

MINUTES OF THE MEETING OF JUNE 19, 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, BILL SMUCKLER, GREG HAWK, THOMAS E. WEST, JAMES GRIFFIN, KELLY ZACHARY, TERRY PRATER, DAVID R. DOUGHERTY, & KARL "BUTCH" KRAUS)

11 COUNCILMEMBERS PRESENT; 1 ABSENT (HART)

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

The regular meeting of Canton City Council was held on Monday, June 19, 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 Terry Prater followed by the Pledge of Allegiance led by President Ray Denczak.

PRESIDENT DENCZAK: Thank you member Prater.

AGENDA CORRECTIONS & CHANGES

PRESIDENT DENCZAK: Members of Council, you're being asked to suspend Rule 22A to add the second readings of Ordinance #6 through and including #11. The Chair will recognize that motion Member Casar.

MEMBER CASAR: Mr. President. I move we suspend rule 22A be suspended to add Ordinances for second reading 6 through and including 11 to this evenings agenda; seconded.

PRESIDENT DENCZAK: Moved and seconded to suspend Rule, to add Ordinances 6 through 11. Are there any remarks? If not, roll call vote please.

NO REMARKS

ROLL CALL: 11 YEAS, 0 NAYS

PRESIDENT DENCZAK: Rule 22 is suspended and the Ordinances #6 through #11 are a legal part of your agenda. You're being asked to adopt Ordinance # 10 this evening under second readings. You're being asked to suspend Rule 24B to add Resolutions 58 to the agenda. The Chair will recognize that motion, Member Casar?

MEMBER CASAR: Mr. President. I move we suspend Rule 24B and add Resolutions #58 to this evenings agenda; seconded.

PRESIDENT DENCZAK: Moved and seconded to suspend Rule 24B to add Resolution 58 to the agenda. 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 Resolution #58 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 Ordinances or Resolutions.

INFORMAL RESOLUTIONS

PRESIDENT DENCZAK: Informal Resolutions. Resolutions excusing members. Member Casar.

MEMBER CASAR: Mr. President, I move that Member Hart be suspended from this evenings meeting.

PRESIDENT DENCZAK: What did you say? Could you state your motion again member Casar?

MEMBER CASAR: I'm sorry. Mr. President I move that Member Hart.....

PRESIDENT DENCZAK: I know he is a Republican but there is no reason to do that. (LAUGHTER)

MEMBER CARBENIA: All the Democrats will vote for that.

MEMBER CASAR: Excuse me members of Council. I move that Member Hart be excused from this evenings meeting; seconded.

PRESIDENT DENCZAK: Moved and seconded that Member Hart 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 Hart has been excused. Resolution #56 please.

NOTE: PRESIDENT DENCZAK CALLED UPON THE CLERK OF COUNCIL TO READ THE FOLLOWING INFORMAL RESOLUTIONS #56 through #58 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 19, 2006.

#56. PRATER, TERRY CNCLMBER WARD 5: COMMENDING THE LINK CHURCH FOR THEIR COMMUNITY INVOLVEMENT & KINDNESS. - ADOPTED

PRESIDENT DENCZAK: Member Casar.

MEMBER CASAR: Mr. President, I move we adopt Resolution #56; seconded.

PRESIDENT DENCZAK: Moved and seconded that you adopt Resolution #56, are there any remarks under this Resolution?

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MEMBER PRATER: Mr. President?

PRESIDENT DENCZAK: Member Prater?

MEMBER PRATER: I would like to have the Resolution read if I could please.

PRESIDENT DENCZAK: Alright, madame clerk, will you please read the Resolution?

CLERK TIMBERLAKE: As ward 5 Councilmember, 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 The Link Church, located at 901 Dueber Ave., S.W., Canton, Ohio the respect and honor the congregation so richly deserves for their community involvement; and where as we congratulate The Link Church for their generosity and kindness for giving back to their neighborhood and Dueber School. The Link Church has provided Dueber School with school supplies, coats, bags of clothes, hand-knitted hats and scarves made by the ladies in the Church, donated 140 turkeys to needy families and adopted five families in the neighborhood and will be sponsoring a Fall and Family Fun Day and having a Block Party for the residents in the neighborhood; and where as for the second consecutive year The Link Church has hosted a Family, Friends and Neighborhood Day designated as a "Cleanup Day and a "Neighborhood Picnic". This year the group picked up trash and litter filling two city dumpsters and spruced up some areas in need. Now, therefore, be it resolved: that we the Members of the Council of the City of Canton, Ohio, do hereby go on public record as commending The Link Church for their time, efforts and community service to the citizens of Canton, Ohio. Thank you Pastor Eller and Link Church. May God Bless You!

PRESIDENT DENCZAK: Are there any remarks? If not, by voice vote, all those in favor, signify by saying aye. Those opposed, no.

NO REMARKS

RESOLUTION #56 IS ADOPTED BY UNANIMOUS VOICE VOTE

PRESIDENT DENCZAK: The Resolution is adopted. Are you going to present Resolution?

MEMBER PRATER: Yes sir. First of all I would like to say, I should use the mike. I would like to say that I've been involved with the Link Church for a couple of years. I have participated in their ah, neighborhood cleanups and they have done a wonderful job. Last year they filled the City dumpster and several dumbtrucks. This year they filled two city dumpsters, they took along some weed eating equipment to spruce up some telephone poles. They've had neighborhood get togethers to meet the neighbors, they've also helped out quite a bit with Dueber School and I would also like to say in addition to our appreciation for what you've done, lets not forget that many of these people don't live in the neighborhood that they've helped clean up. And I just wanna show you gratitude and on behalf of the City of Canton and all of City Council, I would like to present you with this plaque.

PASTOR ELLER: Thank you, thank you very much.

(Applause)

PASTOR ELLER: Thank you very much, I appreciate the ah City's assistance, the trash bags and dumpsters were provided by. We intend to ah continue to not just ah grow a church but impact a community and that's really what our heartbeat is. And ah, thank you.

(Applause)

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PRESIDENT DENCZAK: Resolution # 57 please.

#57 WEST, THOMAS CNCLMBR WARD 2: ESTABLISHING AN ADVISORY CANTON YOUTH CITY COUNCIL FOR THE 2006/2007 SCHOOL YEAR. - ADOPTED

PRESIDENT DENCZAK: Member Casar.

MEMBER CASAR: Mr. President, I move we adopt Resolution #57; seconded.

PRESIDENT DENCZAK: Moved and seconded that you adopt Resolution #57, are there any remarks to this Resolution?

MEMBER WEST: Yes, Mr. President.

PRESIDENT DENCZAK: Member West.

MEMBER WEST: Ah, yes, I just want to make a quick comment. I would urge all Council Members to support us in this endeavor. For the past two years we have been trying to establish a youth City Council for young people, actually have a voice. A voice on what goes on in their neighborhood and their community and also a voice at this table. We're all not getting a little ah, we're all gettin a little older here and we're gonna need some young people to take over our seats and this um, is a way that young people can get involved and learn about City Government and get them involved in our community more and take some of our seats. So, I would appreciate ah, your support in this, in passing this a Legislature.

PRESIDENT DENCZAK: Are there any other remarks?... If not, by voice vote, all those in favor signify by saying aye; those opposed no. The Resolution is adopted.

NO REMARKS

RESOLUTION #57 IS ADOPTED BY UNANIMOUS VOICE VOTE

PRESIDENT DENCZAK: Resolution #58 please.

#58 INTERGOVMNT. & PUB. SERV. CMTE.: WITHDRAWAL OF OBJECTION FOR LIQUOR PERMIT RENEWAL REQUEST BY GOLFERS AND HACKERS INC. dba DIGGERS @ 2001 KIMBALL RD SE, CANTON, OH PER COOPERATION AGREEMENT. - ADOPTED

MEMBER CASAR: Mr. President. I move we adopt Resolution #58; seconded.

PRESIDENT DENCZAK: Moved and seconded that you adopt Resolution #58. 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 #58 ADOPTED BY UNANIMOUS VOICE VOTE

PRESIDENT DENCZAK: The Resolution is adopted.

COMMUNICATIONS

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

MEMBER CASAR: Mr. President?

PRESIDENT DENCZAK: Member Casar?

MEMBER CASAR: A privileged remark, if I may?

PRESIDENT DENCZAK: Yes.

MEMBER CASAR: Regards to Communication #320. I just want to ah, thank the Service Director, ah for ah, hiring us a local firm to ah do this particular work for this emergency for the sink hole on 25th St for the sewer and I know that, ah, that was a good sign and we are trying to keep the work local and I appreciate that.

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 19, 2006.

300. AUDITOR, MALLONN (CITY): CERTIFICATE OF TOTAL AMOUNT FROM ALL SOURCES FOR 2006. - RECEIVED & FILED
301. AUDITOR, MALLONN (CITY): CERTIFICATE OF TOTAL AMOUNT FROM ALL SOURCES FOR 2006 (\$481,100.00 5223 /New Grant). - RECEIVED & FILED
302. CD & PLANNING DIR. POORMAN: REQUESTING \$74,200 FOR SUPPLEMENTAL APPROPRIATION FR: 2421 CANTON RAIL STATION GRANT 2003 TO REPAY 2211 CD USED FOR CONSTRUCTION OF CANTON RAIL STATION. - COMMUNITY & ECONOMIC DEVELOPMENT COMMITTEE
303. CARBENIA, J CNCLMBR WARD 9: REQUESTING POLICY OF ASSESSING CITY OWNED BUILDINGS FOR ROOF REPAIR TO EVALUATE CITY'S PLAN TO MAINTAIN CITY BUILDINGS & OVERSEE EXPENSES RELATED TO REPAIRS & MAINTENANCE. - RECEIVED & FILED
304. CLERK OF COUNCIL TIMBERLAKE: LETTER TO LAW DEPT. WITHDRAWING THE CITY OF CANTON'S OBJECTION TO THE ISSUANCE OF A LIQUOR PERMIT BY CAROUSEL LOUNGE, PERMIT #4325774-0005 @ 3012 ATLANTIC BLVD NE, CANTON, OH. - RECEIVED & FILED
305. HEALTH BENEFITS COORDINATOR: MAY 2006 MONTHLY COMPARATIVE REPORT OF INSURANCE CLAIMS, & JANUARY-MAY 2006 PAID CLAIMS & COMPARATIVE REPORT. - RECEIVED & FILED
306. LIQUOR CONTROL DIVISION (OHIO): REQUEST TO TRANSFER OWNERSHIP OF C1, C2 LIQUOR PERMIT FROM CANTON SOUTH DRIVE THRU INC. TO JAPAMH CO., INC @ 1837 CLEVELAND AVE., SW. - INTERGOVERNMENTAL & PUBLIC SERVICE COMMITTEE

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307. PLANNING COMMISSION: RECOMMENDING APPROVAL OF PROPOSED VACATION OF DEWALT AVE., NW FR: 6TH ST NW, N, 145'. - PUBLIC SAFETY & THOROUGHFARES COMMITTEE
308. PLANNING COMMISSION: RECOMMENDING APPROVAL OF PROPOSED REZONE FR: B-3 TO PB-4 LOT 1065 @ 2801 FAIRCREST ST SW REQUESTED BY JAMES REED ENTERPRISES. - JUDICIARY COMMITTEE
309. PLANNING COMMISSION: RECOMMENDING APPROVAL OF VACATION OF NOEL CT NW, HARRIET AVE., NW & CROAD CT NW BETWEEN 10TH & 11TH ST NW BY BIA/ SUMMIT HOUSING PROJECT; RECOMMENDING APPROVAL TO CREATE TWO 15' TURNOUT RADIUSES & 20' WATERLINE EASEMENT. - PUBLIC SAFETY & THOROUGHFARES COMMITTEE
310. PLANNING COMMISSION: RECOMMENDING APPROVAL OF PROPOSED REPLAT BY SECOND BAPTIST CHURCH FOR LOTS 24608 THRU 24610 ON HENRIETTA AVENUE NW REQUESTED BY COOPER & ASSOCIATES. - PUBLIC SAFETY & THOROUGHFARES COMMITTEE
311. PLANNING COMMISSION: RECOMMENDING APPROVAL OF PROPOSED REPLAT BY HABITAT FOR HUMANITY FOR ALL OF LOTS 1436 & 1437 @ NE CORNER OF YOUNG AVE., NE & LUTZ PL REQUESTED BY COOPER & ASSOCIATES. - PUBLIC SAFETY & THOROUGHFARES COMMITTEE
312. PLANNING COMMISSION: RECOMMENDING APPROVAL OF PROPOSED REPLAT OF OUTLOT 1065 ON FAIRCREST ST SW, W OF I-77 REQUESTED BY JAMES REED (CAMPBELL & ASSOCIATES). - PUBLIC SAFETY & THOROUGHFARES COMMITTEE
313. PLANNING COMMISSION: RECOMMENDING APPROVAL OF REPLAT OF ALL OF LOTS 1890, 1891, 19130, & 2926 - 2931 & THE VACATED ALLEYS OF CROAD CT, NOEL CT & HARRIET AVE., NW. - PUBLIC SAFETY & THOROUGHFARES COMMITTEE
314. PLANNING COMMISSION: RECOMMENDING APPROVAL OF VACATION OF RUTH PL NW, W. FR: WOODLAND AVE., NW TO MINERVA CT NW AS REQUESTED BY RAY & PAMELA OHLINGER. - PUBLIC SAFETY & THOROUGHFARES COMMITTEE
315. SCHIRACK, TREASURER: TREASURER'S OFFICE BANK RECONCILIATIONS & OUTSTANDING INVESTMENTS AS OF May 31, 2006. - RECEIVED & FILED
316. SCHIRACK, TREASURER: COMPARATIVE REPORT OF CASH RECEIPTS AS OF MAY 31, 2006. - RECEIVED & FILED
317. SCHIRACK, TREASURER: COMPARATIVE REPORT OF PARKING METER REVENUE FOR MONTH OF MAY 2006. - RECEIVED & FILED
318. SCHIRACK, TREASURER: COMPARATIVE REPORT OF AMBULANCE LOCK BOX FOR MAY 2006. - RECEIVED & FILED

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319. SERVICE DIRECTOR CONCATTO: REQUEST TO AMEND O.164/2001 RE: MGMT & NON-BARGAINING UNIT CLASS. PLAN TO INCREASE NUMBER OF GENERAL FOREMAN POSITIONS FROM 1 TO 2. - PERSONNEL COMMITTEE
320. SERVICE DIRECTOR CONCATTO: INFORMING COUNCIL OF STATUS OF SINK HOLE ON 25TH ST NW E. OF FULTON ROAD INTERSECTION & PURCHASE OF MATERIAL TO MOBILIZE THIS AREA & TO BEGIN EMERGENCY REPAIR WORK; REQUEST \$70,000 FROM 5410 SEWER OPERATING-ENG-ADMIN-OTHER CONTRACTS TO PAY BITZEL EXCAVATING FOR EMERGENCY REPAIR WORK.- FINANCE COMMITTEE
321. SERVICE DIRECTOR CONCATTO: REQUEST SERVICE DIR. TO ENTER INTO \$14,600 CONTRACT W/CAMP DRESSER & MCKEE FOR BIDDING & CONSTRUCTION OF WPCC BIOFILTER MEDIA REPLACEMENT PROJECT; REQUEST SERVICE DIR. TO ADVERTISE, RECEIVE BIDS & ENTER INTO \$66,500 CONTRACT FOR WPCC BIOFILTER MEDIA REPLACEMENT PROJECT; REQUEST \$81,100 SUPPLEMENTAL APPROPRIATION FROM 5410 SANITARY SEWER FUN. - ENVIRONMENTAL & PUBLIC UTILITIES & FINANCE COMMITTEES

ORDINANCES & FORMAL RESOLUTIONS FOR FIRST READING

PRESIDENT DENCZAK: Let the journal show that all Ordinances are being given their reading as required by State Law. Ordinance #1 please.

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

- #1 (1ST RDG) AN ORDINANCE ADOPTING THE CITY OF CANTON'S PROPOSED TAX BUDGET FOR FISCAL YEAR ENDING 12/31/2007; AND DECLARING THE SAME TO BE AN EMERGENCY.
Referred to Finance Committee **PUB HRG 7/10/06 @ 7:30 PM**
- #2 (1ST RDG) AN ORDINANCE AMENDING APPROPRIATION ORDINANCE NO. 1/2006 AS AMENDED BY MAKING THE SUPPLEMENTAL APPROPRIATION HEREIN DESCRIBED; AND DECLARING THE SAME TO BE AN EMERGENCY
Referred to Finance Committee
- #3 (1ST RDG) AN ORDINANCE AMENDING EXHIBIT 'A' TO ORDINANCE 40/2000 AS AMENDED THE CLASSIFICATION PLAN FOR BARGAINING UNIT PERSONNEL EMPLOYED BY THE CITY OF CANTON; AND DECLARING THE SAME TO BE AN EMERGENCY
Referred to Personnel Committee
- #4 (1ST RDG) AN ORDINANCE AUTHORIZING THE DIRECTOR OF PUBLIC SERVICE TO ENTER INTO AGREEMENT WITH THE STARK METROPOLITAN HOUSING AUTHORITY FOR THE RECONSTRUCTION OF A PUBLIC STORM SEWER; AND

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DECLARING THE SAME TO BE AN EMERGENCY

Referred to Intergovernmental & Public Service and Finance Committee

- #5 (1ST RDG) A RESOLUTION WITHDRAWING THE CITY OF CANTON'S OBJECTION TO THE RENEWAL OF A LIQUOR PERMIT LOCATED WITHIN THE CITY OF CANTON; AND DECLARING THE SAME TO BE AN EMERGENCY
Referred to Intergovernmental & Public Service Committee

ORDINANCES & FORMAL RESOLUTIONS FOR SECOND READING

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

NOTE: PRESIDENT DENCZAK CALLED UPON CLERK TIMBERLAKE TO READ THE FOLLOWING ORDINANCES #6 THROUGH #11 FOR THE SECOND TIME BY TITLE AS REQUIRED BY STATE LAW, AS FOLLOWS

- #6 (2ND RDG) AN ORDINANCE APPROVING AND ACCEPTING THE REPLATTING OF OUTLOTS 683 AND 684, PART OF OUTLOT 695 AND LOTS 34591, 34596 - 34601, 34885 AND 34886; AND DECLARING THE SAME TO BE AN EMERGENCY
- #7 (2ND 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 **PUBLIC HRG. 7/10/06 @ 7:31 PM**
- #8 (2ND 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 **PUBLIC HRG. 7/10/06 @ 7:32 PM**
- #9 (2ND RDG) AN ORDINANCE AMENDING ORDINANCE NO. 55/77, AS AMENDED, KNOWN AS THE CITY OF CANTON ZONING ORDINANCE. **PUBLIC HRG. 7/10/06 @ 7:33 PM**
- #10 (2ND RDG) **ADOPTED AS ORDINANCE #98/2006** 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

PRESIDENT DENCZAK: Member Casar?

MEMBER CASAR: Mr. President, I move we the statutory rules be suspended on Ordinance #10; seconded.

PRESIDENT DENCZAK: There is a move to dispense for the three readings of Ordinance #10, are there any remarks? If not, roll call vote please.

NO REMARKS

ROLL CALL: 11 YEAS, 0 NAYS

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PRESIDENT DENCZAK: You've heard the three readings Member Casar.

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

PRESIDENT DENCZAK: Moved and seconded that you adopt Ordinance #10. Are there any remarks under this Ordinance? Very well, roll call vote please.

NO REMARKS

ROLL CALL: 10 YEAS, 1 ABSTAIN

PRESIDENT DENCZAK: Ordinance #10 is adopted.

#10 ADOPTED AS ORDINANCE # 98/2006

#11 (2ND 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

ORDINANCES & FORMAL RESOLUTIONS FOR THIRD AND FINAL READING

PRESIDENT DENCZAK : Ordinances for their third and final reading. Ordinance #12 please.

NOTE: PRESIDENT DENCZAK CALLED UPON CLERK TIMBERLAKE TO READ THE FOLLOWING ORDINANCES #12 THROUGH #21 FOR THE THIRD TIME BY TITLE AS REQUIRED BY STATE LAW, AS FOLLOWS. ALL THE ORDINANCES WERE ADOPTED BY COUNCIL FOLLOWING THEIR THIRD READING.

12 (3rd RDG) **ADOPTED AS ORDINANCE #99/2006** 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

PRESIDENT DENCZAK: Member Casar?

MEMBER CASAR: Mr. President, I move we adopt Ordinance #12; seconded.

PRESIDENT DENCZAK: Moved and seconded that you adopt Ordinance #12. Are there any remarks under this Ordinance? Very well, roll call vote please.

NO REMARKS

ROLL CALL: 11 YEAS, 0 NAYS

PRESIDENT DENCZAK: Ordinance #12 is adopted.

#12 ADOPTED AS ORDINANCE # 99/2006

#13 (3rd RDG) **ADOPTED AS ORDINANCE #100/2006** AN ORDINANCE ESTABLISHING THE FAIR MARKET VALUE OF ONE PARCEL OF CITY OWNED PROPERTY

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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

PRESIDENT DENCZAK: Member Casar?

MEMBER CASAR: Mr. President, I move we adopt Ordinance #13; seconded.

PRESIDENT DENCZAK: Moved and seconded that you adopt Ordinance #13. Are there any remarks under this Ordinance? Very well, roll call vote please.

NO REMARKS

ROLL CALL: 11 YEAS, 0 NAYS

PRESIDENT DENCZAK: Ordinance #13 is adopted. **#13 ADOPTED AS ORDINANCE # 100/2006**

#14 (3rd RDG) **ADOPTED AS ORDINANCE #101/2006** AN ORDINANCE ESTABLISHING THE FAIR REUSE 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.

PRESIDENT DENCZAK: Member Casar?

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

PRESIDENT DENCZAK: Moved and seconded that you adopt Ordinance #14. Are there any remarks under this Ordinance? Very well, roll call vote please.

NO REMARKS

ROLL CALL: 11 YEAS, 0 NAYS

PRESIDENT DENCZAK: Ordinance #14 is adopted. **#14 ADOPTED AS ORDINANCE # 101/2006**

#15 (3rd RDG) **ADOPTED AS ORDINANCE #102/2006** AN ORDINANCE ESTABLISHING THE FAIR MARKET VALUE OF ONE PARCEL OF CITY-OWNED PROPERTY; AUTHORITY THE SALE AND CONVEYANCE OF SAID PROPERTY PURSUANT TO THE CITY'S RESIDENTIAL LAND DISPOSITION PROGRAM; AND DECLARING THE SAME TO BE AN EMERGENCY

PRESIDENT DENCZAK: Member Casar?

MEMBER CASAR: Mr. President, I move we adopt Ordinance #15; seconded.

PRESIDENT DENCZAK: Moved and seconded that you adopt Ordinance #15. Are there any remarks under this Ordinance? Very well, roll call vote please.

NO REMARKS

ROLL CALL: 11 YEAS, 0 NAYS

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PRESIDENT DENCZAK: Ordinance #15 is adopted. **#15 ADOPTED AS ORDINANCE # 102/2006**

#16 (3rd RDG) **ADOPTED AS ORDINANCE #103/2006** AN ORDINANCE APPROVING & ACCEPTING THE REPLATTING OF ALL OF OUTLOT 807 & LOT 37252; AND DECLARING THE SAME TO BE AN EMERGENCY

PRESIDENT DENCZAK: Member Casar?

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

NO REMARKS

ROLL CALL: 11 YEAS, 0 NAYS

PRESIDENT DENCZAK: Ordinance #16 is adopted. **#16 ADOPTED AS ORDINANCE # 103/2006**

#17 (3rd RDG) **ADOPTED AS ORDINANCE #104/2006** AN ORDINANCE APPROVING & ACCEPTING THE REPLATTING OF ALL OF LOT 1667 & PART OF LOT 1668; AND DECLARING THE SAME TO BE AN EMERGENCY

PRESIDENT DENCZAK: Member Casar?

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: 11 YEAS, 0 NAYS

PRESIDENT DENCZAK: Ordinance #17 is adopted. **#17 ADOPTED AS ORDINANCE # 104/2006**

#18 (3rd RDG) **ADOPTED AS ORDINANCE #105/2006** 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

PRESIDENT DENCZAK: Member Casar?

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

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: 11 YEAS, 0 NAYS

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PRESIDENT DENCZAK: Ordinance #18 is adopted. **#18 ADOPTED AS ORDINANCE # 105/2006**

#19 (3rd RDG) **ADOPTED AS ORDINANCE #106/2006** 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

PRESIDENT DENCZAK: Member Casar?

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

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

NO REMARKS

ROLL CALL: 11 YEAS, 0 NAYS

PRESIDENT DENCZAK: Ordinance #19 is adopted. **#19 ADOPTED AS ORDINANCE # 106/2006**

#20 (3rd RDG) **ADOPTED AS ORDINANCE #107/2006** 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

PRESIDENT DENCZAK: Member Casar?

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

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: 8 YEAS, 3 NAYS

PRESIDENT DENCZAK: Ordinance #20 has passed with the emergency.

#20 ADOPTED AS ORDINANCE # 107/2006

#21 (3rd RDG) **ADOPTED AS ORDINANCE #108/2006** 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

PRESIDENT DENCZAK: Member Casar?

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MEMBER CASAR: Mr. President, I move we adopt Ordinance #21; seconded.

PRESIDENT DENCZAK: Moved and seconded that you adopt Ordinance #21. Are there any remarks under this Ordinance? Very well, roll call vote please.

NO REMARKS

ROLL CALL: 11 YEAS, 0 NAYS

PRESIDENT DENCZAK: Ordinance #21 is adopted. **#21 ADOPTED AS ORDINANCE # 108/2006**

ANNOUNCEMENT OF COMMITTEE MEETINGS

PRESIDENT DENCZAK: Announcement of Committee Meetings please.

MEMBER PRATER: Mr. President. Personnel Committee will meet July 10th at 6:30pm.

MEMBER ZACHARY: Mr. President. Intergovernmental & Public Service Committee will meet July 10th at 6:30 pm.

MEMBER HAWK: Mr. President. Finance Committee will meet July 10th at 6:30 pm.

PUBLIC SPEAKS (OPEN FORUM--CITY BUSINESS ONLY)

PRESIDENT DENCZAK: Public Speaks. We have three people signed up to speak this evening. The first person is Carol Ledford. Is Carol Ledford here? Carol Ledford? The next speaker is Vince Watts.

MR. WATTS: Council President, my name is Vince Watts, my address is 1445 -15th St NW, here in Canton. In late March or early April, Canton City Schools made available to the public the conclusion of their saving our African American Males Task Force findings. The program outlined a number of initiatives the school would make to address the issues they attributed to African American males in the schools. The question was asked that this states what the school would do. The question is, what is the rest of the community going to do? To that end, Curtis Perry and Joy 1520 and I began working on supporting our sons or the S.O.S. Program. On May 6, 2006 we held a community discussion in which nearly 300 people attended, including 60 African American young men. They ask that they be given something to do, some positive activities that they could enroll in. They also asked that they get some money, a stipend so that they could have a little funds so that they can do some things over the summer. Through the radio station, we concluded, we conducted a radio-a-thon over Memorial Day weekend. The community responded with nearly \$8,000.00 in pledges, of which nearly \$5,000.00 has been collected. We told the community that all the money collected would go directly to the students in the form of stipend of \$40 a week for spending money. Eighty-six people, organizations and churches responded. Many of the names you wouldn't recognize because they weren't the pillars of the community that we generally think about. They were the mothers and the grandmothers, the single parents that really couldn't afford to donate but they saw their young people needing things to do and they saw fit to help us with this project. Many of them made a pledge and they said that they could only pay in installments but they wanted to help anyway. Our goal was to hire 50 students under this program. Keep in mind that Canton City Schools released 100s of students for the summer. 50 students at \$40 per week for 8 weeks, or \$16,000.00 was our goal. Currently we have funding for about ½ that number. Tomorrow some of the students that you see before you will start working with the program. Tomorrow,

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others of these students will still be sitting in front of the television because we couldn't get enough funding. I believe it was Benjamin Franklin that said an ounce of prevention is worth a pound of cure. While we are paying 100s of 100,000s of dollars for gang task force, we should be able to allocate some small portion of that, so that our young people can have a productive activity over the summer. I am asking City Council to stand with the village or the community that made a significant contribution of their own and match the pledges we currently have. Let us help these and other young people to have a safe and productive summer. I believe it was our Mayor that said during the "Building Healthy Community" meeting "The summer is here and what are we going to do"? I'll ask the question back to City Council. Our young people are here, what are we going to do? Thank you.

MEMBER WEST: Mr. President?

PRESIDENT DENCZAK: Member West?

MEMBER WEST: Um, I attended the S.O.S. event and I also made a pledge ah, to the radio station for these kids to get out and work. Um, is there money available right now for.....

PRESIDENT DENCZAK: Member West, again, I am going to say that this is a public speaks, I will recognize you under miscellaneous business. The final speaker is Mike Freeland.

MR. FREELAND: Mr. President, my name is Mike Freeland, 4604 Smithview Ave NW in Massillon, employed by the Canton City School District, the Social Studies curriculum. Let me take this opportunity tonight to thank Councilman West for your diligence, Law Director Martuccio for his assistance in writing the draft Resolutions, members of Council for your support of this Youth City Council initiative. It is to my knowledge the only one in our Stark County area. I believe it is probably one of the few if any, in all of N.E. Ohio. This initiative will enable students to experience first hand in an experiential as well as a realistic, authentic, educational way, what City Government is all about. Through the work of the teachers who support these children, myself and others in the Canton City School District we want to work hard to bring our students to bear on Civic issues, ah to express their observations to use (INAUDIBLE). To interact with you in positive ways, to go in our community I think in ways that were not possible before. So thank you Councilman West for your diligence, Mr. Martuccio for your assistance and meetings along the way and Members of Council for your support for this great initiative.

MISCELLANEOUS BUSINESS

PRESIDENT DENCZAK: We are now under Miscellaneous Business members of Council? Member West, before I recognize you, ah, Member Cirelli received a letter and um I wanted to take the time to read it to you now. It's addressed to Mary Cirelli, Councilwoman-at-large and the Members of Canton City Council. "My Dear Friends: Please accept my humble but enthusiastic thanks for the beautiful plaque that you and your colleagues presented to me on June 5, 2006. Believe me, the hours I have spent in the service of our youth have been filled with happy and endearing moments - the joy of seeing them living successful lives, serving the public as council people, raising contributing members of society by being caring parents, owning businesses, hiring our youth, and just being positive influences in this great city which I am proud to call my hometown. Thank you, thank you, thank you - and God bless each of you, always. Most sincerely, Frederick C. Harold.

PRESIDENT DENCZAK: Member West?

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MEMBER WEST: As I was saying earlier, um, I had an opportunity to ah, participate in S.O.S., heard a lot of many concerns in the community, um, but one thing we must look at and we have talked about this in the past about providing jobs for our young people, ah getting them off the streets and getting them out of gangs and ah, a number of kids, getting them off the street. Uh, my question is, is there money available that we could ah, match this \$8,000.00 or more to get some of these kids off the street? Can anyone, Mayor, is there any money available?

MAYOR CREIGHTON: Mr. President?

PRESIDENT DENCZACK: Madame Mayor?

MAYOR CREIGHTON: Um, I did have a call and an email from Vince Watts who inquired about the funding and all of our monies were appropriated at the beginning of the year and the CD dollars that we would use for a community project were already dueled out through that application process back in January.

MEMBER WEST: Is there any money that's not being ah being appropriated right now in other funds that we can allocate? Ah, maybe reserve funds or whatever?

MAYOR CREIGHTON: Ah again, Mr. President? Um. We can look but, you know we normally don't appropriate like that, we normally go through a process. We can always look but there is absolutely no promises. I would just encourage that, ya know, we did hire another over 50 kids this year through the youth program in the City of Canton that are also gainfully employed and I would also encourage everyone to consider volunteerism, which I hold very dear to my heart because as a youngster back in the '60s, I volunteered for Candlelight and went out and helped in different homes and I did it because it was the right thing to do.

MEMBER ZACHARY: Mr. President?

PRESIDENT DENCZAK: One moment, Mr. West, are you finished?

MEMBER ZACHARY: Mr. President?

PRESIDENT DENCZAK: Member Zachary.

MEMBER ZACHARY: Just real quick, two things cuz this just triggered something in my mind. I received a couple of calls from constituents recently who have attempted to apply for emergency funding through the City whether it's a burst water pipe or ah a hole in the roof, whatever the case may be and they were told that the City is no longer excepting applications for, for these types of emergencies and I believe one of the ladies was even told that ah, there was no funding available. Can you update Council on the status of that and also if um, all of the CD dollars have been appropriated, can Council as a whole get a list as to where the money went?

MAYOR CREIGHTON: Mr. President?

PRESIDENT DENCZAK: Madame Mayor?

MAYOR CREIGHTON: I don't have all that information with me tonight but I do know that we have exhausted all of the dollars that we had for 2006 but I will be glad to get you a list and share that information with you.

PRESIDENT DENCZAK: you yield?

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PRESIDENT DENCZAK: Member Carbenia?

MEMBER CARBENIA: Yes, I would like to call an informational meeting, ah to explore the registration and collection of income tax dollars from subcontractors who are not, you know, local businesses. It seems that a lot of them are slipping through the cracks and I would like to invite all council. It will be June 23, 2006 at 1:30 in the afternoon. I would like to invite all council, the law director, the treasurer in the Caucus room. Um Law Director, the Treasurer and his ah, assistant who he said he would like to bring, All interested parties, the Mayor, and/or the Directors, um, any other people that may be interested. Some people from the construction part of our community will be there to ask us some questions and have good discussion on how to collect more money that is slipping through the cracks.

PRESIDENT DENCZAK: Member Carbenia, did you include the ah, Auditor?

MEMBER CARBENIA: Ah yes and the Auditor, I'm sorry, he didn't ah, your right I put him down last because I forgot him, I don't know how you could forget him but anyway, that's once again June 23rd at 1:30 in the afternoon in the Caucus if we can.

PRESIDENT DENCZAK: Is there any other miscellaneous business?

MAYOR CREIGHTON: Mr. President?

PRESIDENT DENCZAK: Mayor?

MAYOR CREIGHTON: First of all Member Carbenia, we will have somebody there but we already have a previously scheduled meeting with another group that had already called prior to you, so I don't want you think you're playing second fiddle.

MEMBER CARBENIA: Sure

MAYOR CREIGHTON: I also have an announcement to make to City Council and to the citizens of Canton. I received a letter today announcing the retirement, the retirement of the Canton City Fire Chief, Jim Scott, who has um, given us over 33 year of service to this community. You all know and prayed a few months ago for his recovery during his heartache and he has, he believes along with his doctor's orders that it's better that he retire at this point in time, his last day of service to the great City of Canton will be July the 7th and he will start his well earned retirement on July the 8th, we will proceed with posting and the testing of our new Fire Chief.

M E M B E R C I R E L L I :
Mr. President?

PRESIDENT DENCZAK: Member Cirelli.

MEMBER CIRELLI: Um, I have two things, I will go with the heaviest one first and I don't know whom to direct this to, uh other then, uh, I guess maybe the Mayor and she could maybe have one of the other people that she feels comfortable. But some weeks ago, we had a, and I will say "a slum landlord" that ah, was taken to court and it hit the papers and came down hard on him as should be deserved and this past week I spoke with the Law Director and ah, so I had a real problem because it had been going on for five years and he is only one of questionable about of people falling in that category and I was wondering, ya know if your not part of the solution, your part of the problem and I felt, where were we lax as a City and what departments are we lax that

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we are not falling up, that this took us five years for this to come to a head and are we seeing that our departments are actually going out and doing the job. For instance what brought this to my mind was in Saturday's paper, uh and I brought it with me, I can give it to ya. In the section of the homes, there was like four or five homes being transferred from one purchaser from one seller and I am wondering if we should keep a log somewhere and/or are we keeping a log somewhere that we have people that fall into the same criteria or close to the criteria of that gentleman, and I am using that term loosely that ended up being taken to court. So that we can kind of reverse what this Council wants to do is more into home ownership instead of rentals and having slum lords so, Mayor or whom ever wants to address that, tell me, ya know, were we part of the problem? And what are we doing to change that?

PRESIDENT DENCZAK: Anybody wish to respond? Madame Mayor?

MAYOR CREIGHTON: Mr. President, first of all I would just like to correct one thing Councilwoman Cirelli, I don't think there is only slum landlords but I think there are slum owner occupied individuals and I don't think they should be let off the hook. And quite frankly, I drive around the City just so Council knows, incase you get any calls, yes I've been writing down addresses, yes, I have been sending them letters but I have also been sending good letters to people that keep their properties up that deserve compliments. So to your question Member Cirelli, um, John Labriola, our new building director just started today, I need to give him a chance to get his feet on the ground, um, you know, we all need to take a look at the laws and the ordinances that we have in this City regarding homes. Not just rentals but all homes in Canton. (APPLAUSE)

MEMBER CIRELLI: Mr. President, thank you Mayor for informing us of what we hope will occur. The other thing was ah, an article in the paper today and I thought this was on a positive note. Um, the PBS show, uh, History Detectives, tonight is going to have a program about William McKinley, whether a flag that someone here claims was possibly draped on his coffin and so that's going to be on from 9:00 to 10:00 tonight on local PBS Stations 45, 49 and channel 25 WBIZ, and I thought that was of some interest, it interest me and I thought it probably would some other members, and possibly some people in the audience that might want to know that that's on television tonight and check on that, thank you sir.

MEMBER KRAUS: Mr. President?

PRESIDENT DENCZAK: Mr. Kraus?

MEMBER KRAUS: Ah question for Mr. Carbenia. Joe, I didn't hear, can we get our new building inspector invited to that meeting on the 23rd? Mr. Labriola?

MEMBER CARBENIA: Sure, any interested party could come, and I would welcome them.

PRESIDENT DENCZAK: Member Carbenia?

MEMBER CARBENIA: One thing, um this past week I made mention that up on the Summit area where all them homes are um being ready to be torn down, and the grass was pretty tall and ah, I had a call on my phone Friday evening from Mr. Race who said that ah, sounds like he might want to be a good neighbor and that's all I want, ah, as I was saying that the City cut the grass down, and that we should charge him, and he said, and I didn't get to talk to him yet because I missed him and again my phone went bad so, anyway, I just like to report that I did ah, receive information that he said he was going to pay for the you know the gas and he was going to keep up the conditions and pretty soon the homes were going to be torn down, I talked to Mr. Hawk tonight about it. I also ah had Mr. Martuccio send me a copy of the agreement with the BIA and in that agreement it does say 14,

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I didn't like the second figure but it says from 14 to 25 buildings but I think that meant when they built the, when they were actually going for um, the other property down on Monument Road too. Somehow it was left in there but I know that it was, I thought it was only 12 properties and the contract did say 14 so just to be above board I just wanted to make that report and I am pretty happy that he wants to be a good neighbor and take care of things up there. That's all I care about, get those 18 homes down and (inaudible) what they have to and get it down so, Mr. Hawk, I thank you and I hope you can continue to keep that going.

SERVICE DIRECTOR CONCATTO: Mr. President?

PRESIDENT DENCZAK: Service Director?

SERVICE DIRECTOR CONCATTO: Member Carbenia, Street Department will bill the Urban Housing Foundation, they will pay for that first cutting and he will continue then to continue to cut the grass, hopefully those houses will start to be torn down in the next 30 days.

MEMBER CARBENIA: Mr. President?

PRESIDENT DENCZAK: Member Carbenia?

MEMBER CARBENIA: Yes, I have talked to Kevin Monroe and you know said that I would like to have them both but in the meantime after that Mr. Race called and ah explained it. So.

MAYOR CREIGHTON: Mr. President?

PRESIDENT DENCZAK: Madame Mayor?

MAYOR CREIGHTON: Just one last thing, I see John Labriola in the back and I know that our veteran Council watchers are here and I would like John, if I may, to stand up since we were talking about him tonight. This is our new building ah, chief building official and I hope that you all get to know him and I hope you took good notes tonight John.

MEMBER HAWK: Mr. President?

PRESIDENT DENCZAK: Member Hawk?

MEMBER HAWK: Um in following up with Mr. Carbenia, I Joe for what he said, I really appreciate that. The good news is that all 14 lots have been spoken for. Eleven individual builders have stepped up and purchased the lots. They will be, Eleven new builders will build 14 new houses, market rate. (APPLAUSE)

PRESIDENT DENCZAK: Is there any other miscellaneous business?

MEMBER CASAR: Mr. President?

PRESIDENT DENCZAK: Member Casar.

MEMBER CASAR: I move we adjourn; seconded.

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

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NO REMARKS

ROLL CALL: 11 YEAS, 0 NAYS

CLERK TIMBERLAKE: 11 yeas Mr. President.

PRESIDENT DENCZAK: This meeting is adjourned.

ADJOURNMENT TIME: 8:16 PM

ATTEST:

APPROVED:

CYNTHIA TIMBERLAKE
CLERK OF COUNCIL

RAY DENCZAK
PRESIDENT OF COUNCIL