

**MINUTES OF THE MEETING OF MARCH 13, 2006**

PRESIDENT DENCZAK: The Chair calls this meeting of Canton City Council to order. Roll call please.

*ROLL CALL TAKEN BY CLERK VANCKUNAS:*

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

NO COUNCILMEMBERS ABSENT

*The regular meeting of Canton City Council was held on Monday, March 13, 2006, at 7:30 P.M. in the Canton City Council Chamber. The roll call was taken (see above) by Clerk of Council Debra Vanckunas. The invocation was given by Ward 5 Councilmember Terry Prater, followed by the Pledge of Allegiance led by President of Council Denczak.*

**AGENDA CORRECTIONS & CHANGES**

PRESIDENT DENCZAK: Thank you Member Prater. (*referring to invocation*) Agenda corrections and changes. You're being asked to suspend Rule 22A to add the second readings of Ordinances #9 through #15. Member Casar.

MEMBER CASAR: Mr. President, I move we suspend Rule 22A and add Ordinances 9, 10, 11, 12, 13 and 15; to this evening's agenda; seconded.

PRESIDENT DENCZAK: Moved and seconded that you suspend Rule 22A to add Ordinances 9, 10, 11, 12, 13 and 15 to the agenda. Are there any remarks?... If not, roll call vote please.

NO REMARKS

ROLL CALL: 12 YEAS, 0 NAYS

PRESIDENT DENCZAK: Rule 22A is suspended and the ordinances are a legal part of your agenda. The second reading of Ordinance 14 is held in committee.

**PUBLIC HEARINGS**

PRESIDENT DENCZAK: There's no scheduled public hearing.

**PUBLIC SPEAKS (ON ORDINANCES OR RESOLUTIONS FOR ADOPTION ONLY):**

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

**INFORMAL RESOLUTIONS**

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

***NOTE: PRESIDENT DENCZAK CALLED UPON THE CLERK OF COUNCIL TO READ THE FOLLOWING INFORMAL RESOLUTION #14 BY AGENDA TITLE. THE INFORMAL RESOLUTION WHICH FOLLOWS WAS PREVIOUSLY POSTPONED FROM FEBRUARY 13, 2006 AND IS, LISTED BY***

MINUTES OF THE MEETING OF MARCH 13, 2006***AGENDA TITLE AND ON FILE IN ITS ENTIRETY IN THE COUNCIL OFFICE WITH THE AGENDA ITEMS FILE DATED FEBRUARY 13 AND MARCH 13, 2006.***

PRESIDENT DENCZAK: Informal Resolutions, #14 please.

14. **POSTPONED FROM 2/13/06** BY COUNCIL MEMBERS SMUCKLER, HAWK, CIRELLI, WEST, DOUGHERTY, & HART: SUPPORTING A LIST OF GOALS AND OBJECTIVES FOR CANTON CITY COUNCIL 2006 THROUGH 2007. - POSTPONED TO 3/20/06

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

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

MEMBER SMUCKLER: Mr. President. As lead sponsor of that Resolution, I ask that the Resolution be postponed for one more week til 3/20; seconded.

PRESIDENT DENCZAK: Moved and seconded that the Resolution be postponed to 3/20. Are there any remarks?... If not, the question before you is the postponement. By voice vote, all those in favor, signify by saying aye. Those opposed no.

NO REMARKS

RESOLUTION POSTPONED BY UNANIMOUS VOICE VOTE

PRESIDENT DENCZAK: Resolution #14 is postponed until 3/20 in the year 2006.

COMMUNICATIONS

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

***NOTE: ALL COMMUNICATIONS WHICH FOLLOW, LISTED BY AGENDA TITLE, ARE ON FILE IN THEIR ENTIRETY IN THE COUNCIL OFFICE WITH THE AGENDA ITEMS FILE DATED MARCH 13, 2006.***

142. ABCD HOMES V LLC, WILL DENT, 1225 GROSS AVENUE NE, AKRON, OH 44705: APPRIZING THAT ABCD HOMES V CORP WILL BE THE GENERAL PARTNER IN NEW CONSTRUCTION OF 30 SINGLE-FAMILY RESIDENTIAL UNITS LOCATED AT SCATTERED SITES IN CANTON, (3<sup>RD</sup> ST., SE & ETC) - RECEIVED & FILED, CC: ZACHARY & WEST
143. ASSOCIATES LAND GROUP, 4334 GLENDALE-MILFORD ROAD, CINCINNATI, OHIO 45242-3706: APPRIZING THAT ABCD WILL BE THE MANAGING MEMBER & ALG DEVELOPMENT LLC WILL BE CO-DEVELOPER OF 40 TWO-BEDROOM RESIDENTIAL UNITS TARGETED TO SENIORS LOCATED NORTH OF 17<sup>TH</sup> SE IN CANTON TO BE KNOWN AS QUEEN ESTHER'S VILLAGE. - RECEIVED & FILED, CC: ZACHARY
144. ASSOCIATED LAND GROUP, 4334 GLENDALE-MILFORD ROAD, CINCINNATI, OHIO 45242-3706: APPRIZING THAT ABCD WILL BEL THE MANAGING MEMBER & ALG DEVELOPMENT LLC WILL BE CO-DEVELOPER OF 60 TWO-BEDROOM RESIDENTIAL UNITS TARGATED TO

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SENIORS LOCATED NORTH OF THE VIENNA WOODS SUBDIVISION TO BE KNOWN AS RENAISSANCE VILLAGE. - RECEIVED & FILED, CC: ZACHARY

145. ASSOCIATED LAND GROUP, 4334 GLENDALE-MILFORD ROAD, CINCINNATI, OHIO 45242-3706: APPRIZING THAT ABCD WILL BE THE MANAGING MEMBER & ALG DEVELOPMENT LLC WILL BE CO-DEVELOPER OF 30 SINGLE FAMILY 4-BEDROOM HOMES LOCATED NORTH OF VIENNA WOODS TO BE KNOWN AS SOUTHGATE ESTATES. - RECEIVED & FILED, CC: ZACHARY
146. COMMUNITY DEVELOPMENT & PLANNING DIRECTOR MARGY POORMAN, CITY OF CANTON: REPORT OF TAX INCENTIVE REVIEW COUNCIL 3/3/06 MEETING & RECOMMENDATIONS MADE PER THE ENTERPRISE ZONE TAX ABATEMENT GUIDELINES. - COMMUNITY & ECONOMIC DEV. CMTE
147. COMMUNITY DEVELOPMENT & PLANNING DIRECTOR MARGY POORMAN, CITY OF CANTON: REQUESTING CITY COUNCIL MAKE AN APPOINTMENT TO THE COMMUNITY REINVESTMENT AREA HOUSING COUNCIL FOR A 3-YR. TERM EFFECTIVE 3/1/06. - PERSONNEL CMTE
148. HEALTH BENEFITS ADMINISTRATOR ROSE BRESSON, CITY OF CANTON: FEBRUARY 2006 MONTHLY COMPARATIVE REPORT OF INSURANCE CLAIMS, & JANUARY- FEBRUARY 2006 PAID CLAIMS & COMPARATIVE REPORT. - RECEIVED & FILED
149. PRATER, TERRY, WARD 5 COUNCILMEMBER: INFORMING THAT MARATHON ASHLAND WILL BE REQUESTING A STREET VACATION; MEMBER PRATER WILL BE REQUESTING A ZONE CHANGE ON PROPERTY OWNED BY THEM; & REQUESTING THEY BE APPROACHED CONCERNING ANNEXATION. - RECEIVED & FILED
150. TREASURER ROBERT SCHIRACK, CITY OF CANTON: COMPARATIVE REPORT OF INCOME TAX CASH RECEIPTS FILED AS OF 2/28/06. - RECEIVED & FILED
151. TREASURER ROBERT SCHIRACK, CITY OF CANTON: COMPARATIVE REPORT OF DEPOSITS & PAY INS TO THE AMBULANCE LOCK BOX ACCOUNT FOR MONTH OF FEB 2006. - RECEIVED & FILED
152. TREASURER ROBERT SCHIRACK, CITY OF CANTON: COMPARATIVE REPORT OF PARKING METER REVENUE FOR THE MONTH OF FEBRUARY 2006. - RECEIVED & FILED

**ORDINANCES & FORMAL RESOLUTIONS FOR FIRST READING**

PRESIDENT DENCZAK: Ordinances & Formal Resolutions for the first reading; let the journal show that all ordinances are being given their reading as required by State law. Ordinance number 1 please...

***NOTE: PRESIDENT DENCZAK CALLED UPON CLERK VANCKUNAS TO READ THE FOLLOWING ORDINANCES #1 THROUGH & INCLUDING #8 FOR THE FIRST TIME BY TITLE & ANNOUNCED THE COMMITTEE REFERRAL, AS FOLLOWS.***

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- #1 (1<sup>ST</sup> RDG) AN ORDINANCE AUTHORIZING THE MAYOR OR DIRECTOR OF PUBLIC SERVICE TO ACCEPT THREE PROPERTIES FROM THE STARK METROPOLITAN HOUSING AUTHORITY AS PART OF THE DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT'S DOLLAR HOME INITIATIVE; AND DECLARING THE SAME TO BE AN EMERGENCY  
Referred to Public Property Capital Improvement and Comm. & Econ. Dev. Cmtes
- #2 (1<sup>ST</sup> RDG) AN ORDINANCE AMENDING ORDINANCE 17/89 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 \$350,000.00; AND DECLARING THE SAME TO BE AN EMERGENCY  
Referred to Community & Economic Development and Finance Cmtes
- #3 (1<sup>ST</sup> RDG) AN ORDINANCE AUTHORIZING THE MAYOR OR DIRECTOR OF PUBLIC SERVICE TO ENTER INTO CONTRACT WITH STARK COUNTY REGIONAL PLANNING COMMISSION TO PROVIDE A GRANT IN AN AMOUNT NOT TO EXCEED \$54,000.00 FOR A COMPREHENSIVE FAIR HOUSING PROGRAM; AND DECLARING THE SAME TO BE AN EMERGENCY  
Referred to Community & Economic Development and Finance Cmtes
- #4 (1<sup>ST</sup> RDG) AUTHORIZING THE MAYOR AND/OR DIRECTOR OF PUBLIC SERVICE TO ENTER INTO CONTRACT WITH THE DOMESTIC VIOLENCE PROJECT INCORPORATED 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  
Referred to Community & Economic Development and Finance Cmtes
- #5 (1<sup>ST</sup> RDG) AN ORDINANCE AUTHORIZING THE MAYOR AND 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 AND DOWNTOWN DEVELOPMENT PROGRAM; AND DECLARING THE SAME TO BE AN EMERGENCY  
Referred to Community & Economic Development and Finance Cmtes
- #6 (1<sup>ST</sup> RDG) AN ORDINANCE AUTHORIZING THE DIRECTOR OF PUBLIC SERVICE TO COMPLETE THE CONTRACTING PROCESS FOR A CONTRACT PREVIOUSLY AUTHORIZED BUT NOT COMPLETED BY JANUARY 1, 2006; AND DECLARING THE SAME TO BE AN EMERGENCY  
Referred to Park & Recreation and Finance Cmtes
- #7 (1<sup>ST</sup> RDG) AN ORDINANCE AUTHORIZING THE DIRECTOR OF PUBLIC SERVICE TO ENTER INTO A FEE MODIFICATION #1 WITH ATELIER CORPORATION OF WILSON HAWK, DBA AS THE WILSON ARCHITECTURAL GROUP, IN AN AMOUNT NOT TO EXCEED \$4,600.00 FOR ADDITIONAL ARCHITECTURAL SERVICES RELATING TO THE RELOCATION OF THE DUNLAP/CARNEY HISTORICAL

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HOUSES; AND DECLARING THE SAME TO BE AN EMERGENCY  
Referred to Finance Cmte

- #8 (1<sup>ST</sup> RDG) AN ORDINANCE RENAMING A PORTION OF DRYDEN AVENUE NW IN THE CITY OF CANTON "HARRISON AVENUE NW"  
Referred to Public Safety and Thoroughfares Cmte

**ORDINANCES & FORMAL RESOLUTIONS FOR SECOND READING**

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

***NOTE: PRESIDENT DENCZAK CALLED UPON CLERK VANCKUNAS TO READ THE FOLLOWING ORDINANCES #9 THROUGH & INCLUDING #15 FOR THE SECOND TIME BY TITLE AS REQUIRED BY STATE LAW, AS FOLLOWS, WITH THE EXCEPTION OF ORDINANCE #14 WHICH WAS RETAINED IN COMMITTEE.***

- #9 (2<sup>ND</sup> RDG) AN ORDINANCE AMENDING CHAPTER 547, UNFAIR EMPLOYMENT PRACTICES, OF THE CODIFIED ORDINANCES OF THE CITY OF CANTON
- #10 (2<sup>ND</sup> RDG) AN ORDINANCE AMENDING APPROPRIATION O.1/2006, AS AMENDED, BY MAKING THE SUPPLEMENTAL APPROPRIATIONS, REDUCTIONS IN APPROPRIATIONS AND INTER-FUND TRANSFERS HEREIN DESCRIBED; AND DECLARING THE SAME TO BE AN EMERGENCY
- #11 (2<sup>ND</sup> RDG) AN ORDINANCE APPROVING AND ACCEPTING THE REPLATTING OF PART OF LOT 285; AND DECLARING THE SAME TO BE AN EMERGENCY
- #12 (2<sup>ND</sup> RDG) AN ORDINANCE AMENDING APPROPRIATION ORDINANCE NO. 1/2006 AS AMENDED, BY MAKING THE SUPPLEMENTAL APPROPRIATIONS HEREIN DESCRIBED; AND DECLARING THE SAME TO BE AN EMERGENCY
- #13 (2<sup>ND</sup> RDG) AN ORDINANCE AUTHORIZING THE CITY AUDITOR TO PAY A MORAL OBLIGATION IN AN AMOUNT NOT TO EXCEED \$9,656.83 TO ENVIRONMENTAL PROFESSIONALS, INC.; AND DECLARING THE SAME TO BE AN EMERGENCY
- #14 ***RETAINED IN COMMITTEE*** AN ORDINANCE ESTABLISHING THE FAIR MARKET VALUE OF REAL PROPERTY IN CONJUNCTION WITH THE FEDERAL CAMPUS PROJECT; AUTHORIZING THE SALE AND CONVEYANCE OF SAID PROPERTY; AND DECLARING THE SAME TO BE AN EMERGENCY
- #15 (2<sup>ND</sup> RDG) AN ORDINANCE AUTHORIZING THE DIRECTOR OF PUBLIC SERVICE TO ENTER INTO A LEASE AGREEMENT WITH THE GREATER AKRON ATHLETIC CLUB; AND DECLARING THE SAME TO BE AN EMERGENCY

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

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

***NOTE: PRESIDENT DENCZAK CALLED UPON CLERK VANCKUNAS TO READ THE FOLLOWING ORDINANCES #16 THROUGH & INCLUDING #19 FOR THE THIRD TIME BY TITLE AS REQUIRED BY STATE LAW, AS FOLLOWS. ALL THE ORDINANCES WERE ADOPTED BY COUNCIL FOLLOWING THEIR THIRD READING.***

#16 (3<sup>RD</sup> RDG) **ADOPTED AS ORDINANCE NO. 37/2006** AN ORDINANCE WAIVING THE ANNUAL ADJUSTMENT TO THE BASE SEWER RATE AS ESTABLISHED BY THE CONSUMER PRICE INDEX PURSUANT TO SECTION 947.06, SEWER RATES, OF THE CODIFIED ORDINANCES OF THE CITY OF CANTON; AND DECLARING THE SAME TO BE AN EMERGENCY MEMBER

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

PRESIDENT DENCZAK: Moved and seconded that you adopt Ordinance #16. Are there any remarks?... If not, roll call vote please.

NO REMARKS

ROLL CALL: 12 YEAS, 0 NAYS

PRESIDENT DENCZAK: Ordinance #16 is adopted. **#16 ADOPTED AS ORDINANCE NO. 37/2006**

#17 (3<sup>RD</sup> RDG) **ADOPTED AS ORDINANCE NO. 38/2006** AN ORDINANCE AUTHORIZING THE CITY AUDITOR TO PAY MORAL OBLIGATIONS IN AN AMOUNT NOT TO EXCEED \$2,434.46 TO EWING CHEVROLET, INC. AND IN AN AMOUNT NOT TO EXCEED \$106.25 TO BLUE TECHNOLOGIES; AND DECLARING THE SAME TO BE AN EMERGENCY

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

PRESIDENT DENCZAK: Moved and seconded that you adopt Ordinance #17. Are there any remarks under this Ordinance?... Very well, roll call vote please.

NO REMARKS

ROLL CALL: 12 YEAS, 0 NAYS

PRESIDENT DENCZAK: Ordinance #17 is adopted. **#17 ADOPTED AS ORDINANCE NO. 38/2006**

#18 (3<sup>RD</sup> RDG) **ADOPTED AS ORDINANCE NO. 39/2006** AN ORDINANCE AUTHORIZING THE DIRECTOR OF PUBLIC SERVICE TO ADVERTISE, RECEIVE BIDS AND ENTER INTO CONTRACT FOR THE MIDWAY AVENUE N.E. AND 19<sup>TH</sup> STREET N.E. IMPROVEMENT PROJECT, GP 1072; AMENDING APPROPRIATION ORDINANCE NO. 1/2006, AS AMENDED, MAKING THE SUPPLEMENTAL APPROPRIATION AND APPROPRIATION TRANSFER HEREIN DESCRIBED; AND DECLARING THE SAME TO BE EMERGENCY

MEMBER CASAR: Mr. President, I move we adopt Ordinance #18; seconded.

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PRESIDENT DENCZAK: Moved and seconded that you adopt Ordinance #18. Are there any remarks under this Ordinance?... Very well, roll call vote please.

NO REMARKS

ROLL CALL: 12 YEAS, 0 NAYS

PRESIDENT DENCZAK: Ordinance #18 is adopted. **#18 ADOPTED AS ORDINANCE NO. 39/2006**

#19 (3<sup>RD</sup> RDG) **ADOPTED AS ORDINANCE NO. 40/2006** AN ORDINANCE AUTHORIZING THE DIRECTOR OF PUBLIC SERVICE TO MAKE PAYMENT TO THE CANTON COMMUNITY IMPROVEMENT CORPORATION FOR THE CONDITIONAL PURCHASE OF A REGIONAL DETENTION BASIN; AND DECLARING THE SAME TO BE AN EMERGENCY

MEMBER CASAR: Mr. President, I move we adopt Ordinance #19; seconded.

PRESIDENT DENCZAK: Moved and seconded that you adopt Ordinance #19. Are there any remarks under this Ordinance?... Very well, roll call vote please.

NO REMARKS

ROLL CALL: 12 YEAS, 0 NAYS

PRESIDENT DENCZAK: Ordinance #19 is adopted. **#19 ADOPTED AS ORDINANCE NO. 40/2006**

**ANNOUNCEMENT OF COMMITTEE MEETINGS**

PRESIDENT DENCZAK: Announcement of committee meetings please.

MEMBER CASAR: Mr. President. Parks and Recreation committee will meet on March the 20<sup>th</sup> @ 6:15pm

MEMBER CARBENIA: Mr. President. Community & Economic Development Committee will meet 6:15 on 3/20/06.

MEMBER HAWK: Mr. President. Finance Committee will meet 6:15, March 20<sup>th</sup>.

MEMBER PRATER: Mr. President. Personnel Committee will meet March 20<sup>th</sup> @ 6:15 to discuss communication 147.

MEMBER DOUGHERTY: Mr. President. Public Property Capital Improvement will also meet Monday, 6:15.

MEMBER KRAUS: Mr. President. Public Safety & Thoroughfare will meet 6:15, 3/20.

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

PRESIDENT DENCZAK: Public Speaks Open Forum. We have two speakers signed up. The first speaker is Theodore Hunter. I'm sorry, Mr. Hunter, I'll have to recognize the other one first because you spoke within the last four weeks. That's a Council rule. Alton Carter, Jr.

MR. CARTER: My address is 1410 Center Place NE Canton, Ohio.

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PRESIDENT DENCZAK: State your name sir, for the record.

MR. CARTER: Alton Carter's my name. I here standing today on safety matters in our city, such as streets of Canton, Ohio. You know, these kids today, they're really, they really outta line. I wish y'all'd do somethin' about it though too because these kids packin' guns and I... I at a light, traffic light, mindin' my own business wantin' to make a, go straight up Second Street, to my home base, where you got 5, 6 kids as the light changes, just standing in the middle of the street, goin' like this (*hand gestures made*) This was only yesterday on Second and Belden. I should only feel that y'all need to get a motorcade, something, to ride around these cities cuz these kids standin' in the middle of the streets enough and you roll your window down and say somethin' to them, they'll get smart with you, they'll cuss you out or whatever they're gonna do. They're gonna do somethin' crazy, ya know, and I was in the service, we did not allowed to do that kinda mess in those, in the streets, ya know, we had to get out the way, ya know, and here I am, drivin' down my, down the street, mindin' my own business, payin' city tax dollars and everything, ya got kids takin' over these streets of Canton, Ohio. I'm tellin' ya all right now, if the City of Canton don't do nothin' about those youths in the middle of the streets, there's gonna be something happening. I know this, I talked to adults already about it, ya know, they ain't gonna let these kids talk much to them, and shoot at them or whatever they want to do or bust their windows out, cuttin' their tires already wanna do, but these kids, in our city, Mayor, Safety committee, they're really outta line. I strongly feel that we need to do a motor, motorcade which was, I mean by that, get some y'all Council people on the streets and ride in cars and check the streets out and see what's goin' on in our streets. I mean, it's time, it's time for you-all to come up, come up across it and check our streets out. These people, these kids outta line. They runnin' our streets, I'm tellin' y'all again, they're runnin' our streets. Another safety issue I got today, I like to walk. I gained some weight. I like to walk in the park, Nimisilla Park. I see tree branches fallin' down ya know, they have programs down in the park now a days. I stayed there 3 years ago, but now here, they need to trim them trees cuz somebody gonna get killed. They got kids in there for day care be in there. These, them trees very old right now and, and you get about 45 miles an hour winds, they're gonna fall and they're gonna fall on somebody else. I like to walk that park. I don't, I shouldn't have to get in my car and walk, ride, way by Timken Mercy Hospital just to have a nice walk. We got a nice park. Nimisilla Park's a nice park and that's my area. I grew up in that, that neighborhood and I still in that neighborhood. I speak to the youth too in that neighborhood, ya know. They outta line, like I tell 'em, ya know, they outta line. I ain't got no fear, no (*inaudible*) I never had no trouble, never been in jail, but I'll tell you what, I just, I just spanked my kids back in the day and my mother, and my mother and them was to spank me and friends but today's a different story. It's time for the Council of the City of Canton, Ohio to come forward. Yes, I go through neighborhoods, our neighborhood is lookin' real bad, our neighborhood, you know. I could be livin' out there on 44<sup>th</sup> Street, 55<sup>th</sup> Street, ya what, I wanna stay home base.

PRESIDENT DENCZAK: Mr. Carter.

MR. CARTER: Ya know what I'm sayin'?

PRESIDENT DENCZAK: Mr. Carter, I'm drivin' here. Under Council rules, your 3 minutes are up. Bring your remarks to a close.

MR. CARTER: I'm done?

PRESIDENT DENCZAK: Yeah, bring them to a close. Just.... okay?

MR. CARTER: Okay. But anyway, can y'all do that for me?

PRESIDENT DENCZAK: Okay, I'm sure that the ward Councilman heard your message. Probably, Member



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West or Member Zachary?

MEMBER WEST: Yes Mr. President. I just received word today from that actually Mr. Ash had also told me about the limbs in Nimisilla Park and I will make a call to the Park Department tomorrow.

PRESIDENT DENCZAK: Final speaker is Theodore Hunter.

MR. HUNTER: Good evening. My name is Theodore Hunter. I live at 1601 4<sup>th</sup> Street NE Canton, Ohio. I've seen in my life many examples of injustices, unfair treatment and wrong doings. Just as my words are being recorded for your, your deeds are now being recorded for your own un-doing. You can build strong fortresses and arm yourselves with most modern devices, but the malignancy of your actions is at this moment overtaking right conduct, moral character and integrity. This malignancy will soon overtake our strides to be good and positive examples for our children. Our children see what we are doing and they're un-doing will be caused by our deeds and our previous actions, because our children will reflect what we are, back to us. I believe in the power of God. Thank you.

**MISCELLANEOUS BUSINESS**

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

MEMBER CIRELLI: Mr. President. I'm not sure, I guess I'll direct this question to the Mayor and then she can maybe tell me if there's some group that a committee and the City that takes care of, I guess you'd call it nuisances or litter. I had an interesting thing happen today. I was coming on 18<sup>th</sup> Street between Fulton Road and Cleveland, well, it actually went all the way to Market Avenue and what it, and then I called the Beacon Journal about it. There's all these orange bags, they were giving free newspapers out. So, they just literally threw them and you can still go out there and see them. I attempted to take the Clerk of Council and digital camera, but unfortunately, it wasn't charged up and we couldn't take pictures and there was no where that I knew where to get a camera to take pictures to show you what it looked like. They literally just threw all these bags with the newspaper and then the Beacon said that they contracted with a third party to come into the City to give a free newspaper for solicitation. What they did is they were instructed to throw them, like 6 feet from the sidewalk on to their yards. Well these bags are laying on the sidewalk, I ran over one with my car, they're in the gutter, they put 2 and 3 at one, some residences, I mean, it was a God-awful looking mess and so I wanted to take pictures. I alerted them, they said they would do a back, you know, check back and see what they could find out about it. The reason I brought that up is that, before I was in Council, this also happened with phone books they was supposed to hang on, they were in a plastic bags and they just literally threw them right on the sidewalk. Well, I got ahold of the people and they went and got ahold of the delivery people there, but those bags are still been laying there. I found one at my house last week. So, do we have a nuisance department that we can refer these to? Council used to have a car that we could take, is there a car available if I so chose as a Council At Large person to drive through the neighborhoods, take a camera with me to photograph what I think are nuisances and properties, or what have you, that people are calling to us and saying, you know, we would like to have this cleaned up. Who would, who would we direct that to Mayor?

MAYOR CREIGHTON: Mr. President. Member Cirelli, the answer to your question is, there is not a nuisance inspector that looks for trash, that I am aware of. Jack Crider, when he is not ill, takes care of the junk cars and other types of things like that. Any type of litter, messes, usually are turned over to me and I either get the street department or sanitation or the Mayor, herself, goes out and bends over and picks them up.

MEMBER CIRELLI: Mr. President. Mayor Creighton, if you want to, I'll give you a hand and we'll go do 18<sup>th</sup> Street cuz it looks terrible.

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MAYOR CREIGHTON: I can do that on the way home Member Cirelli, and so could you.

MEMBER CIRELLI: We just need a big black bag to throw them in, I mean, it's ridiculous! But, I guess, Mr. President, and I'll ask the Law Director, is a business allowed to come into a municipality and just do as they just darn well please?

LAW DIRECTOR: Mr. President. Member Cirelli, no, not as they please. There are 3 categories of people that can interact with your property. Trespassing is the worst and it can be punished by our Prosecutors and our Courts of Law; that means entering without permission. Inviting someone makes them an invitee. There's this middle group called licensees, that might have an implied right to come on to your property, like postal delivery, firefighters, police officers, and newspaper, if you subscribe. This one kind of falls in the gray-area. I'm going to talk to the Prosecutors tomorrow to see if this might border on littering, and then maybe we can follow up with you and talk to the Beacon people.

MEMBER CIRELLI: Thank you Law Director Martuccio. Thank you.

MEMBER GRIFFIN: Mr. President. I'd like to invite everybody up to St. John's Church at 6<sup>th</sup> and McKinley North on St. Patrick's Day, March 17<sup>th</sup>, 12:10 mass, the Knights of Columbus is going to recognize our safety forces on the police department, the fire department and the deputy sheriff for the year. It's what we call our blue mass and you're all invited to come up and celebrate with us, so, thank you.

PRESIDENT DENCZAK: Is there any other miscellaneous business?

MEMBER ZACHARY: Mr. President. In reference to safety issues and the city, I am very aware of what Mr. Carter was referring to earlier because just the other night, I came down Tusc on my way home and it was kinda late at night. Same thing happened. I always do urge people to err on the side of caution when it comes to taking the law into their own hands, and I for one, am not jumping out of my car and trying to get any kids to get out of the street. One thing that I can do is call the police and one thing, another thing that I can do is ask the Safety Director if we can get some patrol cars in that area because it is a notorious drug area in the City of Canton and I, I'm afraid that with the weather getting ready to break and getting warmer that it's gonna escalate the problem because it's just moving around from one area to the next.

SAFETY DIRECTOR HUNT: Mr. President. Councilmember Zachary, if you'd like to talk after Council meeting about specific areas, we could do more to get police vehicles in those areas if you need.

PRESIDENT DENCZAK: Is there any other miscellaneous?

MEMBER CASAR: I move that we adjourn; seconded.

MEMBER WEST: Hold on, you got 2 here.

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

NO REMARKS PERMITTED ON THE MOTION TO ADJOURN                      ROLL CALL: 12 YEAS, 0 NAYS

PRESIDENT DENCZAK: This meeting is adjourned.

ADJOURNMENT TIME:                      7:53 P.M.

**MINUTES OF THE MEETING OF MARCH 13, 2006**

ATTEST:

APPROVED:

DEBRA VANCKUNAS  
CLERK OF COUNCIL

RAY DENCZAK  
PRESIDENT OF COUNCIL