

MINUTES OF THE MEETING SEPTEMBER 17, 2007

PRESIDENT PRO TEM CASAR: (*SOUND OF GAVEL*) With a quorum being present, the Chair calls this meeting of Canton City Council to order. The invocation will be given by First Ward Councilman Greg Hawk. Please remain standing for Pledge Allegiance of the flag.

The regular meeting of Canton City Council was held on Monday, September 17, 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 1 Councilmember Greg Hawk, followed by the Pledge of Allegiance led by President Pro Tem Casar.

PRESIDENT PRO TEM CASAR: Thank you Member Hawk. Oh, I skipped it. Let's back up and take roll call. Roll call please.

ROLL CALL TAKEN BY CLERK TIMBERLAKE:

10 COUNCILMEMBERS PRESENT: (DON CASAR, JOE CARBENIA, MARY CIRELLI, BILL SMUCKLER, GREG HAWK, THOMAS WEST, JAMES GRIFFIN, DAVID R. DOUGHERTY, RICHARD D. HART, & KARL "BUTCH" KRAUS)

CLERK TIMBERLAKE: Ten present, Mr. President. (PRESIDENT SCHULMAN, KELLY ZACHARY & TERRY PRATER ABSENT)

PRESIDENT PRO TEM CASAR: Member Carbenia.

MEMBER CARBENIA: Mr. President, um, I'd like to move we suspend Rule 22A and add second readings.....

PRESIDENT PRO TEM CASAR: Member Carbenia, would you please excuse, ah, the Members that are absent please.

MEMBER CARBENIA: I'd like to.... yeah, Mr. President, I move we excuse President Schulman, Member Prater and Member Zachary from tonight's meeting.

MEMBER CIRELLI: Seconded.

PRESIDENT PRO TEM CASAR: You've heard the ah.... I'm, ah, excuse me Member Carbenia, okay, but I went outta order and thanks for doing that anyhow. Ah, you asked to excuse Member ah, Member ah....

MEMBER CARBENIA: Ah, Prater, Zachary and President Schulman.

PRESIDENT PRO TEM CASAR: Prater, Zachary and President ah, Schulman, is there any remarks?... If not, roll call please.

NO REMARKS

ROLL CALL: 10 YEAS, 0 NAYS

CLERK TIMBERLAKE: Ten present, Mr. President.

MINUTES OF THE MEETING SEPTEMBER 17, 2007

PRESIDENT PRO TEM CASAR: Members Zachary, Prater and Allen Schulman are all excused from this evening's meeting.

AGENDA CORRECTIONS & CHANGES

PRESIDENT PRO TEM CASAR: Ah, Member Carbenia, ah, now we are under corrections ah. We're suspending Rule 22A to add Ordinances #12 through and including #19 on this evening's agenda.

MEMBER CARBENIA: Mr. President, I move that Rule 22A be suspended to add second readings #12 through and including #19.

MEMBER CIRELLI: Seconded.

PRESIDENT PRO TEM CASAR: It's been moved and seconded to, to add Ordinances #12 through and including #19 to this evening's agenda. Are there any remarks?... If not, roll call please.

NO REMARKS

ROLL CALL: 10 YEAS, 0 NAYS

PRESIDENT PRO TEM CASAR: Ordinances #12 through and including #19 are now a legal part of your agenda.

PUBLIC HEARINGS

PRESIDENT PRO TEM CASAR: We are now under public hearings. Let the Journal show that there is no public hearings scheduled for this evening's meeting.

INFORMAL RESOLUTIONS

PRESIDENT PRO TEM CASAR: Informal Resolutions. We are now under Informal Resolutions.

PUBLIC SPEAKS

PRESIDENT PRO TEM CASAR: We are now under Public Speaks on Ordinances and Resolutions for adoption. We have no speakers signed up this evening. We have a John Lester Regula. Open Forum. Oh, I'm sorry. I'm sorry, that's for the end of the meeting. Excuse me again.

MEMBER CARBENIA: Mr. President.

PRESIDENT PRO TEM CASAR: Under ah, meetings, for special, there are no speakers signed up for this evening's agenda. Okay, now where we at?

MEMBER CARBENIA: Mr. President.

PRESIDENT PRO TEM CASAR: We're now under Formal Resolutions. Member Carbenia.

MEMBER CARBENIA: I move we adopt Resolution #64.

MEMBER CIRELLI: Seconded.

MINUTES OF THE MEETING SEPTEMBER 17, 2007

PRESIDENT PRO TEM CASAR: It's been moved.... it's been moved and seconded to adopt Resolution #64. Are there any comments or questions?

MEMBER CIRELLI: Mr. President.

PRESIDENT PRO TEM CASAR: Member Cirelli.

MEMBER CIRELLI: Mr. President. Ah will the Clerk please read the Resolution for the record.

CLERK TIMBERLAKE: Whereas, Geothermal Energy is heat that comes from within the earth itself. Technology has now made possible the use of steam and hot water produced inside the earth's core to heat buildings or generate electricity. Geothermal is a renewable energy source that replaces water by atmospheric rainfall, and; WHEREAS, Power plants are now being constructed to use geothermal resources. This Heating and Cooling source is as a natural resource now obtained from the earth and steam or hot water is piped directly to the earth's surface, and; WHEREAS, The United States now generates more geothermal electricity than any other country. It takes less than 1% of the United States electricity load to pipe geothermal heat. According to the USEPA, geothermal heat pumps are the most energy efficient, environmentally clean and cost-effective systems for temperature control, and; WHEREAS, Homeowners in the United States now enjoy high levels of comfort and are cutting their use of energy significantly with geothermal heating and cooling. Geothermal can be used for water-heating, reducing the bill as much as 50%, and; WHEREAS, Non-profit agencies located within the City of Canton rely on Government Dollars, for construction and or maintenance, now use this source of energy. Also, Government funded housing units in the City of Canton are installing Geothermal Energy, and; WHEREAS, It is proven that Geothermal reduces heating and cooling costs significantly regardless of how well the building is insulated and can be installed in any aged building. NOW THEREFORE BE IT RESOLVED: That we, the Members of the Council of the City of Canton, Ohio do hereby recognize and support the feasibility, investigation and the installation of GEOTHERMAL ENERGY SOURCES for future constructions and or replacement of heating and cooling of all buildings funded by the City of Canton.

MEMBER CIRELLI: Mr. President.

PRESIDENT PRO TEM CASAR: Member Cirelli.

MEMBER CIRELLI: I wanna thank the Staff for all their help in preparing this Resolution. It is indeed a um, future energy source that is starting to pick up and run rapidly throughout the United States and other parts of the entire country and world. So, I think it's something that we should all apprise ourselves of and ah, I, I myself am looking at it for my own home so I just think it's something that we have to think of, ah, good sources and ways to ah, use the new energy features to cut down on some of the, the laborous things we've been doing to our country and I think this is a darn good one. So, I thank them very much and I thank everybody's support on it.

PRESIDENT PRO TEM CASAR: Are there any remarks? If not, it's been moved and seconded. All those in favor, signify by saying aye....Those opposed no. Resolution #64 has been adopted. Madame Clerk would you please read us Resolution #67 by title.

NO REMARKS

RESOLUTION #64 APPROVED BY UNANIMOUS VOICE VOTE

MINUTES OF THE MEETING SEPTEMBER 17, 2007

#67 (HART, R. WARD 7 COUNCILMEMBER): CONGRATULATING MERCY MEDICAL CENTER FOR 100TH ANNIVERSARY - ADOPTED

MEMBER CARBENIA: Mr. President.

PRESIDENT PRO TEM CASAR: Member Carbenia.

MEMBER CARBENIA: I move we adopt Resolution #67.

MEMBER CIRELLI: Seconded.

PRESIDENT PRO TEM CASAR: It's been moved and seconded to adopt Resolution #67. Are there any remarks? Member Hart.

MEMBER HART: I'll, I'll be presenting this next Monday morning at Mercy Medical Center when they have a small program there and they'll be having a mass celebrating their 100th year but, ah just on behalf of all the employees that work there, it's Mercy Medical Center's mission to provide medical care and for so many of the employees, it's been part of their, ah, mission in their life you know, whatever capacity they've worked at there, whether it's been in planned maintenance or mitro-valve surgical areas you know, ah, all areas that provide us medical care. Many people in this community are indigent, ah Mercy Medical Care has donated literally millions of dollars in free medical care to those, ah, seeing that their needs have been met.

PRESIDENT PRO TEM CASAR: Are there any other remarks?... If not, it's been moved and seconded, voice vote. All those in favor signify by saying aye. Those opposed no. Resolution #67 has been adopted.

NO REMARKS

RESOLUTION #67 APPROVED BY UNANIMOUS VOICE VOTE

PRESIDENT PRO TEM CASAR: Madame Clerk, would you please read Resolution #68.

#68 (PERSONNEL COMMITTEE): REQUEST APPROVAL TO RE-APPOINT THOMAS LAROCHELLE TO THE FAIR HOUSING BD. - ADOPTED

MEMBER CARBENIA: Mr. President.

PRESIDENT PRO TEM CASAR: Member Carbenia.

MEMBER CARBENIA: I move we adopt Resolution #68.

MEMBER CIRELLI: Seconded.

PRESIDENT PRO TEM CASAR: It's been moved and seconded to adopt Resolution 68. Are there any remarks? If not, by voice vote, all those in favor signify by saying aye. Those opposed no. Resolution #68 has been adopted.

MINUTES OF THE MEETING SEPTEMBER 17, 2007

NO REMARKS

RESOLUTION #68 APPROVED BY UNANIMOUS VOICE VOTE

COMMUNICATIONS

PRESIDENT PRO TEM CASAR: We're.. 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 SEPTEMBER 17, 2007.

488. CASAR, D., MAJ LEADER & CARBENIA, J., ASST., MAJ LEADER: LETTER TO MAYOR REQUESTING LEAKING ROOF OF THE CANTON COMMUNITY CLINIC BE ADDRESSED. - RECEIVED & FILED
489. CLASSIC COLLISION CTR., APPLICANT: APPLICATION FOR ALLEY VACATION FOR 120' ALLEY BETWEEN LOT #'S 026786, 0225465 AND 0231343; WARD 4. - PLANNING COMMISSION
490. HEALTH BENEFITS ADMIN, BRESSON: JULY 2007, MONTHLY COMPARATIVE REPORT OF INSURANCE CLAIMS & JAN - JULY 2007 PAID CLAIMS & COMPARATIVE REPORT. - RECEIVED & FILED
491. HEALTH BENEFITS ADMIN, BRESSON: AUGUST 2007, MONTHLY COMPARATIVE REPORT OF INSURANCE CLAIMS & JAN - AUGUST 2007 PAID CLAIMS & COMPARATIVE REPORT. - RECEIVED & FILED
492. HEALTH COMMISSIONER, PATTISON: REQ TO APPROP UNAPP FUNDS FOR HIV PREVENTION GRANT IN AMT OF \$20,332.00 FR: UNAPP BAL OF THE 2318 HIV PREVENTION FUND TO: 2318 HIV PREVENTION GRANT. - FINANCE COMMITTEE
493. LAW DIR., MARTUCCIO: REQ TO DONATE SUBSURFACE BRICKS REMOVED FROM TUSC ST., TO BE USED FOR HISTORICAL PURPOSES. - PUBLIC SAFETY & THOROUGHFARES COMMITTEE
494. LIQUOR CONTROL DIV (OHIO): ADVISING THAT HRG SCHEDULED FOR 9/13/07 HAS BEEN CONTINUED RE: NEW LIQ PERMIT FOR AZAEL, INC DBA LA REYNA @ 1123 - 12TH ST NW. - RECEIVED & FILED
495. PLANNING COMMISSION: RECOMMENDS APPROVAL OF PROPOSED REPLAT OF OL 1115 & LT 42337 ON ATLANTIC BLVD NE (WALMART). - PUBLIC SAFETY & THOROUGHFARES COMMITTEE
496. PLANNING COMMISSION: RECOMMENDS APPROVAL OF PROPOSED REPLAT OF OL 1174 ON W. TUSC ST. (WALMART). - PUBLIC SAFETY & THOROUGHFARES COMMITTEE

MINUTES OF THE MEETING SEPTEMBER 17, 2007

497. PLANNING COMMISSION: RECOMMENDS APPROVAL OF PROPOSED REPLAT OF PART OF OL 799 ON ATLANTIC BLVD NE (CAFARO CO.) - PUBLIC SAFETY & THOROUGHFARES COMMITTEE
498. PLANNING COMMISSION: RECOMMENDS APPROVAL OF PROPOSED REPLAT OF LTS 22387, 22388, 39984 & 39985 ON DIVISION RD NE (UNITED HARD CHROME INC.) - PUBLIC SAFETY & THOROUGHFARES COMMITTEE
499. PLANNING COMMISSION: RECOMMENDS APPROVAL OF PROPOSED FINAL SUBDIVISION OF THE STEIN INDUSTRIAL PARK ON BELDEN AVE SE. - PUBLIC SAFETY & THOROUGHFARES COMMITTEE
500. PLANNING COMMISSION: RECOMMENDS APPROVAL TO CHANGE SECTION 1129.16 (a) OF THE CODIFIED ORDINANCES. - JUDICIARY COMMITTEE
501. SAFETY DIR., HUNT: REQ \$4,557.95 SUPP APPROP FR: UNAPP BAL OF 2111 STREET MAINTENANCE TO: 2111 10-40-20 57806 STREET MAINTENANCE FOR TRAFFIC SIG DEPT. - FINANCE COMMITTEE
502. SAFETY DIR., HUNT: REQ \$1,060.00 SUPP APPROP FR: UNAPP BAL OF 2111 STREET MAINTENANCE ACCT TO: 2111 10-40-10 73458 STREET MAINTENANCE ACCT FOR SIGN & PAINT DEPT. - FINANCE COMMITTEE
503. SERVICE DIR., CONCATTO: REQ TO ENTER INTO CONTRACT W/MOTOROLA, INC FOR 6 RADIOS & RELATED EQUIP FOR HEALTH DEPT IN A TOTAL AMT NOT TO EXCEED \$24,711.40. - PUBLIC PROPERTY CAPITAL IMPROVEMENT & FINANCE COMMITTEES
504. SERVICE DIR., CONCATTO: REQ AUTHORIZATION FOR LAW DEPT TO PREPARE RESOLUTION ON INTENT & A SUBSEQUENT ORDINANCE TO OBTAIN A PERMANENT DRAINAGE EASEMENT SHOULD THE CITY NEED TO FILE AN APPROP ACTION IN STARK CO., PROBATE COURT FOR THE DEVELOPMENT OF AREA KNOWN AS MILLS INDUSTRIAL PARK. - PUBLIC SAFETY & THOROUGHFARES COMMITTEE
505. TREASURER, SCHIRACK: REPORTS OF TREASURER'S OFFICE BANK RECONCILIATION & CITY'S OUTSTANDING INVESTMENTS AS OF 8/31/07. - RECEIVED & FILED

ORDINANCES & FORMAL RESOLUTIONS FOR FIRST READING

PRESIDENT PRO TEM CASAR: We are now under Ordinances for the first reading. Oh, I was gonna say, Madame Clerk, would you please read the Ordinances by title only. Only.

NOTE: PRESIDENT PRO TEM CASAR CALLED UPON CLERK TIMBERLAKE TO READ ORDINANCES #1 THROUGH #11 FOR THE FIRST TIME BY TITLE & ANNOUNCED THE COMMITTEE REFERRAL, AS FOLLOWS:

- #1. 1ST RDG AN ORDINANCE VACATING A PORTION OF MULBERRY RD SE; AND

MINUTES OF THE MEETING SEPTEMBER 17, 2007

DECLARING THE SAME TO BE AN EMERGENCY (Pub Hrg 10/1/07 @ 7:30 PM)
Referred to Public Safety & Thoroughfares Committee

#2. 1ST RDG AN ORDINANCE VACATING A PORTION OF LUTHER PLACE NE; AND
DECLARING THE SAME TO BE AN EMERGENCY
Referred to Public Safety & Thoroughfares Committee (Pub Hrg 10/1/07 @ 7:31 PM)

#3. 1ST RDG AN ORDINANCE VACATING A PORTION OF DESERT INN COURT NW; AND
DECLARING THE SAME TO BE AN EMERGENCY (Pub Hrg 10/1/07 @ 7:32 PM)
Referred to Public Safety & Thoroughfares Committee

PRESIDENT PRO TEM CASAR: For Ordinances #1, #2, & #3, a public hearing will be held October 1st at 7:30, 7:32 for O#2 and 7:32 for ah, O#3. Ordinance #4 please.

#4. 1ST RDG AN ORDINANCE AUTHORIZING THE CITY OF CANTON TO ACCEPT
DONATION OF REAL PROPERTY FROM SOPHIE MANOS; AND DECLARING
THE SAME TO BE AN EMERGENCY
Referred to Community & Economic Development Committee

#5. 1ST RDG AN ORDINANCE AUTHORIZING THE CONVEYANCE OF CITY OWNED REAL
PROPERTY TO FREED HOUSING CORPORATION; AND DECLARING THE SAME
TO BE AN EMERGENCY
Referred to Community & Economic Development Committee

#6. 1ST RDG AN ORDINANCE ESTABLISHING THE FAIR MARKET 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 Committee

#7. 1ST RDG AN ORDINANCE AMENDING EXHIBIT A TO ORDINANCE NO 164/2001, AS
AMENDED, THE CLASSIFICATION PLAN AND SALARIES FOR ALL
MANAGEMENT AND NON-BARGAINING UNIT EMPLOYEES OF THE CITY OF
CANTON; AND DECLARING THE SAME TO BE AN EMERGENCY
Referred to Personnel Committee

#8. 1ST RDG AN ORDINANCE AMENDING SECTION 127.03, VEHICULAR SELF-INSUR-
ANCE FUND, AND SECTION 127.04, CLAIMS AND JUDGEMENTS, OF THE
CODIFIED ORDINANCES
Referred to Judiciary Committee

#9. 1ST RDG AN ORDINANCE AMENDING EXHIBITS A & B TO ORDINANCE NO
164/2001, AS AMENDED, THE CLASSIFICATION PLAN AND SALARIES FOR
ALL MANAGEMENT AND NON-BARGAINING UNIT EMPLOYEES OF THE CITY
OF CANTON; REPEALING SECTION 151.22, PUBLIC EMPLOYEES RETIREMENT

MINUTES OF THE MEETING SEPTEMBER 17, 2007

SYSTEM (PERS) PICKUP, OF THE CODIFIED ORDINANCES; AND DECLARING THE SAME TO BE AN EMERGENCY

Referred to Personnel & Finance Committees

- #10. 1ST RDG AN ORDINANCE AMENDING 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

- #11. 1ST RDG AN ORDINANCE AUTHORIZING THE DIRECTOR OF PUBLIC SERVICE TO ENTER INTO A CONTRACT AMENDMENT WITH COMPMANAGEMENT, INC TO INCREASE ITS FEE FROM \$26,000.00 TO \$26,780.00; AND DECLARING THE SAME TO BE AN EMERGENCY

Referred to Finance Committee

ORDINANCES & FORMAL RESOLUTIONS FOR SECOND READING

PRESIDENT PRO TEM CASAR: We are now under Ordinances for the second reading. Madame Clerk would you please read Ordinance #12 through #19 by title only.

NOTE: PRESIDENT PRO TEM CASAR CALLED UPON CLERK TIMBERLAKE TO READ ORDINANCES #12 THROUGH AND INCLUDING #19 FOR THEIR SECOND TIME BY TITLE AS REQUIRED BY STATE LAW, AS FOLLOWS. ORDINANCE #16 WAS ADOPTED ON IT'S SECOND READING.

- #12. (2nd RDG) AN ORDINANCE ESTABLISHING THE FAIR MARKET VALUE OF ONE PARCEL OF CITY OWNED PROPERTY; AUTHORIZING THE SALE AND CONVEYANCE SAID PROPERTY PURSUANT TO THE CITY'S LAND DISPOSITION PROGRAM; AND DECLARING THE SAME TO BE AN EMERGENCY
- #13. (2nd RDG) AN ORDINANCE AUTHORIZING THE EDITING AND INCLUSION OF CERTAIN ORDINANCES AS PART OF VARIOUS COMPONENT CODES OF THE CODIFIED ORDINANCES OF CANTON OHIO; AND DECLARING THE SAME TO BE AN EMERGENCY
- #14. (2nd RDG) A RESOLUTION AUTHORIZING THE LAW DIRECTOR TO DISTRIBUTE FREE OF CHARGE TO PUBLIC OFFICIALS AND PUBLIC INSTITUTIONS, COPIES OF THE 2007 SUPPLEMENT TO THE CANTON CODIFIED ORDINANCES; TO AFFIX PRICE FOR THE SALE OF SAME; AND DECLARING THE SAME TO BE AN EMERGENCY
- #15. (2nd RDG) AN ORDINANCE AMENDING APPROPRIATION ORDINANCE #241/2006, AS AMENDED BY MAKING THE SUPPLEMENTAL APPROPRIATIONS, APPROPRIATION REDUCTIONS, APPROPRIATION TRANSFERS & INTERFUND CASH TRANSFERS HEREIN DESCRIBED; AND DECLARING THE SAME TO BE AN EMERGENCY

MINUTES OF THE MEETING SEPTEMBER 17, 2007

- #16. (2nd RDG) **ADOPTED AS ORDINANCE #167/2007** AN ORDINANCE AUTHORIZING THE CITY AUDITOR TO PAY A MORAL OBLIGATION IN AN AMOUNT NOT TO EXCEED \$4,000.00 TO CENTER FOR MARKETING AND OPINION RESEARCH; AND DECLARING THE SAME TO BE AN EMERGENCY

MEMBER CARBENIA: Mr. President.

PRESIDENT PRO TEM CASAR: Member Carbenia.

MEMBER CARBENIA: I move we suspend the Statutory Rules on Ordinance #16.

MEMBER CIRELLI: Seconded.

PRESIDENT PRO TEM CASAR: There's a reading... there's a move to suspend the Statutory Rules on Ordinance #16. Are there any remarks?... If not, roll call please.

NO REMARKS

ROLL CALL: 10 YEAS, 0 NAYS

CLERK TIMBERLAKE: Ten yeas, Mr. President.

PRESIDENT PRO TEM CASAR: The Statutory Rules for Ordinance #16 has been approved. Is there a motion to adopt Ordinance #16?...

MEMBER CARBENIA: Mr. President. I move we adopt Ordinance #16.

MEMBER CIRELLI: Seconded.

PRESIDENT PRO TEM CASAR: There's been a motion to adopt Ordinance #16, moved and seconded. Are there any remarks?... If not, roll call please.

NO REMARKS

ROLL CALL: 10 YEAS, 0 NAYS

#16 AS ADOPTED AS ORDINANCE #167/2007

- #17. (2nd RDG) AN ORDINANCE AUTHORIZING THE DIRECTOR OF PUBLIC SERVICE TO ADVERTISE, RECEIVE BIDS AND ENTER INTO 5 YEAR LEASE AGREEMENT WITH AN OPTION TO PURCHASE 2, 10-TON HEAVY DUTY DUMP TRUCKS; AMENDING APPROPRIATION ORDINANCE #241/2006, AS AMENDED, BY MAKING THE SUPPLEMENTAL APPROPRIATION HEREIN DESCRIBED; AND DECLARING THE SAME TO BE AN EMERGENCY

- #18. (2nd RDG) AN ORDINANCE AUTHORIZING THE AUDITOR TO ESTABLISH 2234 STEIN PROJECT GRANT FUND; AUTHORIZING DIRECTOR OF PUBLIC SERVICE TO ADVERTISE, RECEIVE BIDS AND ENTER INTO CONTRACT FOR THE CONSTRUCTION OF THE INFRASTRUCTURE IMPROVEMENTS FOR STEIN INDUSTRIAL PARK GP 1094; AMENDING APPROPRIATION ORDINANCE #241/2006, AS AMENDED BY MAKING THE SUPPLEMENTAL

MINUTES OF THE MEETING SEPTEMBER 17, 2007

APPROPRIATION AND APPROPRIATION TRANSFERS HEREIN DESCRIBED;
AND DECLARING THE SAME TO BE AN EMERGENCY

- #19. (2nd RDG) AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO AN AMENDED ENTERPRISE ZONE AGREEMENT WITH GLENN REAL ESTATE INVESTMENTS LLC AND RANDALL, RICHARD AND NORA, LLC DBA CUTTER EQUIPMENT COMPANY; AND DECLARING THE SAME TO BE AN EMERGENCY

ORDINANCES & FORMAL RESOLUTIONS FOR THIRD AND FINAL READING

PRESIDENT PRO TEM CASAR: We are now under the Ordinances for their third reading. Madame Clerk, would you please read Ordinance #20 by title.

NOTE: PRESIDENT PRO TEM CASAR CALLED UPON CLERK TIMBERLAKE TO READ THE FOLLOWING ORDINANCES #20 THROUGH #24 FOR THEIR THIRD AND FINAL READING BY TITLE AS REQUIRED BY STATE LAW, AS FOLLOWS.

- #20 (3RD RDG) **ADOPTED AS AMENDED AS ORDINANCE 168/2007** AN ORDINANCE AUTHORIZING THE MAYOR OR DIRECTOR OF PUBLIC SERVICE TO ENTER INTO JOB CREATION TAX INCENTIVE AND NET PROFITS INCENTIVE AGREEMENTS WITH COATING SERVICES, INC. PURSUANT TO THE CITY'S ECONOMIC GROWTH INITIATIVE PROGRAM; AND DECLARING THE SAME TO BE AN EMERGENCY

PRESIDENT PRO TEM CASAR: The Chair will recognize a motion to adopt.

MEMBER CARBENIA: Mr. President.

PRESIDENT PRO TEM CASAR: Member Carbenia.

MEMBER CARBENIA: Ah, I move, I move we adopt Ordinance #20.

MEMBER CARBENIA: Seconded.

PRESIDENT PRO TEM CASAR: It's been moved and seconded to adopt Ordinance #20. Are there any remarks?

MEMBER CARBENIA: Ah, Mr. President.

PRESIDENT PRO TEM CASAR: Member Carbenia.

MEMBER CARBENIA: I move we amend Ordinance #20 per the copy that everybody has in front of them.

MEMBER CIRELLI: Seconded.

AMENDMENT: Pursuant to Rule 36, I move to amend Agenda Item No. 20 by amending the name "Coating

MINUTES OF THE MEETING SEPTEMBER 17, 2007

Services, Inc.” in the caption and Section 1 to read “Coater Services, Inc. Dba Kohler Coating.”

“AN ORDINANCE AUTHORIZING THE MAYOR OR DIRECTOR OF PUBLIC SERVICE TO ENTER INTO JOB CREATION TAX INCENTIVE AND NET PROFITS INCENTIVE AGREEMENTS WITH COATING SERVICES, INC. ‘COATER SERVICES, INC. DBA KOHLER COATING PURSUANT TO THE CITY’S ECONOMIC GROWTH INITIATIVE PROGRAM; AND DECLARING THE SAME TO BE AN EMERGENCY

SECTION 1: THE MAYOR OR DIRECTOR OF PUBLIC SERVICE, ON BEHALF OF THE CITY OF CANTON, IS AUTHORIZED AND DIRECTED TO ENTER INTO A 4-YR, PARTIAL TAX REIMBURSEMENT AGREEMENTS WITH COATING SERVICES, INC. COATER SERVICES, INC DBA KOHLER COATING PURSUANT TO THE CITY’S JOB CREATION INCENTIVE AND NET PROFITS TAX INCENTIVE PROGRAMS, AND SUBJECT TO THE CITY’S ECONOMIC GROWTH INITIATIVE.

PRESIDENT PRO TEM CASAR: It’s been moved to adopt, to amend Ordinance #20, per the copy that all members have in front of them. Are there any remarks?... If not, roll call please.

NO REMARKS

ROLL CALL: 10 YEAS, 0 NAYS

CLERK TIMBERLAKE: Ten yeas, Mr. President.

PRESIDENT PRO TEM CASAR: Member Carbenia.

MEMBER CARBENIA: Mr. President. I move we ah, we adopt Ordinance #20 as amended.

PRESIDENT PRO TEM CASAR: It’s been moved and seconded to adopt Ordinance #20 as amended. Are there any remarks?... If not, roll call please.

NO REMARKS

ROLL CALL: 10 YEAS, 0 NAYS

PRESIDENT PRO TEM CASAR: Ordinance #20 has been adopted. Ordinance #20, Madame Clerk.

#20 ADOPTED AS AMENDED AS ORDINANCE #168/2007

#21 (3RD RDG) **ADOPTED AS ORDINANCE 169/2007** AN ORDINANCE ESTABLISHING THE FAIR MARKET 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

PRESIDENT PRO TEM CASAR: Member Carbenia.

MEMBER CARBENIA: Mr. President, I move we adopt Ordinance #21.

MEMBER CIRELLI: Seconded.

PRESIDENT PRO TEM CASAR: It’s been moved and seconded to adopt Ordinance #21. Are there any remarks?... If not roll call please.

MINUTES OF THE MEETING SEPTEMBER 17, 2007

NO REMARKS

ROLL CALL: 10 YEAS, 0 NAYS

CLERK TIMBERLAKE: Ten yeas, Mr. President.

PRESIDENT PRO TEM CASAR: Ordinance #21 is adopted. Ordinance #22 please read Madame Clerk.

#21 ADOPTED AS ORDINANCE #169/2007

#22 (3RD RDG) **ADOPTED AS ORDINANCE 170/2007** AN ORDINANCE AMENDING APPROPRIATION ORDINANCE NO 241/2006, AS AMENDED, BY MAKING THE SUPPLEMENTAL APPROPRIATION HEREIN DESCRIBED; AND DECLARING THE SAME TO BE AN EMERGENCY

PRESIDENT PRO TEM CASAR: Member Carbenia.

MEMBER CARBENIA: Mr. President, I move we adopt Ordinance #22.

MEMBER CIRELLI: Seconded.

PRESIDENT PRO TEM CASAR: Ordinance #22 has been moved and seconded. Are there any remarks?... If not, roll call please.

NO REMARKS

ROLL CALL: 10 YEAS, 0 NAYS

CLERK TIMBERLAKE: Ten yeas, Mr. President.

PRESIDENT PRO TEM CASAR: Ordinance #22 has been adopted. Ordinance #23 Madame Clerk.

#22 ADOPTED AS ORDINANCE #170/2007

#23 (3RD RDG) **ADOPTED AS ORDINANCE 171/2007** AN ORDINANCE AMENDING APPROPRIATION ORDINANCE #241/2006 AS AMENDED BY MAKING THE SUPPLEMENTAL APPROPRIATION HEREIN DESCRIBED; AND DECLARING THE SAME TO BE AN EMERGENCY

PRESIDENT PRO TEM CASAR: Member Carbenia.

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

MEMBER CIRELLI: Seconded.

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

NO REMARKS

ROLL CALL: 10 YEAS, 0 NAYS

CLERK TIMBERLAKE: Ten yeas, Mr. President.

MINUTES OF THE MEETING SEPTEMBER 17, 2007

PRESIDENT PRO TEM CASAR: Ordinance #23 has been adopted. Ordinance #24 Madame Clerk.

#23 ADOPTED AS ORDINANCE #171/2007

#24 (3RD RDG) **ADOPTED AS ORDINANCE 172/2007** AN ORDINANCE AMENDING APPROPRIATION NO. 241/2006, AS AMENDED, BY MAKING A SUPPLEMENTAL APPROPRIATION HEREIN DESCRIBED; AND DECLARING THE SAME TO BE AN EMERGENCY

PRESIDENT PRO TEM CASAR: Member Carbenia.

MEMBER CARBENIA: Mr. President. I move we adopt Ordinance #24.

MEMBER CIRELLI: Seconded.

PRESIDENT PRO TEM CASAR: Ordinance #24 has been moved and seconded. Are there any remarks?..
If not, roll call please.

NO REMARKS

ROLL CALL: 10 YEAS, 0 NAYS

CLERK TIMBERLAKE: Ten yeas, Mr. President.

PRESIDENT PRO TEM CASAR: Thank you Madame Clerk. Ordinance #24 has been adopted.

#24 ADOPTED AS ORDINANCE #172/2007

ANNOUNCEMENT OF COMMITTEE MEETINGS

PRESIDENT PRO TEM CASAR: Announcement of Committee Meetings please.

MEMBER CARBENIA: Mr. President.

PRESIDENT PRO TEM CASAR: Member Carbenia.

MEMBER CARBENIA: Community and Economic Development will meet ah, 9/24/07 at 6:15.

MEMBER KRAUS: Mr. President.

PRESIDENT PRO TEM CASAR: Member Kraus.

MEMBER KRAUS: Public Safety and Thoroughfares will meet 9/24/07 at 6:15 pm.

MEMBER HAWK: Mr. President

PRESIDENT PRO TEM CASAR: Member Hawk.

MEMBER HAWK: Finance Committee will meet at 6:15 on September 24th. Mr. President, I've also been

MINUTES OF THE MEETING SEPTEMBER 17, 2007

asked to call the Personnel Committee for Member Prater. They will meet 9/24 at 6:15. Thank you.

PRESIDENT PRO TEM CASAR: Member West.

MEMBER WEST: Mr. President. Judiciary will meet 6:15 on September 24th.

PUBLIC SPEAKS (OPEN FORUM--CITY BUSINESS ONLY)

PRESIDENT PRO TEM CASAR: We're now under Public Speaks. This time, I think we'll stay there. Ah, we have 2 speakers signed up for this evening's meeting. The first one is a John Lester Regula and his topic is inefficiency of armor, arson investigations. Mr. Regula.

MAYOR CREIGHTON: Mr. Chairman, if I may.

PRESIDENT PRO TEM CASAR: Yes Mayor.

MAYOR CREIGHTON: Ah, I spoke with Mr. Regula and um, I've been able to answer his questions so he wanted to catch the bus and go back home.

PRESIDENT PRO TEM CASAR: Good job. Thank you. The second speaker we have today is Mary Knoster and her subject is mental abuse.

MAYOR CREIGHTON: Mr. Chairman.

PRESIDENT PRO TEM CASAR: Mayor.

MAYOR CREIGHTON: Ah, Mary stopped me outside and her issues did not deal with the City of Canton. They dealt with the FBI and the County and I will lead her down that path to get help.

PRESIDENT PRO TEM CASAR: That's very, very well because both of those speakers come, don't deal with the City of Canton either so, you did a good job. (LAUGHTER) Thank you. Had to get that one in.

MISCELLANEOUS BUSINESS

PRESIDENT PRO TEM CASAR: We are, we are now under Miscellaneous Business, are there, is there any miscellaneous business? Member Dougherty.

MEMBER DOUGHERTY: I just wanted to remind everyone that we're our event, the Feed the Need event this Saturday, out there on 3rd Street so for anyone that would want to come and help, we start at 8 am setting up and then cooking starts at 10:30 and the function is over at 1:00, with the clean up after that, so if any part of that or all of that, if you can come down and help, that would be, we're trying to find some extra cook so that we don't have to have Member Hart, but.... so, help is appreciated. If you haven't made your donation yet, please do. I here for it.

PRESIDENT PRO TEM CASAR: Member Cirelli.

MEMBER CIRELLI: Thank you Mr. President. Ah, this is to the Honorable Mayor Janet Creighton. Mayor, I have to say as long as I have sat in this chair in different capacities, I think it's the first time that I've ever seen

MINUTES OF THE MEETING SEPTEMBER 17, 2007

a Mayor that took care of 2 public speaking issues before they had to come to Council and I have to compliment you on that because you took care of them and directed them in the right places. So, God Bless you for that and thank you very much.

MAYOR CREIGHTON: Ah Mr. Chairman. Ah, Mr. President. I'm sorry.

PRESIDENT PRO TEM CASAR: Trouble-shooter Mayor.

MAYOR CREIGHTON: (*LAUGHTER*) Um, I do have some good news tonight and I wanted to be able to share with Canton City Council. If you remember, and also the public, if you remember a few months ago, when our Street Department was recognized by the State for their BAN program, Beautify A Neighborhood, I'm happy to report to you tonight that our city Street Department, has been chosen to showcase at the National League of Cities ah, for the, I think it's called the Congress of Cities, there's another special sub, sub-title to it. They have been chosen, um, nationwide, as a premiere showcase, um, um, in New Orleans, um, it's a premiere showcase for our efforts so, I want to applaud our Street Department, our DMV that helps, our Sanitation and all the neighborhood associations that have made that possible because it is really a collaboration between our neighborhood associations and the city. They had another one today in the Fairgrounds area. I know Councilman Hawk, he and I were out there early this morning at 8:00 and they were doing another clean up today and I'm just telling, it's a fabulous program and my hats are off to all the city employees and the residents. (*AUDIENCE APPLAUSE*)

PRESIDENT PRO TEM CASAR: Thank you, thank you Mayor. Are there any other remarks?...

MEMBER CARBENIA: Ah, Mr. President.

PRESIDENT PRO TEM CASAR: Member Kraus.

MEMBER KRAUS: Madame Mayor. I'd just like you to know, I broke all them guys in. (*LAUGHTER*)

MAYOR CREIGHTON: And a fine job you did!

MEMBER CARBENIA: Mr. President.

PRESIDENT PRO TEM CASAR: Member Carbenia.

MEMBER CARBENIA: I move we adjourn.

MEMBER CIRELLI: Seconded.

PRESIDENT PRO TEM CASAR: It's been moved and seconded to adjourn. Roll call please.

NO REMARKS

ROLL CALL: 10 YEAS, 0 NAYS

CLERK TIMBERLAKE: Ten yeas Mr. President.

PRESIDENT SCHULMAN: Meeting is adjourned. (*Gavel falls*)

MINUTES OF THE MEETING SEPTEMBER 17, 2007

ADJOURNMENT TIME: 8:00 PM

ATTEST:

APPROVED:

CYNTHIA TIMBERLAKE
CLERK OF COUNCIL

DONALD E. CASAR
PRESIDENT PRO TEM