

**MINUTES OF THE MEETING OF SEPTEMBER 18, 2006**

PRESIDENT PRO TEM CASAR: The Chair calls this meeting of the Canton City Council to order. Roll call.

*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, RICHARD D. HART, & KARL "BUTCH" KRAUS)

ONE MEMBER ABSENT (THOMAS WEST)

PRESIDENT PRO TEM CASAR: The invocation will be give by Council Member At Large Mary Cirelli.

*The regular meeting of Canton City Council was held on Monday, September 18, 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 Council Member At Large Mary Cirelli, followed by the Pledge of Allegiance led by President Pro Tem Casar.*

**AGENDA CORRECTIONS & CHANGES**

PRESIDENT PRO TEM CASAR: Thank you Member Cirelli. We are now under corrections of the Agenda. I will entertain a motion to suspend Rule Rule 22A to put Ordinances on 12, through and including #22 and the new Ordinance, which, a new Resolution which would be number 75, which we discussed in a Committee Of The Whole in regards to assigned properties. Member Carbenia.

MEMBER CARBENIA: Mr. President. I move we suspend 22 and Ordinances from second reading from 12 to 22, including 22, and Resolution 75; seconded. Mr. President.

PRESIDENT PRO TEM CASAR: Yes Member Carbenia.

MEMBER CARBENIA: Everybody has a copy of the Resolution in there, in front of them.

PRESIDENT PRO TEM CASAR: So moved, seconded? Roll Call please.

NO REMARKS

ROLL CALL: 11 YEAS, 0 NAYS

PRESIDENT PRO TEM CASAR: Ordinances 12 through and including 22 are reported this evening's agenda and Resolution #75.

**PUBLIC SPEAKS**

PRESIDENT PRO TEM CASAR: We are now under Public Speaks with the Agenda pertaining matters and no one has signed up to speak.

**PUBLIC HEARING**

PRESIDENT PRO TEM CASAR: We have no public hearings at, this, tonight's meeting.

**MINUTES OF THE MEETING OF SEPTEMBER 18, 2006****INFORMAL RESOLUTIONS**

PRESIDENT PRO TEM CASAR: We will now, I will now entertain a motion to excuse members.

MEMBER CARBENIA: Mr. President. I move. Mr. President, I move that we excuse Member Tom West from tonight's meeting; seconded.

PRESIDENT PRO TEM CASAR: It's been moved and seconded that Member West be excused from this evening's meeting. Roll call please.

NO REMARKS

ROLL CALL: 11 YEAS, 0 NAYS

PRESIDENT PRO TEM CASAR: Member West is duly excused from this evening's meeting.

**INFORMAL RESOLUTIONS**

PRESIDENT PRO TEM CASAR: We are now under Resolutions. Resolution #72 Madam Clerk.

***NOTE: PRESIDENT PRO TEM CASAR CALLED UPON THE CLERK OF COUNCIL TO READ THE FOLLOWING INFORMAL RESOLUTIONS #72 AND #75 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 SEPTEMBER 18, 2006.***

#72. PERSONNEL COMMITTEE: RE-APPOINTMENT OF JAMES "JEFF" SMITH TO SERVE ON THE CANTON CONSTRUCTION BOARD IN THE CAPACITY OF ELECTRICAL JOURNEYMAN EFFECTIVE 3/1/06 THROUGH 2/28/08. - ADOPTED

PRESIDENT PRO TEM CASAR: You've heard the reading of Resolution #72. I would entertain a motion to adopt .

MEMBER CARBENIA: Mr. President. I move that we adopt Resolution 72; seconded.

PRESIDENT PRO TEM CASAR: It's been moved and seconded. Are there any comments? If not, all those in favor signify by saying aye; those opposed no.

NO REMARKS

RESOLUTION #72 IS ADOPTED BY UNANIMOUS VOICE VOTE

PRESIDENT PRO TEM CASAR: Resolution #72 is hereby adopted. Resolution 73..

#73. PERSONNEL COMMITTEE: APPOINTMENT OF DR. PETER YACOBUCCI TO SERVE ON THE STARK REGIONAL PLANNING COMMISSION EFFECTIVE 8/1/06 THROUGH 9/31/09. - ADOPTED

PRESIDENT PRO TEM CASAR: Is there a move to adopt?

MEMBER CARBENIA: Yes, Mr. President, I move we adopt, Resolution 73; seconded.

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PRESIDENT PRO TEM CASAR: It's been moved and seconded. Are there any remarks? If not, all those in favor signify by saying aye; those opposed no.

NO REMARKS RESOLUTION #73 IS ADOPTED BY UNANIMOUS VOICE VOTE

PRESIDENT PRO TEM CASAR: Resolution #73 has been adopted. Resolution #74.

#74. COUNCIL AS A WHOLE: COMMENDING JACKIE DEGARMO FOR HER MANY YEARS OF PUBLIC SERVICE AND HER PASSION, ENERGY AND COMMITMENT TO EXCELLENCE AS A PUBLIC SERVICE. - ADOPTED

PRESIDENT PRO TEM CASAR: You've heard the reading of Ordinance, or, Resolution #74. Is there a move to adopt?

MEMBER CARBENIA: Mr. President. I move we adopt Resolution #74; seconded.

PRESIDENT PRO TEM CASAR: It's moved and seconded to adopt Resolution #74. Are there any comments, remarks? If not, all those in favor signify by saying aye; those opposed no.

NO REMARKS RESOLUTION #74 IS ADOPTED BY UNANIMOUS VOICE VOTE

PRESIDENT PRO TEM CASAR: The ayes have it. Resolution #74 is adopted. Resolution #75.

#75. COUNCIL AS A WHOLE: WHEREAS THAT CANTON CITY COUNCIL AS A WHOLE DESIRES TO DECLARE IT'S UNANIMOUS INTENT TO DEVELOP AN AREAS KNOWN AS THE STEIN INDUSTRIAL PARK AND; WHEREAS COUNCIL HAS AUTHORIZED THE ADMINISTRATION TO OBTAIN REQUESTS FOR PROPOSALS AND ENTER INTO A PROFESSIONAL SERVICE CONTRACT FOR ENGINEERING INFRASTRUCTURE DESIGN WORK TO FACILITATE ECONOMIC DEVELOPMENT IN SAID PARK; NOW, THEREFORE, BE IT RESOLVED: THAT CANTON CITY COUNCIL, AS A WHOLE, DECLARES ITS UNANIMOUS INTENT TO QUICKLY FACILITATE THE DEVELOPMENT OF AN AREA KNOWN AS THE STEIN INDUSTRIAL PARK BY FUNDING THE ENGINEERING INFRASTRUCTURE DESIGN WORK THROUGH A COMPANION ORDINANCE TO BE PASSED ON SEPTEMBER 18, 2006 AND EFFECTED AS SOON AS FEASIBLE BY THE ADMINISTRATION. - ADOPTED

PRESIDENT PRO TEM CASAR: You've heard the reading of Resolution #75. Is there a move to adopt?

MEMBER CARBENIA: I move that we adopt Resolution 75; seconded.

PRESIDENT PRO TEM CASAR: Moved and seconded to adopt Resolution #75. All those in favor signify by saying aye; those opposed nay.

NO REMARKS RESOLUTION #75 IS ADOPTED BY UNANIMOUS VOICE VOTE

PRESIDENT PRO TEM CASAR: Resolution #75 is hereby adopted.

**COMMUNICATIONS**

**MINUTES OF THE MEETING OF SEPTEMBER 18, 2006**

PRESIDENT PRO TEM CASAR: We are now under communications. Let the Journal show that all communications are received as read.

- #423. AUDITOR, R. A., CITY OF CANTON: SUBMITTING 1/1/06 - 8/31/06 YEARLY REPORT BY FUND. - RECEIVED & FILED
- #424. AUDITOR, R.A., CITY OF CANTON: SUBMITTING 8/1/06 - 8/31/06 MONTHLY REPORT BY FUND. - RECEIVED & FILED
- #425. AUDITOR, R.A., CITY OF CANTON: CERTIFICATE OF THE TOTAL AMOUNT FROM ALL SOURCES FOR 2006. - RECEIVED & FILED
- #426. MAYOR JANET CREIGHTON: REQUEST AUTHORIZATION FOR APPOINTMENT OF RICHARD GATIEN TO THE INCOME TAX BOARD OF REVIEW UNTIL 2/28/09. - PERSONNEL COMMITTEE
- #427. MAYOR JANET CREIGHTON: REQUEST AUTHORIZATION FOR APPOINTMENT OF AMY DREUSSI TO THE STARK REGIONAL PLANNING COMMISSION RETROACTIVE 8/1/06 - 7/31/09. - PERSONNEL COMMITTEE
- #428. PLANNING COMMISSION, CITY OF CANTON: RECOMMENDING APPROVAL OF VACATIONS OF BELLFLOWER, ROSLYN & MARYLAND AVENUES SW BETWEEN 19<sup>TH</sup> & 21<sup>ST</sup> STREETS SW & 21<sup>ST</sup> ST SW BETWEEN LINWOOD SW & THE EAST SIDE OF 21<sup>ST</sup> SW (MARATHON PETROLEUM). - PUBLIC SAFETY & THOROUGHFARES CMTE
- #429. PLANNING COMMISSION, CITY OF CANTON: RECOMMENDING APPROVAL OF REPLAT OF VACATED STREETS, (EXCEPT FOR THE PORTIONS ADJACENT TO LOT 31922, 31919 & 31785), & THE REPLAT OF LOTS 31725-31742, 31782-31784, 31786 TO 31814, 31897 - 31918, 31920, 31921, 31989-31991, 31994, 31995, 31998, 31999, 32002 TO 32006 & 42272 (MARATHON PETROLEUM).- PUBLIC SAFETY & THOROUGHFARES COMMITTEE
- #430. PLANNING COMMISSION, CITY OF CANTON: RECOMMENDING APPROVAL OF THE REZONING OF THE NORTH SIDE OF 15<sup>TH</sup> ST SW EAST OF CLARK AVE TO LEE CT FR: B-2 TO R-1a; THE REZONING OF 1501 BELDEN AVE SE (AKA STEIN INDUSTRIAL PARK) FR: I-1 TO I-2; THE REZONING ON THE SOUTH SIDE OF 17<sup>TH</sup> ST SE FR: SOMMERSET SW WEST TO THE START OF THE I-1 LIGHT INDUSTRIAL DISTRICT FR: R-2 TO R-1a (CITY OF CANTON). - JUDICIARY COMMITTEE
- #431. PLANNING COMMISSION, CITY OF CANTON: RECOMMENDING APPROVAL OF REPLAT OF OUTLOTS 483-485 BETWEEN CLEVELAND AVE., S & EVERSOLE SW & THE DEDICATION OF A PORTION OF 26<sup>TH</sup> ST SW (WXZ RETAIL). - PUBLIC SAFETY & THOROUGHFARES
- #432. PLANNING COMMISSION, CITY OF CANTON: RECOMMENDING APPROVAL OF REPLAT OF OUTLOTS 696 & 682, LOCATED AT THE SE CORNER OF 7<sup>TH</sup> ST SW & RAFF RD (ZION EVANGELICAL LUTHERAN CHURCH). - PUBLIC SAFETY & THOROUGHFARES

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- #433. PLANNING COMMISSION, CITY OF CANTON: RECOMMENDING APPROVAL OF REZONING OF PART OF OUTLOTS 483 & 484 FR: B-3 & R-1a TO PB-3 (WXZ RETAIL). - JUDICIARY COMMITTEE
- #434. PLANNING COMMISSION, CITY OF CANTON: RECOMMENDING APPROVAL OF THE REPLAT OF LOTS 14661-14663, LOCATED ON THE NW CORNER OF 7<sup>TH</sup> ST NE & WEBSTER AVE (CITY OF CANTON). - PUBLIC SAFETY & THOROUGHFARES COMMITTEE
- #435. PLANNING COMMISSION, CITY OF CANTON: RECOMMENDING APPROVAL OF THE REPLAT OF PART OF LOTS 4682-4684, LOCATED AT THE NE CORNER OF TYLER AVE SE & 4<sup>TH</sup> ST (CITY OF CANTON). - PUBLIC SAFETY & THOROUGHFARES
- #436. SAFETY DIRECTOR BERNARD HUNT, CITY OF CANTON: REQUEST FOR APPROVAL FOR 20 PROPERTIES TO BE CERTIFIED FOR DEMOLITION. - COMMUNITY & ECONOMIC DEVELOPMENT COMMITTEE
- #437. SERVICE DIRECTOR JOSEPH CONCATTO, CITY OF CANTON: REQUEST AN ORDINANCE AUTHORIZING THE CITY TO APPROPRIATE PROPERTY OWNED BY GROFFRE INVESTMENTS, PARCEL #84-00013, PROJECT, WITHIN ITS CORP LIMITS, FOR THE PURPOSE OF ACQUIRING A STANDARD HIGHWAY EASEMENT & TEMPORARY RIGHT OF WAYS EASEMENT NECESSARY FOR THE COLUMBUS RD /HARMONT NE INTERSECTION PROJECT. - PUBLIC SAFETY & THOROUGHFARES COMMITTEE
- #438. TREASURER, ROBERT SCHIRACK: REPORTS OF THE TREASURER'S OFFICE BANK RECONCILIATIONS AND THE CITY'S OUTSTANDING INVESTMENTS AS OF 8/31/06. - RECEIVED & FILED
- #439. WILLIAMS, ERIC, ATTORNEY AT LAW: NOTICE OF ADMINISTRATIVE APPEAL FOR FILING IN THE CASE: PLAIN TOWNSHIP BOARD OF TRUSTEES VS. BOARD OF COUNTY COMMISSIONERS, STARK COUNTY, ET AL. - RECEIVED & FILED

**ORDINANCES & FORMAL RESOLUTIONS FOR FIRST READING**

PRESIDENT PRO TEM CASAR: We're now under Ordinances for the first reading a formal, and Resolutions for the First Reading. Let, let, let the journal show that all ordinances are being given their reading as required by State Law. Madame Clerk, please read the 1<sup>st</sup> Reading of Ordinances by title only.

***NOTE: PRESIDENT PRO TEM CASAR CALLED UPON CLERK TIMBERLAKE TO READ THE ORDINANCES #1 THROUGH #10 FOR THE FIRST TIME BY TITLE & ANNOUNCED THE COMMITTEE REFERRAL, AS FOLLOWS.***

- #1. (1<sup>ST</sup> RDG) AN ORDINANCE ESTABLISHING THE FAIR MARKET A 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  
Referred to Community & Economic Development

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- #2. (1<sup>ST</sup> RDG) AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO AN ENTERPRISE ZONE AGREEMENT WITH HYDRODEC GROUP PLC TO PROVIDE A REAL PROPERTY TAX EXEMPTION; AUTHORIZING THE AUDITOR TO MAKE PAYMENTS TO THE CANTON LOCAL BOARD OF EDUCATION AS REQUIRED TO BE PAID PURSUANT TO SECTION 5709.82 (C) AND (D) OF THE REVISED CODE; AND DECLARING THE SAME TO BE AN EMERGENCY  
Referred to the Community & Economic Development Committee
- #3. (1<sup>ST</sup> RDG) AN ORDINANCE AUTHORIZING THE MAYOR OR DIRECTOR OF PUBLIC SERVICE TO ENTER INTO AN AGREEMENT WITH HYDRODEC GROUP PLC PURSUANT TO THE CITY'S JOB CREATION INCENTIVE PROGRAM; AND DECLARING THE SAME TO BE AN EMERGENCY  
Referred to the Community & Economic Development Committee
- #4. (1<sup>ST</sup> RDG) AN ORDINANCE AUTHORIZING THE DIRECTOR OF PUBLIC SAFETY TO DONATE USED FIRE EQUIPMENT TO STARK STATE COLLEGE OF TECHNOLOGY  
Referred to Public Property Capital Improvement Committee
- #5 (1<sup>ST</sup> RDG) AN ORDINANCE AUTHORIZING THE AUDITOR TO ESTABLISH AND/OR MAINTAIN PETTY CASH AND/OR CHANGE DRAWER FUNDS FOR VARIOUS CITY DEPARTMENTS; AND DECLARING THE SAME TO BE AN EMERGENCY  
Referred to Finance Committee
- #6 (1<sup>ST</sup> RDG) AN ORDINANCE AUTHORIZING THE DIRECTOR OF PUBLIC SAFETY TO ENTER INTO A PROFESSIONAL SERVICE CONTRACT WITH ANGELA JACOBY CAVENAUGH FOR PLANS EXAMINATION DUTIES FOR THE BUILDING DEPARTMENT; AND DECLARING THE SAME TO BE AN EMERGENCY  
Referred to Finance Committee
- #7 (1<sup>ST</sup> RDG) AN ORDINANCE AMENDING APPROPRIATION ORDINANCE NO 1/2006, AS AMENDED, BY MAKING THE SUPPLEMENTAL APPROPRIATIONS HEREIN DESCRIBED; AND DECLARING THE SAME TO BE AN EMERGENCY  
Referred to Finance Committee
- #8 (1<sup>ST</sup> RDG) AN ORDINANCE AUTHORIZING THE DIRECTOR OF PUBLIC SERVICE TO ENTER INTO A CHANGE ORDER WITH FLOYD BROWNE GROUP IN AN AMOUNT NOT TO EXCEED \$8,014.00 FOR ADDITIONAL EXPENSES RELATING TO THE TITLE V PERMIT PROJECT FOR THE WATER POLLUTION CONTROL CENTER; AMENDING APPROPRIATION ORDINANCE NO. 1/2006; AND DECLARING THE SAME TO BE AN EMERGENCY  
Referred to Finance Committee
- #9 (1<sup>ST</sup> RDG) AN ORDINANCE AMENDING APPROPRIATION ORDINANCE NO 1/2006, AS AMENDED, BY MAKING THE SUPPLEMENTAL APPROPRIATIONS HEREIN DESCRIBED; AND DECLARING THE SAME TO BE AN EMERGENCY  
Referred to Finance Committee

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- #10. (1<sup>ST</sup> RDG) AN ORDINANCE AUTHORIZING THE CLERK OF COUNCIL TO CERTIFY TO THE COUNTY AUDITOR UNPAID DELINQUENT CHARGES FOR WATER AND/OR SEWER SERVICES; AND DECLARING THE SAME TO BE AN EMERGENCY  
Referred to Finance Committee

PRESIDENT PRO TEM CASAR: We're now under Ordinances for the second reading. Madame Clerk will, you please read the ordinances by title only.

***NOTE: PRESIDENT PRO TEM CASAR CALLED UPON CLERK TIMBERLAKE TO READ THE FOLLOWING ORDINANCES #11 THROUGH #22 FOR THE SECOND TIME BY TITLE AS REQUIRED BY STATE LAW, AS FOLLOWS:***

**ORDINANCES & FORMAL RESOLUTIONS FOR SECOND READING**

- #11. (2<sup>nd</sup> RDG) **RETAINED IN COMMITTEE**
- #12. (2<sup>nd</sup> RDG) AN ORDINANCE ESTABLISHING THE FAIR REUSE VALUE OF 5 PARCELS OF CITY-OWNED PROPERTY; AUTHORIZING SALE & CONVEYANCE OF SAID PROPERTIES PURSUANT TO THE CITY'S RESIDENTIAL LAND DISPOSITION PROGRAM; AND DECLARING THE SAME TO BE AN EMERGENCY
- #13. (2<sup>nd</sup> RDG) AN ORDINANCE ESTABLISHING THE FAIR REUSE AND/OR FAIR MARKET VALUES OF 7 PARCELS CITY OWNED PROPERTY; AUTHORIZING THE SALE & CONVEYANCE OF SAID PROPERTIES PURSUANT TO THE CITY'S RESIDENTIAL LAND DISPOSITION PROGRAM; AND DECLARING THE SAME TO BE AN EMERGENCY
- # 14. (2<sup>nd</sup> RDG) A RESOLUTION TO 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
- #15. (2<sup>nd</sup> RDG) A RESOLUTION TO AUTHORIZING THE LAW DIRECTOR TO DISTRIBUTE FREE OF CHARGE TO THE PUBLIC OFFICIALS & PUBLIC INSTITUTIONS COPIES OF 2006 SUPPLEMENT TO CANTON CODIFIED ORDINANCES; TO AFFIX PRICE FOR SALE OF SAME; AND DECLARING THE SAME TO BE AN EMERGENCY
- #16. (2<sup>nd</sup> RDG) AN ORDINANCE AUTHORIZING THE EDITING & INCLUSION OF CERTAIN ORDINANCES AS PARTS OF THE VARIOUS COMPONENT CODES OF THE CODIFIED ORDINANCES OF CANTON OHIO; AND DECLARING THE SAME TO BE EMERGENCY
- #17. (2<sup>nd</sup> RDG) AN ORDINANCE AUTHORIZING REQUEST TO THE OHIO BOARD OF BUILDING STANDARDS TO CERTIFYING THE CITY OF CANTON FOR ENFORCEMENT OF THE RESIDENTIAL CODE OF OHIO TO EXERCISE ENFORCEMENT AUTHORITY AND ACCEPT & APPROVE PLANS & SPECIFICATIONS TO MAKE INSPECTIONS; AND DECLARING THE SAME TO BE AN EMERGENCY

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- #18. (2<sup>nd</sup> RDG) AN ORDINANCE AMENDING CHAPTER 1317, HEATING, VENTILATING & AIR CONDITIONING CODE, CHAPTER 1313 RESIDENTIAL BUILDING CODE AND CHAPTER 1351; PURPOSE & SCOPE OF CODIFIED ORDINANCES OF THE CITY OF CANTON; AND DECLARING THE SAME TO BE AN EMERGENCY
- #19. (2<sup>nd</sup> RDG) AN ORDINANCE AUTHORIZING THE DIRECTOR OF PUBLIC SERVICE TO ACCEPT A GRANT FROM THE CANTON REGIONAL CHAMBER OF COMMERCE IN THE AMOUNT OF \$50,000.00 FOR CANTON CIVIC CENTER RESTROOM RENOVATION PROJECT; AND DECLARING THE SAME TO BE AN EMERGENCY
- #20. (2<sup>nd</sup> RDG) AN ORDINANCE APPROVING & ACCEPTING REPLATTING OF OUTLOT #1123 & THE DEDICATION OF PART OF GEORGETOWN STREET NE; AND DECLARING THE SAME TO BE AN EMERGENCY
- #21. (2<sup>nd</sup> RDG) AN ORDINANCE AUTHORIZING THE DIRECTOR OF PUBLIC SAFETY TO ENTER INTO AN AGREEMENT WITH CANTON CITY SCHOOL DISTRICT BOARD OF EDUCATION TO PROVIDE 2 POLICE OFFICERS; AND DECLARING THE SAME TO BE AN EMERGENCY
- #22. (2<sup>nd</sup> RDG) AN ORDINANCE AUTHORIZING THE DIRECTOR OF PUBLIC SERVICE TO ADVERTISE, RECEIVE BIDS & ENTER INTO CONTRACT TO REMODEL SINK AREAS IN CONCESSION STANDS LOCATED AT THE CANTON CIVIC CENTER; AND DECLARING THE SAME TO BE AN EMERGENCY

PRESIDENT PRO TEM CASAR: Thank you Madame Clerk.

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

PRESIDENT PRO TEM CASAR: We are now under Ordinances for the third and final reading. Madame Clerk, please read the Ordinances by title only.

***NOTE: PRESIDENT PRO TEM CASAR CALLED UPON CLERK TIMBERLAKE TO READ THE FOLLOWING ORDINANCES #23 THROUGH #27 FOR THE THIRD TIME BY TITLE AS REQUIRED BY STATE LAW, AS FOLLOWS. ALL THE ORDINANCES WERE ADOPTED BY COUNCIL FOLLOWING THEIR THIRD READING***

- #23 (3<sup>rd</sup> RDG) **DEFEATED** AN ORDINANCE AUTHORIZING THE DIRECTOR OF PUBLIC SAFETY TO ADVERTISE, RECEIVE BIDS & ENTER INTO CONTRACT FOR PURCHASE OF COMPUTERIZED ON-STREET PARKING ENFORCEMENT EQUIPMENT; AUTHORIZING THE DIRECTOR OF PUBLIC SAFETY TO ALTERNATIVELY PURCHASE COMPUTERIZED ON-STREET PARKING ENFORCEMENT EQUIPMENT; AMENDING APPROPRIATION ORDINANCE #1/2006, AS AMENDED; AND DECLARING THE SAME TO BE AN EMERGENCY

PRESIDENT PRO TEM CASAR: You've heard the reading of Ordinance #23. Is there a move to adopt?

MEMBER CARBENIA: Mr. President, I move we adopt Ordinance # 23; seconded.



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PRESIDENT PRO TEM CASAR: It's been moved and seconded to adopt Ordinance #23. Are there any remarks or comments? If not by roll call please.

MEMBER KRAUSE: Mr. Chairman, question before I vote. Are we voting on the adoption of the ordinance or just to adopt it to vote on?

PRESIDENT PRO TEM CASAR: We are voting on the adoptions.

MEMBER KRAUSE: No.

PRESIDENT PRO TEM CASAR: Madame, ah, Madame Clerk, doing two jobs here, I will, I also would like to change my vote to no. *(LAUGHTER)*

CLERK TIMBERLAKE: I figured you did Don.

PRESIDENT PRO TEM CASAR: I had a good excuse though.

NO REMARKS

ROLL CALL: 2 YEAS, 9 NAYS

PRESIDENT PRO TEM CASAR: Ordinance #23 has been defeated. Ordinance #24.

**ORDINANCE #23 DEFEATED**

#24 (3<sup>rd</sup> RDG) **ADOPTED AS ORDINANCE NO. 157/2006** AN ORDINANCE AMENDING APPROPRIATION ORDINANCE NO.1/2006, AS AMENDED, BY MAKING THE SUPPLEMENTAL APPROPRIATIONS HEREIN DESCRIBED; AND DECLARING THE SAME TO BE AN EMERGENCY

PRESIDENT PRO TEM CASAR: Member Carbenia.

MEMBER CASAR: Mr. President. I move we adopt Res.... or, Ordinance #24; seconded.

PRESIDENT PRO TEM CASAR: It's been moved and seconded to adopt Ordinance 24. Are there any remarks? If not by roll call please.

NO REMARKS

ROLL CALL: 11 YEAS, 0 NAYS

PRESIDENT PRO TEM CASAR: Ordinance #24 has been adopted. Ordinance #25.

**#24 ADOPTED AS ORDINANCE #157/2006**

#25 (3<sup>rd</sup> RDG) **ADOPTED AS AMENDED AS ORDINANCE NO.158/2006** AN ORDINANCE AUTHORIZING THE MAYOR AND/OR THE DIRECTOR OF PUBLIC SERVICE TO ENTER INTO AN ~~AGREEMENT WITH PUTMAN PROPERTIES, INC~~ \*REQUEST PROPOSALS AND ENTER INTO A PROFESSIONAL SERVICES CONTRACT IN AN AMOUNT NOT TO EXCEED \$70,000 FOR ENGINEERING WORK TO COMPLETE AN INDUSTRIAL PARK; AND DECLARING THE SAME TO BE AN EMERGENCY

PRESIDENT PRO TEM CASAR: You've heard the reading of Ordinance #25. Is there a move to adopt?

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MEMBER CARBENIA: Mr. President. I move we adopt Ordinance # 25; seconded.

PRESIDENT PRO TEM CASAR: It's been moved and seconded. Are there any remarks?

MEMBER CARBENIA: Mr. President. I move we amend Ordinance #25 with the written amendment before each member of Council; seconded.

**AMENDMENT:** Pursuant to Rule 36, I move to amend the Caption and Section 1 of Agenda, Ordinance No. 25 as follows: Delete the phrase "enter into an ....agreement with Putman properties Inc." and substitute it with the phrase "request proposal and enter into a professional services contract" . Pursuant to Rule 36, I move to amend Agenda Ordinance No. 25 by adding a new Section 2 as follows and renumbering current Sections 2 and 3 as Sections 3 and 4: Section 2. Said amount of \$70,000 is to be a conditional grant in an amount not to exceed \$70,000, the condition being that proposed plans and invoiced services be approved by both the City Engineer and the Director of Public Service prior to payment being authorized.

PRESIDENT PRO TEM CASAR: It's been moved and..moved and second to amend Ordinance #25 per the copy of all the council persons have in front of them. Are there any remarks?... If not, by roll call, all those.... by voice vote, all those in favor signify by saying aye. Those opposed nay. The Resolution has been adopted and...

NO REMARKS THE AMENDMENT WAS ADOPTED BY UNANIMOUS VOICE VOTE

MEMBER CARBENIA: Mr. President.

PRESIDENT PRO TEM CASAR: ...the amendment, the amendment has been adopted, excuse me. Member Carbenia.

MEMBER CARBENIA: I move we adopt Resolution 25 as amended; seconded.

PRESIDENT PRO TEM CASAR: You've heard the, you've heard the, the amended, the, you've heard the motion to adopt Ordinance Res....Ordinance #25, as amended. Are there any remarks?... If not, by roll call please.

NO REMARKS ROLL CALL: 11 YEAS, 0 NAYS

PRESIDENT PRO TEM CASAR: Ordinance #25 is adopted. Ordinance #26.

**#25 ADOPTED AS AMENDED AS ORDINANCE #158/2006**

#26 (3<sup>rd</sup> RDG) **ADOPTED AS ORDINANCE NO. 159/2006** AN ORDINANCE AUTHORIZING THE DIRECTOR OF PUBLIC SAFETY TO ACCEPT THE 2006 FIRE SAFETY FUND GRANT FROM ALUMINUM CANS FOR BURNED CHILDREN IN THE AMOUNT OF \$479.30 FOR THE FIRE DEPT.; AMENDING APPROPRIATION ORDINANCE NO. 1/2006, AS AMENDED, BY MAKING THE SUPPLEMENTAL APPROPRIATION HEREIN DESCRIBED; AND DECLARING THE SAME TO BE AN EMERGENCY

PRESIDENT PRO TEM CASAR: You've heard the reading of Ordinance #26. Is there a move to adopt?

MEMBER CASAR: Mr. President. Mr. President, I move we adopt Ordinance # 26; seconded.

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PRESIDENT PRO TEM CASAR: The Ordinance has been moved and seconded, are there any remarks? If not by roll call please.

NO REMARKS

ROLL CALL: 11 YEAS, 0 NAYS

PRESIDENT PRO TEM CASAR: Ordinance #26 has been adopted.. Ordinance #27

**#26 ADOPTED AS ORDINANCE #159/2006**

#27 (3<sup>rd</sup> 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

PRESIDENT PRO TEM CASAR: You've heard the reading of Ordinance #27. Is there a move to adopt?

MEMBER CASAR: Mr. President. I move we adopt Ordinance # 27; seconded.

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

NO REMARKS

ROLL CALL: 8 YEAS, 3 NAYS

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

**#27 ADOPTED AS ORDINANCE #160/2006**

**ANNOUNCEMENT OF COMMITTEE MEETINGS**

PRESIDENT PRO TEM CASAR: We're now under Announcement of Committee Meetings.

MEMBER CARBENIA: Mr. President.

PRESIDENT PRO TEM CASAR: Member Carbenia.

MEMBER CARBENIA: Community and Economic Development Committee will meet 6 PM, on September 25<sup>th</sup>.

MEMBER PRATER: Mr. President.

PRESIDENT PRO TEM CASAR: Member Prater.

MEMBER PRATER: Personnel Committee will meet September 25<sup>th</sup> at 6 PM.

MEMBER ZACHARY: Mr. President.

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PRESIDENT PRO TEM CASAR: Member Zachary.

MEMBER ZACHARY: Intergovernmental and Public Service Committee will meet September 18<sup>th</sup> at 6:00 P.M.

PRESIDENT PRO TEM CASAR: Member West. (LAUGHTER)

MEMBER WEST: That was someone over there but.....(LAUGHTER)

PRESIDENT PRO TEM CASAR: Same voice. Member Prater.

MEMBER PRATER: Mr. West's Committee is gonna meet at 6:00 also but Personnel is gonna meet September 18<sup>th</sup> at 6:00.

PRESIDENT PRO TEM CASAR: Member West.

MEMBER WEST: Mr. President Judiciary Committee will meet September 18<sup>th</sup> at 6:00.

MEMBER HAWK: Mr. President.

PRESIDENT PRO TEM CASAR: Member Hawk.

MEMBER HAWK: Finance Committee will meet Monday, September 25<sup>th</sup> at 6:00.

MEMBER DOUGHERTY: Mr. President.

PRESIDENT PRO TEM CASAR: Member Dougherty.

MEMBER DOUGHERTY: Public Property Capital Improvement will also meet 6:00 PM that evening.

MEMBER KRAUS: Mr. President.

PRESIDENT PRO TEM CASAR: Member Kraus.

MEMBER KRAUS: Public Safety & Thoroughfare will meet 9/25, 6:00 P.M.

PRESIDENT PRO TEM CASAR: That's it for committees?

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

PRESIDENT PRO TEM CASAR: We are now under public speaks, Open Forum. We have 12 individuals signed up to speak and as I look over this row of speakers here, it looks to me like they're all, 11 of them are speakin' on Little League and Weiss Field, Little League Weiss Field and, and, and, not to be redundant, but we have 11 speakers and hope that everybody will have something new to add and just don't be redundant and repeat what the person before you said. Ah, this first speaker will be a Frank Morris. Please come forward and give your name and an address.

MR. MORRIS: Frank Morris, 1406 19<sup>th</sup> Street NE, Canton, Ohio 44714. On behalf, I'm here on behalf of

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Canton Little League and gonna ask City Council to pass an ordinance to set aside Weiss Park for the Canton Little League organization ah, and if you can pass an ordinance as quick as I seen 'em go around here, boy, we should be in business really fast. A little bit about Little League. It was formed back in 1939 and Canton, Ohio had the first Charter in 1948. What's, what's so wonderful about Little League, is, it, it, it offers a great deal to the youth. Ok. We've gone in, we cleaned up Weiss. We had to negotiate, we had to make a few deals to get the field and it was tough but each and every one of the people that will be coming up has a different story, have a different angle. As the President of Canton Little League, it is my responsibility to the children of little league to protect their best interests. It's a beautiful complex that we played at last year. We got many compliments but, first and foremost, I have to protect the children. We went to the Canton Recreation Department. We appealed to their Board. We were treated like a bunch of adolescents. Half way through speaking, I was interrupted by one of their Board members. We have a Board. Our Board answers to Williamsport. Your, your Council, you answer to the Courts. Everybody is accountable to some body. That's why we're here. Um, it's, it's really tough and honestly folks, I'm not usually this nervous in front of people, but I feel as if I am defending myself and 100 kids. We sent out our registrations, we start promoting the lea..., league. March 14<sup>th</sup>, we had 86 kids, 39 volunteers and we had absolutely no problems whatsoever within our league. Currently right now, we're in a dispute with a competing league. We were told at the Canton Rec Department that the other league is first. Well, when you have two leagues and they're kinda different and you say one gets treatment over the other one, I don't what you call it. I call that discrimination. You know, you have to treat both leagues the same and when a league is participating on fields, come in and say no, next year you're gonna have to move to the other side of town. When the majority of our kids are within our area, ya know it's really not fair. The league that we are competing against has 5 private fields owned by them. Canton Little League does not have any. We rely on the City. We rely on you to provide us with these parks. We're not asking for hand-outs. We're willing to go in on these parks, clean 'em up, invest money, make improvements. But, we were told if you pick up a weed eater in a public park in Canton, you're going to jail.

PRESIDENT PRO TEM CASAR: Mr. Morris, you've passed your 3 minutes. Please bring your remarks to a close.

MR. MORRIS: Well, that's pretty much it. Thank you.

PRESIDENT PRO TEM CASAR: Thank you. Speaker #2 is Will Disman.

MR. DISMAN: My name is Will Disman. I live at 316 Raff Road NW Canton, Ohio 44708. I'm a member of the Canton Little League Board of Directors. My friends and I are here to ask Canton City Council to pass a city ordinance to grant Canton Little League the use of Weiss Park Baseball Field. The reason for this request is that we as a league, can follow all the way up the chain of command of this city with no resolution. We've contacted the Mayor's office and told that she's not going to get involved. We've met with the Board of Director's of Canton Recreation Department and told to go to Harmont Park. Weiss Park is a part of, part of a group of fields of which is granted to the J. Babe Stearn Center to dole out as they please. We were told to work it out with Dave Miday at the Stern Center for our use. We don't understand why or how Dave Miday at the Stern Center has the authority to grant us or not grant us access to use these fields. The J Babe Stearn Center runs the Mighty Mite Program. Sounds like a conflict of interest. Mighty Mites already own 5 fields that they use for their own games. As of 11:00 this morning Dave Miday was not willing to discuss the issue, so, we would like you, Canton City Council to grant us access. This is the basis for our argument. We used Weiss Park for the 2006 season, sharing the Park with Canton Mighty Mites. Canton Mighty Mites use the Park on Wednesday evening and Saturday mornings from 10 to 12. We feel as though the Recreation Department and the City of Canton is doing a real injustice to the kids of our league and the city itself by making us use facilities on the far east side of the city that are greatly inferior to the facilities we used this past year. Canton Little League is

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involved in a Round Robin-type schedule with the Little League Programs of other communities. Those communities come, come, come to play here on a weekly basis, whether it's Plain Township, Massillon, Malvern, Sandy Valley or whoever's on the schedule for that weekend. We host these teams and try to show them the best that our city has to offer. Moving us to Harmont Parks makes that virtually impossible. At the end of our regular season, we hosted 10 tournament games that brought in games from Dover, New Phili, Urichsville, Gnadenhutten, and an assortment of other communities, all of which were very impressed with our facilities and our organization. This impression was, has helped, has helped lay the ground work for our league to inves... immensely grow in the future. The volunteers of little league have given significant time and effort to help give the children of this community a good example of how they take pride in our city and their surroundings by takin' their time to help beautify the parks by trimming weeds, pickin' up trash or even mowing the fields if they're not up to snuff. Canton Little League hosts a season tournament that brought in teams from as far away as Greensville, Pennsylvania. About four weeks ago, our volunteers, like Jim Mills, Tiger Allison, Frank Morris and Dave Capalingo, spent the better part of a week readying the park for our visitors. We're bringing in guests to the community who are going to spend their hard-earned money in our restaurants, hotels and gas stations. We feel we should have the best to offer them. We did a good job of that in 2006. We represented our community well. We would like to continue doing that and doing it at Weiss Park. Have you seen the facilities at Harmont Park or at the fields, or at the fields used by Mighty Mites? Harmont Park there's a restroom that, that you wouldn't let your kids use because they're outta sight of the fields. The doors don't close. Canton Little League had a tournament game in which a team from Dover drove up there to play. Unfortunately, it was too wet to play at Weiss Park and we weren't able to get the fields dry enough to play, so we drove over to Harmont Park to see if we could play there. We got there, the fields were dry. The Coach from Dover said there's no chance of us playing there due to the conditions of the field in the area. So, we packed up our cars, drove down to Dover and played that game at 8:00 that night. The fields used by the Mighty Mite Program are private fields and no one else is allowed to use. Those fields have fences that are falling down, dug outs that are falling apart, weeds that are wasting .....

PRESIDENT PRO TEM CASAR: Mr. Disman, you've exceed your 3 minutes. Will you please bring your remarks to a close?

MR. DISMAN: I'll do that. (*INAUDIBLE*) that are falling apart. This is how they take care of their facilities. Meanwhile, my year old son's walking around Weiss Park picking up trash on his own accord, because he thinks that if he supposed to do that because he plays there. We're not asking for sole ownership of the Park, we just want the status quo Monday, Tuesday, Wednesday, Thursday, Friday, Saturday afternoon and Sunday just like last year. Again, I urge you to pass an ordinance that grants us access to the Little League Park at Weiss Park. I have some photos for you from the other fields that are used and also there's a photo here with dots where they want to move us to.

PRESIDENT PRO TEM CASAR: Thank you. The third speaker is Tommy LaMotte. Tammy, sorry.

MS. LAMOTTE: My name is Tammy LaMotte, 3302 11<sup>th</sup> Street SW, Canton, Ohio 44710. First off, I have petitions here. There's almost 1,000 here of people who are behind us, behind little league. I'm here to tell you a little bit about our season. In the beginning we were told we would be lucky to have 14 so we had 7. For our 'all stars', we were told, oh, you'd be better off with 1, we had 3; a 9 and 10 year old, an 11 year old and a 12 year old team which gave more children an opportunity to play. The children of Canton Little League are our future. They are our Canton's Ambassadors. During our season, we hosted teams from East Sparta, Malvern, East Canton, Magnolia, New Franklin, Mineral City, Augusta, Brinkman and Waynesburg, all with getting exceptional comments about Canton. During our all star season, we hosted teams from Holly Hills, Wooster, West Holmes, Twin City and North Canton. During our after sea, after season, we hosted teams from Massillon, Jackson, Avon

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Lake and as far away as Pennsylvania. We are more than just an inner-city league. These communities already had the impression that our children were trouble....troublemakers. Sandy Valley had several meetings just to permit our children to play in our league. We proved them wrong. We did not have fighting on our fields, cussing from our children or adults threatening the empires as we had in other leagues. We're trying to build our City's reputation in a positive manner. We are growing by leaps and bounds. We currently have 86 children. We will have coach pitch next year and already have 6 additional teams signed up. Along with our children, we had 40 volunteers that had all, with clean background checks, and we have more to sign up for next year. This is why I feel the City should help us out with an ordinance for Canton.

PRESIDENT PRO TEM CASAR: The fourth, fourth speaker is Karen Mills.

MS. MILLS: Karen Mills, 2718 Gibbs Avenue NE, Canton, 44714. I would like you to know why I am here. As a parent of two boys, ages 10 and 12 who have played baseball since kindergarten, have grown to love and embrace the game. Please understand that my concern is not only for my children, but for all the children in our wonderful city. I'm here because I believe that each child has the right to play a sport in an environment that is safe and secure, that demonstrates respect for one another and for each child to learn and grow to the best of his or her ability. I say these things because in the previous league in which my children played, these simple attributes were missing. There were several games that not only my children, but also their team mates were taunted throughout their game by the opposing team mates, which is inappropriate, and by the coaches which is unacceptable. Several times the police were called because of the situations both on and off the field which got out of control. There was a game in particular that I feared for the safety of the children and for myself as well. At that time, my youngest who was in second grade was greatly impacted. So much so that he wrote a story at school stating how terrible it was to see how the game he loved was so scary to play. From that day on, I started to look for another league to join. No child should ever feel threatened or scared in an environment, especially, *(RECORDING SYSTEM FAILED FOR THE REMAINDER OF THIS SPEAKER, KAREN MILLS)*

PRESIDENT PRO TEM CASAR: *(RECORDING SYSTEM RESUMED)* .... James Mills.

MR. MILLS: Hi. My name is James Mills. My address is 123 Louis Avenue, Louisville, Ohio 44641. I would like to start out by telling you why I started in Canton Little League. Three years ago, my oldest boy went from coach pitch to the minors of Mighty Mite's Baseball. The coach pitch lines was run by a great coach. When I found out he was drafted by the Diamond Backs, I talked with the leader of Mighty Mite Baseball and let him know my concerns. I was informed that if I didn't like the coach, I could take my boy and go somewhere else and play baseball. He would not change his team. Canton Little League encourages all parents to come to the Board meetings where you can give your input, good or bad so we could work to make a better league for the children. I've helped coach and clean fields from cutting grass to trimming for the tournaments we have had great response from all the season ending all star teams from East and West Holmes, New Phila and Dover. The tournament we hosted after the regular season brought teams from as far away as Green, Greenville, Pennsylvania, Cambridge, Holly Hills, Jackson, Massillon, and South Canton. The local teams were glad to see the fields used for a very nice tournament. Most said they would return for next year. I feel we showcased Canton City in a very good way to all the surrounding communities and I'm glad to be part of the organization. I hope we can retain the fields we played on last year to help show the surrounding communities how good Canton City boys and girls can play at organized sports. It is our intention to teach the children good sportsmanship, team involvement and respect for coaches and the leaders of the community. Thank you for your time.

PRESIDENT PRO TEM CASAR: Thank you Mr. Mills. The next speaker is Mike Myers.

MR. MYERS: My name is Mike Myers, 13336 Barrs Road, Massillon, Ohio 44647. Tonight, I am here on

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behalf of the Canton Little League as one of the major sponsors for this dynamic group of parents and athletes. I am the owner and operator of 'The Your Pizza Shop.' Being an ex-baseball player for many years, an empire and retired from the United States Army after 20 years of service, I felt obligated and honored to become involved with the youth and sport once again. I have seen first-hand the facilities used this year that took a lot of determination and hard work from Frank and his staff to make the fields suitable for playing conditions. Now they're being asked to surrender what took so many, took them so long, so many hours and sweat to improve and move to another location, and start all over again. These requests were both unmerited and unjustified. This type of action is what caused Little League to fold many years ago. What happened to the old days of getting kids together and playing a pick up game? Our schools in Canton are the most beautiful schools that we have, but we have no ball fields on all these new elementary schools. In closing, I would like, I would like to ask Council to re, reconsider the issue before us tonight and leave the current playing locations the way they are. Let the kids play baseball and keep them off the streets. Haven't we taken enough away from these kids and today's youth? What type of message are we sendin' to these kids? Thank you.

PRESIDENT PRO TEM CASAR: The next speaker is Dave Capalingo.

MR. CAPALINGO: Thank you for having us. Um, I'm just basically here to talk about ah, keeping Weiss Field...

PRESIDENT PRO TEM CASAR: Please give your address please.

MR. CAPALINGO: Oh. My address is 1807 Henry Avenue SW. Okay. Weiss Field projects the pleasant and comfortable atmosphere. We play teams from other communities like Waynesburg, East Sparta, Massillon, Malvern, Dover. These fields represent our city beautifully. The other teams love these fields. Um, we have many many compliments on them. Other fields that have been offered to us or told to us to use do not reflect the beauty of Canton. We represent teams outside of Canton. Sorry about my nervousness, but ah.... anyway... and other fields, Will said, the bathrooms are so far away, you lose contact with the kids. There's just not good conditions. The communities we play drive a long way so we like having our concessions stand there for them. Every member of our Board takes a great deal of pride in our league, picks up the smallest of the trash anywhere on the property. Um, the community speaks well of it; others too. I'm, I'm sorry, I'm so nervous it's not funny. Um, okay. What makes no sense to me is the northeast end gives Mighty Mite the, one of their highest concentration of kids but they want to kick them off those fields and give us those fields. It makes, to me, this makes no sense when that end of town is, almost half of their population of ballplayers. Um, now the Northwest Mighty Mites, they pretty much did away with them and that's the fields we're on. So, to me it only makes sense that we should play on those fields if there's no team no more there. Um, another good reason, again, I'm so nervous. Another good reason, Coach Rob of the Northeast Mighty Mites passed away some times ago. The Northeast fields were renamed after this man, and to take those fields away from his own team, I don't think that's very respectful to Coach Rob. Um, let me see here. Um, see, I'm personally convinced that the only reason that Mr. Miday and the Recreation Department wanted to take our fields away from us is a vendetta is because Mr. Miday wanted to be on two Boards, control everything and he can't, he just can't do that, and I don't think it's right or very grown up to take our fields away because you can't sit on two Boards and control everything. Like I said, we would love to keep these fields. We keep a great deal of pride in these fields and it's basically all, about all I have. Okay. Thank you.

PRESIDENT PRO TEM CASAR: Thank you. The next speaker is John McKenna.

Mr. McKENNA: My name is John McKenna. I live at 1244 Concord SW, 44710. My main reason for being here, um, I've been a coach in the Mighty Mite League for the last 5 years. My son started coach pitch and I've



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been a coach all the way through. My main concern is the safety of the kids. Um, as the one mother, um, remarked on, the problems at the fields where the cops have been called, I too have been in those situations and was not impressed at all. When I went to Mr. Miday, and talked to him about these problems, and asked about someone from the Stearn Center or someone from the committee to show up at one of these fields for one of these games, um, he was, I was told, I would not be there, no one will be there. My safety is for my, not only for my son alone, but the kids that are on my team. Um, the gear, every year, gets worse and worse. I've personally bought bats, catcher's gear, catcher's gloves, baseballs. When you start the season, that they give you six baseballs and you're supposed to bring one game ball for every game and you play 12 games. The pictures. Every year I have complaints from the parents. Every year it's later and later. This year, our pictures were not taken until after the fourth or fifth game of the season. I'm sure you've all had kids. Their uniforms were stained, you know, and then, then when the parents get the pictures, it was at the end of the season. Parents want their buttons, to put, you know, for their children, so on and so forth and it just, to me does not seem like they care a whole lot. So, for that reason, my son will be going to the Mighty Mites, or, to the Little League next year, and I stayed with the Little League because I've been with them for so long. Dave Capalingo is a good friend of mine and when he told me about the Little League, I was a little skeptical and I wanted to stay with the Mighty Mites 'cuz that's where I've been and I was, I've been told every year, things are going to get better, we're gonna change things. You know, we're not gonna have these problems and this year by far, was probably the worst year. So, in closing that is why I will be taking my son over to the Little League next year. Thank you.

PRESIDENT PRO TEM CASAR: The next speaker is Raymond Cross.. Coss...

MR. COSS. That's Coss sir, Raymond Coss.

PRESIDENT PRO TEM CASAR: Thank you.

MR. COSS: 1309 Maryland Avenue SW. Um, just real quick, all of us that have spoken here, we've competed against each other two months ago. Now we've pulled together tonight for the better of the children. We have children in the back. They played ball against each other all year. They're still friends. Um, I'd just like to read something real quick. It's out of our handbook from Little League. This is the purpose of Little League Baseball and Softball. It says, better than any other youth sport activity, baseball and softball have become the thread that has sewn together a patchwork of nations and cultures around the world. I, myself played Little League in Bahran Saudia Arabia. So, I can attest to this. Little League baseball and softball are always willing to bring their people a sport that mirrors life itself. Baseball and softball embody the discipline of teamwork. They challenge players towards perfection of physical skills and bring into play the excitement of tactics and strategy. Excuse me. The very nature of baseball and softball also teach that while every player eventually strikes out or is on the losing team, or as a lot of the boys back there can tell you, be the final out in a game. There's always another chance for success and the next at-bat or a game. Millions of children on six continents in more than 80 countries can attest that baseball, softball and little league are synonymous. Little League is a heritage to be carried toward, forward, proudly in the future by every-increasing waves to those devoted to teaching children how to play and enjoy these great games. Little League is a program of, a program of service to youth. It is geared to provide an outlet of healthful activity and training under good leadership in the atmosphere of wholesome community participation. The movement is dedicated to helping children become good and decent citizens and inspires them with a goal and enriches their lives towards the day when they must take their places in the world. It establishes the values of teamwork, sportsmanship and fair play. Ah, another point that I would like to make, the Little League Organization offers baseball for 6 more years than Mighty Mites baseball does. We are inclined by Little League to offer 13 and 14 year old baseball, all the way up to 18 year old baseball. That's something that Mighty Mites, the League that is here in Canton now, does not offer

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and that's when, as some of us has said here, you know, help the children, that's when they get in trouble. When they run out of sports and things to do, you know, and we're here, I think we're planning, Frank would know for sure, but I think within the next 2 years to have 13, 14, 15 and 16 year old baseball here in Canton. Thank you.

PRESIDENT PRO TEM CASAR: The next speaker is Yolanda Walker.

MS. WALKER: Good afternoon Members of the Council, Mayor. Yolanda Walker, 2110 4<sup>th</sup> Street NE, Canton. I'm in Ms. Zachary, Councilman Zachary's ward. One of the things that I would like to talk about are the conditions of the field that my son played in. He played down at Riverside. One of the reasons my son was moved from Mighty Mites to Little League is because there was a dead groundhog on the pitcher's mound. The kids rolled it off, they rolled it in between 3<sup>rd</sup> base and home plate. It stayed there for another 3 days because the field had never been drug, the Rec center, the Recreation Department had never come down to see to the field. I went around, I took a video camera, a camcorder. I've been around and I camcordered every other field. The there, they never put a trash can down, we had rocks that the trojan hand-picked off the field. So, I moved my son from Mighty Mite to Little League where he could play on a decent field. It would have been different had the fields decent. As a result what has happened to my son is some of the people on traveling teams have seen him because he went to neighboring cities, they've seen him and he's had try-outs with the traveling team. So, he's gotten recognition that he would not have gotten had he stayed with Mighty Mites. I'm also here to tell you that my husband and I did coach Mighty Mites for about 7 years together, so, we love Mighty Mites, we grew up with Mighty Mites. I don't have a problem with Mighty Mites except for that they don't maintain their fields and they don't do background checks on their, on their coaches because about 2 years ago, there was about 5 of their coaches in the paper for selling drugs. This is the problem that we're having with Mighty Mites. Everyone is talking about the fields and I don't think it's about the fields. I think it's about the children, and I think that if you're gonna have leagues then you need to have responsible adults in control of those leagues, teaching those children, setting the example. Little League has done that for my son, and really, basically, that's all I'm here for is to talk about the benefit of Little League, the children. Thank you.

PRESIDENT PRO TEM CASAR: Thank you. The next speaker is Marilyn Can der on, Caneron? Is she in the audience? Marion Canda...Marilyn Camderon? Cameron? Is that how you say it? Two comments, it doesn't look like Cameron to me and number two, you didn't put your address down.

MS. CAMERON: I'll be glad to share that. Thank you. My name is Mary Ellen Hess Cameron and my address is 8019 Glendevan Street NW in Massillon, Ohio. I had hoped to be here. I am the Executive Director of I-Can and I-Can is involved in a housing program planned for 1220 9<sup>th</sup> Street, 1313 12<sup>th</sup> Street and 1323 12<sup>th</sup> Street and I had hoped to be here tonight for a discussion of that program. Instead, I am here to express my disappointment that I-Can's project is not on the agenda. The buildings in this project have been a burden to this city. The two on 12<sup>th</sup> Street have been vacant for more than a year. The building on 9<sup>th</sup> Street did not pass building code inspections until I-Can demanded it as a condition of the sale. Neighbors have told us as many as 11 people live in one, 2-bedroom apartment in that building. It is dirty and run-down. No other buyer looked at any of these buildings in over a year. There is no evidence any one else would buy them. There's certainly no evidence that any one wants to invest in them like I-Can plans. They can see it attracts crime and vandalism. Empty buildings can hide drug activity and prostitution. I-Can can change this by renovating and occupying this buildings, and let's talk about the funds generated by this project. The city received over \$14,000 in back taxes in assessments when I-Can bought the buildings on 12<sup>th</sup> Street. They were on the foreclosure list of those debts which, I'm not familiar with foreclosure, but I would assume this would cost the City more money. The project is using \$650,000 of federal money to buy and operate permanent supportive housing. The federal money the city gets to do economic and community development is shrinking every year. This grant brings some of

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that back to Canton. If I-Can is not able to complete this project, our community will loose that \$650,000 permanently from its HUD allocation. I-Can has asked for City Council to pass a Resolution supporting this project so that we can apply to the State for \$400,000 to renovate the buildings. Since the Resolution is not on the agenda tonight, our application will be weaker than it has to be and we might miss out on another source of money for our community. Renovated buildings improve other property values. They increase the attractiveness of our neighborhoods, renovations work, ah, provides work to trains people and contractors and local businesses that supply them. The buildings make housing available to people who want a safe place to live and displace the vandals. Canton has homeless people. In the 2006 point in time count.....

PRESIDENT PRO TEM CASAR: Madame Cameron, your, your, you expended your three minutes, would you please bring your remarks to a close?

MS. CAMERON: I will. I just want to point out that this, that these vacant deteriorating buildings are a problem. It's a problem when we miss the chance to engage people with mental illness to get the treatment that they need and I'm just here to say that I-Can and its clients are not the problem. We are a resource for the solution and I'm just asking that you re-consider our roll in this community the next time you're looking at solving the barrier to revitalizing downtown. Thank you.

PRESIDENT PRO TEM CASAR: The next and final speaker is Don Peterson.

MR. PETERSON: Don Peterson, 345 22<sup>nd</sup>. Street NW, Canton, 44709. What makes Little League unique with, from all the other little leagues or the youth baseball is its affiliation with, um, Williamsport, and the opportunity to play, the opportunity to play for the right, for the national championship or the Little League World Series in Williamsport? I think that, ah, the exposure that that could possibly bring, a community like Canton would be really really nice and I think the talent is here to be able to do that. For me, I've, I've played in ah, um, my kids have played, I have a 6 year old and a 9 year old boy, we played in First Friends League. We had to drive north of North Canton on Market Avenue to play there. This is a matter for me of convenience. Ah, I live on 22<sup>nd</sup> Street. Kids are able to ride their bikes over for practice or whatever. It's a, it's easy access that we've met people that we've never would have had the opportunity to meet. I think the solution is really really easy. The simplest solution is that ultimately, I'd like to ask the Council to pass an ordinance which would allow a Canton Little League the ability to practice and play at Weiss Park, the same as we did last year. We are not against Mighty Mites, we just wanna share the field, just like we did last year; real easy and if, ah, we're able to do that, I think, I think everybody would be happy in this room. Thank you.

**MISCELLANEOUS BUSINESS**

PRESIDENT PRO TEM CASAR: We are now under Miscellaneous Business. Is there any Miscellaneous Business?

MEMBER SMUCKLER: Mr. President.

PRESIDENT PRO TEM CASAR: First, First of all, I'm gonna, first of all, I'm gonna recognize myself, if you don't mind, if I might.

MEMBER SMUCKLER: Oh, okay. You've got that right.

PRESIDENT PRO TEM CASAR: Yeah, that's right. First of all, I, I appreciate the, ladies and gentlemen, coming down here, speakin' tonight in regards to Little League and Mighty Mites, the concerns you have with

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the fields. But first of all, this is not the venue you should, you shouldn't...we have no control over who designates fields, who plays on them, who maintains them and so forth and etc. This is the Recreation Board which are 5 members. Three members are appointed by the Mayor and, and those, confirmed by Council and 2 members of the School Board. I served on this Recreation Board for 8 years. I think I know their inter-winds and workings of it and whenever we had a problem in regards to fields not being maintained or whatever, and there was notification given and it wasn't, it if was not done by the Recreation Department, the Board would act accordingly and make sure it was done. I kinda see that as a, a, a, scrabble between a new league that wants to start up and a league that's been here for many years. I played Little League 53 years ago. I know. I know what Little League was and is and can be in this community. But, you also gotta remember that you're a new league, you just started up, Mighty Mites been in this, been active in this city for many many years. They've worked hard to develop Weiss Park and, you know, it's just like anything else, you gotta pay your dues and, and hopefully, in the near future, you will, and I'm sure if Weiss Park isn't available, ah, ah, Harmont Park, which I drove it today, I saw the three fields there, I think with some improvements, it will be a Class A facility just like Weiss is, but that's in the future, for development and if people that are involved in Little League would get involved behind, like the Mighty Mite people did and Mr. Miday has no say what, who uses what fields in the City of Canton. He runs the Mighty Mite but he does not control those fields. They are controlled by the Recreation Board and also the Recreation Department. I just wanna make that, that clear. So, I think that basically the argument here is ah, the fields are not up to standards, you like the Weiss Park verses Harmont Park because the facility is a Class A facility, you have a, a, refreshment stand and so forth etc. But, they didn't have those when they first started years ago either. That came with time and if, and if, and if you are sincere and wanna get this league going from 7 teams to more teams, try and, and work with the Recreation Board and try to make a, Monument Park for instance, your ho... home field and your, your facility and bring it up to Class A facility and I think that could be done. Or, also, we have two new fields that should be ready for play next year which is the old city fields. So, there are adequate fields and I could tell ya, I traveled all over and, and, the City of Canton has good fields and they are maintained. This is the time of year when the fields obviously are now, they're puttin' the clay on it and re-dressin' them and so forth. And, in my final statement, I'd like to make if I might, I would think that this should may be mediated, ah, a mediator should be in effect with this and, and I would recommend it. Joe Martuccio, our Law Department, Nadine from the Rec Board, the Rec Department I should say, the Rec Board or their Representative, a Little League Board or their Representative, the same thing with the Mighty Mite League, they get together and invite Dave Miday also because I feel that he doesn't have the control that you people think he has and I just wanna let you know, but on the same token, we don't have the control that you think we have either. Ah, I think Member Smuckler was next.

MEMBER SMUCKLER: Couple questions for the Law Director. Mr. Law Director, um, I had a discussion last week with Councilman Casar when this was all taking place and I got invited to this meeting. Question: by law, the Rec Board determines who's going to use these fields, is that correct?

LAW DIRECTOR MARTUCCIO: Mr. President.

PRESIDENT PRO TEM CASAR: Member Martuccio, I mean, Martuccio, Law Director Martuccio.

LAW DIRECTOR MARTUCCIO: Member Smuckler. The answer to that is mostly yes. Um, if I can for a minute.

MEMBER SMUCKLER: Please.

LAW DIRECTOR MARTUCCIO: Let me talk in plain English and say the nice stuff first, and then move into the legal stuff, as, as well as I can. I would echo Member Casar's remarks that all of you must love your children

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dearly to come here to, to bring up the courage to speak publicly, which is a scary thing for a lot of folks. You care about your kids and you care about sports, that's obvious. You've come up with a remedy that you brought to this Council. Unfortunately, that remedy won't work. You've asked that this Council pass an ordinance mandating that certain fields be used. As we've discussed in various individual matters here in Council, this is a legislative body. The powers are given to them. They are begotten, begotten by the State Code. They have the right to delegate the existence of the Recreation Board, under State Law, and their local codified ordinances and they have done that. They have delegated the control of Recreational activities to a recreational board which is separately funded by a levy, not entirely by city funds and it's sorta a highbred. It's really not a city department per say, even though they're located in the city's facility, they are, again, independently, funded and as Member Casar mentioned, their Board is made up of people who serve for 5 years, 3 appointed by the Mayor and Council and 2 by the School Board, 2 years. Um, someone also alleged that there was discrimination here between the leagues and that may be. There may be some rivalry here and unfortunately, you've gone from a top Cadillac to kind of a run-down Cavalier in your description of the fields. Um, discrimination in a legal way, or a constitutional way, only applies if you've been discriminated against, or hurt, on the basis of a constitutionally protected category like race, or gender or religion. Um, not necessarily because you're both non-profits and one is being treated better than another in your opinion. Um, I would echo Member Casar's observations earlier that you have brought some concerns before us as city Administrators and legislators, who by the way, the City's Council job is only to legislate, not administer day to day functions of the department that it over-see and again, this doesn't, Council doesn't over-see the Recreation Department. So, bringing these concerns about the shape of the fields here is, is good. You're going to obviously get some good publicity from it. I would echo the recommendations to mediate. Many of you don't understand the process, um, between arbitration, mediation, and conciliation cuz they all sound the same but in mediation, which I understand, as a certified mediator, a true neutral, and we have a center here in town, that is dedicated to resolving community issues, a true neutral, hears the issues that the sides raise, lets them vent, lets them identify the issues and tries to guide them gently into solutions that they come up with and they can agree to that they own. Um, I highly recommend that, I, I would like to help initiate that process. I know Mr. President has says so. I believe the Mayor would echo it. That may be a solution short of getting your money together to hire an attorney and trying to litigate this thing. So, to sum up in a very long way, your answer, we can't pass an ordinance to remedy this.

MEMBER SMUCKLER: I never asked that question. Member Casar.

PRESIDENT PRO TEM CASAR: Yes Member Smuckler.

MEMBER SMUCKLER: After this meeting's over, can you meet with this group before they leave tonight, Law Director?

LAW DIRECTOR MARTUCCIO: Yes.

MEMBER SMUCKLER: Thank you.

MEMBER CARBENIA: Mr. Casar. Mr. President.

PRESIDENT PRO TEM CASAR: Member Smuck... Member Carbenia.

MEMBER CARBENIA: Also, I'd, I hear some rumblings in here. That park is in my ward. I don't know why, as they did last year, ah, supposedly, they alternated the dates on the, on the games and, ah, ah, I don't see why we should, they should be able to continue to do that, especially all the work they did do there. That places has been maintained pretty good. Um, I, I know that I was involved in coaching and different things when I was

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young, and my sons did T coaching and that, that ultimate thing is for the children not for everybody else. I don't care what any guy says, and I want the children to have the best chance to play together, to play against other people, learn how to inner mingle, learn how to get along with people and in a safety environment. Some times things happen but, I, I would hope that you would meet with them Joe, Mr. Martuccio, and help guide them into what we should be doing and if I, I'm ah, I'm also saying that I would like to help. I had a for elude that somebody gave me, Mr. Evans I think it was, and I read this stuff the other day and it's pretty thorough the way it's laid out and I think they spend a lot of time creatin' this league and I think the league helps kids and that's all I care about and I think that we need to do, help some if we can help as City Council, as the Law Department or any type of, any type of help that they can get to try to solve this issue, I'd be willing to help. (APPLAUSE)

PRESIDENT PRO TEM CASAR: Is there any other miscellaneous business?

MEMBER ZACHARY: Mr. President. Just a quick question cuz we're over here having side bars because I'm, I'm somewhat confused. I heard a couple of different things from different people so, um, it's my understanding that the City of Canton doesn't own the parks that are in disrepair. Is that true?

UNKNOWN: Correct.

MEMBER ZACHARY: Okay, so. If we appropriate funds to the Canton Recreation Board and if we appoint Board Members, shouldn't we have some input, as far as how these parks are up kept? I think it's deplorable that you have parks that kids can't play on and I just think there should be something that we should be able to have some influence over. I know we can't do an ordinance, but we should be able to do something. (APPLAUSE)

PRESIDENT PRO TEM CASAR: I just wanna say Member Zachary, we don't appropriate funds for the Recreation Department. They have their own levy.

MEMBER ZACHARY: So, if we don't appropriate funds, we have, we have input into their Board and we appoint members who are supposed to look after the City of Canton's best interest?

PRESIDENT PRO TEM CASAR: Exactly. Is there any other miscellaneous business?

MEMBER CARBENIA: If not, I move that we adjourn.

PRESIDENT PRO TEM CASAR: Motion to adjourn. Is there a second? Motion to adjourn has been seconded. Is there any.. No comments? Roll call please.

NO REMARKS

ROLL CALL: 11 YEAS, 0 NAYS

ADJOURNMENT TIME: 8:43 PM

ATTEST:

APPROVED:

CYNTHIA TIMBERLAKE  
CLERK OF COUNCIL

DONALD CASAR  
PRESIDENT PRO TEM OF COUNCIL

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