

MINUTES OF THE MEETING OF MARCH 24, 2008

BEGINNING OF COUNCIL MEETING WAS NOT RECORDED, ADMINISTRATIVE ASSISTANT, BEVERLY BEVINGTON WAS NOT AT THE RECORDER. THE RECORDING BEGAN AT ROLL CALL.

ROLL CALL TAKEN BY CLERK TIMBERLAKE:

11 COUNCILMEMBERS PRESENT: (DON CASAR, JOE CARBENIA, MARY M. CIRELLI, BILL SMUCKLER, GREG HAWK, THOMAS E. WEST, JAMES GRIFFIN, CHRIS SMITH, TERRY PRATER, DAVID R. DOUGHERTY, & PATRICK BARTON)

ELEVEN COUNCILMEMBERS PRESENT, 1 ABSENT (KARL "BUTCH" KRAUS)

CLERK TIMBERLAKE: Eleven present, One absent Mr. President.

PRESIDENT SCHULMAN: Thank you Madame Clerk. Tonight we'll have the invocation given by Councilmember Barton. Would you all please remain standing for the Pledge of Allegiance.

The regular meeting of Canton City Council was held on Monday, March 24, 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 7 Councilmember Pat Barton, 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....bless you....to add...bless you....to add the...and that's enough (*Laughter*)....to add the 2nd reading of Ordinances 12, 13, 14, 15 and 16. Retaining 10 and 11 in committee. Member Casar, the Chair will recognize that motion.

MEMBER CASAR: Mr. President, I move we suspend Statutor...we suspend Rule 22A Ordinances and add Ordinances 12 through and including 16 to this evening's agenda.

MEMBER CARBENIA: Seconded.

PRESIDENT SCHULMAN: It's been moved and seconded therefore, to suspend Rule 22A second reading Ordinances 12, 13, 14, 15, 16; Retaining 10 and 11 in Committee to this evening's agenda. Are there any remarks?... If not, Madame Clerk, roll call vote please.

NO REMARKS

ROLL CALL: 11 YEAS, 0 NAYS

CLERK TIMBERLAKE: Eleven yeas Mr. President.

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

PUBLIC HEARINGS

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

PUBLIC SPEAKS

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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. Member Casar, I will recognize a motion to excuse Member Kraus from this evening's meeting.

MEMBER CASAR: Mr. President, I move that ah...Member Hawk...Kraus be excused from this evening's meeting.

MEMBER CARBENIA: Seconded.

MEMBER CASAR: Mr. President.

PRESIDENT SCHULMAN: Yes.

MEMBER CASAR: While we're under the subject...ah...the reason Member Kraus is...ah absent tonight, his brother in law passed away. Joe Bourquin is a friend of many of us in the Council and I think many of us throughout the City and I would ask if we could have a moment of silence for...ah...Joe Bourquin please.

PRESIDENT SCHULMAN: Certainly, let's have a moment of silence please.

(MOMENT OF SILENCE IN MEMORY OF JOE BOURQUIN)

PRESIDENT SCHULMAN: Thank you.

MEMBER PRATER: Mr. President.

PRESIDENT SCHULMAN: Ah..yes, Member Prater.

MEMBER PRATER: I believe we do have one individual whose intent was to speak for Resolutions.

PRESIDENT SCHULMAN: Oh, I'm sorry. I apologize, thank you.

PUBLIC SPEAKS

PRESIDENT SCHULMAN: Ah...we do have...ah...one individual on the Public Speaks..ah...this evening and I apologize to...ah...Ms. Biery. Dianne Biery. Thank you, would you step forward please and give us your name and residential address and good evening.

DIANNE BIERY: Hi, um...my name is Dianne Biery, I live at 1377 Park Avenue S.W. Um, I wanted to speak tonight about the 8.1% sewer increase. Um...how many of you wash your cars at least two times a month in nice weather? And how many of you have a vegetable or flower garden? And how many of you have a swimming pool no matter what size? Hold that thought. I have found that one of the best parts about living in Canton City is that I live in Ward 5 and have a Councilman who genuinely cares. He fights for the schools and the neighborhoods with his heart and his head rules and protects our rights as residents of the City of Canton, thank you Terry. Our concern, the 8.1% increase in sewer rates that you'll be voting on tonight. You've probably all made up your minds by now but during the meeting I'd like you to at least think about

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what I have to say. In this past year, the price of gas, milk and bread have increased almost 50%. This all falls back on the consumer, you and me. The average person's income increases approximately 3% each year and this is called "cost of living". It costs to live. I may not like the price of gas but I pay for what I use. And I have some control over my usage by regulating the temperature in my home, by changing my driving habits. My point is, when you charge higher prices and charge for what I use, I have some control from within my budget. Which brings me to my biggest protest on raising sewer rates. There is no meter to measure sewer usage like there is for gas, electric and water. Personally, I don't know how you can charge for sewer based on that because it is based on water usage, which is an inadequate reading for sewer usage. Remember the questions that I asked in the beginning about your garden, washing your car and filling your swimming pool. Not all water goes to the sewer. Several years ago when utility rates increased, the bill went from three months to two months which covered up the increase per say. Since then, we are now paying the same price for two months as we were for three months. Very clever. I'm almost done. I am against any sewer increase until you can provide a means to accurately measure usage. The new Administration would fare better by any increase that is gradual. Ask MRDD and Canton City Schools. One reason people, the residents, voted down their levies, too drastic of a request. Tonight each one of you has a vote. Each one of your votes count. Make it work for the people in your Ward. Thank you.

PRESIDENT SCHULMAN: Thank you Ms. Biery. Thank you.

(APPLAUSE)

PRESIDENT SCHULMAN: And again, I apologize for ignoring you. I didn't realize you had signed up. Ah...we do have a motion in front of...ah...Council and it's...ah to excuse Member Kraus from this evening's meeting. Ah...are there any remarks? If not, Madame Clerk, roll call vote please.

NO REMARKS

ROLL CALL: 11 YEAS, 0 NAYS

CLERK TIMBERLAKE: Eleven yeas, Mr. President

PRESIDENT SCHULMAN: Thank you, the Motion carries. Ah..Madame Clerk, would you please read Resolution #26 by title.

#26. CARBENIA, J., C&ED CMTE CHAIR & WARD 9 CNCLMN: ENCOURAGING ALL CITIZENS TO SUPPORT THE COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM. - ADOPTED

MEMBER CASAR: Mr. President.

PRESIDENT SCHULMAN: Member Casar.

MEMBER CASAR: I move we ame....adopt Resolution #26.

MEMBER CARBENIA: Seconded.

PRESIDENT SCHULMAN: It's been moved and seconded to adopt Resolution #26. Are there any remarks?

Member Carbenia.

MEMBER CARBENIA: Mr. President, I'd like to have it read in it's entirety.

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PRESIDENT SCHULMAN: Very well, Madame Clerk, please.

CLERK TIMBERLAKE: An Informal Resolution Respectfully Submitted By Joe Carbenia, Community & Economic Development Committee Chairman and Ward 9 Councilmember on this 24th day of March, 2008
WHEREAS: The Community Development Block Grant (CDBG) program was enacted, and signed into law by President Gerald Ford, as the centerpiece of the Housing and Community Development Act of 1974; and
WHEREAS: The week of March 24, 2008 is designated as National Community Development Block Grant Week in Canton, Ohio; and
WHEREAS: The CDBG program has its primary objective “the development of viable urban communities, by providing decent housing and a suitable living environment and expanding economic opportunities, principally for persons of low and moderate income”; and
WHEREAS: The City of Canton supports the goal of CDBG Funding for improving the situation for low and moderate income people by helping in the elimination of slum and blight, by spurring economic development and assisting in emergency situations; and
WHEREAS: In reaching the aforementioned goals, the City of Canton has utilized CDBG dollars by recently constructing five new homes, rehabilitating scores of existing structures, creating over 400 new jobs, assisting in emergency home repairs, supporting neighborhood associations; and
WHEREAS: The City of Canton with CDBG funds in the amount of \$2.9 million effectively leveraged over \$20 million in other funds to improve our community; and
WHEREAS: The City of Canton recognizes that the successful work emphasizes that a community is comprised of many facets, both residential and business.
NOW, THEREFORE, BE IT RESOLVED: That we, the members of Canton City Council do hereby designate the Week of March 24 through March 30, 2008 as “Community Development Block Grant Week” in Canton, Ohio, in support of this valued program that has made a tremendous contribution to the viability of the housing stock, neighborhoods and infrastructure in Canton.
BE IT FURTHER RESOLVED: That the members of Canton City Council, encourage all citizens to join together in expressing support for the Community Development Block Grant Program and will continue to support its goals and initiatives and thanks those employees who work on a continual basis to obtain success of the program.

PRESIDENT SCHULMAN: Member Carbenia.

MEMBER CARBENIA: Ah...yes...ah...I'd like to make a statement. I think that...ah...Mr. Torres and his staff are doing a good job this year and just started with the...ah...economic development and some of this...ah going to be extended and...and continue the way it is and in...and um...amplified. I hope that...um...he and his staff are...are um very successful in their endeavors...um...to build some more new homes in this City...uh...five doesn't sound like a lot but it does mean at least we're not tearing down five more homes...um...um...I think that he's um...ah...good manager, from the meetings that I've been having with him. Um...I think he's...ah...gonna turn this around. Thank you.

PRESIDENT SCHULMAN: Thank you Member Carbenia. Member Casar.

MEMBER CASAR: Mr. President...ah...I have some good news and some bad news regarding the CDBG Grant...ah...law grant...ah was one of the subjects at the recent convent...ah...conference at Washington D.C. and ah...President Bush wanted to cut it to one billion dollars...billion and ah...Congress is not going to cut it, we will receive the same amount of money that we've received last year. That's the good news and the bad news is, we probably won't be receiving these funds until August or September, where last year it was June or so, so I asked the question, I'm a member of the Committee...ah...and I asked the question, I said “Well, you know last year we received our monies in June, we normally get them in March” and they said “Well Congress was just...ah...just re-elect...just elected and they were just getting into their everyday routine.” And I said “What's the problem this year?” Well their out campaigning, so that's why we're probably not

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going to get our money until September...August or September but like I said, the good news is we will be receiving the same amount of money we got last year.

PRESIDENT SCHULMAN: Are there any other remarks? If not by voice vote, all those in favor signify by saying aye. Those opposed no. The motion carries. Resolution 26 has been adopted. Madame Clerk please read Resolution 27 by title.

NO REMARKS
UNANIMOUSLY BY VOICE VOTE

RESOLUTION #26 PASSED

#27. COUNCIL OF THE WHOLE: HONORING ALEXANDER J. HAAS FOR BRAVERY. - ADOPTED

MEMBER CASAR: Mr. President.

PRESIDENT SCHULMAN: Yes, Member Casar.

MEMBER CASAR: I move we adopt Resolution #27.

MEMBER CARBENIA: Seconded.

PRESIDENT SCHULMAN: It's been moved and seconded to adopt Resolution #27.

MEMBER WEST: Mr. President.

PRESIDENT SCHULMAN: Yes, Member West.

MEMBER WEST: Could we have that read please?

PRESIDENT SCHULMAN: Yes, please if you would.

CLERK TIMBERLAKE: An Informal Resolution Submitted By Council-of-the-Whole on this 24th day of March, 2008 **WHEREAS:** On March 1, 2008 Alexander Haas was working alone at his place of business located on Walnut Avenue NE. At approximately 4:30 a.m. Alex was unexpectedly surprised by a man trying to burglarize his business for the second consecutive evening; and **WHEREAS:** The Canton Police Department had been on the hunt for this particular suspect for more than a week, knowing he was in the area; and **WHEREAS:** When Alex discovered he was about to be burglarized, he quickly phoned the Canton Police Department. By the time the call was made, the burglar had picked up the cash drawer and register proceeding out the door; and **WHEREAS:** Alex immediately went into action in an attempt to stop the perpetrator. He proceeded on foot to chase the burglar through ice and snow-covered streets. Alex yelled for the man to lie face-down and then proceeded to seize the burglar with a pair of handcuffs which he carried because of a previous burglary attempt, until Police Officers arrived to complete the job. **NOW THEREFORE BE IT RESOLVED:** That we, the Members of the Council of the City of Canton, Ohio, do hereby honor **ALEXANDER J. HAAS** for his bravery and service to the community in the apprehension of a burglar and for his interest and dedication to help make Canton, Ohio a safer place to live, work and play. THANK YOU ALEX!

(APPLAUSE)

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PRESIDENT SCHULMAN: Member West, anything else? (*Inaudible*) Sure, whatever you want to do. Alright, Any other remarks? All those in favor say aye. Those opposed no. Ah..the Resolution carries. Ah...Member West.

NO REMARKS RESOLUTION #27 PASSED UNANIMOUSLY BY VOICE VOTE

MEMBER WEST: Mr. Haas...um...Members of Council, community...ah...this is an all American story, self policing. This gentleman, believe it or not has a degree, and I have to say this Mone...Monocular Engineering...Monocular Genetic Engineering and Psychology. He could have went anywhere but he chose to open up a coffee shop on Walnut Avenue in Ward 2. But he didn't expect to get robbed. He didn't expect to get any crime but he came prepared at 4:30 to defend his place of establishment and I appreciate that. We...this is the hero that we all should look forward to. And also, before I turn over the mic to Captain Shackle, who was also involved in this...um...Lindsay, please stand. She's also from Muggswicz, who won the competition, this is another example of this shining place which is called Muggswicz. So...um..please give them a round of applause before Captain Shackle.....

(*APPLAUSE*)

CANTON CITY POLICE OFFICER, CAPTAIN MARK SHACKLE: Alex, on behalf of the Mayor, Safety Director and the Chief of Police, ah...I would like to sincerely thank you for your effort, although I would not recommend the general public do this type of thing...um...it certainly led to the...ah...arrest and at least a dozen other burglaries in the downtown area and..um...this is the year of the neighborhood, 2008 and without people getting involved in their neighborhoods, we need the people to be the eyes, the ears. You hear that all the time but we also need you to be the nose and even a touch of the police department. I think the police department needs to have its finger on the pulse of the City as a whole and it's only through people in the neighborhoods getting involved that we can do that. Once again, thank you very much for your efforts.

(*APPLAUSE*)

ALEXANDER HAAS: Well, I just want to thank Council and everybody who...who brought this to fruition. Um...and I wanted to thank the police department for arriving so quickly. (*Laughter*) Besides, I didn't want to be with him for too long. Um...I guess the...the experience for me really solidified my views that one of the best preventatives of crime in a City is to have like ah...an empowered, an informed citizenry that feels supported by their local government. And...um...I think there's a lot of weight on Council's and Mayor and the Administration's shoulders to ensure that the citizenry does feel, you know, empowered and not impaired and informed instead of unaware and supported as opposed to hindered or drained. And I just wanted to thank Council...ah...for what they have done to engender a society like that and I look forward to a lot more of it in the future. So thank you.

(*APPLAUSE*)

PRESIDENT SCHULMAN: Congratulations. Thanks for coming down.....Ah...Madame Clerk, Resolution 28 by title please.

#28. COUNCIL OF THE WHOLE: URGING VOLKSWAGEN TO LOCATE THEIR NEW FACILITY IN CANTON, OHIO. - ADOPTED

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PRESIDENT SCHULMAN: Member Casar.

MEMBER CASAR: Mr. President, I move we adopt Resolution #28.

MEMBER CARBENIA: Seconded.

PRESIDENT SCHULMAN: It's been moved and seconded to adopt Resolution 28. Are there any remarks? Member Smuckler.

MEMBER SMUCKLER: Mr. President...um...in the latest issue of Automotive News...ah...Volvo is also announced that their looking for a United States facility to build or to move into an existing facility and um...I would make an amendment right now to include Volvo onto this Resolution.

MEMBER CARBENIA: Seconded.

PRESIDENT SCHULMAN: It's been moved and seconded ah...to amend Resolution 28 to include Volvo...ah in addition to Volkswagen in the Resolution. Are there any remarks? By voice vote, all those in favor say aye. Those opposed no. The...ah...amendment carries.

NO REMARKS RESOLUTION #28 AMENDED UNANIMOUSLY BY VOICE VOTE

PRESIDENT SCHULMAN: Member Smuckler, anything else you wish to add?

MEMBER SMUCKLER: I just wish to add that...um...based on the current economy of the U.S. dollar versus the euro and based on...um...our work force and transportation, our expansion at Akron Canton Airport and the greatest resource we have of water....uh...we can be a player in this. And...um...I know Mr. Kempthorn is trying very diligently to bring the Volkswagen people here this week and I would hope that we could also bring the Volvo people here to take a look at what we have to offer.

PRESIDENT SCHULMAN: Thank you. Okay, any other remarks? All those in favor of Resolution 28 as amended say aye. Those opposed no. The Resolution carries. And we certainly hope that we can get either VW or Volvo or both. Um.....Madame Clerk, Resolution 29 please.

NO REMARKS RESOLUTION #28 AS AMENDED PASSED UNANIMOUSLY BY VOICE VOTE

#29. PERSONNEL COMMITTEE: REQ APPTS OF MR. GREG HAWK & MS. CHRIS SMITH TO COMM REINVEST AREA HSG CNCL (CRA). - ADOPTED

MEMBER CASAR: Mr. President.

PRESIDENT SCHULMAN: Member Casar.

MEMBER CASAR: I move we adopt Resolution #29.

MEMBER CARBENIA: Seconded.

PRESIDENT SCHULMAN: It's been moved and seconded to adopt Resolution #29. Are there any remarks under this Resolution? If not, ah...by voice vote, all those in favor say aye. Those opposed no. Resolution

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#29 has been adopted.

NO REMARKS RESOLUTION #29 PASSED UNANIMOUSLY BY VOICE VOTE

COMMUNICATIONS

PRESIDENT SCHULMAN: We're 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 MARCH 24, 2008.

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

135. CARBENIA, J., WARD 9 CNCLMBR: REQ \$90,026.14 SUPP APPROP CONSTRUCTING BATHROOM FACILITIES & ACQUIRE RECREATIONAL EQUIP AS PREVIOUSLY AGREED DURING BOND LEGISLATION (MALLONN MEM PK). - FINANCE AND PARKS & RECREATION COMMITTEES

136. SERVICE DIRECTOR BERNABEI: REQ \$45,132.00 MORAL OB TO BE PAID TO 3-D SVC LTD RE: EMERGENCY REPAIR TO HIGH SERVICE MOTOR @ NE WATER TREATMENT PLANT. - FINANCE COMMITTEE

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 #9 FOR THE FIRST TIME BY TITLE & ANNOUNCED THE COMMITTEE REFERRAL, AS FOLLOWS.

#1 (1ST RDG) AN ORDINANCE VACATING MCGRAW PLACE S.W. AND A PORTION OF TIMKEN PLACE S.W.; APPROVING AND ACCEPTING THE REPLATTING OF LOTS 6738, 6739, 6740, 6741 AND PART OF OUT LOT 339; AND DECLARING THE SAME TO BE AN EMERGENCY
Referred to Public Safety & Thoroughfares Committee

#2 (1ST RDG) AN ORDINANCE VACATING PORTIONS OF SAVANNAH AVENUE N.E. AND ENGLEHART AVENUE N.E.; APPROVING AND ACCEPTING THE REPLATTING OF LOTS 1993 THRU 2002 AND LOTS 6248, 6249 AND 28911 AND THE VACATED PORTIONS OF SAVANNAH AVENUE N.E. AND ENGLEHART AVENUE N.E.; AND DECLARING THE SAME TO BE AN EMERGENCY
Referred to Public Safety & Thoroughfares Committee

#3 (1ST RDG) AN ORDINANCE AMENDING ORDINANCE NO. 55/77, AS AMENDED, KNOWN AS THE CITY OF CANTON ZONING ORDINANCE; AND DECLARING THE SAME TO BE

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AN EMERGENCY

Referred to Judiciary Committee

#4 (1ST RDG) AN ORDINANCE AUTHORIZING THE AUDITOR TO PAY A MORAL OBLIGATION IN AN AMOUNT NOT TO EXCEED \$15,800.00 TO COTTRILL WRECKING CO.; AND DECLARING THE SAME TO BE AN EMERGENCY

Referred Finance & Community & Economic Development Committees

#5 (1ST RDG) AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO A COMMUNITY REINVESTMENT AREA AGREEMENT WITH CANTON ELDERLY LLC TO PROVIDE REAL PROPERTY TAX EXEMPTIONS FOR A 40-UNIT MULTIFAMILY ELDERLY RESIDENTIAL HOUSING CONSTRUCTION PROJECT IN THE CANTON CENTRAL NEIGHBORHOODS COMMUNITY REINVESTMENT AREA; AUTHORIZING THE GRANTING OF TEN YEARS REAL PROPERTY TAX EXEMPTIONS; AND DECLARING THE SAME TO BE AN EMERGENCY

Referred to Community & Economic Development Committee

#6 (1ST RDG) AN ORDINANCE APPROVING AND ACCEPTING THE REPLATTING OF LOT 42765 AND PART OF OUTLOT 1249; AND DECLARING THE SAME TO BE AN EMERGENCY

Referred to Public Safety & Thoroughfares Committee

#7 (1ST RDG) AN ORDINANCE APPROVING AND ACCEPTING THE REPLATTING OF LOTS 3620 THROUGH 3622; AND DECLARING THE SAME TO BE AN EMERGENCY

Referred to Public Safety & Thoroughfares Committee

#8 (1ST RDG) AN ORDINANCE AMENDING EXHIBIT A TO ORDINANCE NO. 40/2000, AS AMENDED, THE CLASSIFICATION PLAN FOR BARGAINING UNIT PERSONNEL EMPLOYED BY THE CITY OF CANTON; AND DECLARING THE SAME TO BE AN EMERGENCY

Referred to Personnel Committee

#9 (1ST RDG) AN ORDINANCE AUTHORIZING AND CONSENTING TO THE HEAT STRAIGHTENING OF THE BRIDGE UNDER HARRISON AVENUE; AND DECLARING THE SAME TO BE AN EMERGENCY

Referred to Public Safety & Thoroughfares Committee**ORDINANCES & FORMAL RESOLUTIONS FOR SECOND READING**

PRESIDENT SCHULMAN: We are now under Ordinances for their second reading. Madame Clerk, will you please read Ordinance #10 by title.

CLERK TIMBERLAKE: Ordinance 12.

PRESIDENT SCHULMAN: 12, I'm sorry.

NOTE: PRESIDENT SCHULMAN CALLED UPON CLERK TIMBERLAKE TO READ ORDINANCES #12 THROUGH AND INCLUDING #16 FOR THEIR SECOND TIME BY TITLE AS REQUIRED BY STATE LAW, AS FOLLOWS. ORDINANCES #10 AND #11 WERE RETAINED IN COMMITTEE AGAIN.

#10 (2ND RDG) **(RETAINED IN CMTE 3/3/08, 3/10/08, 3/17/08 & 3/24/08)** AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO AN AMENDED ENTERPRISE ZONE AGREEMENT WITH HYDRODEC NORTH AMERICA, INC.: AND DECLARING THE SAME TO BE AN EMERGENCY

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- #11 (2ND RDG) **(RETAINED IN CMTE 3/10/08, 3/17/08 & 3/24/08)** 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
- #12 (2ND RDG) AN ORDINANCE AMENDING SECTION 131.10, POLICE DEPARTMENT TRUST FUNDS, OF THE CODIFIED ORDINANCES
- #13 (2ND RDG) AN ORDINANCE AUTHORIZING THE DIRECTOR OF PUBLIC SERVICE TO ACCEPT AND EXECUTE THE RECYCLING MAKES SENSE GRANT IN THE AMOUNT OF \$55,170.00 FROM THE STARK-TUSCARAWAS-WAYNE JOINT SOLID WASTE MANAGEMENT DISTRICT; AND DECLARING THE SAME TO BE AN EMERGENCY
- #14 (2ND RDG) AN ORDINANCE AUTHORIZING THE DIRECTOR OF PUBLIC SERVICE OR MAYOR TO EXECUTE A REAL ESTATE PURCHASE OPTION AGREEMENT AND LEASE WITH THE GENERAL SERVICES ADMINISTRATION FOR THE FEDERAL CENTER PROJECT; AND DECLARING THE SAME TO BE AN EMERGENCY
- #15 (2ND RDG) AN ORDINANCE AUTHORIZING THE MAYOR OR DIRECTOR OF PUBLIC SERVICE TO ENTER INTO AN AMENDED GRANT AGREEMENT AND RECEIVE SUPPLEMENTAL FUNDS IN THE AMOUNT OF \$8,500.00 FROM THE DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT; AND DECLARING THE SAME TO BE AN EMERGENCY
- #16 (2ND RDG) AN ORDINANCE AMENDING APPROPRIATION ORDINANCE NO. 1/2008 TO APPROPRIATE ADDITIONAL MONIES NEEDED FOR THE OPERATING EXPENSES OF THE CITY OF CANTON FOR THE REMAINDER OF FISCAL YEAR 2008; AND DECLARING THE SAME TO BE AN EMERGENCY

ORDINANCES & FORMAL RESOLUTIONS FOR THIRD AND FINAL READING

PRESIDENT SCHULMAN: Thank you Madame Clerk. We're now under Ordinances for their third and final reading. Madame Clerk, please read Ordinance #17 by title.

NOTE: PRESIDENT SCHULMAN CALLED UPON CLERK TIMBERLAKE TO READ THE FOLLOWING ORDINANCES #17 THROUGH #19 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.

- #17 (3RD RDG) **ADOPTED AS ORDINANCE #27/2008** 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

PRESIDENT SCHULMAN: Member Casar.

MEMBER CASAR: Mr. President, I move we adopt Ordinance #17.

MEMBER CARBENIA: Seconded.

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PRESIDENT SCHULMAN: It's been moved and seconded to adopt Ordinance #17... Are there any remarks under this Ordinance? Member Carbenia.

MEMBER CARBENIA: Mr. President, I went out and checked this and they did a good job of ah...grating it. At least...ah...at this time, so. The last time they didn't, I mentioned it so I wanted to mention that they did this time.

PRESIDENT SCHULMAN: Very good, thank you Member Carbenia. Any other remarks? If not Madame Clerk, roll call vote please.

NO REMARKS ROLL CALL: 11 YEAS, 0 NAYS

CLERK TIMBERLAKE: Eleven yeas, Mr. President.

PRESIDENT SCHULMAN: Thank you Madame Clerk, Ordinance #17 is adopted. Ordinance#18 please.
#17 ADOPTED AS ORDINANCE NO. 27/2008

#18 (3RD RDG) **ADOPTED AS ORDINANCE #28/2008** 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

PRESIDENT SCHULMAN: Member Casar.

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

MEMBER CARBENIA: Seconded.

PRESIDENT SCHULMAN: It's been moved and seconded to adopt Ordinance #18... Are there any remarks under this Ordinance? If not Madame Clerk, roll call vote please.

NO REMARKS ROLL CALL: 11 YEAS, 0 NAYS

CLERK TIMBERLAKE: Eleven yeas, Mr. President.

PRESIDENT SCHULMAN: Ordinance #18 is adopted. Ordinance#19 please.
#18 ADOPTED AS ORDINANCE NO. 28/2008

#19 (3RD RDG) **ADOPTED AS AMENDED AS ORDINANCE #29/2008** 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

PRESIDENT SCHULMAN: Member Casar.

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

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MEMBER CARBENIA: Seconded.

PRESIDENT SCHULMAN: It's been moved and seconded to adopt Resolution #19... Are there any remarks

MEMBER CIRELLI: Mr. President.

PRESIDENT SCHULMAN: Member Cirelli.

MEMBER CIRELLI: Um...when the young lady spoke....ah...thank you Mr. President. Ah...Dianne Biery brought to my mind....um....former President Ray Denczak....uh...who also stated back about people watering their grass and using water, you know to do so and there was no means of ah....having...they still had to pay the sewer rates because it's all tied together. I spent...ah...probably several hours with Tracy Mills from the Water...Water Pollution it's called department last week. Because in mind, I recalled at one time that this Honorable Body had passed a automatic sanitation and sewer...ah...yearly...ah carte blanc that we would raise it like with the COLA and he said yes, I was in fact correct. However he said they had not done it, last year he said they did do a 2.5% increase but they have not done it year 2002, 3, 4, 5 or 6. And that we find this necessary it couldn't come at a worse time, I mean if it would have been last year, it would have been much better because the economy was much better and I agree with that young lady. It couldn't come at a worse time with the way the economy is going. And we are in a recession no matter what anybody says but we have to keep our bond rating. And I think maybe Mr...the Law Director could expand on that a little bit, why that's such an important issue to this...ah...entire community, to keep that bond rating high. We need to have what he said a 40% reserve. Forty...ah...which would amount to 4.8 million dollars to keep our bond rating up in that particular department. So...um..none of us in this Honorable Body wants to have to pass this, but we really don't have a choice if we want choice if we want to keep this....our...ah...factory, we may as well call it a factory down there functioning properly for the betterment of this community to see that we have the proper...um.. standards brought up to and down the road don't get a fine brought upon us. And I would...I would ask....ah...Mr...ah..Martuccio if he could expand a little bit on the fact of the bond rating and the fact of the bond rating and how important and crucial it is to this piece of legislation so that the general public would have a little bit of a better understanding of why this body has to do what we have to do here tonight. Thank you.

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

LAW DIRECTOR MARTUCCIO: Thank you Mr. President. Um...I'll yield to the Auditor if he feels at any point that I'm not accurately discussing how bonds work because it's more in the area of fiscal knowledge as opposed to purely legal. However, Member Cirelli, you make a good point and I believe the Superintendent of The Water Pollution Control Center, Mr. Tracy Mills brought it up last week during Committee. One of the unintended consequences of defeating this particular....ah...increase could be that the way bond companies like Moodys rate us for future borrowing could jeopardize us from borrowing. If were to go from wherever we are from AA to a lesser rating, the cost of borrowing money and financing debt would be incrementally increased. It would cost us a lot more money...ah than having a higher rating would. So you make a good point in terms of...ah...our future for infrastructure. Thank you.

PRESIDENT SCHULMAN: Thank you. Anything else Member Cirelli?

MEMBER CARBENIA: Mr.

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PRESIDENT SCHULMAN: Member Carbenia.

MEMBER CARBENIA: Yeah, Mr. President, ah...I'd like to ask the Director, Safety Dire...or Service Director...ah what it's going to cost the average family per year.

SERVICE DIRECTOR BERNABEI: Mr. President...ah...Member Carbenia...ah...to clarify, and again...from...from my perspective as Service Director who makes this recommendation 8...1...8.1% rate increase is a large number. It's a larger number than you know...Council, you know, has faced by way of recommendation in a number of years and it's a large number for the consumers to...to...ah...have hoisted upon them if in fact Council does adopt this tonight. Um...I would welcome any discussion with any members of ...of the audience or any other consumers or Members of Council...ah...we have prepared a comprehensive four page letter which explains the detailed financial condition of the sanitary sewer fund and why this kind of a rate increase is necessary. Um...we wish that we could, I wish that I could personally recommend a lower rate but under the financial circumstances, this was the best number that we could generate for our recommendation. Ah...I think it's important to emphasize and ah...Member Cirelli...ah...touched upon this, we talk about a general price increases across the board on other consumer items...um...for the years 2002 through 2006 we had no rate increases and the year 2007 we had a 2.5% rate increase this year we are recommending an 8.1% rate increase. That is over a number...over the course of the last seven years we've increase our rates..ah...10.6%, that's an average of 1.5% per year. Ah...so I think that this fund and the operation of by Mr. Mills, who you've all had the pleasure of meeting...ah... has been run very economically. Ah...by way of rate increase that 8.1%, again it sounds like a large number. Again, it is a significant number and I do not down play that. But this amount of increase will raise the average consumers bill \$10.92 per year, will raise it an average of .91 cents per month and even after this rate increase, Canton sewer rates will still be ah...significantly the lowest in Stark County. The only closest sanitary system provider close to our rates is...ah...Massillon's. Alliance's is almost double our rates, Hartville's is probably almost three or four times our rates. And on a statewide average or national average...um...Canton just has...ah...an extraordinarily...ah...inexpensive sewer rates. Again, we wish and I wish that I could offer to you a number less than 8.1%...ah...we...this is the number that...that works financially, again the documents have been provided to you. Um...I would indicate that there is not necessarily good news in the future and again my letter clearly indicates that. I've given O...Ohio EPA and Federal EPA mandates, which are always unfunded with regard to clean water sources and with regard to phosphoreus contents in our water, we maybe looking at very large capital investment requirements in our sanitary sewer system...ah...in...in our facility. And those...ah...increases if they do come to pass in the next three to five years will dwarf the 8.1% ...ah...requir...ah... recommendation that we are making tonight.

PRESIDENT SCHULMAN: Thank you very much Director.

MEMBER CARBENIA: Mr. President.

PRESIDENT SCHULMAN: One...I'm sorry, go ahead.

SERVICE DIRECTOR BERNABEI: And one additional point just by...by way of...ah...notice the City Council ah...the recommendation I'm making tonight with regard to sanitary sewer rates, again, 8.1% is high and I'm concerned by it but we also will be discussing in the very near future, sanitation rate increases and Council will have to deal with a similarly or even more difficult issue with regard to those.

PRESIDENT SCHULMAN: Thank you Director Bernabei. Member Carbenia.

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MEMBER CARBENIA: Thanks for answering that question, the simple question of \$10 and something.... \$91 or 91 cents a month. But...ah...as you go...ah..I'm asking one lawyer, there's two lawyers talking and our Presidents a lawyer and you know, they didn't mind that orientation but the rest of us had to hang on, we knew we asked a lawyer, I should have watched what I asked. *(Laughter)*

MEMBER WEST: Mr. President.

PRESIDENT SCHULMAN: Member Carbenia do you want me to say something too? *(Laughter)*

MEMBER CARBENIA: Nobody ever stopped you before. *(Laughter)*

PRESIDENT SCHULMAN: Member West.

MEMBER WEST: Service Director, um...is this the last...ah...increase we'll see within the next six years then or will we see current ones going on repetitively....repetitively 2009, 2010, so on and so forth?

SERVICE DIRECTOR BERNABEI: I would anticipate.....

PRESIDENT SCHULMAN: Director Bernabei.

SERVICE DIRECTOR BERNABEI: This increase essentially brings this fund back to the condition that it should. I would anticipate you would probably see a cost of living increase next year and perhaps the next several years and I would anticipate that again if these EPA mandates are imposed upon us, we were talking about as stated in writing...ah....25 million to 40 million dollar capital investment in our sanitary sewer treatment plant. Ah...just the debt service alone on that kind of an investment is double digit...ah...increases without going to operating expenses. So this is...is not the end.

PRESIDENT SCHULMAN: Member West, anything else?

MEMBER CIRELLI: Mr. President.

PRESIDENT SCHULMAN: Yes, Member Cirelli.

MEMBER CIRELLI: Ah...I just wanted to...somebody correct if I was....I calculated here, had we raised at 2.5% in the year 2, 3, 4, 5 and 6, that would of been actually 12.5%. Am I correct on that? Had we been...ah...had we followed 2.5, and that was really not the actual COLA for those years either. So for those years that would have already...would be there now, right now. And then we would just....so in essence, the fact that it was not...I'm trying to look and find something positive here because this is a real difficult piece of legislation. So in essence, because we didn't do that in 2, 3, 4, 5 and 6...ah...the 12.5% is something that we did not collect from the general public. This way....

PRESIDENT SCHULMAN: Well, I think one of the positive...ah....attributes of this is that we're talking about business coming into our City and you don't attract business without infrastructure. They want water, as Leader Casar has told us over and over again and Member Smuckler, we're talking about Volvo, we're talking about...um...Volkswagen. These companies look at the infrastructure of a City and the way a City...ah...operates in this...in this manner attracts business and business attracts jobs and jobs attracts income and we build our community. So that's how it works. So I think we're short sighted in saying, oh gee, it's an 8. whatever it is, sure nobody likes to pay it. But on the other hand if we can attract major business to our community, that is a positive for all of us.

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MEMBER CIRELLI: Thank you, I think we needed this discussion so these...this...the people in the general public can kind of understand what this body is faced with. It isn't something we take lightly. Uh...we have to look at the big picture and do what we feel is the right thing for the total community. Uh....you know, we would all like to say no we don't want to go there with this issue. But we...ah...and I have to commend...ah...Member Smuckler for mentioning the men that to include us to go after Volvo if it's a possibility. And...um...economic development, we're hoping, will...can turn around this community and get some jobs and that's what it's all about. It's all about economy.

PRESIDENT SCHULMAN: Well, I've also said...and I've said over and over again, one of the things that I admire so much about this Council is the fact that all of you are very progressive and forward looking. You know....ah...Director Bernabei just told you about what's going to have to be probably spent down the road. It's going to have to be spent and it's going to have to be spent for the benefit of our community, not just today but for ten years from now. And these are things that ten years from now Members of Council will be looking back thanking you for your courage and your foresight in doing what's right now for the benefit of future generations and I don't think there's any question that that's...ah.....the case. So, thank you Member Cirelli. Any other remarks?

MEMBER CASAR: Mr. President.

PRESIDENT SCHULMAN: Yes, Member Casar.

MEMBER CASAR: I move we amend Ordinance #19 per the copy that all Councilmembers have in front of them.

MEMBER CARBENIA: Seconded.

PRESIDENT SCHULMAN: It's been moved and seconded to amend Ordinance 19 per the copy of all Councilmembers in front of you. Are there any remarks? If not...ah... by voice vote, all those in favor signify by saying aye. Those opposed no.

NO REMARKS AMENDMENT APPROVED BY UNANIMOUS BY VOICE VOTE

AMENDMENT: PURSUANT TO RULE 36, I MOVE TO AMEND AGENDA ITEM NO. 19 TO RENUMBERING SECTIONS 2 AND 3 ON PAGE 3 AS SECTIONS 3 AND 4.

PRESIDENT SCHULMAN: Member Casar.

MEMBER CASAR: Mr. President, I move we adopt Ordinance #19 as amended.

MEMBER CARBENIA: Seconded.

PRESIDENT SCHULMAN: The question you are now voting on is Ordinance #19 as amended. Are there any remarks under this Ordinance as amended? If not Madame Clerk, roll call vote please.

NO REMARKS ROLL CALL: 9 YEAS, 2 NAYS

(SMITH & PRATER VOTED NO)

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CLERK TIMBERLAKE: Nine yeas....two....nine yeas, two nays.

PRESIDENT SCHULMAN: Ordinance #19 is amended, therefore is adopted.

#19 ADOPTED AS AMENDED AS ORDINANCE NO. 29/2008

ANNOUNCEMENT OF COMMITTEE MEETINGS

PRESIDENT SCHULMAN: We're now under Announcement of Committee Meetings.

MEMBER CASAR: Mr. President.

PRESIDENT SCHULMAN: Member Casar.

MEMBER CASAR: Parks and Recreation Committee will meet next....ah...Monday at...March 31st at 5:30.

PRESIDENT SCHULMAN: 5:30. Thank you Leader.

MEMBER CARBENIA: Mr. President.

PRESIDENT SCHULMAN: Member Carbenia.

MEMBER CARBENIA: Community and Economic Development will meet...ah...Monday the 31st at..ah.. 5:30.

PRESIDENT SCHULMAN: Thank you Member Carbenia.

MEMBER HAWK: Mr. President.

PRESIDENT SCHULMAN: Member Hawk.

MEMBER HAWK: Finance Committee will meet next Monday, March 31st at 5:30.

PRESIDENT SCHULMAN: Thank you.

MEMBER WEST: Mr. President.

MEMBER PRATER: Mr. President.

PRESIDENT SCHULMAN: Ah....Member West.

MEMBER WEST: Judiciary will meet next March 31st at 5:30.

PRESIDENT SCHULMAN: Member Prater.

MEMBER PRATER: Personnel Committee will meet next Monday, 5:30.

PRESIDENT SCHULMAN: Thank you. That's it.

CLERK TIMBERLAKE: Public Safety and Thoroughfares?

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PRESIDENT SCHULMAN: Public Safety and Thoroughfares.

CLERK TIMBERLAKE: A committee Member...Butch's...in Butch's absence, would somebody please call....

MEMBER SMITH: 5:30....We're calling for 5:30 in his absence.

CLERK TIMBERLAKE: Thank you.

PRESIDENT SCHULMAN: Thank you Member Smith.

PUBLIC SPEAKS (OPEN FORUM--CITY BUSINESS ONLY)

PRESIDENT SCHULMAN: We're now under...ah.. Public Speaks, Open Forum we have...ah... three....ah...citizens speaking tonight. For anyone who has not spoken before, I would just remind you, Council has a rule of 3 minutes so I try, not to cut people off but try not to take advantage of me either. Ah...our first speaker is Leon Cote. I hope I'm pronouncing, oh...of course yeah. Our next speaker is..... *(Laughter)* would you tell us your name please and your residential address and.

LEON COTE: My name is Leon M. Cote, I live at 1225 - 41st St NW in Canton. President Schulman, Members of the City Council, Members of the Administration and I would be remise if I didn't mention the most important clog of City Government, the people that make it go, the young ladies in the...ah...City Council office.

CLERK TIMBERLAKE: Thank you.

LEON COTE: Your welcome. Um...Mr. Schulman, one and a half years ago tomorrow you took that seat, congratulations, you've done a great job.

PRESIDENT SCHULMAN: Thank you.

LEON COTE: And it was one and a half years ago tomorrow, the last time I stood up here and spoke. And what I was speaking about a year and a half ago was, I was concerned because it had been four years since we had received a grant to...ah...take care of the flooding problem in our neighborhood and it still had not gone out for bid four years after we receive the grant. I don't like to criticize, I like to make suggestions. At that time, I suggested that time is money. As a matter of fact, they have just completed our street...ah...November 15th, they started it May 15th of....ah...last year and they completed it in November. Five years after we received the grant. We received the grant for a million and a half dollars and the project is going to be close to three million dollars because of the five year wait. And I think of the million and a half dollars that could have done a flooding project in Mrs. Smith's Ward or Mr. Hawk's Ward. If you let this...you know they say, "Well that's the way it's always been done." It doesn't make it right. I proposed a year and a half ago that you mandate the City Engineer's Department that when they get a grant for a specific job, it has to go out to bid within a year and a half from the time they received the grant. That will start the project no later than two years after the grant is received. I have talked with many City Councilors and every single one has told me they would sign that bill but nobody has introduced it. I have watched for almost six years now, coming down to the City Council every Monday night that this tremendous board of City Councilors has established one of the finest City Engineering Departments in the common wealth of Ohio. I would match our Engineering Department against any City in the State of Ohio. And I think we would...we

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would fare very well and probably be right at the top. Give them the opportunity. Mandate the thing and let them get the work done and get the bids out there because your not asking for anymore money if you aren't doing the projects that you have on the books. And in closing, I'm just going to close with a favorite saying of mine and I wish I could give credit to the author but I don't know who the author was. And it goes something like this, "Yesterday is a cancelled check, tomorrow is a promissory note but today is ready cash, spend it wisely". And that's all were asking you to do is spend our money wisely, don't take five years or five and a half years to do a job. Got it done. Thank you.

(APPLAUSE)

PRESIDENT SCHULMAN: Thank you Mr. Cote. Thank you very much and thanks for...ah..obviously you and your bride, thanks for coming down every week, we appreciate seeing you. Ah...our next speaker is Vincent Watts....ah...Mr. Watts would you step forward and give us your name and your residential and good evening.

VINCENT WATTS: Good evening, my name is Vince Watts, my address is 431 Henrietta Ave NE in Canton. Mr. President, Members of Council, as I read the Mayor's 2008 crime package, I have to ask what happened? Previous safety conversations involved Community Policing, bike and foot patrol so that police could have the eyes and ears of residents to help them in law enforcement. Now we're talking tasers, surveillance cameras, assault rifles and targeted enforcement. I would not expect the this Administration to know about those discussions because with few exceptions, they were not here. Mr. Nesbitt was not here nor was Mayor Healy. But most of this Council was here and I wonder why your not requiring the Mayor to fulfil the expressed wishes of the people of the City of Canton. I asked a member of the police force "what is the target in this enforcement." He said to me "Put a pen at 12th and McKinley, everything south and east of that mark is targeted." I thought wait a minute, I live south and east of that mark as do my children and my grandchildren. From the day my mother moved to this City in 1966 she lives south and east of that mark. My grandmother lives south and east of that. My great-grandfather lived next to Riverside Park, which is south and east of that. I said that a friend of mine of a different race, he said something that brought the issue of targeted enforcement home to me, he said "Vince, I've never lived south and east of that mark, neither have my children nor any of my grandchildren." Six generations of people who look like me, who have lived in this area for decades are targeted. His three generations in this area and none of them are targeted. This is government redlining, if it's illegal for the insurance agencies, it should be illegal for government policies. I refer back to Rick Senften's article where he said "Residents should be ashamed of themselves for requiring of then Candidate Healy, what he meant by zero tolerance." On this one, I would have to plead guilty. I was so convinced that our previous Mayor was not good for Canton that I may have unwittingly encouraged people to vote for an Administration that will be even worse for the City. I've never fired a gun, never wanted to own one. I believed that my local police officers were my best protection against crime. Now when you have City police on the Highway Patrol in the City and County Deputies in the alleys. Police have guns because criminals have guns. Criminals have assault weapons so we're getting police assault weapons. What's next? Both sides will be firing bazookas in the City streets. I take earnestly my responsibility to protect my family and I'm not going to teach my grandsons to look up to an officer with a taser on one hip, a nine millimeter on the other, an assault weapon in his hand, while the whole thing is being caught on surveillance cameras. No I don't trust the diversity and community relations statement signed symbolically by this Administration. Does anybody remember Declaration 2000, signed by Mayor Watkins? Not one thing agreed to on that piece of paper was ever followed. This agreement is as firm as that paper it's written on. I don't intend to exchange my freedom for liberty and I expect those persons, residents have entrusted with governments to convince the Mayor and Safety Director to follow a different course of action, especially those who represent Wards south and east of 12th and McKinley. Unfortunately on tomorrow, I'll

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take out an application to carry a concealed weapon and give serious thoughts for the first time in my life to purchasing a firearm.

(APPLAUSE)

PRESIDENT SCHULMAN: Thank you Mr. Watts. Thank you for...ah...those remarks and I can assure you, they'll be taken to heart. Our next...ah...speaker is Mantle Smith, I hope I've pronounced your first name correctly. And if you'd step forward please ma'am and give us your name and your residential address please. Good evening.

MANTLE SMITH: Good evening. My name is Mantle Smith and to all of you Councilman and the head of Council, I bid you adio and...um...after Mr. Watts, I don't even know if I should be here. But I am going to speak because I have been a citizen all my life in Canton, Ohio and I've been in my area 35 years. And...um.. I don't know about SARTA, RTA did pretty good as far as our bus stops and what have you. I've tried to convince someone concerning...ah...when...um...Ms. Zachary was in...um..office here, I tried to convince about...ah...trimming trees so the bus...ah...drivers could see us standing at the stop. And...um...I don't know, somehow, somebody got two of them but it wasn't a very good...ah...route to take. They...ah.....come to the corner of Monroe, across from the clinic and Tusc....east Tusc, and they nailed...ah...ah...SARTA sign for us to stand right in front of Jipendes which was a black...ah...shop and now I don't know what it is but...ah...people pull in there and that makes it sort of dangerous for us to be there and then...then it's not very good because the bus has to block Monroe and Tusc., and um...I stand up and then I'm standing up in the driveway and that sort of makes it rough too because that's where the cars pull in and go out at. And then, I don't know what our routing is, this is 2008 but I can remember years ago when Peel and them was in...ah...office and was alive...um...trucks were not allowed to be on East Tusc., they were not allowed to use that route to come through town, even though they have repairs to do but they...they mapped it out for them to have a better route and coming up East Tusc. Right there at East Tusc., and Monroe, the streets are all dug out, you wouldn't believe how they're dug out and I'm just saying, I don't know about these grants or whatever as far as that's concerned because...um...we really need our streets fixed over in that area, I don't drive anymore. These deep holes this big since the clinic has moved out and there's trucks there at all times. Of course trucks are at...um...Belden and Tusc., I can understand because of...ah...Republic Steel or whatever it's called now. This maybe boring to you but you don't live in the hood, I do and I like to have protection in the hood and at one time we had...ah...ah...Monroe Center going with cops coming through on bicycles which helped protect us. They talked about having the cameras at...ah...2nd Street and Belden, that never went through. So I'm just asking you, think of us in the hood because I'm old and if I move, I gotta move into an apartment. I don't want to go into an apartment. You know what I'm saying? And then I heard that we...this is another route I'm taking that we seniors are supposed to get a rate on water, I don't know, you know what I'm saying? And I do comment Canton for having good sewers over there where we are. I don't know about the other routes. But...um...through the snow and storm, we have had pretty darn good sewer going for us. But still getting back to SARTA, I think that someone in here, which should probably be Ms. Smith, speak to SARTA and let them know, we don't want the way they have the routes over there.

PRESIDENT SCHULMAN: Okay, Ms. Smith, your time is up but thank you very much. I appreciate you coming down.

MANTLE SMITH: Well I thank you for listening. And don't forget me.

PRESIDENT SCHULMAN: And you don't have to...Ms. Smith, you don't have to walk all the way back there, just walk right around here.

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MANTLE SMITH: Well, I just hate to go in front of everybody. I done got old and out of shape.

(LAUGHTER)

PRESIDENT SCHULMAN: And thank you for coming down, we appreciate it and City Officials will be here after the meeting as I always say and will be happy to talk to you.

MANTLE SMITH: I said most of what I had to say.

(LAUGHTER)

PRESIDENT SCHULMAN: We're looking at you in the hood. We're looking at you in the hood, don't worry, we'll take care of you.

MISCELLANEOUS BUSINESS

PRESIDENT SCHULMAN: We're now under Miscellaneous Business. Is there any Miscellaneous Business? Member Cirelli.

MEMBER CIRELLI: Thank you President Schulman. I just wanted to...um...remind fellow Councilmembers, I receive my own email at home, I don't know whether they were all aware that..um..they're having Building Ohio Jobs, they're having regional meetings in the area. And the closest one is Cambridge on...ah....the 27th of this week at 10:00 and it's something that the Governor has an initiative in having...ah...this from the...um....Municipal League is having people there. So I wanted to remind our fellow Councilmembers...ah..to kind of...incase they didn't get it on the email and maybe they didn't get it. I called the employees and asked them to check to see who was not there to alert them. So..ah...that we could partake on that to see if we can get jobs for in our areas.

PRESIDENT SCHULMAN: And when is that?

MEMBER CIRELLI: Ah...there's a whole load of dates but this one...this particular one that's closest is March the 27th in Cambridge at 10 A.M. sir.

PRESIDENT SCHULMAN: Thank you Member Cirelli.

MEMBER CIRELLI: The girls have the information.

PRESIDENT SCHULMAN: Thank you, Member Smuckler.

MEMBER SMUCKLER: Mr. President, I'd like to ask the Safety Director a question. Um...last year Member Hawk and myself went down and...um...met with the Police Chief and we set some money aside for a special community policing program. Is there any chance that this summer we can do some further community policing?

PRESIDENT SCHULMAN: Director Nesbitt.

SERVICE DIRECTOR NESBITT: Thank you Mr. President. Um...Councilman Smuckler, yes...ah...and if I could address some of the things that Mr. Watts talked about. Ah...we do have some community policing

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involved with this, that we haven't fully disclosed yet. And...ah...it's in the...make of..ah...in the progress of being done. Also..ah...we're also going to be putting some substations in some neighborhoods as well. But the one thing that really concerns me of what you said is about..ah...an area, the southeast area where this is going to be implemented. And as I've said from day one that I've come here that...ah...this is a Citywide effort, this can't be just an area. We have crime throughout the entire City and ah...my goal is, is that..ah...the crime..the crime package that we put together and...ah...we've had...ah...several individuals involved in putting that package together...ah...and...and they know my feelings and the Chief of Police knows my feelings that this is a Citywide enforcement process here. We cannot just...ah...look at one area and it's very unfortunate that someone from the Police Department said that. Obviously..ah...as anything that goes, you have to get everybody to buy into the program to make it work and that is my goal. Another thing that's on this...this...ah...this package is a committee of concerned citizens that I'm putting together and...and I will announce here, anyone that's interested in being on a committee please let me know. I'll be picking people and those people will help us work through the issues in the community and address the issues. I think that's very important, I did that for my last...ah...career in Nebraska, I put a Statewide committee together and it worked very well so I'm planning on doing that here as well. As far as the...ah...Declaration 2000..ah..one thing that was implemented, I don't know the entire 2000..but one thing that was implemented, there is a committee of citizens from Canton that review I.A. cases on a quarterly basis and that came out of the Declaration 2000, I know for a fact. An executive order that the Mayor did resign that executive order and...ah..we will continue that, we think that's a very good viable process that's very important for the citizens of Canton....ah...that know...that...the way those are being handled. And...ah...we'll continue on those. Um...but...but again..ah..there will be, we're talking about some bike patrol as well and some walking patrol, as we know the importance of that as well. And..ah...I guess that...ah...that my goal is again, this is a team effort clear across the City of Canton. I can't do it by myself, the cops can't do it by themselves, we've got to do it together and we've got to work hand in hand to make this work. And I'm committed to this. I truly am committed to do everything I can to make this work. Thank you.

(APPLAUSE)

PRESIDENT SCHULMAN: Thank you Director.

MEMBER WEST: Mr. President.

PRESIDENT SCHULMAN: Um...I want to...before I recognize Law Director Martuccio, and I think most of you have met but I wanted to introduce...ah...Director Nesbitt's family tonight, his wife Debbie is in the audience with their daughter Bailey, I know that their on their way back to...ah...wherever you came from Nebraska....*(Laughter)*... tomorrow and I know you'll be back in eight weeks but I can tell you one thing...ah...your husband and your father, Bailey, is doing a remarkably great job, we are thrilled to have him, we are privileged and...and the City is privileged to have him as our Safety Director. Welcome and we look forward to...ah...your coming back....your leaving safely and coming back safely. And I'm sure the Director is...ah...equally interested in getting his family back too. So welcome to Canton and thank you very much.

(APPLAUSE)

MEMBER SMITH: Mr. President.

PRESIDENT SCHULMAN: Member Smith.

MEMBER SMITH: Thank you. Um...just to...ah.. add to what Mr. Watts said, I appreciate you coming down

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because we did discuss a few things about policing in the area. In fact, when I was campaigning, I talked about precincts in the area and I have also mentioned that to...ah...Safety Director and so hopefully we can get those things done. And to Ms. Smith, and when she mentioned the hood, she meant the 4th Ward, we look at it...or she looks at it as the hood, but we're going to turn that into a neighborhood from this point on... (Applause) And when you spoke about the streets, right now, we're in the process of...ah...getting streets done and paving...ah...we had a list that was sent to us last week and hopefully those streets over in the neighborhood of the 4th Ward will be better for the residents and better for you to travel on. I did speak to someone about the shaping of the trees and if you notice that some of them has been cut so that you can see the signs. But I will check into SARTA as to the other situation that you spoke on tonight. And I hope that you will feel safe in your home in your residence and traveling throughout the neighborhood of the 4th Ward. Thank you.

(APPLAUSE)

PRESIDENT SCHULMAN: Thank you Member Smith.

LAW DIRECTOR MARTUCCIO: Mr. President.

PRESIDENT SCHULMAN: Law Director Martuccio.

LAW DIRECTOR MARTUCCIO: Thank you. We four attorneys here took a lot of shots in the Committee meeting this evening and I just want to remind you all that...ah... in the Shakespearian play "Henry VI" the butcher tried to razz the robe by saying "The first thing we do, let's kill all the lawyers."

MEMBER CARBENIA: Amen

(LAUGHTER)

LAW DIRECTOR MARTUCCIO: The reason he said that was, he knew that the only thing that stood between anarchy was...and...and...this mob were the lawyers....keeping...keeping the system in place.

(LAUGHTER)

MEMBER SMUCKLER: Mr. President, point of information.

PRESIDENT SCHULMAN: Ah...Member Smuckler, point of information.

MEMBER SMUCKLER: I don't...I don't remember my Shakespear, do the attorneys die?

(LAUGHTER)

PRESIDENT SCHULMAN: Member West.

MEMBER WEST: I cant even say it...that's so funny. Mr. President, Friday...ah..I was asked to go to the Civic Center and chaperone...ah...youth that was at a dance for Peace T.V. And I helped negotiate their...their...ah...event and in that event they paid \$1,500.00, somewhere around that number and in the contact it stated that they would have two police officers at that event. I showed up at the event and there was no police officers. There was security guards. Um....of course I was concerned but, you know, they had

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every kid sign peace contracts and so on and so forth. There was about 350 kids to 400 kids there in this dance. Nice event, getting kids off the street, doing something proactive. But I was concerned about even afterwards, I said "Well the police officers will cruise through here at 12 when it....when it left out. At 12:00 there was no police officers...um and I called the police officers and...as you have 400 kids leaving....or 400 people leaving any event. You need some guidance and you need somebody to disperse that crowd. There was none. My concern is that...and I talked with the Civic Center...Center officials and they said this often happens and their upset and frustrated about it. My concern right now is if that's in a contract then we should abide by that contract and have Canton City Police Officers or we need to get some type of other security system there to be able to help...um..that process when people come through.

PRESIDENT SCHULMAN: Thank you Member West. Director.

SERVICE DIRECTOR NESBITT: Yes..uh...I'm familiar with that and..ah..it's very unfortunate that...ah...what took place there. I will say this that...ah...ah.. I was under the impression...ah....that there would be police officers after the event in the lot. Uh...I communicated with Chief McKimm about that and...ah...and I thought that was going to be handled...ah...and have someone there. As far as the contract, I'll have to look into that and see why we did not provide that. Uh...but I will say that...ah...that...that is not acceptable, I understand we have 400 youths at a situation, an event like that, that we need to ensure that it is peaceful. Ms. Moss did talk to me...uh..personally about that and I assured that it would be handled, so...ah...I'll follow up and....and...respond back to you Councilman West.

PRESIDENT SCHULMAN: Thank you...ah..Director Nesbitt.

MEMBER CASAR: Mr. President.

PRESIDENT SCHULMAN: Mr. Leader.

MEMBER CASAR: I move we adjourn.

MEMBER CARBENIA: Seconded.

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

NO REMARKS ROLL CALL: 11 YEAS, 0 NAYS

CLERK TIMBERLAKE: Eleven yeas, Mr. President.

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

ADJOURNMENT TIME: 8:40 P.M.

ATTEST:

APPROVED:

CYNTHIA TIMBERLAKE
CLERK OF COUNCIL

ALLEN SCHULMAN
PRESIDENT

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