

MINUTES OF THE MEETING OF JANUARY 29, 2007

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

ROLL CALL TAKEN BY CLERK TIMBERLAKE:

12 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)

All COUNCILMEMBERS PRESENT

CLERK TIMBERLAKE: All present Mr. President.

PRESIDENT SCHULMAN: Thank you Madame Clerk. We'll have the invocation given tonight by Member Jim Griffin. Will you please remain standing for the pledge of allegiance.

The regular meeting of Canton City Council was held on Monday, January 29, 2007 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 Ward 3 Councilmember Jim Griffin, followed by the Pledge of Allegiance led by President Schulman.

AGENDA CORRECTIONS & CHANGES

PRESIDENT SCHULMAN: We are now under agenda corrections and changes. Members of Council, you're being asked suspend Rule 22A to add the second reading of Ordinances #17 through and including #29. Member Casar, the Chair will recognize that motion.

MEMBER CASAR: Mr. President. I move we suspend Rule 22A and replace Ordinances #17 through and including #29 on this evening's agenda; seconded.

PRESIDENT SCHULMAN: It's been moved and seconded to suspend Rule 22A to add seconding reading Ordinances #17 through and including #29 to this evening's agenda. Are there any remarks?... Hearing none, roll call vote please Madame Clerk.

NO REMARKS

ROLL CALL: 12 YEAS, 0 NAYS

CLERK TIMBERLAKE: Twelve yeas Mr. President.

PRESIDENT SCHULMAN: Thank you Madame Clerk. Rule 22A is suspended and the ordinances are a legal part of your agenda.

PUBLIC HEARINGS

PRESIDENT SCHULMAN: We're now under Public Hearings. There are no public hearings this evening.

PUBLIC SPEAKS

PRESIDENT SCHULMAN: We're now under Public Speaks on Ordinances and Resolutions for adoption. We

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have no speakers signed up this evening.

INFORMAL RESOLUTIONS

PRESIDENT SCHULMAN: We're now under Informal Resolutions. The Chair will recognize.....we don't have to. There is no motion to excuse any members, all members being present. Madame Clerk, please read Resolution #8 by title.

#8 COUNCIL AS A WHOLE: ADVISING OF ALTERNATIVE COUNCIL MEETING TO BE HELD ON ON FEBRUARY 5, 2007 AT 7:30 PM IN THE TIMKEN HIGH SCHOOL COMMONS AREA. - ADOPTED

MEMBER CASAR: Mr. President. I move we adopt Resolution #8; seconded.

PRESIDENT SCHULMAN: It's been moved and seconded to adopt Resolution #8. Are there any remarks?...

MEMBER CASAR: Mr. President. Ah...

PRESIDENT SCHULMAN: Yes, Member Casar.

MEMBER CASAR: The committee meetings will start at 5:30 which will be held over at Timken High School and the regular Council meeting will be afterwards at 7:30 in case anyone in the audience is wishing to come and they can park right at the Timken Commons Building on 4th Street.

PRESIDENT SCHULMAN: Any other remarks? I'd just like to say I'd like to thank City Council for ah, I'm premature, but I believe this will be adopted tonight and passed. I think, it's a wise idea to go out to our neighborhoods and visit our schools, the other great venues we have in this ah, City, and allow everyone to participate in our government.

MEMBER CASAR: Mr. President. If I may, again....

PRESIDENT SCHULMAN: Member Casar.

MEMBER CASAR: ... and I wanna personally and publicly thank the, our President, President Schulman because it was basically his idea that we take this show on the road and he worked with ah, R... J. R. Ranaldi who was President of the School Board to set this up and I also want to thank our Clerk, Cindy Timberlake and her office staff because they worked hard to get the microphones and recording and everything that has to be taken over there and they've done a great job on it. I want to personally thank them.

CLERK TIMBERLAKE: Thank you.

PRESIDENT SCHULMAN: Thank you. It's not as easy as it sounded when I thought of it, but ah....

CLERK TIMBERLAKE: I'll talk to you about that later (*LAUGHTER*)

PRESIDENT SCHULMAN: ...we have a, we have a, it will not be that but...it wasn't as easy as we thought and

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ah, Cindy and her staff deserve a great deal of credit, it's gonn be, I think it will be very enjoyable to get out of Council Chambers and go into the communities and talk to the, particularly next week when we talk to the students. So, the ah, there is a motion and a second to adopt Resolution #8. Any other remarks?... If not, those in favor signify by saying aye... Those opposed no... The Resolution has been adopted.

NO REMARKS

RESOLUTION #8 APPROVED BY UNANIMOUS VOICE VOTE

PRESIDENT SCHULMAN: Resolution #9 Madame Clerk.

#9 PERSONNEL COMMITTEE: REQUEST RE-APPOINTMENT OF CLINT ZOLLINGER TO THE FAIR EMPLOYMENT PRACTICES BOARD EFFECTIVE 1/1/07 THROUGH 12/31/ 09. - ADOPT

MEMBER CASAR: Mr. President.

PRESIDENT SCHULMAN: Member Casar.

MEMBER CASAR: I move we adopt Resolution #9; seconded.

PRESIDENT SCHULMAN: It's been moved and seconded to adopt Resolution #9. Any remarks?... Hearing none, all those in favor signify by saying aye... Those opposed no... Resolution #9 has been adopted.

NO REMARKS

RESOLUTION #9 APPROVED BY UNANIMOUS VOICE VOTE

PRESIDENT SCHULMAN: Madame Clerk, Resolution #10.

#10 WEST, THOMAS, WARD 2 COUNCILMEMBER & ZACHARY, KELLY, WARD 4 COUNCILMEMBER: EXTENDING SUPPORT FOR THE ABCD HOMES V. - ADOPTED

MEMBER CASAR: Mr. President.

PRESIDENT SCHULMAN: Member Casar.

MEMBER CASAR: I move we adopt Resolution #10; seconded.

PRESIDENT SCHULMAN: It's been moved and seconded to adopt Resolution #10. Are there any remarks?... Hearing none, all those in favor say aye... All those opposed no... Hearing none, Resolution #10 has been adopted. The Chair will recognize a motion to... oh, I'm sorry. Madame Clerk, will you read #11 by title.

#11 ZACHARY, KELLY, WARD 4 COUNCILMEMBER: EXTENDING SUPPORT TO THE PROPOSED HOUSING CREDIT APPLICATION OF CANTON SENIOR APARTMENTS I, LLC FOR AN APARTMENT DEVELOPMENT LOCATED IN CENSUS TRACT #7023, WEST OF 25TH ST & DONALD AVENUE SW TO BE KNOWN AS SOUTHGATE VILLAGE. - ADOPTED

MEMBER CASAR: Mr. President.

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PRESIDENT SCHULMAN: Member Casar.

MEMBER CASAR: I move we adopt Resolution #11; seconded.

PRESIDENT SCHULMAN: It's been moved and seconded to adopt Resolution #11. Any remarks?... Hearing none, all those in favor say aye... All those opposed say no... Resolution #11 has been adopted.

NO REMARKS

RESOLUTION #11 APPROVED BY UNANIMOUS VOICE VOTE

COMMUNICATIONS

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

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 JANUARY 29, 2007.

54. CD & PLANNING DIRECTOR POORMAN, CITY OF CANTON: AUTHORIZE THE ACCEPTANCE OF PARCEL #02-15796 AND PARCEL #02-39460. - COMMUNITY & ECONOMIC DEVELOPMENT CMTE
55. CD & PLANNING DIRECTOR POORMAN, CITY OF CANTON: AUTHORIZE THE ACCEPTANCE OF PARCEL #02-29243 AS A DONATION. - COMMUNITY & ECONOMIC DEVELOPMENT CMTE
56. CD & PLANNING DIRECTOR POORMAN, CITY OF CANTON: AUTHORIZE THE ACCEPTANCE OF PARCEL #02-39677 AS A DONATION. - COMMUNITY & ECONOMIC DEVELOPMENT CMTE
57. LIQUOR CONTROL DIVISION, STATE OF OHIO: REQUEST TRANSFER OF OWNERSHIP OF D5 LIQUOR PERMIT FR: LUNA GRILLE INC @ 228 4TH ST NW TO ANGUS M MCINTOSH SR. - INTERGOVERNMENTAL & PUBLIC SERVICE CMTE
58. SERVICE DIRECTOR CONCATTO, CITY OF CANTON: AUTHORIZE A SUPPLEMENTAL APPROPRIATION OF \$4,616.34 FR: UNAPPROPRIATED BALANCE OF 4501 CAPITAL IMPROVEMENT FUND TO: 4501 20-20-01 75812 OTHER CONTRACTORS FOR THE REPAIR OF DAMAGES TO THE PARK FACILITIES @ MAHONING RD & 14TH ST NE. - FINANCE CMTE

ORDINANCES & FORMAL RESOLUTIONS FOR FIRST READING

PRESIDENT SCHULMAN: We are now under Ordinances and Formal Resolutions for the first reading. Let the journal show that all ordinances are being given their readings as required by State Law. Madame Clerk, please read the first reading ordinances by title.

NOTE: PRESIDENT SCHULMAN CALLED UPON CLERK TIMBERLAKE TO READ ORDINANCES #1 THROUGH #15 FOR THE FIRST TIME BY TITLE & ANNOUNCED THE COMMITTEE REFERRAL, AS FOLLOWS.

#1 (1ST RDG) AN ORDINANCE AUTHORIZING THE MAYOR OR DIRECTOR OF PUBLIC

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SERVICE TO ENTER INTO CONTRACT WITH BROWNFIELD RESTORATION GROUP IN AN AMOUNT NOT TO EXCEED \$284,733.00 FOR PHASE II ASSESSMENT WORK AT THE FORMER HERCULES ENGINE SITE; AND DECLARING THE SAME TO BE AN EMERGENCY

Referred to Finance Committee

#2 (1ST RDG) AN ORDINANCE APPROVING A 3-YR COLLECTIVE BARGAINING AGREEMENT BETWEEN THE CITY OF CANTON & AFSCME LOCAL 3449/OH COUNCIL 8; AND DECLARING THE SAME TO BE AN EMERGENCY

Referred to Personnel Committee

#3 (1ST RDG) AN ORDINANCE AMENDING SECTIONS 151.07, 151.08, 151.09, 151.12, 151.13, 151.14 & 151.26 & REPEALING SECTIONS 151.091 & 151.092 OF CHAPTER 151, EMPLOYMENT PROVISIONS, OF THE CODIFIED ORDINANCES OF THE CITY OF CANTON; AND DECLARING THE SAME TO BE AN EMERGENCY

PRESIDENT SCHULMAN: Would you mind reading that again please? (*LAUGHTER*) That will be referred to the Personnel Committee. Just kidding. I wasn't sure which 1.5163 that was....

#4 (1ST RDG) AN ORDINANCE AMENDING EXHIBIT A TO ORDINANCE NO 164/2001, AS AMENDED, THE CLASSIFICATION PLAN & SALARIES FOR ALL MANAGEMENT & NON-BARGAINING UNIT EMPLOYEES OF THE CITY OF CANTON; AND DECLARING THE SAME TO BE AN EMERGENCY

Referred to Personnel Committee

#5 (1ST RDG) AN ORDINANCE AMENDING EXHIBIT B TO ORDINANCE NO 164/2001, AS AMENDED, THE CLASSIFICATION PLAN & SALARIES FOR ALL MANAGEMENT & NON-BARGAINING UNIT EMPLOYEES OF THE CITY OF CANTON; AND DECLARING THE SAME TO BE AN EMERGENCY

Referred to Personnel Committee

#6 (1ST RDG) AN ORDINANCE APPROVING & ACCEPTING THE REPLATTING OF PARTS OF LOT 37589 & OUTLOT 850; AND DECLARING THE SAME TO BE AN EMERGENCY

Referred to Public Safety & Thoroughfares Committee

#7 (1ST RDG) AN ORDINANCE APPROVING & ACCEPTING THE REPLATTING OF LOTS 26501, 26502 & 26503; AND DECLARING THE SAME TO BE AN EMERGENCY

Referred to Public Safety & Thoroughfares Committee

#8 (1ST RDG) AN ORDINANCE APPROVING & ACCEPTING THE REPLATTING OF OUTLOT 1013; AND DECLARING THE SAME TO BE AN EMERGENCY

Referred to Public Safety & Thoroughfares Committee

#9 (1ST RDG) AN ORDINANCE AMENDING APPROPRIATION ORDINANCE NO. 241/2006, AS

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AMENDED IS AMENDED BY MAKING THE SUPPLEMENTAL APPROPRIATIONS HEREIN DESCRIBED; AND DECLARING THE SAME TO BE AN EMERGENCY

Referred to Finance Committee

- #10 (1ST RDG) AN ORDINANCE AUTHORIZING THE DIRECTOR OF PUBLIC SAFETY TO ENTER INTO A LEASE AGREEMENT WITH PHIL CAPRI FOR THE LEASE OF PROPERTY LOCATED AT 903 12TH STREET NW; AND DECLARING THE SAME TO BE AN EMERGENCY

Referred to Public Property Capital Improvement & Finance Committees

- #11 (1ST RDG) AN ORDINANCE AUTHORIZING THE CITY AUDITOR TO PAY A MORAL OBLIGATION IN AN AMOUNT NOT TO EXCEED \$3,308.38 TO PET SUPPLIES PLUS; AND DECLARING THE SAME TO BE AN EMERGENCY

Referred to Finance Committee

- #12 (1ST RDG) AN ORDINANCE AUTHORIZING THE DIRECTOR OF PUBLIC SERVICE TO ADVERTISE, RECEIVE BIDS & ENTER INTO CONTRACT FOR THE EXTENSION OF WATER MAINS INTO OSNABURG TOWNSHIP; AUTHORIZING THE MAYOR OR DIRECTOR OF PUBLIC SERVICE TO APPLY FOR & ENTER INTO A CONTRACT WITH THE OHIO WATER DEVELOPMENT AUTHORITY FOR A LOAN IN THE AMOUNT OF \$1,967,781; AUTHORIZING THE DIRECTOR OF PUBLIC SERVICE OR DESIGNEE TO ENTER INTO THREE LICENSE AGREEMENTS WITH WHEELING & LAKE ERIE RAILWAY COMPANY FOR A LUMP SUM OF \$16,800; AUTHORIZING THE AUDITOR TO ESTABLISH THE 5224 OSNABURG WATER MAIN EXTENSION FUND; AMENDING SUPPLEMENTAL APPROPRIATION NO. 241/2006, AS AMENDED; AND DECLARING THE SAME TO BE AN EMERGENCY

Referred to Environmental & Public Utilities Committee

- #13 (1ST RDG) AN ORDINANCE AUTHORIZING THE DIRECTOR OF PUBLIC SERVICE TO ENTER INTO CHANGE ORDER #1 WITH GROUND TECH, CORP. IN AN AMOUNT NOT TO EXCEED \$13,646.00 FOR THE WPCC BIOFILTER MEDIA REPLACEMENT PROJECT; AMENDING APPROPRIATION ORDINANCE NO 241/2006, AS AMENDED BY MAKING THE SUPPLEMENTAL APPROPRIATION HEREIN DESCRIBED; AND DECLARING THE SAME TO BE AN EMERGENCY

Referred to Finance Committee

- #14 (1ST RDG) AN ORDINANCE AUTHORIZING THE DIRECTOR OF PUBLIC SERVICE TO ENTER INTO CONTRACT WITH MITY-LITE, INC IN A TOTAL AMOUNT NOT TO EXCEED \$58,616.00 FOR THE PURCHASE OF FOLDING CHAIRS, STACKING CARTS & STACKING BASES FOR THE CANTON MEMORIAL CIVIC CENTER; AND DECLARING THE SAME TO BE AN EMERGENCY

Referred to Finance Committee

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- #15 (1ST RDG) AN ORDINANCE AUTHORIZING THE DIRECTOR OF PUBLIC SERVICE TO ENTER INTO A CONTRACT WITH MOTTER & MEADOWS ARCHITECTS IN AN AMOUNT NOT TO EXCEED \$56,600.00 FOR ARCHITECTURAL/ENGINEERING SERVICES FOR THE COLLECTION SYSTEMS DEPARTMENT; AND DECLARING THE SAME TO BE AN EMERGENCY
Referred to Finance Committee

ORDINANCES & FORMAL RESOLUTIONS FOR SECOND READING

PRESIDENT SCHULMAN: Thank you Madame Clerk. We are now under Ordinances for their second reading. Madame Clerk, will you please read Ordinances #17 through #29 by title. It's my understanding that Ordinance #16 will be held in Committee.

NOTE: PRESIDENT SCHULMAN CALLED UPON CLERK TIMBERLAKE TO READ ORDINANCES #17 THROUGH #29 FOR THEIR SECOND TIME BY TITLE AS REQUIRED BY STATE LAW, AS FOLLOWS. ORDINANCE #16 WAS RETAINED IN COMMITTEE ONCE AGAIN. ORDINANCES #21, 22, 28 & 29 WERE ADOPTED ON THEIR SECOND READING WITH ORDINANCE #22 BEING ADOPTED AS AMENDED.

- #16 (2ND RDG) **RETAINED IN COMMITTEE**
- #17 (2ND RDG) AN ORDINANCE AUTHORIZING THE MAYOR OR DIRECTOR OF PUBLIC SERVICE TO ENTER INTO A JOB CREATION TAX INCENTIVE & NET PROFITS INCENTIVE AGREEMENTS WITH LITTLE CHICAGO INVESTMENTS, INC., DBA LITTLE CHICAGO BISTRO PURSUANT TO THE CITY'S ECONOMIC GROWTH INITIATIVE PROGRAM; AND DECLARING THE SAME TO BE AN EMERGENCY.
- #18 (2ND RDG) AN ORDINANCE AUTHORIZING THE MAYOR AND/OR SERVICE DIRECTOR TO FILE AN APPLICATION TO THE STATE OF OHIO TO PARTICIPATE IN THE CLEAN OHIO REVITALIZATION FUND, APPLY FOR FINANCIAL ASSISTANCE & ADMINISTER THE FUNDS RECEIVED FOR THE HERCULES PROJECT; AND DECLARING THE SAME TO BE AN EMERGENCY.
- #19 (2ND RDG) AN ORDINANCE AUTHORIZING THE MAYOR AND/OR SERVICE DIRECTOR TO FILE AN APPLICATION TO THE STATE OF OHIO TO PARTICIPATE IN THE CLEAN OHIO REVITALIZATION FUND, APPLY FOR FINANCIAL ASSISTANCE & ADMINISTER THE FUNDS RECEIVED FOR THE BISON PROJECT; AND DECLARING THE SAME TO BE AN EMERGENCY.
- #20 (2ND RDG) AN ORDINANCE AUTHORIZING THE MAYOR OR DIRECTOR OF PUBLIC SERVICE TO ENTER INTO JOB CREATION TAX INCENTIVE & NET PROFITS INCENTIVE AGREEMENTS WITH REM COMMERCIAL PURSUANT TO THE CITY'S ECONOMIC GROWTH INITIATIVE PROGRAM; AND DECLARING THE SAME TO BE AN EMERGENCY.
- #21 (2ND RDG) **ADOPTED AS ORDINANCE #8/2007** AN ORDINANCE AMENDING EXHIBIT

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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.

PRESIDENT SCHULMAN: Member Casar.

MEMBER CASAR: Mr. President. I move the Statutory Rules be suspended on Ordinance #21; seconded.

PRESIDENT SCHULMAN: It's been moved and seconded to suspend the Statutory Rules and dispense with the 3 readings of Ordinance #21. Are there any remarks?... Hearing none, roll call vote please Madame Clerk.

CLERK TIMBERLAKE: Twelve yeas Mr. President.

NO REMARKS

ROLL CALL: 12 YEAS 0 NAYS

PRESIDENT SCHULMAN: Thank you Madame Clerk. You've heard the 3 readings Member Casar.

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

PRESIDENT SCHULMAN: It's been moved and seconded that you adopt Ordinance #21. Are there any remarks under this Ordinance?... Hearing none, roll call vote please Madame Clerk.

CLERK TIMBERLAKE: Twelve yeas Mr. President.

NO REMARKS

ROLL CALL: 12 NAYS 0 NAYS

PRESIDENT SCHULMAN: Ordinance #21 is adopted.

#21 ADOPTED AS ORDINANCE 8/2007

#22 (2ND RDG) **ADOPTED AS AMENDED AS ORDINANCE 9/2007** AN ORDINANCE APPROVING A 3 YR. COLLECTIVE BARGAINING AGREEMENT BETWEEN THE CITY OF CANTON & AFSCME LOCAL 2937/OHIO COUNCIL 8; AND DECLARING THE SAME TO BE AN EMERGENCY.

MEMBER CASAR: Mr. President.

PRESIDENT SCHULMAN: Member Casar.

MEMBER CASAR: I move the Statutory Rules be suspended on Ordinance #22; seconded.

PRESIDENT SCHULMAN: It's been moved and seconded to suspend the Statutory Rules and move to dispense with the 3 readings of Ordinance #22. Are there any remarks?... If not, roll call vote please Madame Clerk.

CLERK TIMBERLAKE: Twelve yeas Mr. President.

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NO REMARKS:

ROLL CALL: 12 YEAS 0 NAYS

PRESIDENT SCHULMAN: You've heard the 3 readings Member Casar.

MEMBER CASAR: Mr. President. I move we adopt Ordinance #22; seconded.

MEMBER DOUGHERTY: Point of order.

PRESIDENT SCHULMAN: Member..... I'm sorry. Oh yes, Member Dougherty.

MEMBER DOUGHERTY: Was there an amendment with this Ordinance?

MEMBER CASAR: It's after we move to adopt.

PRESIDENT SCHULMAN: Are there any motions, Member Casar?

MEMBER CASAR: Mr. President. I move we amend Ordinance #22 per exhibit that all Councilpersons have in front of them; seconded.

PRESIDENT SCHULMAN: It's been moved and seconded to amend the ordinance per copy before each of you. Are there any remarks?... If not, by voice vote, all those in favor signify by saying aye... Those opposed no...

NO REMARKS

AMENDMENT APPROVED BY UNANIMOUS VOICE VOTE

PRESIDENT SCHULMAN: Hearing none, the question you're now voting on is the ordinance as adopted. Are there any remarks under this ordinance as adopted... as amended, I'm sorry... Hearing none, roll call vote please, Madame Clerk.

CLERK TIMBERLAKE: Twelve yeas Mr. President.

NO REMARKS

ROLL CALL: 12 YEAS 0 NAYS

PRESIDENT SCHULMAN: Ordinance #22 is adopted.

#22 ADOPTED AS ORDINANCE 9/2007

#23 (2ND RDG) AUTHORIZING THE DIRECTOR OF PUBLIC SAFETY TO ACCEPT A DONATION TO ASSIST IN THE PURCHASE OF WATER RESCUE EQUIPMENT AND AMENDING APPROPRIATION ORDINANCE #241/2006, AS AMENDED BY MAKING THE SUPPLEMENTAL APPROPRIATION HEREIN DESCRIBED; AND DECLARING THE SAME TO BE AN EMERGENCY.

#24 (2ND RDG) AN ORDINANCE AUTHORIZING THE DIRECTOR OF PUBLIC SAFETY TO ENTER INTO CONTRACT WITH BURGESS AMBULANCE SALES, INC., & ROAD RESCUE, INC., FOR THE PURCHASE OF A MEDIC UNIT AND/OR RELATED EQUIPMENT PURSUANT TO OHIO REVISED CODE SECTION 125.04; AND DECLARING THE SAME TO BE AN EMERGENCY.

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- #25 (2ND RDG) AN ORDINANCE AUTHORIZING THE DIRECTOR OF PUBLIC SERVICE AND SAFETY TO ADVERTISE, RECEIVE BIDS & ENTER INTO CONTRACT FOR SUPPLY ITEMS, MATERIALS & PROFESSIONAL SERVICES FOR THE CITY OF CANTON'S OPERATIONS DURING THE 2007 CALENDAR YEAR; AUTHORIZING ALTERNATIVELY THE PURCHASE OF SAID ITEMS PURSUANT TO THE STATE COOPERATIVE PURCHASING AGREEMENT AND/OR ODOT PURCHASING AGREEMENT; AND DECLARING THE SAME TO BE AN EMERGENCY
- #26 (2ND RDG) AN ORDINANCE AUTHORIZING THE DIRECTOR OF PUBLIC SERVICE TO ENTER INTO CONTRACT WITH THE CANTON JOINT RECREATION DISTRICT FOR FIELD MAINTENANCE AT THURMAN MUNSON MEMORIAL STADIUM; AND DECLARING THE SAME TO BE AN EMERGENCY.
- #27 (2ND RDG) AN ORDINANCE AMENDING APPROPRIATION ORDINANCE 241/2006, AS AMENDED BY MAKING THE SUPPLEMENTAL APPROPRIATION HEREIN DESCRIBED; AND DECLARING THE SAME TO BE AN EMERGENCY
- #28 (2ND RDG) **ADOPTED AS ORDINANCE 10/2007** AN ORDINANCE AUTHORIZING THE DIRECTOR OF PUBLIC SERVICE TO ENTER INTO PROFESSIONAL SERVICES CONTRACTS FOR HEALTH CARE BENEFITS ADMINISTRATION & STOP-LOSS INSURANCE FOR CITY EMPLOYEES & THEIR DEPENDENTS; AND DECLARING THE SAME TO BE AN EMERGENCY

MEMBER CASAR: Mr. President.

PRESIDENT SCHULMAN: Member Casar.

MEMBER CASAR: I move the Statutory Rules be suspended on Ordinance #28; seconded.

PRESIDENT SCHULMAN: It's been moved and seconded to suspend the Statutory Rules on Ordinance #28 and dispense with the 3 readings of Ordinance #28. Are there any remarks?... Hearing none, roll call vote please.

CLERK TIMBERLAKE: Twelve yeas Mr. President.

NO REMARKS

ROLL CALL: 12 YEAS 0 NAYS

PRESIDENT SCHULMAN: You've heard the 3 readings Member Casar.

MEMBER CASAR: Mr. President. I move we adopt Ordinance #28; seconded.

PRESIDENT SCHULMAN: It's been moved and seconded to adopt Ordinance #28. Any remarks?... If not, Madame Clerk, roll call vote please.

NO REMARKS

ROLL CALL: 12 YEAS 0 NAYS

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PRESIDENT SCHULMAN: Ordinance #28 has been adopted. **#28 ADOPTED AS ORDINANCE 10/2007**

#29 (2ND RDG) **ADOPTED AS ORDINANCE 11/2007** AN ORDINANCE AUTHORIZING THE MAYOR OR ANNEXATION DIRECTOR ON BEHALF OF THE CITY TO FILE AN AMENDED MAP AND COOPERATIVE ECONOMIC DEVELOPMENT AGREEMENT IN PREVIOUSLY FILED ANNEXATIONS AND/OR TO RE-FILE AN EXPEDITED ANNEXATION; AND DECLARING THE SAME TO BE AN EMERGENCY

MEMBER CASAR: Mr. President.

PRESIDENT SCHULMAN: Member Casar.

MEMBER CASAR: I move we adopt Ordinance #2....no.. I move the Statutory Rules be suspended on Ordinance #29; seconded.

PRESIDENT SCHULMAN: It's been moved and seconded to suspend the Statutory Rules on Ordinance #29 and dispense with the 3 readings of Ordinance #29. Are there any remarks?... If not, roll call vote please.

CLERK TIMBERLAKE: Twelve yeas Mr. President.

NO REMARKS

ROLL CALL: 12 YEAS 0 NAYS

PRESIDENT SCHULMAN: Thank you Madame Clerk. You've heard the three readings Member Casar.

MEMBER CASAR: Mr. President. I move we adopt Ordinance #29; seconded.

PRESIDENT SCHULMAN: It's been moved and seconded that you adopt Ordinance #29. Are there any remarks under this ordinance?... If not, roll call vote please Madame Clerk.

CLERK TIMBERLAKE: Twelve yeas Mr. President.

NO REMARKS

ROLL CALL: 12 CALLS 0 NAYS

PRESIDENT SCHULMAN: Ordinance #29 is adopted. **#29 ADOPTED AS ORDINANCE 11/2007**

ORDINANCES & FORMAL RESOLUTIONS FOR THIRD AND FINAL READING

PRESIDENT SCHULMAN: We are now under Ordinances for their third reading, the third and final reading. Madame Clerk, please read Ordinance #30 by title.

NOTE: PRESIDENT SCHULMAN CALLED UPON CLERK TIMBERLAKE TO READ THE FOLLOWING ORDINANCES #30 THROUGH #33 FOR THEIR THIRD AND FINAL READING BY TITLE AS REQUIRED BY STATE LAW, AS FOLLOWS. ALL THE ORDINANCES WERE ADOPTED BY COUNCIL FOLLOWING THEIR THIRD READING.

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#30 (3RD RDG) **ADOPTED AS ORDINANCE 12/2007** AUTHORIZING THE DIRECTOR OF PUBLIC SAFETY TO ACCEPT A DONATION TO DONATION TO ASSIST IN THE PURCHASE OF WATER RESCUE EQUIPMENT; AMENDING APPROPRIATION ORDINANCE #241/2006 BY MAKING THE SUPPLEMENTAL APPROPRIATION HEREIN DESCRIBED; AND DECLARING THE SAME TO BE AN EMERGENCY

MEMBER CASAR: Mr. President.

PRESIDENT SCHULMAN: The Chair will recognize the motion. Member Casar.

MEMBER CASAR: I move .we adopt Ordinance #30; seconded.

PRESIDENT SCHULMAN: It's been moved and seconded to adopt Ordinance #30, are there any remarks?... If not, Madame Clerk, roll call vote please.

CLERK TIMBERLAKE: Twelve yeas Mr. President.

NO REMARKS

ROLL CALL: 12 YEAS, 0 NAYS

CLERK TIMBERLAKE: Twelve yeas Mr. President.

PRESIDENT SCHULMAN: Ordinance #30 is adopted.

#30 ADOPTED AS ORDINANCE 12/2007

#31 (3RD RDG) **ADOPTED AS AMENDED AS ORDINANCE 13/2007** AN ORDINANCE AMENDING SECTIONS 921.01, 921.02, 921.03 AND 921.06 OF CHAPTER 921, CITYSCAPES SIDEWALK AND CURB PROGRAM OF THE CODIFIED ORDINANCES OF THE CITY OF CANTON

PRESIDENT SCHULMAN: Member Casar.

MEMBER CASAR: Mr. President. I move that we adopt Ordinance #31; seconded.

PRESIDENT SCHULMAN: It's been moved and seconded to adopt Ordinance #31. Member Casar.

MEMBER CASAR: Mr. President. I move we amend Ordinance #31 per the copy that all Councilpersons have in front of them; seconded.

PRESIDENT SCHULMAN: It's been moved and seconded to amend the ordinance per the copy before each of you. Are there any remarks?... If not, by voice vote, all those in favor signify by saying aye. Those opposed...

NO REMARKS

AMENDMENT APPROVED BY UNANIMOUS VOICE VOTE

PRESIDENT SCHULMAN: The ayes have it. The question you're now voting on is the ordinance as amended. Are there any remarks under this ordinance as amended?... Hearing no remarks, roll call vote please.

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CLERK TIMBERLAKE: Twelve yeas Mr. President.

NO REMARKS

ROLL CALL: 12 YEAS, 0 NAY

CLERK TIMBERLAKE: Twelve yeas Mr. President.

PRESIDENT SCHULMAN: Thank you Madame Clerk. Ordinance #31, as amended, has been adopted. Ordinance 32 please. **#31 ADOPTED AS AMENDED AS ORDINANCE 13/2007**

#32 (3RD RDG) **ADOPTED AS ORDINANCE 14/2007** AN ORDINANCE AUTHORIZING THE DIRECTOR OF PUBLIC SERVICE TO ENTER INTO A ROAD MAINTENANCE AGREEMENT WITH THE STARK COUNTY COMMISSIONERS; AND DECLARING THE SAME TO BE AN EMERGENCY

MEMBER CASAR: Mr. President.

PRESIDENT SCHULMAN: Member Casar.

MEMBER CASAR: I move we adopt Ordinance #32; seconded.

PRESIDENT SCHULMAN: It's been moved and seconded to adopt Ordinance #32, are there any remarks?... If not, roll call please.

CLERK TIMBERLAKE: Twelve yeas Mr. President.

NO REMARKS

ROLL CALL: 12 YEAS, 0 NAYS

CLERK TIMBERLAKE: Twelve yeas Mr. President.

PRESIDENT SCHULMAN: Thank you Madame Clerk. Ordinance #32 has been adopted.

#32 ADOPTED AS ORDINANCE 14/2007

#33 (3RD RDG) **ADOPTED AS ORDINANCE 15/2007** AN ORDINANCE AUTHORIZING THE MAYOR TO SUBMIT THE CITY'S COMPREHENSIVE ECONOMIC DEVELOPMENT STRATEGY AS REQUIRED BY THE US DEPARTMENT OF COMMERCE, ECONOMIC DEVELOPMENT ADMINISTRATION AND TO ACCEPT APPROVED FUNDING ON BEHALF OF THE CITY OF CANTON; AND DECLARING THE SAME TO BE AN EMERGENCY

MEMBER CASAR: Mr. President.

PRESIDENT SCHULMAN: Member Casar.

MEMBER CARBENIA: I move we adopt Resolution #... Ordinance #33; seconded.

PRESIDENT SCHULMAN: It's been moved and seconded to adopt Ordinance #33, are there any remarks?...

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Hearing none, would you please call the vote Madame Clerk?

CLERK TIMBERLAKE: Twelve yeas Mr. President.

NO REMARKS

ROLL CALL: 12 YEAS, 0 NAYS

CLERK TIMBERLAKE: Twelve yeas Mr. President.

PRESIDENT SCHULMAN: Ordinance #33 has been adopted. **#33 ADOPTED AS ORDINANCE 15/2007**

ANNOUNCEMENT OF COMMITTEE MEETINGS

PRESIDENT SCHULMAN: We are now under Announcement of Committee Meetings.

MEMBER PRATER: Mr. President.

PRESIDENT SCHULMAN: Member Prater.

MEMBER PRATER: Personnel Committee will meet February 5th at 5:30.

PRESIDENT SCHULMAN: Thank you.

MEMBER KRAUS: Mr. Chairman.

PRESIDENT SCHULMAN: Member Kraus.

MEMBER KRAUS: Public Safety and Thoroughfare will meet 5:30 2/5/07.

MEMBER DOUGHERTY: Mr. President.

PRESIDENT SCHULMAN: Member Dougherty.

MEMBER DOUGHERTY: Public Property Capital Improvement will also meet the 5th at 5:30.

MEMBER WEST: Mr. President.

PRESIDENT SCHULMAN: Member West.

MEMBER WEST: Mr. President, Judiciary will meet February 5th at 5:30.

PRESIDENT SCHULMAN: Thank you.

MEMBER HAWK: Mr. President.

PRESIDENT SCHULMAN: Member Hawk.

MEMBER HAWK: The Finance Committee will meet Monday, February 5th at 5:30 at Timken High School

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Commons.

PRESIDENT SCHULMAN: Thank you Member Hawk. Anyone else?

PUBLIC SPEAKS (OPEN FORUM--CITY BUSINESS ONLY)

PRESIDENT SCHULMAN: We are now under Public Speaks, Open Forum. We have no speakers signed up this evening.

MISCELLANEOUS BUSINESS

PRESIDENT SCHULMAN: We're now under Miscellaneous Business. Yes, Member Casar.

MEMBER CASAR: Mr. President. I'd like to ask the Service Director a question and comments if I may please.

PRESIDENT SCHULMAN: Yes, go ahead.

MEMBER CASAR: Ah, Service Director Concatto, last week and I think most Council people know and I think the Administration knows and I think our office knows about all the phone calls that we had regards to the mix-up regards to the trash container size of 32 gallons. I, I know that the..that..., you know, I had more calls than this than anything, you know, we, we, ah, we, we keep, we spend millions of dollars down there and I don't get many calls, but on trash containers, I got quite a few calls and I told the rest of the Council people and they had the same. My question, or my comments or recommendation, ah, we're going to be looking at, ah, recycling in the near future, be it this year, hopefully so, where the containers will be provided the first go-around to the City of Canton through the Solid Waste District, and my concern is, ah, that if someone has a 50 gallon container now and then we're telling them that we're only going to pick up 32 gallons or smaller, ah, these citizens will have to go out and buy probably a 32, two-32 gallon containers, and then once we start picking up ah, recer..., recycling, ah, we'll have another container and then they probably won't have a need for that second container that they had to purchase which may be a small number or may be a large number. But, my feelings are, Service Director Concatto, that, I think we should consider keeping the ordinance as is. I know it says 32 gallons but not to enforce it like we haven't for 25 years or more and, and, and have, if the people have 50 gallon containers and everybody that wants it, I've gone and checked when I get calls, everyone seems to put their garbage or their trash in ah, plastic containers, plastic bags, so I'm, I'm recommending and I will be sending you a letter to this effect that we should continue with our service and if they're in plastic bags and it, it, our haulers could just basically pull 'em out and throw 'em in and, and, and that wouldn't be of any inconvenience or overweight ah, ah, to ah, to our workers and that we should do this until, upon the time that we, ah, come up with a plan or how or how our, how our recycling's gonna work and how many containers are we gonna have instead of enforcing an ordinance that's been on the books for 30, ah, 25 years or whatever it was back in the 70s, I think it was or whenever, I think we should just keep that as it and, and, just go along as we was, as we were doing it and too as I stated, ah, take the trash, ah, as long as they have it in individual bags in their 50-gallon container that we should do that and I would just want to know if you have a comment on that and I will be sending you a letter and hopefully, that, ah, this Council would support something like this because I think we didn't have enough notice, the people out there, and if all the calls that I had multiplied by the rest of the Council, there probably are a lot of people out there that have these containers and, and, they're getting a notice and that they're not going to be picked up.

PRESIDENT SCHULMAN: Thank you Member Casar. Director Concatto.

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SERVICE DIRECTOR CONCATTO: Thank you. First of all, let me say that um, I was fully aware of this program that the Sanitation Department put together. It went with my approval. Mel had discussed this tagging issue with me as far as putting a tag on the door notifying the occupants that their containers were too large. Ah, consistently we tried to make those containers, we didn't look at 32, we were looking more at anything less than 40 but, ah, the idea and our goal was for the safety and welfare of our employees that some of these containers that some of our citizens were putting out there were way too large. I failed to really look at the time table on that and we failed, I failed in putting together a better plan in possibly giving our residents more time then leaving the garbage set. We rectified that last week by putting a news release out that says we were going to give our citizens at least until, I think, February 26th to comply with the ordinance, which was the 32 gallon can. Our goal has always been to make sure that the bags and the cans were small enough that our employees can pick them up and I've heard many citizens call me and tell me that hey, I have, I drag that bag out there, I take that can out. But let me tell you, each one of our sanitation boys pick up 400 to 450 homes a day. So, for me to take that can out there one time, is different than an employee picking that can up 400 times. So, we are in consideration of our employees for the safety and welfare of them, any injuries or anything that, that ah, could happen, so, our goal was to try to help our employees be able to function in doing their routes in picking up that many numbers. I don't know that our citizens realize that our sanitation workers, in any type of weather, pick up those bags. Now, I would appreciate your letter, Mr. Casar, I, I would and I would certainly take that into consideration. I do have Mel Meadows here, our Superintendent of Sanitation. He may have some comment about pulling the bags out, I am not, you know, unlike the Mayor who went on a route, ah, herself, I did not, and, if you want him to speak to that, I would be glad to have him speak to that.

MEMBER CASAR: No. Ah, Service Director Concatto, I feel that, in fact I changed my mind, I think I'm going to make it a form of resolution and, and, and ah, and have this Council try and adopt that to put a moratoria on, on that 28th day and to go out as we have been doing, and I also want to say publicly that I feel that the serv.. the trash, the sanitation department does a wonderful job. I'm not complaining about that. There are incidences where, like anything else, they miss a can now and then, and, ah, that's human nature. I'm just saying regardless of the fact that the, not to be repetitive, but, since we are gonna be changing it, ah, to enforce an ordinance now, I think, would be ludicrous to do that at this time until we really know what we're going to do with recycling, and that's why I think we should, ah, look at that very serious.

SERVICE DIRECTOR CONCATTO: Mr. President.

PRESIDENT SCHULMAN: Director Concatto.

SERVICE DIRECTOR CONCATTO: Certainly, when the resolution comes in, that would be your prerogative to do. I just caution Council that it is nice to know that everybody puts their trash in a bag, but they don't. There are times that you'll see a 45 gallon container that don't have bags, filled with trash and I think that's one of the issues that we try to eliminate. We don't want, what happened last week, we don't want a recurrence, we don't want to see trash sitting in front, in front of people's properties for a week. That isn't what we do in this city. But, I am, you know, not every household is the same. Now, as far as recycling is concerned, those containers will be very small containers to start off with. I'm not sure if they would reduce, ah, ah, a 32 gallon can by, by that much, it may, again, we're not familiar enough with recycling to know what that's gonna be.

MEMBER CASAR: Well, ah, ah, Service Director Concatto, we, we hope it will. That's the idea of we, of, of, of recycling but I also want to state and, and, you know, we have what we call backyard service in the City

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of Canton and I could recall back in the 70s the wa..., the way, why we kept it that way because we wanted to go to curbside which we do not have now, with 75 to 80% of our citizens take the trash to the, to the, and the reason we didn't change it back in the 70s is because, well, the older people, they can't get their trash, they won't be, and they're the first ones that do it; I'm one of 'em. But, what, my, my, my point being (*LAUGHTER*) my point being, you know, we, we, our citizens do not have to take that trash to the curb and, and, and, I feel a little cooperation between the citizens and our department would go a long way, a little, you know, good-will type of thing because they do do that and it makes their job a little easier though I know they have a tough job, I'm not saying that, I, I, I commend them on that because I know, I probably have more trash... oh geeze.... it's my job...(*LAUGHTER*) but, ah, you know, I, I just, I think that that's something we should really consider.

SERVICE DIRECTOR CONCATTO: Mr. President. If I may respond.

PRESIDENT SCHULMAN: Director Concatto.

SERVICE DIRECTOR CONCATTO: Mr. Casar, I agree and I, I think that we do need to re-look at this and I would be more than happy to, whatever you have, the input, certainly we would take that as serious for Council and your resolutions. I just wanna also state that, we have been picking up larger cans for a long time and it just seems like anything else. One person does it and then the next person does it and it gets to a point where the sanitation department and I felt that it was time to go backwards because everybody was now starting to get the larger cans. We went around, we went about it the wrong way. We thought this would change it, we have probably 23,000 customers who comply with the 32 gallon can. We probably have 5,000, 4,000 of which probably called all of us (*LAUGHTER*), ah, ah, and, and, so, we do have the majority of our citizens that comply with 32 gallon, the 32 gallon can and our goal is that if they can, so can everybody else. But, with that said, we'd be more than happy and welcome your comments and we would, we want to do what's right for our citizens and you're right, we don't have curbside pickup, although many many of our citizens do bring it out to the curb and I, as a senior citizen, do the same thing as you do Mr. Casar. My wife doesn't have that responsibility either. Ah, but.....

MEMBER CARBENIA: The only one you have?

SERVICE DIRECTOR CONCATTO: (*Chuckle*) I very well know who the boss is, but, ah, ah, very seriously, we made a mistake and we'll, we'll adjust it and we'll work with whatever you want.

PRESIDENT SCHULMAN: Oh.... I see.

MEMBER ZACHARY: Mr. President.

PRESIDENT SCHULMAN: Member Zachary.

MEMBER ZACHARY: Um, I would just request from the Service Director, can he provide us with, with some statistics. Right now, our constituents are justifiably arguing that there's past precedent set, that we've been doing it, picking up these larger cans for a long period of time so it would be nice to be able to say well, we had so many injuries over a certain period of time so if we could even go back 3 years, let us know how many workers are actually out on worker's comp or have been out on worker's comp or who are currently injured. That would be helpful to be able to provide people with some factual information.

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SERVICE DIRECTOR CONCATTO: Mr. President.

PRESIDENT SCHULMAN: Director Concatto.

SERVICE DIRECTOR CONCATTO: Yes. I will provide that for you by, I think we can do that by next week.

MEMBER ZACHARY: Thank you.

MEMBER HART: Mr. President.

PRESIDENT SCHULMAN: Yeah, Member Hart..

MEMBER HART: Yeah, just quick comments and I think, you know, in, hopefully solving this issue, just use a little logic and common sense. Um, I've had constituents, one, I'm figuring, I can't figure why the can was picked up because it was a 32 gallon can. Um, another one, an elderly gentlemen purchased a larger can because it has larger wheels and it's easier for him to wheel it out, and he had 2 bags in it and it wasn't picked up because he had the bigger can there. So, I mean, you know, it can be easy if, if, you know, if some people are looking, no, I don't want anybody picking up a, you know, a 120 pound trash can because they can be injured but, with 2 bags in it, just bending it over picking it up and putting it in, you know, could be easily solved.

PRESIDENT SCHULMAN: Director Concatto.

SERVICE DIRECTOR CONCATTO: I'll take that also into consideration. I'm not sure of the....

PRESIDENT SCHULMAN:....thank you.

SERVICE DIRECTOR CONCATTO:economics of lifting a bag up and what that pressure on anybody's part is verses picking the whole thing up. I'm not there yet, with that, but ah, certainly we will look at that and provide it.

MAYOR CREIGHTON: Mr. President.

PRESIDENT SCHULMAN: Madame Mayor.

MAYOR CREIGHTON: Mr. Concatto will know when he goes out on a route. (*LAUGHTER*)

SERVICE DIRECTOR CONCATTO: When the Mayor gives me the time to be able to do that, that would be the first thing I'll do (*LAUGHTER*) I would rather be on the route than some of the things I have to do.

PRESIDENT SCHULMAN: Mayor, ah, would you like me to hold him out of order?....

MAYOR CREIGHTON: Yes...

PRESIDENT SCHULMAN: I will. Okay.

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MEMBER GRIFFIN: Mr. President.

PRESIDENT SCHULMAN: Member Griffin.

MEMBER GRIFFIN: Mr. President. I'd like to make the same point. I have elderly ladies, that they put their bags, they use the larger drum for a storage vessel for their plastic bags and they aren't that heavy and they still wouldn't taken it out. So, I would appreciate it if you would consider that they do have small bags in with larger drums. Thank you.

PRESIDENT SCHULMAN: Thank you Member Griffin.

MEMBER CARBENIA: Mr. President.

PRESIDENT SCHULMAN: Member Carbenia.

MEMBER CARBENIA: Director Concatto, that was admirable of you to take the blame for this. Ah, I don't know who really had the blame. I think it was, ah, I don't think it was handled very good and somebody also said they told them they could put the bags out, out of the can and I know some people do, but, who picks it up after the dogs tear it up, and then, ah, what I have to do half the time is call you Mr. Concatto, and say, have somebody go out and clean that up and then usually, it's the street department, not the sanitation that goes and does it and ah, maybe we should change that too.

PRESIDENT SCHULMAN: Thank you Member Carbenia.

SERVICE DIRECTOR CONCATTO: Mr. President, I just want to clarify...

PRESIDENT SCHULMAN: Director Concatto.

SERVICE DIRECTOR CONCATTO: Thank you. I am the Appointing Authority. I'm not falling on the sword here for the Mayor or anybody else. It's my responsibility. I will take full responsibility for it. Mel talked to me before he did it. It's my responsibility.

PRESIDENT SCHULMAN: Thank you Director.

MEMBER CARBENIA: Mr. President.

PRESIDENT SCHULMAN: Member Carbenia.

MEMBER CARBENIA: I understand that, and he went with his department head, and I don't expect him to go a different way. But, I said he fell on the sword. I don't care.

PRESIDENT SCHULMAN: Law Director Martuccio.

LAW DIRECTOR MARTUCCIO: Thank you Mr. President. Ah, we'll just remind Council. You can chose to do this or not, of course, but in your rules, by motion you can allow someone from the audience to speak for however many minutes you set. Ah, Mr. Meadows is here from the sanitation department.

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PRESIDENT SCHULMAN: Member Casar, did you have anything to say?... Any other comments?

MEMBER WEST: Mr. President.

PRESIDENT SCHULMAN: I'm sorry, Member West.

MEMBER WEST: I have no more about that but I do have a comment in reference to a draft, formal resolution.

PRESIDENT SCHULMAN: May I interrupt you once? Is there anything else on that issue? Let's try to at least keep the subject the same. Member Kraus.

MEMBER KRAUS: Mr. President. I would like for the Service Director, if there's anything I can do with helping you on this case, I'd like to, and I suggest maybe bring the union in, maybe talk some things over. I think there's things we can do and things we wanna not do but I think if you need my help, I'll gladly be available.

SERVICE DIRECTOR CONCATTO: I may need you on the route next week but I'll..... (LAUGHTER)

MEMBER KRAUS: Joe, not only have I rode on the back, I can drive 'em, gotta CDL Class A.

PRESIDENT SCHULMAN: I think that, Member Dougherty.

MEMBER DOUGHERTY: Mr. President. Service Director. So, am I to understand that you'll be picking these up, you'll be doing the regular thing you were doing before, at least until February 26th or beyond that...

SERVICE DIRECTOR CONCATTO: Mr. President.

MEMBER DOUGHERTY:at this time.

PRESIDENT SCHULMAN: Director.

SERVICE DIRECTOR CONCATTO: That is correct. That is correct.

MEMBER DOUGHERTY: ...unless something else is....

SERVICE DIRECTOR CONCATTO: All trash will be picked up. Unless it's stuff that we don't normally pick up like building materials and those types of stuff, that type of stuff.

MEMBER DOUGHERTY: Thank you.

PRESIDENT SCHULMAN: Anything else on this particular subject. I'd like to make one observa... 2 observations. One is, um, you know how I feel about you Director, but I do think there was some lack of communication to the public. That seems to be what irritated everyone and, they just, excuse me, they just didn't understand that this was all of a sudden going to be enforced and the final thing I'd like to say is, we're asked to sacrifice so little in this country for what's going on in the world today, seems to me, we just would,

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all of us take a look at the recyclable material you have in your home. It is amazing by the time you recycle it, there is no trash left. There is none. You may have one small bag and the least we can do as citizens of this country, is to make a sacrifice that is just almost nothing, it requires no effort whatsoever. So, that's the message we'd really like to send out from this City Council. You know, we have people dying overseas for energy, I believe, and I think this is the time we start making these sacrifices. So, with that said, Member West. (APPLAUSE)

MEMBER WEST: It was coming. Um, as I was saying, next week on the agenda we're going to put forth a draft informal resolution, ah, in reference to the scrap metal vendors. We are asking, I axed Joe, ah, Martuccio to draft resolution on, um, asking or considering, or asking the legislature to, um, draft similar legislation requiring a, stricter rules for our scrap metal vendors. So, this will be on and everybody has a copy of this so if you could look at it and if you have an alterations you want to change anything, let us know this week and Joe will be able to help us out with that.

PRESIDENT SCHULMAN: Thank you Member West. Anyone else.

MEMBER CASAR: Mr. President.

PRESIDENT SCHULMAN: Member Casar.

MEMBER CASAR: I move we adjourn; seconded.

PRESIDENT SCHULMAN: It's been seconded to adjourn. Madame Clerk, roll call vote please.

NO REMARKS

ROLL CALL: 12 YEAS, 0 NAYS

CLERK TIMBERLAKE: Twelve yeas Mr. President

PRESIDENT SCHULMAN: Meeting's adjourned.

ADJOURNMENT TIME: 8:17 PM

ATTEST:

APPROVED:

CYNTHIA TIMBERLAKE
CLERK OF COUNCIL

ALLEN SCHULMAN
PRESIDENT OF COUNCIL

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