

MINUTES OF THE MEETING OF JUNE 5, 2006

PRESIDENT DENCZAK: With a quorum being present, the Chair calls this meeting of Canton City Council to order. Roll call please.

ROLL CALL TAKEN BY CLERK TIMBERLAKE:

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

11 COUNCILMEMBERS PRESENT; 1 ABSENT (SMUCKLER)

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

The regular meeting of Canton City Council was held on Monday, June 5, 2006, at 7:30 P.M. in the Canton City Council Chamber. The roll call was taken (see above) by Clerk of Council Cynthia Timberlake. The invocation was given by Kelly Zachary followed by the Pledge of Allegiance led by President Ray Denczak.

PRESIDENT DENCZAK: Thank you member Zachary.

AGENDA CORRECTIONS & CHANGES

PRESIDENT DENCZAK: You're being asked to suspend Rule 22A to add the second readings of Ordinance #7 through and including #17. The Chair will recognize that motion now Member Casar.

MEMBER CASAR: Mr. President. I move we suspend rule 22A be suspended to add Ordinances for second reading 7 through and including 17; seconded.

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

NO REMARKS

ROLL CALL: 11 YEAS, 0 NAYS

PRESIDENT DENCZAK: Rule 22A has been suspended and Ordinances #7 through and including #17 are a legal part of your agenda. You're being asked to suspend Rule 24B to add Resolutions 55. The Chair will recognize that motion, Member Casar?

MEMBER CASAR: Mr. President. I move we suspend Rule 24B and add Resolutions #55 to this evenings agenda; seconded.

PRESIDENT DENCZAK: Moved and seconded to suspend Rule 24B. Are there any remarks? If not, roll call vote please

NO REMARKS

ROLL CALL: 11 YEAS, 0 NAYS

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

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PRESIDENT DENCZAK: We have no scheduled Public Hearing at this time.

PUBLIC SPEAKS

PRESIDENT DENCZAK: No one has signed up for public speaks under this portion.

INFORMAL RESOLUTIONS

PRESIDENT DENCZAK: Informal Resolutions excusing members. Member Casar.

MEMBER CASAR: Mr. President, I move that Member Smuckler be excused from this evening's meeting; seconded.

PRESIDENT DENCZAK: Moved and seconded that Member Smuckler 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 Smuckler has been excused. Resolution #53 please.

NOTE: PRESIDENT DENCZAK CALLED UPON THE CLERK OF COUNCIL TO READ THE FOLLOWING INFORMAL RESOLUTIONS #53 through 55 BY AGENDA TITLE. ALL INFORMAL RESOLUTIONS WHICH FOLLOW, LISTED BY AGENDA TITLE, ARE ON FILE IN THEIR ENTIRETY IN THE COUNCIL OFFICE WITH THE AGENDA ITEMS FILE DATED JUNE 5, 2006.

#53. COUNCIL-AS-A-WHOLE: COMMENDING & CONGRATULATING WILLIS DIGMAN FOR HIS DEDICATED SERVICE WITH PLAIN LOCAL SCHOOLS. - ADOPTED

PRESIDENT DENCZAK: Member Casar.

MEMBER CASAR: Mr. President, I move we adopt Resolution #53; seconded.

PRESIDENT DENCZAK: Moved and seconded that you adopt Resolution #53, are there any remarks? If not, by voice vote, all those in favor, signify by saying aye. Those opposed, no.

NO REMARKS

RESOLUTION #53 IS ADOPTED BY UNANIMOUS VOICE VOTE

PRESIDENT DENCZAK: Resolution #53 is adopted.

#54 CIRELLI, MARY, COUNCILMEMBER-AT-LARGE: COMMENDING FREDERICK HAROLD FOR HIS SERVICE & DEDICATION TO THE CANTON CITY SCHOOL DISTRICT. - ADOPTED

MEMBER CIRELLI: Mr. President?

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PRESIDENT DENCZAK: Member Casar.

MEMBER CASAR: Mr. President, I move we adopt Resolution #54; seconded.

PRESIDENT DENCZAK: Moved and seconded that you adopt Resolution #54, are there any remarks?

MEMBER CIRELLI: Mr. President.

PRESIDENT DENCZAK: Member Cirelli.

MEMBER CIRELLI: I would like to have the Clerk of Council read the Resolution so it would be in for the record, please.

PRESIDENT DENCZAK: Madame Clerk, would you please read Resolution #54.

AN INFORMAL RESOLUTION, RESPECTFULLY SUBMITTED BY COUNCILMEMBER AT LARGE MARY CIRELLI ON THIS 5TH DAY OF JUNE, 2006: WHEREAS, As Councilmember At Large, I am most gratified and do hereby join with all the duly elected members of the Council of the City of Canton in according to Frederick C. Harold the respect and honor he so richly deserves for his outstanding service and contributions to the Canton City School District; WHEREAS, Frederick "Fred" Harold was born February 17, 1924 in Canton, Ohio to George & Mary Harold. Fred married Joan Lahr February 26, 1949 and is the proud father of Nancy, Janet, Paul, Ellen, Joseph, Monica, Thomas, Kevin, Daniel, Amy, Eric, and Mary Jo. Grandfather to 30 grandchildren (one on the way), 6 great-grandchildren (two on the way). Fred prided himself in raising all twelve kids with one income, one car and one bathroom! WHEREAS, For over 50 years Fred has dedicated himself to Timken Senior High School and Canton City Schools as a teacher from 1951 to 1990, Coach from 1951 to 1976, Athletic Director from 1976 to 1990 and Board of Education Member from 1992 to 2004. For his many years of service and dedication Fred was honored with the naming of the "Frederick C. Harold Gymnasium" on May 13, 2006. WHEREAS, Fred has indeed influenced many and is a person that has left and continues to leave a positive impact on an enormous amount of people's lives by his "Can Do Attitude". He is truly a gentleman that "Walks his Talk". His legacy will forever be remembered and in his own words when he is cut "He bleeds Gold & Blue". This quote alone affirms his deep love and loyalty for his beloved Timken Senior High School. May his presence produce more "Fred Harolds" in future generations. NOW, THEREFORE, BE IT RESOLVED: that we, the Members of the Council of the City of Canton, Ohio, do hereby recognize, give special tribute to and commend most highly FREDERICK C. HAROLD, for his years of service and dedication to the Canton City School District as well as the entire Canton Community. Your commitment to society is greatly appreciated Fred!

PRESIDENT DENCZAK: Are there, are there any remarks?

MEMBER CIRELLI: Mr. President, I'd like to have Mr. Harold come to the podium, please.

PRESIDENT DENCZAK: Let's vote on it first.

MEMBER CIRELLI: After the vote. Thank you.

PRESIDENT DENCZAK: Knowing Fred Harold myself, personally, this may not pass, (*LAUGHTER*) and I may have to vote myself and break the tie.

MEMBER CIRELLI: Mr. President, that's why I asked to bring him up there first.

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PRESIDENT DENCZAK: Will there... are there any remarks?

MEMBER HART: Mr. President. I'd just like to make a quick comment. I had 2 sisters that went to Timken many years ago and you had a very profound impact on them as a teacher. I remember, as a young student, at Woodland Grade School, they took me some of those basketball games and I saw you coach with a great deal of intensity that would probably make Bobby Knight very envious. You know, and as a school teacher for Canton, it was nice to know that there's a lot of Board Members out there we've always been blessed with, with and always put the kids first, and that's very important and I just have to say this on behalf of his wife, you know, I want to thank her for all the time in letting him go and you know, sometimes the sacrifice, as the mom of a big family, and being a coach and a teacher and a School Board Member, and I would just like to say as it says he bleeds gold and blue but he married well in scarlet and gray, a Lehman graduate. (LAUGHTER) Speaking as a graduate of Lehman, and again, thank you very much for all you've done.

PRESIDENT DENCZAK: See, I told you this is going to be controversial.

MEMBER CASAR: Mr. President. Mr. President, I'd just like to congratulate Coach Harold for all he's done for this community and what he continues to do after his retirement as a teacher, Athletic Director and then finally, as a member of the Canton City School Board. I'd like to say I was privileged to be one of his young men that he mentor-ed or coached, about 20 years ago (LAUGHTER) and I really appreciate everything. I really appreciate his, what he's done for the youth of this community and what he contin...what he continued to do even in his retirement and I wanna thank Mr. Harold and Mrs. Harold and his whole family and we are so proud to be able to, ah, call Mr. Harold a true Canton native and a true Canton Trojan. (APPLAUSE)

MEMBER CARBENIA: Mr. President.

MEMBER DOUGHERTY: Mr. President.

PRESIDENT DENCZAK: Member Dougherty.

MEMBER DOUGHERTY: Yes, I graduated from Timken High School.....

MEMBER CARBENIA: Go ahead.

MEMBER DOUGHERTY: ..and ah, in 1978 and I was in Mr. Harold's home room, you know, in the morning in the classroom in the morning so, he ran that just like at practice times. So, you ah, he was ah, a great teacher and he changed a lot of people's lives for the good and ah, I always appreciated everything you did. Thank you.

PRESIDENT DENCZAK: Member Carbenia.

MEMBER CARBENIA: Thank you Mr. President. Also, I'd like to congratulate Mr. Harold. I went to Canton McKinley 55, 56 but, you know, back then we used to play each other and I had a lot of buddies that went to Timken and I never met one of them that didn't like Mr. Harold. His name is synonymous with Canton, not only at Timken but throughout the city and throughout the state and I'd just like to congratulate him.

PRESIDENT DENCZAK: Mr. Harold, when you first came in here I saw you in the audience, I thought you came here to speak here against the Whipple Avenue Widening (LAUGHTER) but, you know, that project is over

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with now; and Fred, (*CHUCKLE*) I don't know, a man that lives with 7 women in a house with one comfort station, that's an engineering term for toilet, you certainly are to be commended just for that purpose alone, not for all the good deeds you have done for the kids that went to Timken High School. You know, you and I were in the same grade in home room 206. Mr. Grable was our home room teacher and it brings back a lot of memories every time I see you Fred and um, you, you deserve the accolades and commendation that Council's going to give you. I had some other things I wanted to say, Fred, but this is a solemn occasion and I'll say it to you some other time when I see you then. But, good luck to you and your family. Are there any other remarks?

AUDITOR MALLONN: Mr. President. Yes, I'd like to take this opportunity to commend Mr. Harold. Mr. Harold, I've known you for a number of years. I know a number of your children actually Mary Jo used to work for me, but I would just like to thank you for everything that you've done for the Canton City Schools and this community. I don't think there's a single person in Canton that has done more for Timken High School than Mr. Fred Harold and I feel that he should be commended and I also had Mr. Harold in my sophomore year in bookkeeping and the one thing that he always used to stress and he always told his class is to never assume, because when you assume, you make an "ass out of you and me", and that has always stuck with me and ah, on behalf of myself and my family, congratulations Mr. Harold.

MEMBER GRIFFIN: Mr. President. On behalf of my family too, Mr. and Mrs. Harold, I'd like to thank you for everything you've done for the community and for St. Joseph's. On behalf of St. Joseph's, we really appreciate everything you've done for us. Thank you.

PRESIDENT DENCZAK: I forgot to mention the fact that Mr. Harold and his wife, they did a lot of good to build up the census account in the City of Canton for more Federal Funds, (*LAUGHTER*) and he should be commended for that also. Are there any other remarks?

MEMBER CIRELLI: Mr. President. This is one of the nicer things that we get to do as Council people is to honor somebody in our community that so richly deserves to be honored. Mr. Harold, you were there when both of my sons went to Timken High School and I went to all those games and watched you when you were infamous for kicking the back, with your heels, of the, of the, of the gymnasium steps. We tried to get everybody to do that on the day that they so honored you and named the Timken court after you, but there wasn't any, really backboards that we could do that with. A couple of us tried, but it just didn't work out that way, but it was very nice. I can't think of anybody more deserving to have that gymnasium named for than Frederick Harold, and the Mayor was there and she said some very nice comments, as well as many of your fellow peers that were there and, and people that came after you, coaches, and for anybody that missed it, you really missed a wonderful display of love and affection, and Fred, I watched you work with all those young men and my youngest son was there helping out as a manager with you and you treated them all like they were your kids and I applaud you for that because I think they all walked away much better people because of having known you and all that you have gave to this community, and not only to Timken High School, but going on to be on the School Board. I have to applaud you because you're the type of person that never retires. You just keep on keeping on. God Bless you and so it's really an honor to have you here tonight and Joan, God Bless you, to be his soul mate right beside him through all that thick or think and for people... I'll never forget when I asked Fred one day, when he said he raised 12 children in one house with one bathroom and I said, woah, that seems very difficult Fred. He said, 'well I'll tell you what, it taught my children self-control.' (*LAUGHTER*) And, every time I think about that, it has a lot of humor. There's a lot of Fred's family here tonight so, whenever I want to bring you to the podium so I can be honored enough to give this to you, I'd like to have them all stand up so everybody can see some of his, some of his off-springs that are here. So, it's a real pleasure to be here tonight and be able to give this to you. God Bless You.

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PRESIDENT DENCZAK: Any other remarks?... If not, the question comes to vote. If there are no further remarks, by voice vote, all those in favor signify by saying aye; those opposed no. The Resolution is adopted.

NO REMARKS

RESOLUTION #54 IS ADOPTED BY UNANIMOUS VOICE VOTE

PRESIDENT DENCZAK: Now Member Cirelli.

CLERK TIMBERLAKE: Will his family please stand? Thank you for coming.

(Member Cirelli presented Mr. Harold with the Resolution)

MEMBER CIRELLI: Mr. President. Can you hear me?

PRESIDENT DENCZAK: Yes.

MEMBER CIRELLI: Okay. Since we've done a lot of talking I think now is the time that we hear from the Coach. Okay? Our gentleman for the evening Mr. Fredrick C. Harold.

MR. HAROLD: Thank you. Honorable Mayor, Members of Council, Citizens of Canton and family. I wanna check to see who's here because the rest of them will be taken out of the will. *(LAUGHTER)* And I want you to know that's big money! That's big money, yeah. We'll take care of that. It's been my pleasure to live this life and know the people that I know and, and the comments around the table and so on and Ray Denczak, fellow alumni, fellow graduate.....

PRESIDENT DENCZAK: Your 3 minutes are up Mr. Harold *(LAUGHTER)*

MR. HAROLD: Pardon?and he, graduated with me in 1942, there's some, there's some question whether he would make it or not. *(LAUGHTER)* But with considerable help from a great bunch of classmates, he did make it and I remember each of them that I've. That I've had contact with in one way or another, as I look around this room, and even Don Casar's wife, even though she's a Canton South grad, we don't talk about that, but, she was my secretary for a good many years and, she behaved as if she was really a Timken Trojan. And, Honorable Mayor, this brings great emotion and surprise to me that you would let this happen being the Lincoln alumni that you are and I consider it even more significant that I got this under the Administration of a 'Lincoln' Mayor, and some people can't help it. *(LAUGHTER)* For one reason or another, they couldn't cut it or something, but, but, but, you know, we'll, we'll, that'll that's okay. Of course, I have to give credit to the lady of my life, my wife and she stayed home with 12 kids and did all the work and significantly raised a very nice family and my children, thank God, are more like her than like me. Of course, as people say it, it's very important that they're like one of us. But, I am, I'm very happy to receive this. It is an honor that I treasure and I appreciate the people in this room that have made this possible. By the way, I just want to comment about your Council. Are you the secretary of Council?

CLERK TIMBERLAKE: The Clerk of Council.

MR. HAROLD: The Clerk of Council. She really does a nice job and was right on the ball, right on the tag and, and I like that kind of action.

CLERK TIMBERLAKE: Thank you.

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PRESIDENT DENCZAK: She didn't go to Timken Fred. (*LAUGHTER*)

MR. HAROLD: So, thank you very much for everything and I'll try to continue to do what I have done and thank you Mary. I really appreciate it.

MEMBER CIRELLI: My pleasure. (*APPLAUSE FOR MR. HAROLD*)

PRESIDENT DENCZAK: Ah, Fred, you mentioned earlier in your speech that there, about your will, that there's plenty of money involved? Ah, then you owe me 25 bucks for that plaque then because it cost the taxpayers a lot of money. You certainly deserve that award Fred. Resolution 55 please.

#55. PERSONNEL COMMITTEE: RECOMMENDING PLACEMENT OF JOHN LABRIOLA IN STEP 3 OF CHIEF BUILDING OFFICIAL POSITION. - ADOPT

MEMBER CASAR: Mr. President. I move we adopt Resolution #55; seconded.

PRESIDENT DENCZAK: Moved and seconded that you adopt Resolution #55. 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 #55 ADOPTED BY UNANIMOUS VOICE VOTE

PRESIDENT DENCZAK: Resolution #55 is adopted.

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 JUNE 5, 2006.

280. AUDITOR, R.A. MALLONN, CITY OF CANTON: CERTIFICATE OF THE TOTAL AMOUNT FROM ALL SOURCES FOR 2006. - RECEIVED AND FILED

281. AUDITOR, R.A. MALLONN, CITY OF CANTON: SUBMITTING YEARLY REPORT BY FUNDS THRU 5/31/06 - RECEIVED & FILED

282. AUDITOR, R.A. MALLONN, CITY OF CANTON: SUBMITTING MONTHLY REPORT BY FUNDS THRU 5/31/06. - RECEIVED & FILED

283. BEITZEL, HERBERT (APPLICANT), 1320 CLEVELAND AVE., NW, CANTON, OH 44703: APPLICATION FOR STREET VACATION OF PORTION OF HOOVER PL., NW., RUNNING E. TO W. FR: CLEVELAND AVE., NW TO MINERVA CT., NW. - PLANNING COMMISSION

284. CHIEF OF STAFF CHIP CONDE, CITY OF CANTON: SUBMITTING 2005 SUMMARY OF EXPENSES BY AMPCO PARKING. - RECEIVED & FILED

285. CHIEF OF STAFF CHIP CONDE, CITY OF CANTON: REQUESTING THE ADOPTION OF THE

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CITY'S TAX BUDGET AS REQUIRED BY ORC SEC 5705. - FINANCE CMTE

PUB HRG 7/17/06 @ 7:30 PM

286. CIRELLI, MARY M, CNCLMBR AT LARGE: REQUEST LAW DIRECTOR TO RESEARCH PROCESS OF NOTIFYING PROPERTY OWNERS FOR ZONE CHANGES & ALLEY VACATIONS. - RECEIVED & FILED
287. HEALTH COMMISSION ROBERT PATTISON, CITY OF CANTON: REQUEST APPROPRIATION OF FUNDS FR: UNAPPROPRIATED BALANCE OF THE 2316 WIC ADMINISTRATION GRANT TO 2316 WIC ADMINISTRATION GRANT FUND. - FINANCE CMTE
288. JAMES REED ENTERPRISES, LLC, 2801 FAIRCREST STREET SW., CANTON, OH 44706: ZONE CHANGE APPLICATION FOR 2801 FAIRCREST ST SW FR: B-3 TO PB-4. - PLANNING COMMISSION
289. LIQUOR CONTROL DIVISION (OHIO), 6606 TUSSING ROAD, PO BOX 4005, REYNOLDSBURG, OH 43068-9005: SUBMITTING WITHDRAW OF OBJECTION TO APPLICATION FOR GOLFERS & HACKERS, INC. DBA DIGGERS. - RECEIVED & FILED
290. MAYOR JANET CREIGHTON: REQUEST CONTRACT AMENDMENTS AFSCME LOCAL 2937 BARGAINING UNIT CLASS. PLAN & CITY OF CANTON FOR POSITION GROUP 10TE, SAFETY DIRECTOR DEPT TRAFFIC ENGINEERING. - PERSONNEL CMTE
291. SAFETY DIRECTOR BERNARD HUNT, CITY OF CANTON: NOTIFICATION OF MEETING ON JUNE 5, 2006 @ 5:30 PM IN CITY COUNCIL CMTE RM, HEADED BY BILL GALLAGHER, CITY OF CANTON CONTRACTUAL CERTIFIED BUILDING OFFICIAL RE; REQUIRED STATEWIDE RESIDENTIAL BLDG CODE. - RECEIVED & FILED
292. SERVICE DIRECTOR JOE CONCATTO, CITY OF CANTON: REQUEST AUTHORIZATION FOR MAYOR &/OR DIR. OF PUBLIC SERVICE TO ESTABLISH A FAIR MARKET VALUE OF PROPERTY IN CONJUNCTION W/THE COLUMBUS RD/HARMONT NE INTERSECTION IMPROVEMENT PROJECT; NEGOTIATES SAME AT THE ESTABLISHED FAIR MARKET VALUE & MAKE MINISTERIAL CHANGES. - COMMUNITY & ECONOMIC DEVELOPMENT & FINANCE COMMITTEES
293. SERVICE DIRECTOR, JOE CONCATTO, CITY OF CANTON: REQUEST AUTHORIZATION FOR MAYOR &/OR DIRECTOR OF PUBLIC SERVICE TO ENTER INTO AGREEMENT W/STARK METRO HOUSING AUTHORITY TO CONSTRUCT A PUBLIC STORM SEWER & AUTHORIZE \$69,376 FOR RECONSTRUCTION OF SAME. - INTERGOVERNMENTAL & PUBLIC SERVICE AND FINANCE COMMITTEE
294. SLIMAN, SAM, AGENT FOR THE PETITION, CITY OF CANTON: SUBMITTING COPY OF ANNEXATION PETITION DOCUMENTS FILED W/STARK COUNTY COMMISSIONERS IN THE DIANO ANNEXATION AREA. - ANNEXATION CMTE
295. STARK COUNTY COMMISSIONERS, CENTRAL PLAZA SOUTH, TUSCARAWAS STREET: ESTABLISHING PUBLIC HRG ON JULY 26, 2006 @ 7:00 PM FOR PROPOSED \$1,228 ACRES KNOWN AS THE "DIANO ANNEXATION". - ANNEXATION CMTE

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296. STATE REPRESENTATIVE WILLIAM J. HEALY II, 52ND HOUSE DISTRICT, STATE OF OHIO: NOTIFICATION OF HB 149 PASSAGE BY OHIO HOUSE OF REPRESENTATIVES RE; TAX CREDITS FOR REHABILITATION OF HISTORIC PROPERTY . - RECEIVED & FILED
297. SCHIRACK, ROBERT, TREASURER, CITY OF CANTON: TREASURER'S OFFICE BANK RECONCILIATIONS & OUTSTANDING INVESTMENTS AS OF APRIL 28, 2006. - RECEIVED & FILED
298. SCHIRACK, ROBERT, TREASURER, CITY OF CANTON: COMPARATIVE REPORT OF CASH RECEIPTS FILED APRIL 30, 2006. - RECEIVED & FILED
299. URBAN HOUSING FOUNDATION, 4344 METRO CIRCLE NW, NORTH CANTON, OH 44720: REPLAT APPLICATION FOR PROPERTY BOUNDED ON N. BY 11TH ST., NW; ON THE E. BY E. LINE OF LOT 2926; ON THE S. BY 10TH ST NW; ON THE W. BY CATO CT NW. - PLANNING COMMISSION

ORDINANCES & FORMAL RESOLUTIONS FOR FIRST READING

PRESIDENT DENCZAK: We're now under Ordinances and Formal Resolutions for First Reading. Ordinance #1 please.

NOTE: PRESIDENT DENCZAK CALLED UPON CLERK TIMBERLAKE TO READ THE ORDINANCES #1 THROUGH #6 FOR THE FIRST TIME BY TITLE & ANNOUNCED THE COMMITTEE REFERRAL, AS FOLLOWS.

- #1 (1ST RDG) AN ORDINANCE APPROVING & ACCEPTING THE REPLATTING OF OUTLOTS 683 & 684, PART OF OUTLOT 695 & LOTS 34591, 34596-34601, 34885 & 34886; AND DECLARING THE SAME TO BE AN EMERGENCY
Referred to Public Safety & Thoroughfares Cmte

PRESIDENT DENCZAK: By the way, all Ordinances are being given their reading as required by State Law. Ordinance #2 please.

- #2 (1ST RDG) AN ORDINANCE AMENDING ORDINANCE NO. 5577, AS AMENDED, KNOWN AS THE CITY OF CANTON ZONING ORDINANCE; AND DECLARING THE SAME TO BE AN EMERGENCY (Canton Preservation Society)
Referred to Judiciary Cmte
- #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 (3912 Mahoning Rd NE)
Referred to Judiciary Cmte
- #4 (1ST RDG) AN ORDINANCE AMENDING ORDINANCE NO 55/77, AS AMENDED, KNOWN AS THE CITY OF CANTON ZONING ORDINANCE (1800 Block of Ferndale Ave., NW)
Referred to Judiciary Cmte

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- #5 (1ST RDG) AN ORDINANCE AUTHORIZING THE AUDITOR TO ENTER INTO A PROFESSIONAL SERVICE CONTRACT WITH ICMA-RC FOR A TAX DEFERRED RETIREMENT HEALTH SAVINGS PLAN AND PAYROLL DEDUCTION BENEFIT FOR THE FOP; AND DECLARING THE SAME TO BE AN EMERGENCY
Referred to Personnel Cmte
- #6 (1ST RDG) AN ORDINANCE AUTHORIZING THE DIRECTOR OF PUBLIC SERVICE TO ADVERTISE, RECEIVE BIDS AND ENTER INTO AN 18-MONTH CONTRACT FOR THE INSTALLATION OF BACKWATER VALVES, AND DECLARING THE SAME TO BE AN EMERGENCY
Referred to Environmental & Public Utilities and Finance Cmtes

ORDINANCES & FORMAL RESOLUTIONS FOR SECOND READING

PRESIDENT DENCZAK: Ordinances for their second reading.

NOTE: PRESIDENT DENCZAK CALLED UPON CLERK TIMBERLAKE TO READ THE FOLLOWING ORDINANCES #7 THROUGH #17 FOR THE SECOND TIME BY TITLE AS REQUIRED BY STATE LAW, AS FOLLOWS

- # 7 (2ND RDG) AN AUTHORIZE MAYOR TO ENTER INTO ENTERPRISE ZONE AGREEMENT WITH RTI INTERNATIONAL METALS, INC. TO PROVIDE REAL PROPERTY TAX EXEMPTIONS; AUTHORIZING THE AUDITOR TO MAKE PAYMENTS TO THE CANTON LOCAL SCHOOL BOARD OF EDUCATION AS REQUIRED TO BE PAID PURSUANT TO SECTION 5709.82 (C) & (D) OF THE REVISED CODE AND DECLARING THE SAME TO BE AN EMERGENCY
(C&ED and Fin)
- #8 (2ND RDG) AN ORDINANCE ESTABLISHING FAIR MARKET OF ONE PARCEL OF CITY OWNED PROPERTY AUTHORIZING THE SALE AN CONVENIENCE OF SAID PROPERTY PURSUANT TO THE CITY'S RESIDENTIAL LAND DISPOSITION PROGRAM AND DECLARING THE SAME TO BE AN EMERGENCY
(C&ED and Fin)
- #9 (2ND RDG) AN ORDINANCE ESTABLISHING 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
(C&ED and Fin)
- #10 (2ND RDG) AN ORDINANCE ESTABLISHING THE FAIR MARKET VALUE OF ONE PARCEL OF CITY OWNED PROPERTY AUTHORIZING THE SALE AND CONVENIENCE OF SAID PROPERTY PURSUANT TO THE CITY'S RESIDENTIAL LAND DISPOSITION PROGRAM AND DECLARING THE SAME TO BE AN EMERGENCY.
(C&ED and Fin)
- #11 (2ND RDG) AN ORDINANCE APPROVING & ACCEPTING THE REPLATTING OF ALL OF OUTLOT 807 & LOT 37252; AND DECLARING THE SAME TO BE AN EMERGENCY

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(Harmont NE, a portion of DeHoff Development Site)
(PS&T)

- #12 (2ND RDG) AN ORDINANCE APPROVING & ACCEPTING THE REPLATTING OF ALL OF LOT 1667 & PART OF LOT 1668; AND DECLARING THE SAME TO BE AN EMERGENCY (6th St NE, E. of Spring Ave., NE)
(PS&T)
- #13 (2nd RDG) AN ORDINANCE VACATING A PORTION OF HOPE COURT SE; AND DECLARING THE SAME TO BE AN EMERGENCY (Fr: 3rd St SE to line @ Rowland Cemetery)
(PS&T)
- #14 (2nd RDG) AN ORDINANCE AUTHORIZING THE MAYOR OR DIRECTOR OF PUBLIC SERVICE TO ENTER INTO AGREEMENT WITH CONSOLIDATED TECHNOLOGIES, INC. DBA CTI ENVIRONMENTAL, INC. PURSUANT TO THE CITY'S JOB CREATION INCENTIVE PROGRAM; AND DECLARING THE SAME TO BE AN EMERGENCY
(C&ED and Fin)
- #15 (2nd RDG) AN ORDINANCE AUTHORIZING THE MAYOR OR DIRECTOR OF PUBLIC SERVICE TO ENTER INTO AN AGREEMENT WITH RTI INTERNATIONAL METALS, INC. DBA RTI ALLOYS TITANIUM PROCESSING DIVISION PURSUANT TO THE CITY'S JOB CREATION INCENTIVE PROGRAM; AND DECLARING THE SAME TO BE AN EMERGENCY
(C&ED and Fin)
- #16 (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
(E&PU)
- #17 (2nd RDG) AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO AGREEMENT WITH THE STATE OF OHIO, DEPARTMENT OF REHABILITATION & CORRECTION FOR RECEIPT OF THE FISCAL YEAR 2007 COMMUNITY CORRECTIONS ACT GRANT IN AN AMOUNT NOT TO EXCEED \$74,261.00 AND DECLARING THE SAME TO BE AN EMERGENCY
(Fin)

ORDINANCES & FORMAL RESOLUTIONS FOR THIRD AND FINAL READING

PRESIDENT DENCZAK : Ordinances for their third and final reading. Ordinance #18 please.

NOTE: PRESIDENT DENCZAK CALLED UPON CLERK TIMBERLAKE TO READ THE FOLLOWING ORDINANCES #18 THROUGH #20 FOR THE THIRD TIME BY TITLE AS REQUIRED BY STATE LAW, AS FOLLOWS. ALL THE ORDINANCES WERE ADOPTED BY COUNCIL FOLLOWING THEIR THIRD READING.

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#18 (3RD RDG) **ADOPTED AS ORDINANCE NO. 95/2006** AN ORDINANCE AUTHORIZING THE DIRECTOR OF PUBLIC SERVICE TO ENTER INTO AGREEMENT WITH NORTH CANTON AND A PROPERTY OWNER REGARDING ADJOINING PROPERTY LOCATED IN CANTON AND NORTH CANTON; AND DECLARING THE SAME TO BE AN EMERGENCY

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

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

NO REMARKS

ROLL CALL: 11 YEAS, 0 NAYS

PRESIDENT DENCZAK: Ordinance #18 is adopted.

#18 ADOPTED AS ORDINANCE #95/2006

#19 (3RD RDG) **ADOPTED AS ORDINANCE NO. 96 /2006** AN ORDINANCE AUTHORIZING THE CLERK OF COUNCIL TO CERTIFY TO THE COUNTY AUDITOR UNPAID AND DELINQUENT CHARGES FOR THE REMOVAL OF NOXIOUS WEEDS AND DEBRIS; 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?

MEMBER HAWK: Mr. President. I'd like in the future that we begin exploring the possibility, instead of placing these charges on the tax docket that we explore the possibility of sending them out to a collection agency so our city will be receiving the dollars back that we expend on cutting all these grasses and noxious weeds in the neighborhoods.

PRESIDENT DENCZAK: Any other remarks?... If not, roll call vote please.

NO REMARKS

ROLL CALL: 11 YEAS, 0 NAYS

PRESIDENT DENCZAK: Ordinance #19 is adopted.

#19 ADOPTED AS ORDINANCE #96/2006

#20 (3RD RDG) **ADOPTED AS ORDINANCE NO. 97 /2006** AN ORDINANCE AUTHORIZING THE DIRECTOR OF PUBLIC SERVICE TO ACCEPT A GRANT FROM THE UNITED STATES ENVIRONMENTAL PROTECTION AGENCY; AUTHORIZING THE DIRECTOR OF PUBLIC SERVICE TO ENTER INTO CONTRACT WITH BURGESS & NIPLE LTD IN AN AMOUNT NOT TO EXCEED \$1,000,000 FOR THE DESIGN PHASE OF THE WATER INFRASTRUCTURE CAPITAL IMPROVEMENT PLAN; AMENDING APPROPRIATION ORDINANCE NO 1/2006; AS AMENDED; AND DECLARING THE SAME TO BE AN EMERGENCY

MEMBER CASAR: Mr. President, I move we adopt Ordinance #20; seconded.

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PRESIDENT DENCZAK: Moved and seconded that you adopt Ordinance #20. Are there any remarks under this Ordinance?... Very well, roll call vote please.

NO REMARKS

ROLL CALL: 11 YEAS, 0 NAYS

PRESIDENT DENCZAK: Ordinance #20 is adopted.

#20 ADOPTED AS ORDINANCE #97/2006

ANNOUNCEMENT OF COMMITTEE MEETINGS

PRESIDENT DENCZAK: Announcement of Committee Meetings please.

MEMBER WEST: Mr. President. Judiciary will meet on June 19th at 6:30pm.

MEMBER PRATER: Mr. President. Personnel will meet June 19th at 6:30pm.

MEMBER GRIFFIN: Mr. President. Environmental Public Utilities will meet on June 19th at 6:30.

MEMBER HAWK: Mr. President. Finance Committee will meet June 19th at 6:30.

MEMBER KRAUS: Mr. President. Public Safety & Thoroughfares will meet June 19th, 6:30.

PRESIDENT DENCZAK: Was Member Smuckler to call a meeting? No?

PUBLIC SPEAKS (OPEN FORUM--CITY BUSINESS ONLY)

PRESIDENT DENCZAK: Public Speaks. We have several people signed up to speak this evening. The first person is Patricia Kirk.

MS. KIRK: I would just like to continue to encourage the City of Canton.

PRESIDENT DENCZAK: State your name and address please.

MS. KIRK: Oh, I'm sorry. My name is Patricia Kirk. I live at 131 5th Street NE, Apartment 508, ward 2, B. I would like to encourage the City of Canton and City Council to adopt a city tree ordinance, which I understand from speaking from Mr. Martuccio, has not been able to be started yet, but it can only mean good things for the City of Canton in the future. Thank you.

LAW DIRECTOR MARTUCCIO: Mr. President. I do want to thank Ms. Kirk for being our conscientious in this case. I believe that the Ordinance she proposes that we draft and adopt is a very healthy and noble one. It can only benefit our environment. I am the one that has been remiss in not drafting it as quickly as I would like to have done. Other cities have done it. I will keep Council apprised and send you a communication explaining it more thoroughly. Thank you.

PRESIDENT DENCZAK: Next speaker, Henri Ross

MR. ROSS: Hi Ray.

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PRESIDENT DENCZAK: Hi. State your name and address please.

MR. ROSS: My name is Henri Ross, 1621 8th Street NE, Canton. I'm here to speak about the towing of my vehicles and the destruction of my business as I assume, and the word assume, is a dangerous word, I noticed. (*CHUCKLE*) On May 10th, the City of Canton towed 10 cars and a motor home from my lot at 1621 8th Street which is the 800 block of Warner Road NE and I had some problems at this problems before with theft, and I felt it was thieves steeling my cars and so forth, so I hid a camera for this camera. And, I went out of town for a funeral and on May 10th I got a call from a number of people telling me that the City of Canton was towing all my cars. Well, prior to this, I received notice stickers on my windows of all the vehicles that they were, I should move them within 72 hours and this happened a number of year for the last 30 years, and I've always complied with the City of Canton when they tell me these things. I was told to put gravel down, you know and park them neatly and so forth, no problems. But, prior to this sudden towing of my vehicles, the windows were knocked out of 2 of my cars as if to make it look like they were junk cars. I don't like, I came in, I called the Mayor, I called the Chief of Police, I called everybody I thought I could call to get some consideration, not favor, but consideration, because I complied with all the City laws and with the fact that they should be cleaned up a city of junk cars and so forth. I'm retired twice, and this is my only income other than my retirement and I thought this was an unjust thing done here, because I had called the City, Mr. ah, not Cirelli, not, I mean, the junk calls, I called him and got no return calls from him as to what to do because I would have complied with whatever they wanted me to do but they just, I ain't... I called and reported that the tow guys were knocking the windows out of my cars, breaking the steering columns and so forth and I called and talked with a member of the Police Department. They said I doubt that. I was also told that they done that they done it out on the property. So, I'm here to speak on that and I think it's an unjust thing done and as I told them I'm gonna fight city hall, I'm goin' as far as I can with it because I have one daughter left in college, to put through college and it's my only way of making income and I've been fixing these cars for a number of years as I go to swap meets and sell cars and parts as income. This is my only way of making it other than my, you know, I sell beef cattle and so forth and all I needed was a phone call back from the city, from the junk car officer saying that I was doin' something wrong and I would have complied as I did with the officer prior to him, and when I called you Mayor, to talk to you, and you talked with the same person I talked with and I hope you didn't expect the officer to tell you that, you know, he did something wrong.

PRESIDENT DENCZAK: Mr. Ross, I'm sorry but your 3 minutes are up.

MR. ROSS: Thank you. Thank you Ray.

PRESIDENT DENCZAK: And ah... Mayor, are you familiar with this?

MAYOR CREIGHTON: Mr. Ross, I did speak with you on the phone and I will repeat again, I will not tolerate junk cars in this city and I spoke with the officer who is Officer John Miller because Officer Crider is severely ill and is not able to do the job and Mr. Miller did have a conversation with you and we will continue to tow junk vehicles and vehicles that are not properly licensed.

MEMBER WEST: Mr. President. I also had a talk with this gentleman and basically what I, what I understand and I talked with Mr. Miller and I asked him to do some research on this property. He actually lives in my ward but his cars are actually parked in Kelly's ward and Kelly approached me this evening about that as well, and I didn't get a chance to, to connect with them after looking at those documents so I will talk to him a little bit after that. But, I guess there's an understand that he has a vendor's license and it sounds like there was, based on his testimony, is that at one point in time, people had told him to put down gravel and park his cars neat, and then it would be okay. But then again, then when, I believe Crider came on board, I believe there was a whole other

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issue with that and then Mr. Miller and I guess Mr. Miller followed-up with that and, but Mr. Miller looked at it from an angle of, under Ordinance, Junk Vehicles Nuisance and then also salvage. He has to have a salvage license and from what I understand that's different than what a vendor's license is. And, I would like to, I don't know the different, the actual title of the vendor's license but based on what research I have here, they took the cars based on salvage because he sold parts. Is that correct? Parts?

PRESIDENT DENCZAK: Ah, Member West, Member West, again, this is Public Speaks. I wish you would meet with the gentleman after the meeting.

MEMBER WEST: I can meet with you afterwards and talk to you a little bit more in detail of what I got here opposed to what had occurred.

PRESIDENT DENCZAK: Yes, I don't want to take any more of Council's time here. Mr. Ross, he'll meet with you after the meeting. The next speaker is Donald Cirelli.

MR. CIRELLI: I'm Don Cirelli. I live at 3144 13th Street NW in Canton, and I want to address Council on the subject of urban decay and more specifically slum housing and slum rentals. I know there's a lot of people that are really doing hard work to try to make Canton a better place. I've lived here all my life and I've maintained a home since 1987 here in Canton and I watched this town go from a pretty nice place to live to something kinda resembling a ghetto and this has been something that's happened over the years that didn't happen just yesterday, and I think you all are aware of this and I think most of you have lived here, grown up here. I guess my question is, me and another fellow Mr. Hammond were talking to Joe Martuccio and Councilman Hart about this problem. We want to know what the City's gonna do, what the City can do as far as legal remedies to slum dwellings. Specifically, slum landlords that don't maintain their properties. I believe they are a big part of this problem and as you know, you know, downtown is looking better than ever. A lot of people have really done some hard work on that. We've re-built the school system here in Canton but it's really the housing stock. This is really the biggest piece of the puzzle that we have to put together and if, if we can't, you know, turn this housing situation around, Canton is just not gonna make it and I do think that slum landlords are really responsible for a lot of the decay in this town, and it really made me angry when I read that there was a certain landlord who got away with not having the proper paperwork on his building for 5 years. That just really, just made my blood boil, and I, I think it's kinda ridiculous when, ah, when, you know, his punishment was that he had to live in one of his buildings. (*CHUCKLE*) So, that shows you how bad, you know, this guy didn't, he doesn't care about Canton, he doesn't care about his properties, and there's a lot of people like that. Now, now most landlords aren't that way and my brother was a landlord and he maintained his property and he rented them to Section 8 and low income people but he, he improved the properties and he still made an actual profit off of them. So, I guess my question is, you know, what can the City do? I saw the Mayor on television a few days ago and she was giving hell to the business ladies in the Newton Zone. (*CHUCKLE*) I'm a little nervous, but I, I really enjoyed seeing that (*LAUGHTER*) and, I didn't want to use the other term, but, but, I was cheering the Mayor on. I said you go girl, and (*LAUGHTER*) and... and I see, that's good to see the City getting tough on that and really telling these people in the Newton Zone, you know, get out, we don't want you. I guess my question is, whatta ya gonna, whatta ya gonna do? Are you gonna do the same thing with the slum landlords in Canton?

SAFETY DIRECTOR HUNT: Mr. President. Mr. Cirelli, you, you're quite correct that the City of Canton made a certain landlord spend some time in his, one of his rentals. Not only that but, on several related cases, the court has found him guilty and it's my understanding after talking to Law Director Martuccio, that he will be spending 60 days in jail on top of the 30 days that he had to spend in his rental building. Just to let you know that the City is serious about code violations and as the Mayor said earlier, we will not tolerate this. City Council is on board. City Council has authorized monies through General Fund and CD to tear down and to demolish

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those homes that are not brought up to code. The City of Canton has spend in excess of \$400,000 tearing down homes, making liveable lots so that individuals can be proud of living in the City so, we have a long way to go but we will continue working to make sure that all the housing in the City is up to code.

MR. CIRELLI: Can I ask a question?

PRESIDENT DENCZAK: Yes, your time is extended for another 3 minutes and you have a minute and half left.

MR. CIRELLI: Yeah. Is there, is there a legal remedy, as far as legislation, or what the legal, the Law Department can do as far as limiting the numbers of rentals, the percentage, cuz, I'll tell ya, I, I really think these slum landlords are just bringing this town down and it's been going on for a long time and I have a buddy of mine that rents houses out and he was telling me that he went to an auction and the house was purchased for \$500, and that house went to a fellow that was gonna rent it out. Now, can you imagine what a \$500 house must look like? What's the condition and you know, I can't imagine this fellow was going to put \$100,000 into that house and fix it up and make it a nice place for a, for you know, a family to live in. I think he was gonna just put the minimum amount of money into it and squeeze whatever rent money he could get out of it. I think this is too often the case here in Canton. So, you know, I just, can, can anybody answer that question, is there a legal remedy?

LAW DIRECTOR MARTUCCIO: Mr. President. I spoke with Mr. Cirelli and Mr. Hammand before the meeting. They asked very good questions. Officially, more enforcement of existing laws would be helpful. Owner occupied homes, as I mentioned, we can be strict in our police powers that have to do with health, safety and welfare to make sure the outsides of those are cleaned up, but, I think your questions went more to rentals. In order for a rental to be that, a certificate of occupancy has to be granted, certain standards have to be met. Through zoning, we can make sure that some areas remain or revert to single family dwellings as much as possible. Once they are single family dwellings though, some of them, many of them can be rented provided they are doing so in a legal manner. To restrict or prohibit certain kinds of definitions of families from moving into those, could be problematic depending on how it's defined in terms of blab or marriage, those kinds of things but, if there is something, and I mentioned this earlier, if there's something we can do in terms of saturation, having too many of one kind, maybe through zoning, we're gonna look at that. We've been looking at what some other cities are doing to see what the courts have allowed and what the courts have disallowed. So, we're gonna see what works in other places.

PRESIDENT DENCZAK: Thank you sir. The next person is Lawrence Cheek.

MR. CHEEK: I'm Lawrence Cheek, 861 Young Avenue NE in the second ward. I want to know what Council can do about some of the same subject that the gentleman before me was on, slum landlords. There's three houses in my block. One of those is burned out. It's been burned out for 2 years. No one can live in it and the house, 2 doors down, is vacant. A guy moved in in a grocery cart, like you get at Fisher's. He just moved in, a street person, I guess, just moved in. He stayed there for months; moved down the street a couple more houses down, moved in there, stayed there for a few months. Now the house is empty, weeds are this high, there's rats running in and out of them, the homeless guys are going in and out of 'em. It's been about 2 years. I don't know if Council's gonna do anything about tearing them down. It's ridiculous the way that is out there.

SAFETY DIRECTOR HUNT: Mr. President. Mr. Cheek, I'd like to talk to you after our meeting if you could give me those addresses. I will make sure our Code Department is aware of them and that they go out and do their job, make sure that there is something wrong with these places and I can also let you know that we have

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started hiring individuals to cut grass and we are also initiated grass cutting on Saturday on overtime and we will do that so if you will give me the, the addresses, I will have them taken care of.

MR. CHEEK: I think that Councilman West has the address. I talked to him before about it.

MEMBER WEST: Yes. Yes, I turned these in, actually, almost over a year ago, but I re-turned them in on 5/30/06 and got a response on the very next day. Both of those addresses, which is 841 and 845 are on the demolition list. However, and I went up and was telling him, when I went up there on the 30th or the 31st, in that whole area, we looked at a lot of different homes, but those 2 particularly, are very very dangerous because the, they're burned out. When you go up on the porch, you know, the roof could actually collapse and they've been standing for quite some time. I think before they were telling me it was insurance purposes but, no, on the demo, but with those, those are really dangerous and I think those are something we need to look into that, please, pretty heavily.

MR. CHEEK: Thank you.

PRESIDENT DENCZAK: The next speaker is Tom Hammand.

MR. HAMMAND: Thank you. I'd like to continue the jitney about rentals in the city. My name is Tom Hammand and I live at 1305 17th Street NW.

PRESIDENT DENCZAK: State your name and address, please. Oh, he did. I'm sorry. Okay, go ahead sir.

MR. HAMMAND: Thank you. I'd like to specifically speak to the issue of saturation. Looking at some of the Census Bureau available numbers, Canton runs a significantly higher saturation of rentals than Stark County or the State of Ohio and we're nearing 40% rentals in the city. Currently, in combination of home owners vacancies, we now have less than 60% of home owner occupancy in the city. I think this is a very dangerous situation, not only on a criminal basis, on a safety basis but also on an economic basis for the city. If you have, for example, a non resident landlord living outside the city, it's very easy for him to hide the rental income through any receipt he might get from Home Depot, for example and apply it towards the rent to essentially zero out his rental income and therefore the city gets zero income tax from that particular person. They have a transient rental, ah, renters, that stay less than a year, they move in, they move out, the city has no knowledge of that person living in the city. We also have then zero income tax from the renter. The property is essentially economically vacant, even if it has a resident in it. There are myriad other issues and, and Mr. Martuccio was gracious enough to spend some time and Mr. Hart was, spent some time with Mr. Cirelli, my new friend from the opposite end of the political rainbow. If you've seen, if you read the on-line Canton Repository, you'll know that Don and I bash each other pretty well but on this we agree that this is a very dangerous circumstance for the city and it's gone on a long time.; There's several rentals in my neighborhood, most of which are fine. They have good landlords, but there's a couple of properties in which it's actually dangers, which we feel, from our granddaughter who lives across the alley from us, to walk unattended past that house, and these are with in sight of my residence. I've lived in this house since January of 1981. My wife and I have talked many times about moving out of the city because of the deterioration of the properties in our area. We've decided to stay as long as we possibly can. We like our neighbors and we like the convenience and we like the city. We want to stay. We need your help. I've purchased 3 vacant properties within sight of my home in the last 14 months to rehab the properties and sell them. My daughter and son-in-law are buying one. Two are still vacant because we are still working on them. One was on the city demolition list. Now I saved the city essentially \$30,000 in having to tear this property down and it was vacant for 10 years with significant water damage and Gary Baker from the city Code Enforcement came out and evaluated the property for me and he expressed appreciation. But, what

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can the city do for me? I'm spending thousands and thousands of dollars to re-hab this property and we need your help. Home owners, you know, we hear, we come into Council, we hear the word emergency at the end of some of the readings that we consider this an emergency. Well this is something that we the home owners of Canton consider an emergency and we need your help. Thank you.

PRESIDENT DENCZAK: The next speaker is Justin Kumerle.

MR. KUMERLE: I'm Justin Kumerle of 1000 11 Street NW. Distinguished members of Council and Mayor, what I have to say is a subject that has been a subject of controversy for over a year now. I have some pictures that I'd like you all to look at, especially the Mayor and Mr. Hawk and the Safety Director in particular because they really show what I'm going to be saying. Tonight I bring you an issue of 4 property up keeps. These properties were purchased from their previous owners by the Urban Housing Foundation. This organization is doing less upkeep than the previous owners were. The issue is the grass on the properties is on average up to my hips and I'm about six foot tall. If you look at the pictures, you'll see what a fire fighter would see form the back of a truck if there was to be a fire in the area. Now just today there was a fire at the house of 1000 11th Street, just across the street from me. We don't believe the fire was reported, but, if you go to the house, there will be evidence of a fire, of the fire by a blackened area in the back of the house. Now, if you were a firefighter and you came to put out this fire, the fire hydrant would not be in clear view because of the tall weeds surrounding it. You might, at best, see the black cap on top but suspect that as litter. In a few minutes or seconds it would take you to find this fire hydrant and set it up, a house could be burned down, a life could be destroyed or a house could be saved or a live could be saved. It's all a matter of knowing where things are and how to find them. This grass is hiding a vital part of the public welfare and if it is taken away, the grass, it will, if there is a fire that does catch unlike the fire at 1000, if the hydrant can be found it will be able to save public lives. On the subject of safety hazards, the piles of debris outside of most of the houses have been put there just from salvage rights that I know the foundation has put out of people, especially the people who used to live in the houses. The weeds was removed last year and grass was cut once last year, in the past year. These hazards, ah, the children, imagine it is now, the school is out and there are children playing, what is going to happen when a child near these houses falls into a weed pile and is hurt. What if it was your child? Would you be mad at the city for leaving the piles there and leaving the houses up? Or, would you be mad at the Urban Housing Foundation for not maintaining the houses to how they should be even though they are being torn down. At the bottom I have of this, is that the houses have been left open. Since the salvage rights have come, people have been in and out of the houses. The boards, closing everything up on one of the houses, you'll see that the front door is un-boarded where it used to be boarded and the only thing keeping that door shut is a large lock that was placed there just this morning. This is a hazard to children because if children are playing around, they can go in and out of the houses and with these houses, there could be dangerous objects lying around inside which could be hazardous to health. We can no longer take a family walk around the neighborhood. My sister has a compromised immune system, um, if she gets an infection from, if she gets an infection from one of these debris piles, she could end up in the hospital for a very long time or at worse, die.

PRESIDENT DENCZAK: Justin, I'm sorry, but under Council rules, your 3 minutes are up. Bring your remarks to a close.

MR. KUEMERLE: Um, I would just like to say that these houses have been told, we have been told that these houses will be torn down for the past few months. We have actually been told in May that most of them would have been torn down by the end of that month. If any of the Council Members or anyone else would like to discuss this issue with me after the meeting, please do so.

PRESIDENT DENCZAK: Thank you. Members of Council, those houses, I believe are the ones in Summit

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area that we bought and they're gonna tear them down and as far as the fire hydrant that is hidden by the grass, every fireman in Canton, Justin, knows exactly where every fire hydrant is located, so they won't have to hunt for it. However, the tall weeds growing around them does present a dangerous problem especially if the fireman had to hook his apparatus to that hydrant, would he be able to with all those weeds? So, the fire hydrants should at least be cleared. I don't know who's responsibility that is but, I can see by those pictures that you cannot see that, see that hydrant, but the firemen know where it's at, that's, they're trained to do that. Next speaker is Barbara Kope.

MS. KOPE: Good evening. I'm Barbara Kope. I live at 1710 Clark Avenue SW Canton. The last time I was here on this subject, I just winged it but I did some research and I wrote some letters and I wrote everything out so I'll just read it and get over it and get everything out, and then if there's any questions, or if you want me to elaborate, I'll do that then. Animal abuse is a heinous crime. Intentional animal abuse has been linked with domestic violence, especially violence for the women and children. The FBI, get that, the FBI lists violence against animals as a behavioral trait and characteristic of violent offenders. Almost all serial killers, as well as a majority of school shooters, are known to have abused animals. Many states have already enacted laws which makes severe animal cruelty a felony. Therefore, we must increase the penalties to a companion animal. We find that all ill treatment of animals is deplorable, and believe no animal should suffer from a lack of proper veterinarian care and socialization, starvation or abuse or other mistreatment to discriminate or so unfairly against all our abused, abandoned, dumped, un-cared for cats while we continue to feed every imaginable wild species of birds. It's a highly mean and vicious thing to do. Remember, birds defecate everywhere, including our children's play areas and all our outside water. These are thousands and thousands of birds. These birds are carriers of disease, some of them, I mean, they've been everywhere, even the house, the house birds. You never know where they've been. Before 2002, there was a right for Canton city residents, to acquire a license to care for a multiple animal home. Responsibility with the licensing included periodic visits from the Board of Health, also respect for the close neighbors as far as excess disturbances. The pur, purpose of the new law, was to limit all households to a maximum of 5 animals. This was decided to improve the matter, but in fact, it doesn't. All it really does it to allow all Canton city residents, who can't or won't take care of even 1 animal, to now have, ah, 5 improperly cared for animals. The conscientious and loving caretakers are threatened with the unnecessary legal charge. Disposing of even 1, emotionally happy animal, means it could end up anywhere or no where. In reality, the city itself is committing the cruellest of abuses. My heart is bleeding. Any questions? The first part of this, I had written to Kirk Schuring in 2002. He was the one that said, that told me about the FBI, it's right in here in writing if anybody wants to read it. The FBI says this and you wonder, don't wonder around to me because of no space for jail, for all these jail people and the fact that they let them out. They are all the rapists and the murderers and the thieves out and the pedophiles 'cuz you don't have any room, we don't have any room for them. We have to nip these people in the bud, probably when they're children. The parents of these children abuse the animals. We see it in schools, their friends should report this.

PRESIDENT DENCZAK: Ma'am, I'm sorry, under Council rules, your 3 minutes are up.

MS. KOPE: Okay.

PRESIDENT DENCZAK: Thank you.

MS. KOPE: Okay. Is that it?

PRESIDENT DENCZAK: Yeah.

MS. KOPE: Okay. Was I talking to the wind?

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PRESIDENT DENCZAK: No, people heard what you had to say.

MISCELLANEOUS BUSINESS

PRESIDENT DENCZAK: We are now under Miscellaneous Business. Is there any miscellaneous business? Is there any miscellaneous business before you go into miscellaneous business members of Council? I'd like to mention that 2 of our members of Council are having birthdays today. Member Hart, who says he'll treat after the meeting. *(LAUGHTER)*

MEMBER HART: I heard you were paying for it.

PRESIDENT DENCZAK: Do you know what the word treat means?

MEMBER HART: Yeah, you pay for it.

PRESIDENT DENCZAK: You have trouble with it?

MEMBER HART: That would be a treat and....

PRESIDENT DENCZAK: And the other person is Mr. Griffin. He also will treat.

MEMBER GRIFFIN: Go ahead and order, whatever you want, I'll be there. *(LAUGHTER)*

PRESIDENT DENCZAK: Is there any other miscellaneous business?

MEMBER CIRELLI: Mr. President. Thank you. I'd just like to ask a question of the Law Director because a neighbor walked up to me the other day, wanted to know, in, and he mentioned the Section 8 Housing, is there a number of people that are allowed to live in a place, like 12 people or even in an ordinary house. I don't know that. That's why I'm asking you sir.

LAW DIRECTOR MARTUCCIO: Mr. President. Member Cirelli. I don't believe so but I'll look it up and share the answer with you. It's what I mentioned earlier. It's difficult for government to decide what a family is these days. If you tie it to blood or what they call consanguinity, if you tie it to marriage, a lot of families don't, aren't defined as families anymore. We've a lot of people living together, for example, who are unmarried and bring in children from different backgrounds that constitute a family. If we were to have a, if we were to have a limitation, it would have to apply across the board. It would have to apply to all similarly situated families, however we define that. So, I suppose that if the limit were placed, and maybe there is something under Federal Law, it would have to be uniformly applicable, but I'll look it up and give you the answer.

MEMBER DOUGHERTY: Mr. President. Law Director, if you ask Mr. Harold, that number would have to be at least 14. *(LAUGHTER)*

PRESIDENT DENCZAK: Is there any other miscellaneous business?

MEMBER HAWK: Mr. President. I'd like to take this opportunity to thank Councilman Joe Carbenia for all his help and assistance for bringing the State Firefighter's Convention to our town. It was a wonderful convention. The Marriott was full the entire weekend. The firefighters spent an awful lot of time in downtown restaurants, spending money. It was very helpful to the whole economy of our city and I would like to thank them for all the

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efforts they put forth by landing that convention in our city. Thank you. (APPLAUSE)

PRESIDENT DENCZAK: Is there any other miscellaneous business?

MEMBER ZACHARY: Mr. President. Just a real quick question for the Safety Director or the Mayor's Administration. Is there, um, a spot on the website, or is there a phone number that constituents can call to report houses with high weeds, vacant houses? I know that we can do that with potholes and also to thank you for putting on additional hours that our city workers do go out and cut grass because I think Tom and I represent one of the worst areas for that type of issue so it's really appreciated.

SAFETY DIRECTOR HUNT: Mr. President. Council Member Zachary, the City of Canton has a complaint procedure that you can fill out through the internet and we will follow up on it and be able to track it and find out what we're doing.

MEMBER ZACHARY: Thank you.

MEMBER HART: Mr. President. Yeah. Just a quick question for the Law Director. Earlier this week, you know, I called you concerning people going door to door, possibly soliciting funds, you know, picking on some very elderly people, you know, with the hard luck stories, and where I realize, I guess everyone may have that right to go do that. I think you mentioned that, you know, many times people that do go soliciting funds, should be registered here within the city and I, I guess my question is, um, I, I see that some of these elderly people possibly are being singled out and picked on and I guess what I'm looking at, where does the constitutionality of their rights supersede the right of the one whose soliciting those funds with, you know, the stories which are absolutely heart wrenching, and yet, you know, you have many people that I feel who are being singled out possibly stocked at some time for, you know, further robbery. Um, is there anything that we can do, in terms of making that a minor misdemeanor? If, if these people can be arrested, because basically, there's, they're giving them false information and there's no way for them to verify any of that information they're being given.

LAW DIRECTOR MARTUCCIO: Mr. President. Member Hart, the situation described is a painful and a frustrating for city government and other governments. Two or three years ago, the United States Supreme Court handled that issue and it came out of a city in Ohio, down on the river, the name escapes me right now, but they had asked that everyone that solicits door to door register, without discriminating against their reasons, their background religion, race, etc. etc., everyone simply register and I believe the US Supreme Court said that that was undue or unconstitutional restriction on the freedom of speech guaranteed by the first amendment in the Bill of Rights. So, it is unlikely that registration requirements withhold up. What I think we can do, possibly, in our enact curfews or some sort of time limitation based on again, our health, safety and welfare powers known as police powers, that certain hours of the night, certain hours of the morning are considered unsafe or unreasonable, but to actually ban people from going door to door, which would actually ban them from certain homes that might have certain aged occupants might not fly. My recommendation would be to not open the door to anyone that you don't know, out of safety concerns or make them show proper credentials if they represent a bonafide political or commercial or religious group that goes door to door. There are many that do and are well intended and I'm sure they would have a problem showing proper credentials if that were the case.

MEMBER HART: Thank you.

PRESIDENT DENCZAK: Is there any other miscellaneous business?

PRESIDENT DENCZAK: Member Casar.

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MEMBER CASAR: I move we adjourn; seconded.

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

NO REMARKS

ROLL CALL: 12 YEAS, 0 NAYS

CLERK TIMBERLAKE: 12 yeas Mr. President.

PRESIDENT DENCZAK: This meeting is adjourned.

CLERK TIMBERLAKE: Goodnight all.

ADJOURNMENT TIME: 8:43 PM

ATTEST:

APPROVED:

CYNTHIA TIMBERLAKE
CLERK OF COUNCIL

RAY DENCZAK
PRESIDENT OF COUNCIL