

MINUTES OF THE MEETING OF MARCH 10, 2008

PRESIDENT SCHULMAN: Good evening everyone, we're all a little short handed tonight but our esteemed colleagues are in Washington, D.C. and hopefully they're ah...not with Governor Elliot Spitzer tonight. But in any case, 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:

COUNCILMEMBERS PRESENT: (JOE CARBENIA, MARY M. CIRELLI, JAMES GRIFFIN, CHRIS SMITH, TERRY PRATER, DAVID R. DOUGHERTY, PATRICK BARTON, & KARL "BUTCH" KRAUS)

8 COUNCILMEMBERS PRESENT

4 MEMBERS ABSENT

(CASAR, SMUCKLER, HAWK, & WEST)

CLERK TIMBERLAKE: Eight yeas, or eight present Mr. President.

PRESIDENT SCHULMAN: Thank you Madame Clerk. A quorum is present. We'll have the invocation given tonight by Councilmember Prater. Will you all please remain standing folks for the Pledge of Allegiance.

The regular meeting of Canton City Council was held on Monday, March 10, 2008 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 5 Councilmember Terry Prater, 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 going to be asked to suspend Rule 22A to add the second reading of Ordinances #4, #7 and #8 and Communication 121 to this evening's agenda, Ordinance 3, 5 and 6 will therefore be retained in committee. Member Carbenia, the Chair will recognize that motion.

MEMBER CARBENIA: Mr. President, I move Rule 22A be suspended to add 2nd Reading Ordinances 4, 7 and 8 and Communication 121 to this evening's agenda; Ordinance, ah...3, 5 and 6 will be retained in committee.

MEMBER CIRELLI: Seconded.

PRESIDENT SCHULMAN: It's been moved and seconded to suspend Rule 22A to second reading Ordinances 4, 7 and 8 and Communication 121. Are there any remarks?... If not, Madame Clerk, roll call vote please.

NO REMARKS

ROLL CALL: 8 YEAS, 0 NAYS

CLERK TIMBERLAKE: Eight yeas Mr. President.

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

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PRESIDENT SCHULMAN: We are now under Public Hearings. This evening there are no public hearings.

PUBLIC SPEAKS

PRESIDENT SCHULMAN: We are now under public speaks on Ordinances and Resolutions for adoption. We have no speakers signed up this evening.

INFORMAL RESOLUTIONS

PRESIDENT SCHULMAN: We're now under Informal Resolution....Resolutions, Mr. Carbenia, I'll recognize a motion to excuse members.

MEMBER CARBENIA: Mr. President, I move we excuse Members Casar, Smuckler, Hawk and West from tonight's meeting.

MEMBER CIRELLI: Seconded.

PRESIDENT SCHULMAN: It's been moved and seconded to excuse Members Casar, Smuckler, Hawk and West from this evenings meetings.....this evenings meeting. Are there any remarks? I would just add that they are in Washington, D.C. doing the work um...for our City and that's why they're unable to be present this evening. So, Madame Clerk, roll call vote please.

NO REMARKS

ROLL CALL: 8 YEAS, 0 NAYS

CLERK TIMBERLAKE: Eight yeas Mr. President.

PRESIDENT SCHULMAN: That motion carries.

COMMUNICATIONS

PRESIDENT SCHULMAN: We are now under communications. Let the Journal show that all communications are received as read. Member Kraus, do you want to.....Miscellaneous? Okay, thank you.

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 MARCH 10, 2008.

105. AUDITOR MALLONN (CITY): CERTIFICATE OF TOTAL AMT FR: 2008 ALL SOURCES. - RECEIVED & FILED

106. AUDITOR MALLONN (CITY): MONTHLY REPORT BY FUND FOR 2/1/08 - 2/29/08. - RECEIVED & FILED

107. AUDITOR MALLONN (CITY): YEARLY REPORT BY FUND FOR 1/1/08 - 2/29/08. - RECEIVED & FILED

108. HEALTH BENEFITS ADMIN., BRESSON: FEB 2008 MO COMPARATIVE RPT OF INSUR

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CLAIMS & JAN - FEB 2008 PAID CLAIMS & COMPARATIVE RPT. - RECEIVED & FILED

109. LIQUOR CONTROL DIVISION (OHIO): REQ TRANSFER OF STOCK FOR WILD WEST SALOON INC @ 3000 ATLANTIC BLVD UNIT B. - RECEIVED & FILED

110. MAYOR HEALY: REQ AUTHORIZATION OF RE-APPT OF JOSEPH FRIEDMAN & DAVE GRABOWSKI TO CANTON CONSTRUCTION BD EFF: RETROACTIVE 1/1/08 - 12/31/10; REQ AUTHORIZATION OF APPT OF MICHAEL MCELFRESH UNTIL 2/28/09 DUE TO THE RESIGNATION OF JAMES SMITH. - PERSONNEL COMMITTEE

111. MAYOR HEALY: REQ AUTHORIZATION OF RE-APPT OF MARCIA ZAWACKY EFF: RETROACTIVE 1/1/08 - 12/31/12 & THOMAS LAROCHELLE EFF: RETROACTIVE 9/1/07 - 8/31/12 BOTH TO FAIR HSG COMM; REQ AUTHORIZATION OF APPT OF CESAR VANDERPOOL, JR. TO UNEXPIRED TERM DUE TO RESIGNATION OF L. RAFAEL RODRIGUEZ. - PERSONNEL COMMITTEE

112. MAYOR HEALY: ADVISING OF RE-APPT OF JEFFREY MCDANIELS TO STARK METROPOLITAN HSG AUTH EFF: RETROACTIVE 2/1/08 - 1/31/13. - RECEIVED & FILED

113. POLICE CHIEF MCKIMM: SUBMITTING 2007 RPT FOR LAW ENFORCEMENT TRUST FUND & LAW ENFORCEMENT EDUCATION FUND. - RECEIVED & FILED

114. SERVICE DIR., BERNABEI: AMEND O#175/2006 FOR PURPOSE OF IDENTIFYING THE CORRECT CORP ENTITY WHICH IS HYDRODEC NORTH AMERICA, INC & RATIFYING EXECUTION OF CITY'S NET PROFIT TAX INCENTIVE PROG AGMT & CITY'S JOB CREATION & INCENTIVE PROG AGMT PREVIOUSLY ENTER INTO W/HYDRODEC GROUP PLC. - COMMUNITY & ECONOMIC DEVELOPMENT COMMITTEE

115. SERVICE DIR., BERNABEI: AUTHORIZE SERV DIR TO ACCEPT & EXECUTE \$55,170.00 RECYCLING MAKES SENSE GRANT FROM STARK - TUSCARAWAS - WAYNE JOINT SOLID WASTE MANAGEMENT DISTRICT. - RECYCLING & FINANCE COMMITTEES

116. SERVICE DIR., BERNABEI: AUTHORIZE SERV DIR &/OR MAYOR TO EXECUTE A REAL ESTATE PURCHASE OPTION AGMT & LEASE W/GENERAL SERVICES ADMIN FOR FEDERAL CENTER PROJECT. - FINANCE COMMITTEE

117. TREASURER SCHIRACK: FEB 2008 PKING MTR REVENUE. - RECEIVED & FILED

118. TREASURER SCHIRACK: FEB 2008 DEPOSIT & PAY INS FOR AMBULANCE LOCK BOX ACCT. - RECEIVED & FILED

119. TREASURER SCHIRACK: RPT OF TREAS OFC BANK RECONCILIATION & CITY'S OUTSTANDING INVESTMENTS AS OF 2/29/08. - RECEIVED & FILED

120. TREASURER SCHIRACK: FEB 29, 2008 COMPARATIVE RPT OF CASH RECEIPTS. - RECEIVED & FILED

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121. COMPLIANCE DIR., MINOR SMITH: AUTHORIZE MAYOR OR SERV DIR TO ENTER INTO AN AMENDED GRANT AGMT & RECEIVE SUPPLEMENTAL FUNDS FR: DEPT OF HSNB & URBAN DEV. - FINANCE & COMMUNITY & ECONOMIC DEVELOPMENT COMMITTEES

ORDINANCES & FORMAL RESOLUTIONS FOR FIRST READING

PRESIDENT SCHULMAN: We're now under Ordinances and Formal Resolutions for the first reading. Let the journal show that all Ordinances are being given their reading 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 #2 FOR THE FIRST TIME BY TITLE & ANNOUNCED THE COMMITTEE REFERRAL, AS FOLLOWS:

#1 (1ST RDG) AN ORDINANCE AMENDING APPROPRIATION ORDINANCE NO. 1/2008, AS AMENDED, BY MAKING THE SUPPLEMENTAL APPROPRIATIONS, INTER-FUND ADVANCES AND ADVANCE REPAYMENTS HEREIN DESCRIBED; AND DECLARING THE SAME TO BE AN EMERGENCY

Referred to Finance & Public Property Capital Improvements Committees

#2 (1ST RDG) AN ORDINANCE AMENDING SECTIONS 943.05, AUTHORITY TO USE; PERMIT; FEE; UNASSESSED PROPERTY; OWNER'S COSTS AND LIABILITY, AND SECTION 947.06, SEWER RATES, OF THE CODIFIED ORDINANCES; AND DECLARING THE SAME TO BE AN EMERGENCY

Referred to Environmental & Public Utilities Committee

ORDINANCES & FORMAL RESOLUTIONS FOR SECOND READING

PRESIDENT SCHULMAN: And we are now under Ordinances for their second reading. Madame Clerk, will you please read Second Reading Ordinances by title.

NOTE: PRESIDENT SCHULMAN CALLED UPON CLERK TIMBERLAKE TO READ ORDINANCE #4, #7 AND #8 FOR THEIR SECOND TIME BY TITLE AS REQUIRED BY STATE LAW, AS FOLLOWS:

#3 (2ND RDG) **RETAINED IN COMMITTEE** AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO AN AMENDED ENTERPRISE AGREEMENT WITH HYDRODEC NORTH AMERICA, INC; AND DECLARING THE SAME TO BE AN EMERGENCY

#4 (2ND RDG) A RESOLUTION WITHDRAWING CANTON'S OBJECTION TO THE RENEWAL OF A LIQUOR PERMIT LOCATED WITHIN THE CITY; AND DECLARING THE SAME TO BE AN EMERGENCY

#5 (2ND RDG) **RETAINED IN COMMITTEE** AN ORDINANCE AMENDING APPROPRIATION ORDINANCE NO. 1/2008, AS AMENDED, BY MAKING THE SUPPLEMENTAL APPROPRIATION HEREIN DESCRIBED; AUTHORIZING THE MAYOR AND/OR SERVICE DIRECTOR TO ADVERTISE, RECEIVE BIDS AND ENTER INTO CONTRACT FOR THE NEW HORIZONS PARK PROJECT; AND DECLARING THE SAME TO BE AN EMERGENCY

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#6 (2ND RDG) **RETAINED IN COMMITTEE** AN ORDINANCE AUTHORIZING THE CITY AUDITOR TO PAY A MORAL OBLIGATION IN AN AMOUNT NOT TO EXCEED \$3,600.00 TO DESANTIS ENTERPRISES; AND DECLARING THE SAME TO BE AN EMERGENCY

#7 (2ND RDG) AN ORDINANCE AMENDING APPROPRIATION ORDINANCE NO. 1/2008, AS AMENDED, BY MAKING THE SUPPLEMENTAL APPROPRIATION HEREIN DESCRIBED; AND DECLARING THE SAME TO BE AN EMERGENCY

#8 (2ND RDG) AN ORDINANCE AUTHORIZING THE CITY AUDITOR TO PAY A MORAL OBLIGATION IN AN AMOUNT NOT TO EXCEED \$72,520.00 TO CARGILL, INC.; AMENDING APPROPRIATION ORDINANCE NO. 1/2008, AS AMENDED, BY MAKING THE SUPPLEMENTAL APPROPRIATION HEREIN DESCRIBED; AND DECLARING THE SAME TO BE AN EMERGENCY

ORDINANCES & FORMAL RESOLUTIONS FOR THIRD AND FINAL READING

PRESIDENT SCHULMAN: We're now under Ordinances for their third and final reading. Madame Clerk, would you please read Ordinance #9 by title.

NOTE: PRESIDENT SCHULMAN CALLED UPON CLERK TIMBERLAKE TO READ THE FOLLOWING ORDINANCES #9 THROUGH #11 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.

#9 (3RD RDG) **ADOPTED AS ORDINANCE #21/2008** 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 SCHULMAN: Member Carbenia.

MEMBER CARBENIA: Mr. President, I move we adopt Ordinance #9.

MEMBER CIRELLI: Seconded.

PRESIDENT SCHULMAN: It's been moved and seconded to adopt Ordinance #9....Are there any remarks under this Ordinance? If not Madame Clerk, roll call vote please.

NO REMARKS ROLL CALL: 7 YEAS, 0 NAYS, 1 ABSTAIN

Abstained)

CLERK TIMBERLAKE: Seven yeas, one abstain Mr. President.

PRESIDENT SCHULMAN: That ah...means that Ordinance #9 has been adopted but not on an emergency basis and therefore it will go into effect in 30 days. Ah...Ordinance #10 please.

#9 ADOPTED AS ORDINANCE NO. 21/2008

#10 (3RD RDG) **ADOPTED AS ORDINANCE# 22/2008** AN ORDINANCE AMENDING

(Member Cirelli

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APPROPRIATION ORDINANCE NO 1/2008, AS AMENDED, BY MAKING THE SUPPLEMENTAL APPROPRIATIONS HEREIN DESCRIBED; AND DECLARING THE SAME TO BE AN EMERGENCY

PRESIDENT SCHULMAN: Member Carbenia.

MEMBER CARBENIA: Mr. President, I move we adopt Ordinance 10.

MEMBER CIRELLI: Seconded.

PRESIDENT SCHULMAN: It's been moved and seconded to adopt Ordinance #10....Are there any remarks? If not Madame Clerk, roll call vote please.

NO REMARKS ROLL CALL: 8 YEAS, 0 NAYS

CLERK TIMBERLAKE: Eight yeas Mr. President.

PRESIDENT SCHULMAN: Ordinance #10 is adopted, Ordinance #11 please Madame Clerk.

#10 ADOPTED AS ORDINANCE NO. 22/2008

#11 (3RD RDG) **ADOPTED AS ORDINANCE #23/2008** AN ORDINANCE AUTHORIZING THE DIRECTOR OF PUBLIC SERVICE TO ADVERTISE, RECEIVE BIDS AND ENTER INTO CONTRACT FOR WATER TREATMENT PLANT UPGRADES AND TO ENTER INTO CONTRACT WITH BURGESS & NIPLE FOR ENGINEERING SERVICES; AUTHORIZING THE MAYOR OR DIRECTOR OF PUBLIC SERVICE TO APPLY FOR AND ENTER INTO A CONTRACT WITH THE OHIO WATER DEVELOPMENT AUTHORITY FOR LOANS FOR THE PROJECT; AND DECLARING THE SAME TO BE AN EMERGENCY

PRESIDENT SCHULMAN: Member Carbenia.

MEMBER CARBENIA: I move we adopt ah...Ordinance #11.

MEMBER CIRELLI: Seconded.

PRESIDENT SCHULMAN: It's been moved and seconded to adopt Ordinance #11....Are there any remarks under this Ordinance? If not Madame Clerk.....

MEMBER CIRELLI: Mr. President.

PRESIDENT SCHULMAN: Yes, Member Cirelli.

MEMBER CIRELLI: Mr. President, um...my question I guess is, will there ever come a time that we will not have to have engineering services for any of these special projects? I don't know who to refer that to.

PRESIDENT SCHULMAN: Ah....Director Bernabei, or Law Director Martuccio.

LAW DIRECTOR MARTUCCIO: Mr. President.

PRESIDENT SCHULMAN: Yes, Law Director.

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LAW DIRECTOR MARTUCCIO: Member Cirelli, if I heard the question correctly, it's "will there come a time when we will not have to have specialized consultants on these contracts?"

MEMBER CIRELLI: Correct sir for engineering consultants.

LAW DIRECTOR MARTUCCIO: Ah...there are some projects I'm told that are so complex in terms of the demands...ah...in terms of the chemical composition of the water after it leaves the plant that um...that...ah...specialized knowledge is necessary to help plan those projects so that they meet E.P.A., federal and Ohio E.P.A. approval. Um...we have a really excellent...ah...water pollution control center...um... Director who is very well versed and highly certified but some of these things are beyond him in terms of the...the future demands. And...um...as you know, we...we attempt in the Law Department to work as closely as we can on these contracts but occasionally something comes along that is just ah...so complicated in terms of the future demands and the bond demands that we occasionally ask for some help from a special Bond Council or special Council. So I'd like to say, there will come that time...um...but there will be these cases that...ah...the superintendent will explain to Council very carefully when they need special help, as we will if we need special help. Um...thank you.

PRESIDENT SCHULMAN: Member Cirelli.

MEMBER CIRELLI: Thank you Mr. President.

PRESIDENT SCHULMAN: Thank you.

MEMBER CARBENIA: Mr. President.

PRESIDENT SCHULMAN: Yes, Member Carbenia.

MEMBER CARBENIA: Ah...I'd like to ask on this ah...it says "Ohio Water Development Authority" um...is that a Governmental agency because there's a company that we're in competition with it's Ohio Water.

SERVICE DIRECTOR BERNABEI: Yes...ah...Member Carbenia...ah...yes that is a Governmental agency.

MEMBER CARBENIA: Thank you.

PRESIDENT SCHULMAN: Any other remarks? (*Laughter*) Madame Clerk, roll call vote please.

MEMBER CARBENIA: If you don't ask, you don't know.

NO REMARKS ROLL CALL: 8 YEAS, 0 NAYS

CLERK TIMBERLAKE: Eight yeas Mr. President.

PRESIDENT SCHULMAN: Ordinance #11 is adopted. Ah...Member Carbenia, Member Carbenia, I just want you to know I was only laughing because Mr. Bernabei did not ask my permission to address ah...Member Cirelli. I thought that was very rude of the Director.

#11 ADOPTED AS ORDINANCE NO. 23/2008

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MEMBER CARBENIA: I was...I thought it was him anyway.

(LAUGHTER)

ANNOUNCEMENT OF COMMITTEE MEETINGS

PRESIDENT SCHULMAN: Okay, we're now under ah..Announcement of Committee Meetings.

MEMBER CARBENIA: Mr. President.

PRESIDENT SCHULMAN: Member Carbenia.

MEMBER CARBENIA: Economic Development and Finance and the Park Department will meet on ah...the 17th of March at ah...6:15 along with ah...we need an extra half hour, that's why we're meeting at 6:15, that ah...Director Bernabei wants to ah...have a meeting on...on...ah..blacktopping and so on.

PRESIDENT SCHULMAN: Thank you Member Carbenia. Anyone else?

MEMBER PRATER: Mr. President.

PRESIDENT SCHULMAN: Member Prater.

MEMBER PRATER: Personnel Committee will meet March 17th at 6:15.

PRESIDENT SCHULMAN: Thank you.

MEMBER DOUGHERTY: Mr. President.

PRESIDENT SCHULMAN: Member Dougherty.

MEMBER DOUGHERTY: Public Property Capital Improvement will also meet that day at 6:15.

PRESIDENT SCHULMAN: Thank you. Alright, we're now under....

MEMBER GRIFFIN: Mr. President.

PRESIDENT SCHULMAN: Oh, I'm sorry, Member Griffin.

MEMBER GRIFFIN: Yeah, Environmental also will meet at 6:15.

PRESIDENT SCHULMAN: Thank you very much. Anyone else?

PUBLIC SPEAKS (OPEN FORUM--CITY BUSINESS ONLY)

PRESIDENT SCHULMAN: Okay, we're now under Public Speaks, Open Forum and um...we have one speaker signed up, Patricia Kirk. And Ms. Kirk, I know you've been here before and we appreciate you coming down again. Ah...would you though tell us your name and your residential address and please remember if you would respectfully to keep your remarks within the three minute period. Thank you. And good evening.

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PATRICIA KIRK: Yes hi, my name is Patricia Kirk, I'm the president of Shake-a-Leaf and I live at 131 5th St NE, Apt 508 in Canton and um...I have three questions. Very simple, and Mr. Martuccio is also aware of these but what has happened with the Tree Ordinance for the past 3 months? It was due to go through Council. And the second question is what is being done about the oak trees and the park that supposedly ah...can be saved by the old fire station at the corner of Cleveland and 25th. The third question is what is the latest on the land bank program that the Council was looking at. And I also have some Shake-a-Leaf...um...business cards to pass out if you have some, pass it on to someone who doesn't.

PRESIDENT SCHULMAN: Great. Thank you very much Ms. Kirk, is there anything else?

PATRICIA KIRK: No.

PRESIDENT SCHULMAN: Great, thank you. Thank you for coming down.

MISCELLANEOUS BUSINESS

PRESIDENT SCHULMAN: Ah...we're now under Miscellaneous Business. Is there any Miscellaneous Business? Ah...Mayor Healy.

MAYOR HEALY: Thank you Mr. President, ah...I just wanted to ah...remind you and announce that...ah...the State of the City Address will be held a week from today at...ah...roughly 7:00....ah...depending on Council leaving their Chambers...ah...from the Committee Meetings. Ah....as soon as your done with Committee, we'll come out here and start the State of the City. Ah...that'll...ah...approximately a half an hour and then we'll go right into your Council Meeting. So it will be a public event, held right here ah...all set thank you.

PRESIDENT SCHULMAN: Thank you Mayor and I ah...just reiterate what the Mayor said, I hope all of you will be here in the Chambers at 7:00 next week to hear the Mayor's State of the City Address. I've given...I've been given the privilege of having a very limited preview and it's going to be an exciting speech and it's going to be a speech that I think ah...all our citizens will receive warmly. Ah..Member Kraus.

MEMBER KRAUS: Yes Mr. President. Thank you. Um...keeping with our theme, of "The year of the neighborhood" um...and starting last year...ah...working with a constituent and a member of our neighborhood group in Ward 8, she was very instrumental in...um...instituting the new group around Our Lady of Peace called "OUR Group" and also they this year she is turning 70 and along with her daughter we had a 70 day count down and it's been a very nice thing and part of my thing with her daughter and the Mayor and Mr. Bernabei was very nice to get involved with..ah...we'd like to present Alice if she would come up here please and if Cindy would read for the Mayor the Proclamation please. (*Applause*)

PRESIDENT SCHULMAN: Mayor Healy. Come on, you cannot hide.

(*APPLAUSE*)

CLERK TIMBERLAKE: This is the Mayor's Proclamation, City of Canton, Ohio, William J. Healy II. **Whereas:** on this, March 15th, 2008, Ms. Alice M. Sarver celebrates her 70th birthday, and **Whereas:** Ms. Alice Sarver has been a faithful citizen of the City of Canton area for over 45 years, where she is an active participant in public affairs, and **Whereas:** Ms. Alice Sarver, has continued to improve the safety and security of the Steese Area through her efforts to organize the Opportunity, Unity, and Respect Neighborhood

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Group, and **Whereas:** Ms. Alice Sarver, has shown a commitment to the Canton area through her years of attendance at City Council meetings and her integral leadership and procurement efforts in the Steese Project, which helped alleviate a tremendous flooding problem in the area, and **Now, Therefore,** I, William J. Healy II, by virtue of the authority vested in me as Mayor of the City of Canton, Ohio do hereby declare March 15, 2008 as **Alice M. Sarver Day** For her many accomplishments and successes during the past 70 years and her unwavering commitment to the betterment of the Canton area.

(APPLAUSE)

ALICE SARVER: Thank you Cindy. I just want to say thank you and ah...this is...this was such a surprise and I love the City of Canton and I just...I just want to see it be a great City to live in and just pull people in and give people the opportunity to be great neighbors to one another. Thank you.

(APPLAUSE)

PRESIDENT SCHULMAN: Well Alice, we love you being here and we wish you many healthy and happy returns. Happy Birthday again.

MEMBER CARBENIA: Mr. President.

PRESIDENT SCHULMAN: One of the very few people that is actually older than me. *(Laughter)* Member Carbenia.

MEMBER CARBENIA: Except for Carbenia too. *(Laughter)* If I could Alice, I would like to thank you for all your years of ah...service to the City, ah...working...ah...non payed work. Ah...I know that you've...ah...you've been a dynamo I know for...ah...for...ah... Butchy, helping him to get those things done up there and the only thing that I would like to ask is...ah...I'd like to get a half a dozen pictures from the photographer. I thought he was going up there to propose, he was down on his knees. *(Laughter)* Um...I wish you luck.

PRESIDENT SCHULMAN: Thank you Member Carbenia. Law Director Martuccio.

LAW DIRECTOR MARTUCCIO: Thank you Mr. President. I wanted to ah...supplement my answer to Member Cirelli. I was ah...partially mistaken...ah, I noticed that in Ordinance #11, that goes to Water Treatment...ah plant, not the Water Pollution Control Center. However, my answer stays about the same. This is a very complicated piece of engineering...ah...that I would hazard to guess is something that can only be undertaken by ah...the most experienced professionals on the largest of scales and it was done, as it will be done rather, by um...having already been...ah...advertised and...and so on and it will be bid. Um...and again, the same hold true of any Bond Council work that may have to be done in the future. Ah..with regard to Ms. Kirk, um...I will be consulting with the Service Director when he is unburied from his many and varied duties that he's been overwhelmed with on the status of the Tree Ordinance that you and so many people have worked so diligently on. When the plans...ah..have been completed for the fire station proposal at 25th and Cleveland, we'll have a better idea of what may or not become of those trees. And on the issue of Land Banking...um...we have a pretty active Administration and a Service Director...ah...combining forces with the County and other...ah...offices..ah..to see what kinds of benefits can be derived from the new State Law, allowing quicker and easier forfeitures of lands of lots that are not build able and have...ah...burdens on them. Thank you for asking.

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PRESIDENT SCHULMAN: Thank you Law Director Martuccio. Any other comments?

MEMBER CIRELLI: Mr. President.

PRESIDENT SCHULMAN: Ah...Member Cirelli.

MEMBER CIRELLI: Ah...question to...ah...Law Director Martuccio. Thank you for clarifying because I was going to ask you that question, so that's one that's out of the way. Ah...I don't know whether you saw in Sunday's paper, March 9th, "Housing Inspection Debated Over in Alliance." Did you follow that or not? Which right away triggered in my mind when I was asking you about the licensing of landlords...ah...can you tell me, what do we charge for an inspection? This on a bi-annual, they want to charge possibly \$100.00 to help the City recoup the cost of...of inspecting.

PRESIDENT SCHULMAN: Law Director Martuccio.

LAW DIRECTOR MARTUCCIO: Thank you Mr. President. Member Cirelli, I would yield, if Council would permit it to John Labriola. I don't know what the fee is for our um...Occupant.....Certificates of Occupancy.

MEMBER CARBENIA: I would ask that he is allowed to talk to Mr. President.

MEMBER CIRELLI: Seconded.

PRESIDENT SCHULMAN: It's been moved and seconded to allow John Labriola to address ah...Member Cirelli's question. Any remarks? All those in favor say aye. Those opposed no.

NO REMARKS MOTION APPROVED BY UNANIMOUS VOICE VOTE

PRESIDENT SCHULMAN: The motion carries. Director. Well if Casar could only see you now. *(Making reference to Mr. Labriola sitting in Member Casar's seat) (Laughter)* You sort of look like Don though, better looking though. *(Laughter)*

CHIEF BUILDING OFFICIAL JOHN LABRIOLA: Mary, to answer your question, the registration fee is \$50.00 per single family dwelling and then the Certificate of Occupancy is \$50.00 but it goes for five years.

MEMBER CIRELLI: So, Mr. President. Um...Mr. Labriola, I assume you seen this also in the paper then? And ah...you know.... Mr. President, again, I was looking at the aspect of possibly charging a rental fee for landlords owning properties that are actually making a business out of this...out of our community. And we see it all over the City of Canton and I'm not talking about the mom and pop people that just maybe buy property next door to them and clean it up and take care of it. I'm talking about the ones that are making a living, and most of them don't even live in Canton. And so that's why when I saw this \$100.00 which is bi-annual, I thought well if we can't get the...ah...licensing of a landlords, maybe this is another way we can get some money to help our community services that we provide for them..ah..you know the departments to get money into our coffers. So I just wanted your opinion on what you thought of it sir.

CHIEF BUILDING OFFICIAL JOHN LABRIOLA: Director Nesbitt and I have been in conversation in regards to making changes to the code enforcement and I'm sure that we will be discussing this further. Ah...the possibility of registering landlords maybe a good way to go or try.

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MEMBER CIRELLI: Alright, I appreciate it and if you would apprise me of what you may come up with, I'd be more than open to assist with that sir and Director Nesbitt.

PRESIDENT SCHULMAN: Thank you very much. Thank you. Ah...Law Director Martuccio.

LAW DIRECTOR MARTUCCIO: Thank you Mr. President. And Member Cirelli, to follow up on your observation of that article, Law Director, Alliance Law Director Zumbar, I think properly opined that any costs have to be related to the actual generation...any fees have to be related to the actual generation of costs. Ah...they have to actually reflect what is expended in salaries and so on. That's a good point that he made. Um...in addition to that, he wanted to be careful to treat everyone equally under the law and to not have any un voted taxes.

PRESIDENT SCHULMAN: Any other remarks, Member Cirelli?

MEMBER CIRELLI: No sir, thank you.

PRESIDENT SCHULMAN: Thank you very much.

MEMBER CARBENIA: Mr. President.

PRESIDENT SCHULMAN: Member Carbenia.

MEMBER CARBENIA: I move we adjourn.

MEMBER CIRELLI: Seconded.

PRESIDENT SCHULMAN: Ah...it's been moved and seconded to adjourn, ah...Madame Clerk, roll call vote please.

NO REMARKS ROLL CALL: 8 YEAS, 0 NAYS

CLERK TIMBERLAKE: Eight yeas, Mr. President.

PRESIDENT SCHULMAN: Meeting is adjourned. Thank you and Happy Birthday again Alice. (*Gavel falls*)

ADJOURNMENT TIME: 7:57 P.M.

ATTEST:

APPROVED:

CYNTHIA TIMBERLAKE
CLERK OF COUNCIL

ALLEN SCHULMAN
PRESIDENT

MINUTES OF THE MEETING OF MARCH 10, 2008