there. And this is:

Informal Resolution No. 40. A Resolution Opposing the State of Ohio's Proposed Cuts in Undivided Local Government Funds. Respectfully Submitted by Ward Nine Councilmember Joe Carbenia & Majority Leader Bill

Smuckler on this 7th day of April, 2003. Whereas, The State of Ohio currently has a fiscal responsibility to return local tax dollars through Undivided Local Government Funds. Tax dollars returned to local municipalities from the State of Ohio are collected from local taxpayers; and Whereas, The local municipalities depend upon these Undivided Local Government Funds received from the State of Ohio to help fund measures ensuring the health, safety and welfare of constituencies in their respective communities; and Whereas, Canton, like most municipalities, uses the bulk of the Undivided Local Government monies received from the State of Ohio to help fund the safety forces' salaries in our community; and Whereas, Canton, like most municipalities, is in desperate need of the Undivided Local Government funding to at least keep pace with their current financial needs; Now, Therefore, Be It Resolved: That we the Members of the Council of the City of Canton do hereby go on public record by acknowledging the State of Ohio's budget needs, but want the State of Ohio to know that the needs of the City of Canton are far greater than the State of Ohio can imagine, and do hereby go on record opposing any cuts to Undivided Local Government Funds; and Be it Further Resolved: That Canton City Council does hereby join with Canton Mayor Richard D. Watkins in opposing these budget cuts that will adversely effect the health, safety and welfare of our community.

PRESIDENT DENCZAK: If that is the resolution, Member Smuckler, then move to suspend Rule 24 to have it placed on the agenda.

MEMBER SMUCKLER: Mr. President, I move we suspend Rule 24B and have resolution #40 placed on the agenda; seconded.

PRESIDENT DENCZAK: Moved and seconded to suspend Rule 24B to add Informal Resolution #40 to the agenda; are there any remarks?

MAYOR WATKINS: Mr. President, Members of Council, I strongly support this and...

PRESIDENT DENCZAK: Mayor, let's get it on the agenda first and then I'll recognize you. Are there any remarks on placing this on the agenda...? Roll call vote please.

NO REMARKS

ROLL CALL: 11 YEAS, 0 NAYS

PRESIDENT DENCZAK: Rule 24B has been suspended and the informal resolution is in the hands of Council.

MAYOR WATKINS: Thank you, Mr. President, Members of Council. I think it's extremely urgent that Council support this resolution. I had to send it down in the form of a communication, which is the regulations of Council and it had to be converted to a resolution. I think further it's very, very important that we contact Mr. Householder, who is the Chairman, and members of both houses, the Senate and the House of Representatives, and perhaps fax this resolution out tomorrow directly to those concerned parties because they are in negotiations and discussion right now relative to the Local Government Fund. I would hate to think that it passed because we were inactive in following through.

PRESIDENT DENCZAK: Any other remarks?...

MEMBER CARBENIA: Mr. President, thank you. I'd like to ask all the Council people to vote yes on this. This is a very important thing. I'm on my way to Columbus tomorrow to talk to some of the representatives down there. I talked to Kirk Schuring today, I had a meeting with him, he was in town. And he has made mention that he's against doing this. This will cost the City, I asked Tad about how much it would cost, and the first year is around, a little over probably \$3 million, and the next year, the other 50% would be, make it \$6 million in two years. And we just can't stand that, that

will completely kill us I'm sure. But Kirk Schuring has said that he's against it and that he thinks that it's going to go the House tomorrow. They had a meeting tonight at 4:00. And they were having a meeting tomorrow morning, it was going to go to the House, but they think it's going to be taken out. But you can't just take that as the given word because if you're not there, you don't know what they're doing and I think we have to let them know how we feel and it is very important to us.

MEMBER SMUCKLER: Mr. President, I think what's also important here is we're not asking for any more. In fact, we've already been cut. I think what we're asking is just to maintain and keep pace with where we're at. One of the things is that when you're trying to fund your budget, I think we have to make it very clear to the State that most of this money goes for our General Fund, which is personnel, which is the safety forces. And I think as long as we keep hammering that, that this is all going towards safety forces, this makes more of an impact with the State Legislature down in Columbus.

PRESIDENT DENCZAK: Any other comments?

LAW DIRECTOR MARTUCCIO: Mr. President, thank you. To add on to that, Member Carbenia, Mayor, whomever speaks with our State legislators, we have exemplary joint projects here in Stark County funded by the Undivided Local Government Fund returns we get from Columbus. We have the Crime Lab, which is a joint project of Stark County and SCOG, and we have the Metro Program. These would suffer deep and terrible cuts as well if this money were diminished. So please keep those in your thoughts as well. Thank you.

PRESIDENT DENCZAK: Any other remarks?... If not, the question you're voting on now is the resolution. I'm going to ask for a roll call.

NO FURTHER REMARKS

ROLL CALL: 11 YEAS, 0 NAYS

PRESIDENT DENCZAK: This way the State will know that there was an individual vote taken on this matter.

MISCELLANEOUS BUSINESS

PRESIDENT DENCZAK: Okay, we go back to the original place on the agenda again, Miscellaneous Business. Is there any Miscellaneous Business?

MEMBER HART: Mr. President, yea, I just wanted to make a quick reply to an editorial and point out some incorrect points that was in today's newspaper. The first point is that I did not support the buyout of the City employees. I did not feel that it was in the best interests of the citizens. And when I looked at the people, or the employees of the City that could have taken it, I felt that there would be a real brain drain because we were losing some key people in some key positions. Also, that legislation was not introduced by Member Diamond and myself. And where I know the Mayor can speak better for himself than what I can, but, you know, throughout the Mayor's Administration, I feel there was at least 8 positions he could have filled at times and didn't. And also since the financial crisis, you know, there have been positions which have been combined. And, you know, everybody's done what they can to help improve, even though there's still a long way to go. And I just wanted to make a couple statements, you know, because they did need corrected—they were incorrect.

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

MEMBER HAWK: Mr. President, I have a question here, I have a letter from the Chief Building Inspector that cancels

the April 10th, 2003 Building Board of Appeals Meeting and reschedules it for June 12th, 2003 at 9 a.m. I know that these folks meet every other month. Cancelling this meeting puts a delay on whatever was in process at this time. I think that another 120 days delay on anything really puts, especially on the concerns in all of the ward issues, on any building matter that comes up. I guess I have a problem with them cancelling the meeting and delaying it two months. I don't know why it couldn't have been rescheduled for the following week or a couple days later. That's a big concern of mine. Thank you.

SAFETY DIRECTOR CONCATTO: Mr. President, Member Hawk, I have contacted the Building Inspector, Roger Westfall, and told him to inform the Board of Building Appeals that I would like to have that meeting done before June 2nd and to see if they could get them together within a week or so. I can't promise that, but we'll try to get the Board together. It was a light agenda, but still an agenda that we do not need to postpone for two months. And I've informed them of that.

MEMBER DOUGHERTY: Mr. President, this is part of the problem where, you know, I got criticized for when you had, you know, the last members down here trying to get on that Board--that they need to meet monthly. And that way you don't have these problems. 'Cause, you know, we got neighborhood groups and everything that are very involved and they just feel like they're running up against, you know, dead ends when this kind of stuff happens. So I would appreciate you moving that up. Thank you.

MEMBER ALTIERI BUCHER: Mr. President, regarding that change of that meeting too, I too believe that in the Building Board of Appeals, we should try to...we did ask them, that's why we had them come down to meet monthly if we could because of the volume of problems that we have. And I know that I've had some buildings in the area that, we've been fighting very hard to get dealt with. And now it's going to be put off until June that's been put off for almost 2 years. So I think that the audience needs to understand this, that the Council people are doing their job, but when it comes to the appeals problem, we have a problem getting all the people in and taking care of these things in a timely manner. So now that we know this and Greg's brought this up, I want each person in this audience to know that in your buildings, we have a problem with this, we are doing our job but the meeting has been cancelled. And I hope we can get it rescheduled as quickly as possible. Thank you.

PRESIDENT DENCZAK: Any other Miscellaneous Business?...

SAFETY DIRECTOR CONCATTO: Mr. President, just a point of comment about the meeting. There was only one item on the agenda for new business. There was three items on the agenda for old business, but there was only one item on the agenda for new business. I'm not saying that's a reason to cancel it, but just to identify what the agenda was.

PRESIDENT DENCZAK: Any other Miscellaneous Business?...

MEMBER MROCZKOWSKI: Mr. President, I just want to make note that since our last meeting, the sound system has been updated. A new, the ability to hear each other better, to have the communications come across clear and distinct is now available through digital sound, if you would. And this update keeps our City Council in the 21st century. Thank you.

PRESIDENT DENCZAK: Maybe that's the problem. Any other Miscellaneous Business?...

SAFETY DIRECTOR CONCATTO: Mr. President, just to let Council know that today we successfully tested the mapping portion of the emergency notification system and last Thursday we tested the communicators side of that at the CAPS meeting for Marathon Ashland. And, in fact, Member Mroczkowski was there, who was the one that started this

whole process. We feel now that the emergency notification system is now in the County, available to us and we're prepared to use it.

PRESIDENT DENCZAK: Any other Miscellaneous Business?...

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

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

NO REMARKS PERMITTED ON THIS MOTION -- ROLL CALL VOTE: 11 YEAS, 0 NAYS

PRESIDENT DENCZAK: This meeting is adjourned. (SOUNDS GAVEL)

ADJOURNMENT TIME: 8:17 P.M.

ATTEST:

DEBRA VANCKUNAS
CLERK OF COUNCIL

APPROVED:

RAY DENCZAK
PRESIDENT OF COUNCIL