

MINUTES OF THE MEETING OF JUNE 2, 2008

PRESIDENT SCHULMAN: Good evening ladies and gentleman and ah...welcome to the meeting of The Canton City Council. Before we begin tonight's meeting, we have ah...plate full of recommend....ah...accommodations and retirements that we're going to discuss in a few minutes but....I...I want to take ah...some Presidential privilege here of just recognizing someone. It's not often...ah...although we have terrific young people in our Community, but one in particular is here tonight, he will graduate from Timken High School in three days. He has already gone to boot camp which means that he is a member of the United States Army and as I always like to say, there is no higher service through our society than protecting our Country and serving in our Military. And so I wanted to recognize him tonight. We appreciate him being here and most importantly Cindy....ah...Timberlake took it upon herself to give Joe a ah....an award. Joe Payne.

(APPLAUSE)

PRESIDENT SCHULMAN: And Joe Payne, thank you so much and thank you for your dedication to our City and may God watch over you and all your fellow service members. Thank you.

(APPLAUSE)

PRESIDENT SCHULMAN: And with that, our invocation tonight ah...Oh, I should call the meeting to order, that might be a good idea. With a quorum being present, the Chair calls this meeting of Canton City Council to order. Roll call please Madame Clerk.

ROLL CALL TAKEN BY CLERK TIMBERLAKE:

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

TWELVE COUNCILMEMBERS PRESENT

CLERK TIMBERLAKE: All present Mr. President.

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

The regular meeting of Canton City Council was held on Monday, June 2, 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 Councilmember Chris Smith, followed by the Pledge of Allegiance led by President Schulman.

AGENDA CORRECTIONS & CHANGES

PRESIDENT SCHULMAN: We're 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 12 through 14; Ordinance #15 will be retained in committee. Member Casar, the Chair will recognize that motion.

MEMBER CASAR: Mr. President. I move we suspend Rule 22A and add Ordinances...ah...12, 13, 14...ah.. to this evening's agenda.

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MEMBER CARBENIA: Seconded.

PRESIDENT SCHULMAN: Thank you, it's been moved and seconded to suspend Rule 22A to add the second reading Ordinances 12, 13 and 14 to this evening's agenda. Are there any remarks? If not, Madame Clerk, roll call vote please.

NO REMARKS ROLL CALL: 12 YEAS, 0 NAYS

CLERK TIMBERLAKE: Twelve yeas Mr. President.

PRESIDENT SCHULMAN: Thank you Madame Clerk, rule 22A is therefore suspended.

PUBLIC HEARINGS

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

PUBLIC SPEAKS

PRESIDENT SCHULMAN: We're now under Public Speaks on Ordinance and Resolutions for adoption. We have no speakers signed up this evening.

INFORMAL RESOLUTIONS

PRESIDENT SCHULMAN: We're now under Informal Resolutions. Madame Clerk, will you please read Resolution 57 by title.

#57. COUNCIL AS A WHOLE: CONGRATULATING LINDA PATTERSON ON HER RETIREMENT. - ADOPTED

MEMBER CASAR: Mr. President

PRESIDENT SCHULMAN: Member Casar.

MEMBER CASAR: I'd ask that Ordinance 57 be read please.

PRESIDENT SCHULMAN: Thank you Member Casar. Would you please Madame Clerk.

CLERK TIMBERLAKE: An Informal Resolution Submitted By Council-of-the-Whole COMMENDING LINDA PATTERSON FOR HER DEDICATED PUBLIC SERVICE TO THE CITY OF CANTON ON THIS 2nd DAY OF JUNE, 2008. WHEREAS: Linda Patterson has earned the respect and admiration from City of Canton employees, City Council, Union Members and the citizens of Canton. Linda is a consummate professional. Her length of service spans over 30 years with the City of Canton; and, WHEREAS: Linda has served in the capacity of Personnel Services Manager since 1993. Prior to that Linda held various positions within the City. She has been a vital contributor to the daily workings of the Human Resources Department; and, WHEREAS: Linda was instrumental in the development and implementation of personnel procedures pertaining to Collective Bargaining Agreements, Civil Service rules and regulations, employment provisions provided by the City's Codified Ordinances, Workers Compensation administration, supervising and personally managing the compensation of the City's 1,000 employees consistent with their respective governing ordinances, record maintenance, negotiating and compiling union contracts and general office

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management. Linda was the City's first Coordinator for the Employee's Assistance Program; and, WHEREAS: Besides being a consummate professional, Linda is someone that you could go to for an answer, an opinion or just talk to. Linda is a true friend to many City employees and to her credit she was a constant beacon of stability and professionalism for each administration to whom she served; and, WHEREAS: Linda is the proud mother of Ryan, Rob and Rick and Grandmother to Dylan and baby to be Riley, whose on her way right now currently as we speak. As Linda embarks on her retirement journey, we the members of Canton City Council wish her all the best that life has to offer and thank her for her years of service. NOW THEREFORE BE IT RESOLVED: That we, the members of Council of the City of Canton, Ohio do hereby recognize, give special tribute to and commend most highly an outstanding City of Canton Employee LINDA PATTERSON for serving the City of Canton with integrity and dignity. Thank you Linda for your service to the City of Canton and Congratulations on your retirement!

(STANDING OVATION)

PRESIDENT SCHULMAN: Did we say anything about the fact that she was from New Jersey or New York or has a weird accent? I don't know....*(Laughter)*

MEMBER CASAR: Mr. President.

PRESIDENT SCHULMAN: Member Casar.

MEMBER CASAR: I move adopt Resolution #57.

MEMBER CARBENIA: Seconded.

PRESIDENT SCHULMAN: It's been moved and seconded that we adopt Resolution 57. Are there any remarks? If not, by voice vote, all those in favor signify by saying aye. All those opposed.....

NO REMARKS RESOLUTION #57 PASSED UNANIMOUSLY BY VOICE VOTE

PRESIDENT SCHULMAN: The motion carries. Linda, congratulations and Butch would like to present you with something.

MEMBER KRAUS: As...ah... Councilman of Ward 8, Linda is a resident of Ward 8. Dave, is this on? *(Making reference to the microphone) (Laughter)* As the 8th Ward Councilman and also Linda is a resident of Ward 8. Linda and I also go back to when we were both with the City, I with the Union, her with Human Resources and yes we bumped heads many times but we ended up getting this City to where it needed to be on both those sides and she has always been a friend to unions, to management, to Council and anybody who went to her door, it was always open. Linda, on behalf of City Council, this plaque will be yours to....thank Cindy, she does these. Um....this is for you to put into your new office, wherever you endeavor it to be. And on behalf of Canton, God Bless.

(APPLAUSE)

LINDA PATTERSON: Thank you. Thank you. Well it is true, my grandchild is on its way, I just got a phone call from South Carolina but I will um...try to steady myself enough. Mr. President, Honorable Members, Elected Officials, my fellow co-workers, friends and ladies and gentlemen, it has been privilege to serve the

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Citizens and the employees of the City of Canton. The City afforded me the opportunity to provide a very comfortable living for my family. I raised three children here, was able to send them to College and for that, I am ever grateful, I am the one that's appreciative, I wish you all the very best and I am confident that you will continue to meet the expectation of the Citizens of the City of Canton. It has been my honor. Thank you very much.

(STANDING OVATION)

PRESIDENT SCHULMAN: And Madame Clerk, would you please Informal Resolution 58 by title.

#58. SMITH, C., WARD 4 CNCLMN & WEST, T., WARD 2 CNCLMN: CONGRATULATING CAPTAIN BRUCE ALLISON ON HIS RETIREMENT. - ADOPTED

MEMBER CASAR: Mr. President.

PRESIDENT SCHULMAN: Member Casar.

MEMBER CASAR: I move we adopt Resolution #58.

MEMBER CARBENIA: Seconded.

PRESIDENT SCHULMAN: It's been moved and seconded to adopt Resolution 58. Are there any remarks? If not, by voice vote, all those in favor signify by saying aye. Those opposed.

NO REMARKS RESOLUTION #58 PASSED UNANIMOUSLY BY VOICE VOTE

PRESIDENT SCHULMAN: The Motion carries.

MEMBER SMITH: Yes, could we please have that read in its entirety.

PRESIDENT SCHULMAN: If you would please Madame Clerk, thank you.

CLERK TIMBERLAKE: An Informal Resolution Respectfully Submitted By Chris Smith, 4th Ward Councilmember and Thomas West, 2nd Ward Councilmember on this 2nd day of June, 2008 WHEREAS: Captain Bruce E. Allison was hired on September 10, 1979 by the Canton City Police Department. After having served 29 years, Captain Allison decided to retire May 2, 2008; and, WHEREAS: Captain Allison was given a special assignment in 1981 to the Highland Park Community. For his accomplishments in that Community, in 1984 he was awarded Police Officer of the Year. In 1989 Captain Allison was promoted to the great Rank of Sergeant. On May 20, 2002, he became the first African – American in over the 100 year history of the Canton Police Department to become Lieutenant. On November 19, 2004, again he became the first African – American in the history of the Department to be promoted to rank of Captain; and, WHEREAS: Captain Allison has received numerous awards throughout his life as a servant for God and the City such as Police Officer of the Year and other awards from N.A.A.C.P., Canton Negro Oldtimers, Canton Exchange Club, Canton City Council, The Guy Mack Award, Citizenship Award, The Pathfinder, The Golden Dove, The Paul Roberson Award of Excellence, Humanitarian Award by Coalition of Black Trade Unionists, the Ohio Attorney General's Office and received the Mayor's Citation Award from Janet Weir Creighton for his excellent service to his fellow employees and the Citizens of Canton; and, NOW THEREFORE BE IT

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RESOLVED that we the Members of Canton City Council do hereby go on public record congratulating, commending and saluting CAPTAIN BRUCE ALLISON for his loyalty to the City of Canton and Community. His dedication and commitment will be truly remembered.

(STANDING OVATION)

PRESIDENT SCHULMAN: And I know that Member Smith is going to give an award...ah..Captain, but....ah... the Chief will take priority here. Chief.

CHIEF MCKIMM: Thanks President Schulman.

PRESIDENT SCHULMAN: Well, I only meant that...the Chief if up there already Member Smith.

CHIEF MCKIMM: I...I...I jumped....I jumped the gun, I'm sorry.

PRESIDENT SCHULMAN: He carries the gun too, you know what I mean. *(Laughter)*

CHIEF MCKIMM: I carry the gun...that's right, that's better. *(Laughter)* Um...I just wanted to say a couple of words to ah...Captain Allison on behalf of the...ah....Police Department. Um...I don't think I've ever served with an officer...ah...whose demonstrated such a long a lustrous career as you just outlined in the...ah...Resolution. Um...Captain Allison, I've always known him to be a very professional, very sincere officer and somebody whose been able to leave his mark on...on just a variety of different...ah...ranks and positions within the Department. And I think that...that mark...those marks will last for sometime to come. Um...in that note, I'd like to...um...award him with this plaque, or present him with this plaque on behalf of the Department, which reads "For your exemplary service to the Canton Police Department and the Citizens of our Community is a lasting testament of the value you have added to the lives of the countless people of whom you have touched." Um..."September 10, 1979 through June 2, 2008" So congratulations Captain Allison.

(APPLAUSE)

PRESIDENT SCHULMAN: Captain, Member Smith would like to also honor you.

MEMBER SMITH: Yes now, Bruce, really, ladies and gentlemen, it does give me great pleasure to give him this recognition because we grew up together in the 4th Ward. *(Laughter)* And who woulda ever thought that Council lady of the 4th Ward would be giving....*(Laughter)*...Captain Bruce Allison a Resolution of all of your dedication and service to this community and especially to the 4th Ward. We are so very proud of you. You are our hero.

(APPLAUSE)

CAPTAIN BRUCE ALLISON: Uh... Mr. President...uh...Mayor Healy, Elected Officials, first of all, I'd like to thank the Chief...ah...I wasn't expecting that but I'd like to thank Chief McKimm also for that...that presentation. I appreciate it deeply. And I am very thankful for this recognition presented by Canton City Council. I am grateful to Councilman Chris Smith, Thomas West and the entire City Council. Ah...for this act of kindness toward me. My Lord and my God, Jesus Christ has truly blessed me with the honor and privilege of serving the Citizens of Canton throughout my career. He has blessed me to work with many outstanding police officers that work extremely hard and risk their lives each day because they know they can make, and have made a difference in our communities. He has blessed me with so many friends and

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colleagues as you can see, I'm just so happy that their all out there, who have encouraged me and supported me through the good times and bad times in my career. As I said, many of them are here this evening. Last and certainly not least, he has blessed me with my wonderful family, my wonderful parents and siblings, my wonderful children and grandchildren and I would like for them to stand up right now. My children and grandchildren, if they would stand up please. *(Applause)* And most of all, he has blessed me with a supportive, loving and beautiful wife, Ravine, who has stood beside me through it all. Ravine please stand. *(Applause)* Once again, thank you Chris, thank you Chief McKimm, thank you City Council and thank all of you and God bless you.

(APPLAUSE)

PRESIDENT SCHULMAN: Thank you Captain. Okay ah...Madame Clerk, would you please read Resolution 59 by title.

PRESIDENT SCHULMAN: Resolution #59 has been adopted, Resolution #59 please Madame Clerk.

#59. WEST, T., WARD 2 CNCLMN: REQUESTING STREET LIGHT ON EXISTING AEP POLE #7969437-OPC ON STRUBLE AVE NE & PAUL PL NE. - ADOPTED

MEMBER CASAR: Mr. President, I move we adopt Resolution #59.

MEMBER CARBENIA: Seconded.

PRESIDENT SCHULMAN: It's been moved and seconded to adopt Resolution 59. Are there any remarks? If not by voice vote, all those in favor signify by saying aye. Those opposed no.

NO REMARKS RESOLUTION #59 PASSED UNANIMOUSLY BY VOICE VOTE

PRESIDENT SCHULMAN: Resolution #59 is adopted, Resolution 60 please Madame Clerk.

#60. WEST, T., WARD 2 CNCLMN: REQUESTING STREET LIGHT ON EXISTING AEP POLE #OP7968-4949 ON LAWRENCE AVE NE & SAVANNAH NE. - ADOPTED

PRESIDENT SCHULMAN: Member Casar.

MEMBER CASAR: Mr. President, I move we adopt Resolution #60.

MEMBER CARBENIA: Seconded.

PRESIDENT SCHULMAN: It's been moved and seconded to adopt Resolution 60. Are there any remarks? If not ah... by voice vote, all those in favor signify by saying aye. Those opposed no.

NO REMARKS RESOLUTION #60 PASSED UNANIMOUSLY BY VOICE VOTE

PRESIDENT SCHULMAN: Resolution 60 is adopted. Resolution 61 please.

#61 WEST, T., WARD 2 CNCLMN: COMMENDING WINNERS OF 2008 GOVERNMENT DAY ESSAY CONTEST, 3RD GRADE ARIANA ROSS, 5TH GRADE ANISSA HALL AND 6TH GRADE OLANDRA

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HUDSON. - ADOPTED

MEMBER CASAR: Mr. President, I move we adopt Resolution #61.

MEMBER CARBENIA: Seconded.

PRESIDENT SCHULMAN: It's been moved and seconded to adopt Resolution 61. Are there any remarks?

MEMBER WEST: Yes, Mr. President.

PRESIDENT SCHULMAN: Member West.

MEMBER WEST: Um..this is last year we started Gibbs Government Day...uh...where kids actually was able to prepare an essay and about their neighborhood and their community and we have three winners....ah...one that's here today..ah...Olandra Hudson, who will actually present her essay.

PRESIDENT SCHULMAN: Great....well let's....ah...

MEMBER WEST: Do we do it after...

PRESIDENT SCHULMAN: Why don't you move to the microphone and then we'll ah....vote. Ah...are there any other remarks? If not by voice vote, all those in favor of adopting Resolution 61 say aye. Those opposed, no.

NO REMARKS RESOLUTION #61 PASSED UNANIMOUSLY BY VOICE VOTE

PRESIDENT SCHULMAN: Resolution carries. Good evening and Butch, do you want to help with the microphone?

OLANDRA HUDSON: Read it now?

MEMBER WEST: Yes.

OLANDRA HUDSON: Dear Councilman West, I am writing this essay to tell you about some of the things that I think that we should have in Canton. As a resident of Canton, I think that there should be more places for kids. I happen to know that there use to be an amusement park in Canton. Well, I think we should that we should get rid of the words "use to" and make a new one so kids and families can have something to look forward to in the summer, and with the price of gas rising, some families can't afford to travel to amusement parks like "Cedar Point" and "Geauga Lake". You should even make a water park. There also used to be a zoo in Canton. It's time to bring that back too! Oh, and I can't forget about the skating rink! I don't know about you, but I am so tired of having to drive all the way to North Canton just so I can skate! I mean, not that it's far, I'd just rather have one closer to home. Canton deserves a lot more than it has. There isn't even a lot of places for kids to just hang out. We need tennis courts, baseball and football fields, and swimming pools. Arcades would be really cool too. Canton also needs better buildings. We need more museums so kids can learn about the history, the present and the future of the world. Not one of those boring museums either, no way, but a museum that kids will actually want to visit. Remember, kids are the future right? So it's better that we be educated! Canton also needs better hotels. Oh, and volleyball courts would be pretty nice too. Please consider some of these suggestions. For example, indoor water parks are really fun places

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to go when it's hot and plus, the City would get lots of money out of it! Like I said before, Canton deserves a lot more than it gets, but we can change that, together. Sincerely, a 6th grade student from Gibbs Elementary, Olandra Hudson.

(APPLAUSE)

PRESIDENT SCHULMAN: Thank you Olandra. Member West.

MEMBER WEST: We actually have one more. Ms. Hall, Ariana Hall, who will come and...ah...present hers.

PRESIDENT SCHULMAN: Ariana, good evening.

ARIANA ROSS: Dear Council, West, we need some recreation like we should have more swimming pools and water parks. We should have better parks. We should have more indoor water parks. We should have more new houses and quit tearing them down. Canton need a face lift. We should have build a skate park empty lots. We need lower gas prices. We need better shopping malls. We need better everything. We really need a face lift. I hope you take this seriously because I am. My community is too, so I hope you do. We need fun things to do.

(APPLAUSE)

MEMBER WEST: On behalf of Canton City Council...um...one of the reasons we did this is because we wanted kids to engage in City Government to learn about what we are. And also engage them in their neighborhoods. Gibbs actually does not only the Essay Day but they do Gibbs Garbage Scrapper Day, which means that these young people actually go in their community and clean up their community and we need to start them at a young age and clean up the neighborhood and get them engaged and know what Councilmembers are and...um...we want to do this Citywide at some point so hopefully we can do that and get these kids acclimated to our neighborhoods and our Community. Thank you guys so much.

(APPLAUSE)

MEMBER WEST: And one last thing..um..we, have Mike Freeland, who is Canton City Schools, he was gracious enough to read all the essays and narrow these down to three winners, between 3rd, 4th, 5th and 6th grade at Gibbs School. Lets give him a hand.

(APPLAUSE)

MIKE FREELAND: Members of Council, Mr. Mayor, Ladies and Gentlemen of the Community, my name is Mike Freeland, I serve Canton City Schools in the roll of Curriculum Specialist for Social Studies. Even though Mr. West said I am Canton City Schools, which is a great tribute, there's lots more people out there behind me. But I want to take a few minutes and just ask you to remember two words tonight, actually three words, the first word is citizenship and tonight so far has been all about that quality. The quality of citizenship represented by those who are honored here tonight who are retiring from service from Canton City and young children who are just beginning their work as citizens in this community. The other two words are these, personal efficacy. For Olandra and Ariana and all the other children's essays who I read, they spoke from their hearts. They spoke with a sincere desire to make your community a better place. They speak in hopes that you will listen, they speak in the hopes that you will act. They speak in the hopes that you will act. These people that believe that their voice will be heard. I ask you to take the time to read the essays and I also ask each of the members here tonight, all the nine...all the nine Wards are presented follow

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the lead of Mr. West because you're all attached to a school district, most of you are, to take the time and visit your schools. To invite those children to have their say, to hear what they have about their town, their school and this Government because their words are important, not just for them but for all of us. Thank you.

(APPLAUSE)

PRESIDENT SCHULMAN: Thank you. Thank you very much.

MEMBER WEST: Mr. President, just one last thing, I'm sorry.

PRESIDENT SCHULMAN: Member West.

MEMBER WEST: Um...the young lady, she was having difficulty reading...uh...a letter because it actually wasn't even hers, I thought she said "Hall" but she said "Ross", so...ah....I didn't get a chance to meet the young ladies prior to coming...ah...but that last lady was Ariana Ross and I wanted to make certain that was on the record. Thank you.

PRESIDENT SCHULMAN: Well Ariana did a great job regardless. She did a better job than most of us would do, so. *(Laughter)* Do you have anything you wish to add Member Kraus? *(Laughter)*

COMMUNICATIONS

PRESIDENT SCHULMAN: Okay 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 JUNE 2, 2008.

237. CIRELLI, M., CNCL-AT-LARGE: REQ LEGISLATION TO MERGE CITY'S BUILDING CODE ENFORCEMENT & HEALTH DEPTS. - JUDICIARY COMMITTEE

238. LIQUOR CONTROL DIVISION (OHIO): ADVISING THAT LIQ PERMIT FOR PLATINUM DYNASTY LLC DBA CLUB BLUEPRINT @ 1016 - 12TH ST NE, 1ST FL & BASEMENT HAS BEEN CANCELLED DUE TO NON-PAYMENT OF TAXES. - RECEIVED & FILED

239. RASDAN, MUNIR, APPLICANT: REQ ZONE CHANGE @ 1639 MAPLE NE FR: R-2 TO: PB-3 TO OPERATE "MAPLE GRILL". - PLANNING COMMISSION

240. SAFETY DIRECTOR NESBITT: AUTHORIZE SAF DIR TO ADVERTISE, REC BIDS & ENTER INTO CONTRACT FOR PURCHASE OF 1 COMMAND/COMMUNICATIONS VEHICLE FOR POLICE DEPT; REQ AUTHORIZATION TO ALTERNATIVELY PURCHASE THIS VEHICLE IN ACCORDANCE W/O.R.C. SEC 125.04. - PUBLIC PROPERTY CAPITAL IMPROVEMENT COMMITTEE

241. SERVICE DIRECTOR BERNABEI: AUTHORIZE STARK CNTY COMM, ON BEHALF OF CITY & IN CONJUNCTION W/SERV DIR TO ADVERTISE, REC BIDS & ENTER INTO CONTRACT FOR CONSTRUCTION OF 25TH ST NE STORM SEWER & ROADWAY RECONSTRUCTION PROJ, G.P. 1090; & FOR ADD'TL RELATED LEGISLATION. - FINANCE & PUBLIC SAFETY & THOROUGHFARES COMMITTEES

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242. SERVICE DIRECTOR BERNABEI: AUTHORIZE SERV DIR TO ADVERTISE, REC BIDS & ENTER INTO CONTRACT FOR CONSTRUCTION OF 30TH ST NE STORM SEWER, ROADWAY RECONSTRUCTION & STORM SEWER WATER BASIN PROJ, G.P. 1083 & FOR ADD'TL RELATED LEGISLATION. - FINANCE & PUBLIC SAFETY & THOROUGHFARES COMMITTEES
243. SERVICE DIRECTOR BERNABEI: AUTHORIZE MAYOR &/OR SERV DIR TO ENTER INTO AGMT FOR PURCHASE OF 56.67 ACRE TRACT OF LAND ON WHICH TO CONSTRUCT STORM SEWER BASIN NEEDED FOR THE 30TH ST NE STORM SEWER & ROADWAY RECONSTRUCTION PROJ, G.P. 1083 & FOR ADD'TL RELATED LEGISLATION. - FINANCE COMMITTEE
244. SERVICE DIRECTOR BERNABEI: REQ CONSENT LEGISLATION PROPOSED BY OH DEPT OF TRANS FOR CONSTRUCTION/REPLACEMENT OF BRIDGE OVER THE MIDDLE BRANCH OF NIMISHILLEN CREEK ON E. TUSC. - PUBLIC SAFETY & THOROUGHFARES COMMITTEE
245. SERVICE DIRECTOR BERNABEI: AUTHORIZE MAYOR &/OR SERV DIR TO MAKE APPLICATION, ENTER INTO CONTRACT & REC FUNDS FOR OH PUB WKS COMM 2009 PROG YEAR APPLICATION. - FINANCE COMMITTEE
246. SERVICE DIRECTOR BERNABEI: AUTHORIZE \$6,162.12 SUPP APPROP FOR ELECTRICAL SERV TO THE BOOSTER STATION FR: AEP FOR OSNABURG WATER MAIN EXT. - FINANCE & ENVIRONMENTAL & PUBLIC UTILITIES COMMITTEES
247. SERVICE DIRECTOR BERNABEI: AUTHORIZE SERV DIR TO ADVERTISE, REC BIDS & ENTER INTO CONTRACT FOR CONSTRUCTION OF THE 49TH ST NE (PLAIN CENTER) STORM SEWER & STORM BASIN PROJ, G.P. 1074, PHASES 1 & 3 & FOR ADD'TL RELATED LEGISLATION. - FINANCE & PUBLIC SAFETY & THOROUGHFARES COMMITTEES
248. SERVICE DIRECTOR BERNABEI: AUTHORIZE MAYOR &/OR SERV DIR TO ENTER INTO AGMT FOR PURCHASE OF A 3.338 ACRE TRACT OF LAND ON WHICH TO CONSTRUCT STORM WATER DETENTION BASIN NEEDED FOR 49TH ST NE (PLAIN CENTER) STORM SEWER PROJ, GP 1074 & FOR ADD'TL RELATED LEGISLATION. - FINANCE COMMITTEE
249. SLIMAN, SAM, AGENT FOR PETITIONER: ANNEXATION PETITION DOCUMENTS FOR AREA TO BE KNOWN AS "THE FIRST TEE OF CANTON, INC/CITY OF CANTON ANNEXATION AREA". - PLANNING COMMISSION
250. TREASURER SCHIRACK: APRIL 30, 2008 COMPARATIVE RPT OF CASH RECEIPTS. - RECEIVED & FILED

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 #11 FOR THE FIRST TIME BY TITLE & ANNOUNCED THE COMMITTEE

MINUTES OF THE MEETING OF JUNE 2, 2008**REFERRAL, AS FOLLOWS.**

#1. (1ST RDG) AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO A FUNDING AGREEMENT WITH STARK COUNTY OUT OF POVERTY PARTNERSHIP, INC. TO PROVIDE CDBG FUNDS IN THE AMOUNT OF \$50,000.00 AND HOME FUNDS IN THE AMOUNT OF \$500,000.00 FOR THE ADMINISTRATION AND IMPLEMENTATION OF THE CITY'S HOUSING PROGRAMS; AND DECLARING THE SAME TO BE AN EMERGENCY

Referred to Community & Economic Development Committee

#2. (1ST RDG) AN ORDINANCE VACATING A PORTION OF WELLS AVENUE N.W. AND ALL OF LEY PLACE N.W.; APPROVING AND ACCEPTING THE REPLATTING OF ALL OF LOTS NOS. 247, 2753 THRU 2762, PARTS OF LOTS NOS. 248 AND 249, PART OF VACATED MCKINLEY AVENUE N.W. AND THE VACATED PORTIONS OF WELLS AVENUE N.W. AND LEY PLACE N.W.; AND DECLARING THE SAME TO BE AN EMERGENCY

Referred to Judiciary Committee (Should have been Referred to Public Safety & Thoroughfares Committee) **PUB HRG: 6/30/08 @ 7:30 PM**

#3. (1ST RDG) AN ORDINANCE AMENDING VARIOUS SECTIONS OF CHAPTER 1157, I-1 LIGHT INDUSTRIAL DISTRICT, OF THE CODIFIED ORDINANCES OF THE CITY OF CANTON

Referred to Judiciary Committee **PUB HRG: 6/30/08 @ 7:31 PM**

#4. (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 AN EMERGENCY

Referred to Judiciary Committee **PUB HRG: 6/30/08 @ 7:32 PM**

#5. (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 AN EMERGENCY

Referred to Judiciary Committee **PUB HRG: 6/30/08 @ 7:33 PM**

#6. (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 AN EMERGENCY

Referred to Judiciary Committee **PUB HRG: 6/30/08 @ 7:34 PM**

#7. (1ST RDG) AN ORDINANCE APPROVING AND ACCEPTING DEDICATION PLAT OF A PORTION OF WELLS AVENUE N.W.; APPROVING AND ACCEPTING THE REPLATTING OF LOT NO. 42865; AND DECLARING THE SAME TO BE AN EMERGENCY

Referred to Public Safety & Thoroughfares Committee

#8. (1ST RDG) AN ORDINANCE APPROVING AND ACCEPTING THE REPLATTING OF LOT NO. 42791; AND DECLARING THE SAME TO BE AN EMERGENCY

Referred to Public Safety & Thoroughfares Committee

#9. (1ST RDG) AN ORDINANCE AUTHORIZING THE DIRECTOR OF PUBLIC SERVICE TO

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EXECUTE AND DELIVER TO THE TIMKEN COMPANY AN EASEMENT ON PROPERTY OWNED BY THE CITY OF CANTON; AND DECLARING THE SAME TO BE AN EMERGENCY

Referred to Public Safety & Thoroughfares Committee

#10. (1ST RDG) AN ORDINANCE AMENDING APPROPRIATION ORDINANCE NO 1/2008, AS AMENDED, BY MAKING THE SUPPLEMENTAL APPROPRIATIONS HEREIN DESCRIBED; AND DECLARING THE SAME TO BE AN EMERGENCY

Referred to Public Property Capital Improvement Committee

#11. (1ST RDG) AN ORDINANCE AUTHORIZING THE MAYOR AND/OR SERVICE DIRECTOR TO ENTER INTO AGREEMENTS AND ACCEPT FUNDS FOR THE BISON CORPORATION REMEDIATION PROJECT; AUTHORIZING THE DIRECTOR OF PUBLIC SERVICE TO ADVERTISE, RECEIVE BIDS AND ENTER INTO CONTRACT FOR THE KIMBALL ROAD/ALLEN AVENUE S.E. STORM SEWER SLIP LINING PROJECT; AUTHORIZING THE DIRECTOR OF PUBLIC SERVICE TO ENTER INTO A PROFESSIONAL SERVICES CONTRACT WITH HZW ENVIRONMENTAL CONSULTANTS, LLC FOR REMEDIAL DESIGN AND IMPLEMENTATION SERVICES; AUTHORIZING THE CITY AUDITOR TO PAY A MORAL OBLIGATION TO HZW ENVIRONMENTAL CONSULTANTS, LLC; AMENDING APPROPRIATION ORDINANCE NO. 1/2008; AND DECLARING THE SAME TO BE AN EMERGENCY

Referred to Community & Economic Development Committee

ORDINANCES & FORMAL RESOLUTIONS FOR SECOND READING

PRESIDENT SCHULMAN: We are now under Ordinances, thank you Madame Clerk, for their second reading. Madame Clerk, will you please read the Ordinance #12.

NOTE: PRESIDENT SCHULMAN CALLED UPON CLERK TIMBERLAKE TO READ ORDINANCES #12 THROUGH AND INCLUDING #14 FOR THEIR SECOND TIME BY TITLE AS REQUIRED BY STATE LAW, AS FOLLOWS. (ORDINANCE #15 RETAINED IN COMMITTEE

#12. (2ND RDG) **ADOPTED AS ORDINANCE NO. 75/2008** AN ORDINANCE AMENDING SECTION 551.02, PROHIBITIONS AND PENALTY, OF CHAPTER 551, WEEDS AND LITTER, OF THE CODIFIED ORDINANCES

PRESIDENT SCHULMAN: Member Casar.

MEMBER CASAR: Mr. President, I move the statutory rules be suspended on Ordinance #12.

MEMBER CARBENIA: Seconded.

PRESIDENT SCHULMAN: It's been moved and seconded to suspend the statutory rule for Ordinance #12. Are there remarks? If not roll call vote please Madame Clerk.

NO REMARKS ROLL CALL: 12 YEAS, 0 NAYS

CLERK TIMBERLAKE: Twelve yeas Mr. President.

PRESIDENT SCHULMAN: Thank you Madame Clerk, the motion carries. Ah...Member Casar, you've heard the three readings.

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MEMBER CASAR: Mr. President, I move we adopt Ordinance #12.

MEMBER CARBENIA: Seconded.

PRESIDENT SCHULMAN: It's been moved and seconded to adopt Ordinance #12. Are there any remarks under this Ordinance?

MEMBER CIRELLI: Mr. President.

PRESIDENT SCHULMAN: Member Cirelli.

MEMBER CIRELLI: Mr. President, uh...on this particular Ordinance, I really need to feel that we are going to handle anybody that owns property...ah..that is allowing weeds and liter to blighten the area. Another words, I think Jane and Joe citizen should be treated no different than any mortgage companies, any banking companies...ah...any...ah...non for profit organizations. Everybody and anybody should be included in this and I think it needs to be consistent. I don't believe in double standards, I don't believe that we should...ah...pass an Ordinance that we say we're going to apply to certain people and not to other. I'm only comfortable in passing this Ordinance...ah...whenever I know that in fact, and I asked this of the Law Director that everybody and anybody that has high grass will be treated accordingly. And I'm talking about...ah...landlords and possibly, I call them slum lords and under that circumstances, I've done a lot of research and some of them are some very highly influential people in his community and I want to make sure that they're being treated accordingly too sir. So can you answer that for me please, Mr. Law Director?

PRESIDENT SCHULMAN: Law Director Martuccio, I believe that was directed at you.

LAW DIRECTOR MARTUCCIO: At me or my position? (*Laughter*) Thank you Mr. President, Member Cirelli...um...you expressed a very strongly held sentiment by a number of people I'm sure, we do after all, pledge allegiance and say justice for all. Um....if this Ordinance is passed, and I assume it will be, again, it will be aggressively pursued for the egregious offenders no matter what they are...um...we will have these cases referred to us by a number of sources, the Health Department, the Street Department and Ward Councilmembers. This Ordinance that will be passed tonight is for repeat offenders. Um...those are people who have already been convicted of a minor misdemeanor after they've had all the other due process on the civil side of this after they've been hounded and notified, given five days and failed to cut, have been billed and failed to pay. Um...we will follow the stench, wherever it takes us. If it's an accessively egregious yard that harbors rodents or other dangers to people, we will follow the paper trail. If it's an individual, we will work with that individual. If they refuse to cooperate, a minor misdemeanor will be pursued and if that person repeats again, this Ordinance will kick in and a fourth degree misdemeanor can be applied through our prosecutor's office, resulting in an appearance before a Judge. That Judge is bound by Law to determine all the surrounding circumstances, aggravating and mitigating, whether it's corporate or individual and assess a fair penalty. Um...where we can, we will look for a tenant whose responsible by a lease, a landlord whose responsible...ah...or a corporate entity, if we can bring that person to Court personally, we will. If we cannot, as was explained by Assistant Law Director Reese and others this evening, including the Health Commissioner, will pursue all our other remedies, including nuisances, civil lawsuits and fines and perhaps contempt of Court if we have to. I share your sentiment...ah...although, please understand, it is a little more difficult when someone is insulated by corporate layers but we will follow the paper trail wherever it takes us.

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MEMBER CIRELLI: Mr. President.

PRESIDENT SCHULMAN: Member Cirelli.

MEMBER CIRELLI: One more question to the Law Director, sir. And there's two...ah...gentlemen Councilmen that are sitting here with me, that we were called out on the house, that the owner in fact lives in Germany and how would that be handled sir, if the owner is in Germany, I don't see we're going to be flying to Germany to bring him back here. If you can tell me how you'll handle that.

PRESIDENT SCHULMAN: Law Director Martuccio.

LAW DIRECTOR MARTUCCIO: Well, since Cindy speaks German, I think we can authorize her to do the extradition...ah...The Ordinance reads, "Whoever has control", it doesn't necessarily say ownership, it says whoever has control. In the absence of an owner whose oversees, obviously we're not going to extradite them for a fourth degree misdemeanor but we will look to see who has been left in control of that particular property. Ah...someone in the chain, someone in the family will ultimately have to assume responsibility and we'll do the best we can to find that person and either use a civil approach or the criminal approach, whichever one serves the needs of the City best. Whichever one will get that grass cut...ah and get someone to pay for it. And I'm sorry if I used the word grass, I really mean to say weeds and threats to health safety and welfare.

PRESIDENT SCHULMAN: Member Cirelli, any other remarks?

MEMBER CIRELLI: No sir.

PRESIDENT SCHULMAN: Thank you. Are there any other remarks under this Ordinance? If not...ah...Madame Clerk, roll call vote please. _____

NO REMARKS ROLL CALL: 12 YEAS, 0 NAYS

CLERK TIMBERLAKE: Twelve yeas Mr. President.

#12 ADOPTED AS ORDINANCE NO. 75/2008

PRESIDENT SCHULMAN: Ordinance #12 is adopted. Ordinance #13 please Madame Clerk.

#13. (2ND RDG) AN ORDINANCE AMENDING ORDINANCE NOS. 50/2008 AND 247/2007; AND DECLARING THE SAME TO BE AN EMERGENCY

#14. (2ND RDG) **ADOPTED AS AMENDED AS ORDINANCE NO. 76/2008** AN ORDINANCE AUTHORIZING THE AUDITOR TO ENTER INTO CONTRACT WITH KRONOS INCORPORATED FOR THE ACQUISITION, INSTALLATION AND MAINTENANCE OF A NEW TIME AND ATTENDANCE SYSTEM PURSUANT TO O.R.C. SECTION 125.04; AND DECLARING THE SAME TO BE AN EMERGENCY

MEMBER CASAR: Mr. President.

PRESIDENT SCHULMAN: Member Casar.

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MEMBER CASAR: I move we suspend the statutory rules on Ordinance #14.

MEMBER CARBENIA: Seconded.

PRESIDENT SCHULMAN: It's been moved and seconded that you suspend the statutory rule for Ordinance 14. Are there any remarks? If not, Madame Clerk, roll call vote please.

NO REMARKS ROLL CALL: 12 YEAS, 0 NAYS

CLERK TIMBERLAKE: Twelve yeas Mr. President.

PRESIDENT SCHULMAN: The motion to suspend carries. Member Casar you've heard the three readings.

MEMBER CASAR: Mr. President, I move we adopt Ordinance #14.

MEMBER CARBENIA: Seconded.

PRESIDENT SCHULMAN: It's been moved and seconded that we adopt Ordinance #14. Are there any remarks?

MEMBER CASAR: Mr. President.

PRESIDENT SCHULMAN: Member Casar.

MEMBER CASAR: Per the copy that all Councilpersons have in front of them, I move to amend Ordinance #14.

MEMBER CARBENIA: Seconded.

AMENDMENT

Pursuant to Rule 36, I move to amend Agenda Item No. 14 by substitution of the attached, revised ordinance for the pending version.

PRESIDENT SCHULMAN: It's been moved and seconded that we amend Ordinance #14 per the copy of all Councilmembers...ah...have in front of them. Are there any remarks? All those in favor, signify by saying aye. Those opposed, no.

NO REMARKS AMENDMENT PASSED UNANIMOUSLY BY VOICE VOTE

PRESIDENT SCHULMAN: The motion to amend carries. Member Casar.

MEMBER CASAR: Mr. President, I move we adopt Ordinance #14 as amended.

MEMBER CARBENIA: Seconded.

PRESIDENT SCHULMAN: It's been moved and seconded to adopt Ordinance #14 as amendment...as amended per the copy before each of you. Are there any remarks under? If not roll call vote please Madame

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Clerk.

NO REMARKS ROLL CALL: 12 YEAS, 0 NAYS

CLERK TIMBERLAKE: Twelve yeas Mr. President.

#14 ADOPTED AS AMENDED AS ORDINANCE NO. 76/2008

PRESIDENT SCHULMAN: Ordinance #14 is adopted as amended.

#15. (2ND RDG) ***RETAINED IN COMMITTEE AN ORDINANCE AMENDING EXHIBIT A TO ORDINANCE NO. 164/2001, AS AMENDED, THE CLASSIFICATION PLAN AND SALARIES FOR ALL MANAGEMENT AND NON-BARGAINING UNIT EMPLOYEES OF THE CITY OF CANTON; AND DECLARING THE SAME TO BE AN EMERGENCY***

ORDINANCES & FORMAL RESOLUTIONS FOR THIRD AND FINAL READING

PRESIDENT SCHULMAN: Ah...we're now under Ordinances, for their third and final reading. Madame Clerk will you please read Ordinance #16.

NOTE: PRESIDENT SCHULMAN CALLED UPON CLERK TIMBERLAKE TO READ THE FOLLOWING ORDINANCES #16 THROUGH #19 FOR THEIR THIRD AND FINAL READING BY TITLE AS REQUIRED BY STATE LAW, AS FOLLOWS.

#16. (3RD RDG) **ADOPTED AS ORDINANCE NO. 77/2008** AN ORDINANCE AMENDING CHAPTER 1305 OF THE CODIFIED ORDINANCES OF THE CITY OF CANTON

PRESIDENT SCHULMAN: Member Casar.

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

MEMBER CARBENIA: Seconded.

PRESIDENT SCHULMAN: It's been moved and seconded to adopt Ordinance #16. Are there any remarks? If not Madame Clerk, roll call vote please.

NO REMARKS ROLL CALL: 12 YEAS, 0 NAYS

CLERK TIMBERLAKE: Twelve yeas Mr. President.

#16 ADOPTED AS ORDINANCE NO. 77/2008

PRESIDENT SCHULMAN: Ordinance #16 is adopted. Ordinance #17 please Madame Clerk.

#17. (3RD RDG) **ADOPTED AS AMENDED AS ORDINANCE NO. 78/2008** AN ORDINANCE REINSTATING AND RATIFYING RESOLUTION NO. 243/2006; AUTHORIZING THE SERVICE DIRECTOR TO EXECUTE THE "2008 START-UP GRANT AGREEMENT" WITH THE SOLID WASTE MANAGEMENT DISTRICT (SWMD), TO APPLY FOR, ACCEPT AND EXECUTE AN ADDITIONAL GRANT FROM THE SWMD FOR \$181,000.00 FOR START-UP COSTS, TO WORK WITH THE LAW DEPARTMENT TO EFFECT ALL AGREEMENTS, ORDINANCES AND RESOLUTIONS NECESSARY FOR THE IMPLEMENTATION OF THE RECYCLING PROGRAM; AND DECLARING THE SAME TO

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BE AN EMERGENCY _____

PRESIDENT SCHULMAN: Member Casar.

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

MEMBER CARBENIA: Seconded.

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

MEMBER CASAR: Mr. President, per copy of that all Councilpersons have in front of them, I move we adopt Ordinance #17.

MEMBER CARBENIA: Seconded.

AMENDMENT*Pursuant to Rule 36, I move to amend Agenda Item No. 17 by substituting \$135,000.00 for the dollar amount of \$181,000.00 wherever it appears in the ordinance.*

PRESIDENT SCHULMAN: It's been moved and seconded to amend

MEMBER CASAR: Amend, I'm sorry.

PRESIDENT SCHULMAN: That's alright, it's been moved and seconded to amend the Ordinance #17 per the copy before each of you. Are there any remarks? If not by voice vote, all those in favor, signify by saying aye. Those opposed, no.

NO REMARKS AMENDMENT PASSED UNANIMOUSLY BY VOICE VOTE

PRESIDENT SCHULMAN: The motion Carries. Member Casar.

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

MEMBER CARBENIA: Seconded.

PRESIDENT SCHULMAN: It's been moved and seconded to adopt Ordinance #17 as amended. Are there any remarks under this Ordinance? If not Madame Clerk roll call vote please.

NO REMARKS ROLL CALL: 12 YEAS, 0 NAYS

CLERK TIMBERLAKE: Twelve yeas Mr. President.

#17 ADOPTED AS AMENDED AS ORDINANCE NO. 78/2008

PRESIDENT SCHULMAN: Thank you Madame Clerk, Ordinance #17 as amended, is adopted. Ordinance #18 please.

#18. (3RD RDG) **ADOPTED AS ORDINANCE NO. 79/2008** AN ORDINANCE AUTHORIZING

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THE DIRECTOR OF PUBLIC SERVICE TO RENAME THE WATER POLLUTION CONTROL CENTER; AUTHORIZING THE LAW DIRECTOR TO AMEND ALL CODIFIED ORDINANCES REFERRING TO THE WATER POLLUTION CONTROL CENTER; AMENDING EXHIBIT A TO ORDINANCE NO. 40/2000, AS AMENDED, THE CLASSIFICATION PLAN FOR BARGAINING UNIT PERSONNEL EMPLOYED BY THE CITY OF CANTON; AND AMENDING EXHIBIT A TO ORDINANCE NO. 164/2001, AS AMENDED, THE CLASSIFICATION PLAN AND SALARIES FOR MANAGEMENT AND NON-BARGAINING UNIT EMPLOYEES OF THE CITY OF CANTON

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: 12 YEAS, 0 NAYS

CLERK TIMBERLAKE: Twelve yeas Mr. President.

#18 ADOPTED AS ORDINANCE NO. 79/2008

PRESIDENT SCHULMAN: Ordinance #18 is adopted. Ordinance #19 please Madame Clerk.

#19. (3RD RDG) **ADOPTED AS ORDINANCE NO. 80/2008** AN ORDINANCE AMENDING NO. 1/2008, AS AMENDED, BY MAKING THE SUPPLEMENTAL APPROPRIATION HEREIN DESCRIBED; AND DECLARING THE SAME TO BE AN EMERGENCY

PRESIDENT SCHULMAN: Member Casar.

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

MEMBER CARBENIA: Seconded.

PRESIDENT SCHULMAN: It's been moved and seconded to adopt Ordinance #19. Are there any remarks under this Ordinance? If not Madame Clerk, roll call vote please.

NO REMARKS ROLL CALL: 12 YEAS, 0 NAYS

CLERK TIMBERLAKE: Twelve yeas Mr. President.

#19 ADOPTED AS ORDINANCE NO. 80/2008

PRESIDENT SCHULMAN: Ordinance #19 is adopted.

ANNOUNCEMENT OF COMMITTEE MEETINGS

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

MEMBER WEST: Mr. President.

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MEMBER HAWK: Mr. President.

PRESIDENT SCHULMAN: Ah....Member West.

MEMBER WEST: Judiciary will meet June 16th at 6:30.

PRESIDENT SCHULMAN: Thank you. Member Hawk.

MEMBER HAWK: Mr. President, Finance Committee will meet June 5th at 9:00 AM in Council Chamber. We will be doing our first review of this year's budget and I'd ask that all Department Heads attend. Thank you very much.

PRESIDENT SCHULMAN: Thank you Member Hawk.

MEMBER PRATER: Mr. President.

PRESIDENT SCHULMAN: Member Prater.

MEMBER PRATER: Personnel Committee will meet June 16th at 6:30.

MEMBER CARBENIA: Mr. President.

MEMBER KRAUS: Mr. President.

PRESIDENT SCHULMAN: Member Carbenia.

MEMBER CARBENIA: Community & Economic Development Committee will meet...ah...at 6:30 on 6/16 of this year.

PRESIDENT SCHULMAN: Thank you. Any other....

MEMBER KRAUS: Mr. President.

PRESIDENT SCHULMAN: Member Kraus.

MEMBER KRAUS: Ah....Public Safety and Thoroughfare will meet June 16th at 6:30.

PRESIDENT SCHULMAN: Thank you.

MEMBER CASAR: Mr. President.

PRESIDENT SCHULMAN: Member Casar.

MEMBER CASAR: The Water....ah...Facility Committee will meet June 16th at 5:00.

PRESIDENT SCHULMAN: Thank you Member Casar. We're now under.....

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MEMBER DOUGHERTY: Mr. President.

PRESIDENT SCHULMAN: Member Dougherty.

MEMBER DOUGHERTY: Public Property Capital Improvement will meet that night.

PRESIDENT SCHULMAN: Thank you. Anyone else?

PUBLIC SPEAKS (OPEN FORUM--CITY BUSINESS ONLY)

PRESIDENT SCHULMAN: We're now under Public Speaks, Open Forum. We have three...uh...citizens signed up. Again, I would just remind the speakers that Council has adopted a rule that prohibits you to three minutes. As I say to everyone, Council will be here, the Mayor will be here, his Administration will be here to address any concerns you might have beyond what you tell us. Our first speaker is Mary Knorzner. Mary, come on up and good evening. Good evening.

MARY KNORZER: *(Inaudible)*

(Member Kraus fixes the microphone)

PRESIDENT SCHULMAN: There we go, thanks Member Kraus.

MARY KNORZER: Did you hear everything I said?

PRESIDENT SCHULMAN: Yes.

MARY KNORZER: Okay. I'm having a very serious problem with the police department here in town...um...I called on May 28th, the other night because I had a neighbor guy kick a dent in my car...ah...was harassing me, calling me very serious names. Told me him and another man were plotting my death. I find none of this humorous. And I think you guys understand why. Um...I just find they treat me with very much disrespect. I know I'm a little woman but I got a big mouth, okay. And I don't appreciate...you know I had a sergeant told me, well I feel safe because I carry a gun. Well...woo...big whippy, you know, I don't carry one but I feel safe by my own accord. I don't need a gun to feel safe. I find that pretty bad. Chief McKimm told me last week he would give me the report that I filed five weeks ago with an officer that I don't even know his name. I was never given that report yet. If, when I called the police the other night and filed a complaint on this guy, they came to my house probably an hour and a half after I called after the second call. Um...when they came, they didn't even make a report. That upset me. If you call the police department to make a report, they should make a report. So the next day, I went to Prosecutor's Office, had the guy sent a letter. Well it says in this letter that if there was a report made, I'd have a case. No report was made on this. If a police is called to a home and no reports made, why are they coming? So it's a very serious problem I have. I'm not accusing anybody and I'm not saying all of them are bad but the ones I'm dealing with are bad news and I don't appreciate it.

PRESIDENT SCHULMAN: Okay, thank you Mary very, appreciate it. And I'm sure that'll be addressed. Our next speaker is...ah...Ruby Brogdon. Good evening Ms. Brogdon.

RUBY BROGDON: My name is Ruby Brogdon. I live at 1617 3rd Street NE. I want to thank whoever thought up this law to make people responsible for they property. I think the City of Canton have took the load long enough and I think they should take responsibility for theirs because most of these people that

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lives, don't live in the neighborhood. And they bring they problems to other people that live there. And I want to say something else. We are tired of being the City dump. Garbage. A van came on Warner Road, I'm outside, I really didn't know what they doing because my eyesight isn't that good. So ah...Councilman Chris came by and she said something to me, I said "I'm gonna wait up here." I said "I think they putting garbage up here." She said "Okay, I'll take you up there." We got up there and what we saw was a disgrace. A white truck, red around it had dumped all of this on 3rd and Warner Road in the creek, is a disgrace. Now, she done made this lady get this garbage all, 'cuz anyone know, if you don't have...ah...water, they aren't going to pick up any garbage. So we're tired, it needs...it needs cleaning up and if you have seen sewer rats like me and Mrs. Bell have seen them, you know what I'm talking about. They look like rabbits with long tails coming out of the creek. We have animal problems as it is because we're close to this water. We're both up in our age, we tries to keep around our place the best that we can. And all I can't do, I'll hire somebody to do it. Some of these people's young, junk around the house. In front of me, the house is a disgrace. On the side of me they tore down the garage. You can't send somebody down there with a paper bag to pick up anything. You have to have someone with a saw. It haven't been cleaned up for years. We have a house that been vacant for seven years, or eight, when it grows up you can't see it. The neighbor man got so tired that he cut the front. We are responsible, it takes us all together. And I don't care what neighborhood your in. You can help get Canton back through because it looks like the Appalachian of Kentucky and it's no sense of Canton being growed up, filthy like it is. It takes us all and I don't care what Councilman you are or what Ward you in, if you see something report it because I am sick and tired of coming up here talking about how the neighborhood look. I think I was one of the worse...first ones came up and spoke and I'm tired of promises and no action. Thank you.

(APPLAUSE)

PRESIDENT SCHULMAN: Thank you Ms. Brogdon, I'm sure that will be addressed. Ah...our next speaker is Mary Green. I hope I'm pronouncing that correctly. Ms. Green, good evening. If you can give us your name and your address.

MARY GREEN: My name is Mary Green, I reside at 1721 East Tuscarawas. I am a neighbor of Mrs. Brogdon, she's been knowing me all my life. Was neighbor of Monique, Monique is my N.A.A.C.P. Counselor and I've been to...ah... Mrs. Smith and axed her to address this matter and I axed Monique to address this matter. I went to Mrs. Brogdon, they tried to get me to come long ago before I went to see my Lawyer, Allen Schulman.

(LAUGHTER)

PRESIDENT SCHULMAN: Yeah I hope...I sure hope your talk tonight is gonna be a good one.

(LAUGHTER)

MARY GREEN: I have...ah...a complaint with the police department. I've been singled out because I live on Tusc., I live near Belden, I feel. And I feel that the police came, they marked my house off like a dog does a tree. They took and came with...ah...they came with the...um... Highway Patrol, they came with the Sheriffs, they came with the patty wagon, they came with the...ah...black and whites, I mean every department of the police department. I'm standing in my yard, I'm looking at these police and I see 'em all the way down to Warner Road from my...corner of my house all the way down to Warner Road. And I wonder what they was doing and...and afterwards I found that they was circling my house and circling all around. I found 'em following me, they...they seem like they have tracking device on my...on my car or something. And everyone

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knows me in Canton. They knows I'm not no big time drug...ah...person, dealing in no keys of cocaine, they know I don't sell marijuana. I go to church, I take care of my children and I...this is what I do. And I find them going to the Goodwill wit me, I find 'em going to the grocery store wit me, I find 'em going every place with me. Now I'm tired of this. Every since they marked off my house, and it's no secret, everybody I can...I...I been livin' in...ah...on Tusc., I seen the under covers, I seen...I know what they look like, I know when I see 'em. And...ah...I want to know, what is they followin' me for. Me and Ms. Brogdon been tryin' to sit down there to figure it out. Ah...I got my two grandsons here, they church boys, they go to church. Um...I go to church, I attend church but they got me where I don't even want to go out. I'm scared to drive alone, I'm scared to...ah...go to...go to the grocery store by myself. I'm scared of these people, I don't know who they are, they take pictures of me. I even feel they went to Atlanta, Georgia wit me, I tried to go to my granddaughters graduation, I felt, they got me so paranoid now, till I feel they everywhere and I want to do something about this and I know I'm...my doctor done told me I got a mind of a 20 year old and my body is in good health. Now I know I'm not seeing anything. I want to know why they...I feel that they following me and doin' this to me, I don't know if they practicing on me or what because I'm a single parent livin' alone with my grandchildren and I want it stopped.

PRESIDENT SCHULMAN: Thank you.

(APPLAUSE)

PRESIDENT SCHULMAN: Well, as I've said, the Mayor and the Safety Director will be here after the meeting to address any problems you might have, so, thank you for coming down.

MISCELLANEOUS BUSINESS

PRESIDENT SCHULMAN: We're now under Miscellaneous Business. Is there any miscellaneous business?

MEMBER CIRELLI: Mr. President.

PRESIDENT SCHULMAN: Member Cirelli.

MEMBER CIRELLI: Thank you Mr. President. Ah...I'd like to direct this to the Mayor in having to do with the use of gasoline in City vehicles. Are we doing anything sir to ah...try and decrease it? I...I read there's some type of a bar that one police...and maybe you've heard it, or are familiar with this or Mr. Nesbitt maybe. A lower bar and it gives them more um...cuts down the wind, therefore it doesn't use as much gasoline of the vehicle, so they were lowing all this...ah...I don't know what you call...the stabilizer bar or something, it like, it goes across with lights. Um...we all know the price of gasoline and we see in the paper everyday what different Cities are trying to do. Are we doing anything and how many departments have...um...access to City vehicles that maybe...ah...would not be necessary to cut down costs?

PRESIDENT SCHULMAN: Director Bernabei, would you like to answer that?

SERVICE DIRECTOR BERNABEI: Yes, Member Cirelli, ah...for your information...and for all of Council's information, we will be discussing this particular issue...ah...at the Finance Committee Meeting which Member Hawk has announced for Thursday morning, at...I believe 9:00 A.M. All Department Heads and Elected Officials, I believe, have been invited to that meeting. I'm not sure if all Councilmembers were but they were...that was announced to them tonight. But all the Department Heads have been invited to that meeting. The purpose of that meeting is to have a general budget review. One aspect of the budget review

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though is to discuss...ah...effects to the...ah...budget for 2008 and for future years as it is being impacted by the costs both of diesel and gasoline...ah...part of that study involves an examination of all Citywide vehicles. Um...we have already formed a committee to be headed up by the Department Head...ah...Mr. Heath of The Department of Motor Vehicles and that involves the major departmental users...um...I think actually the largest user of...ah...fuel in the City is probably the Police Department...ah...Fire Department is a large user, Street Department and...and some of the other...ah...heavy equipment and large departments. But there is a group of approximately seven Department Heads who will be examining and we have requested from them to come up with any and all ideas with regard to this. Um...our capital vehicle request involved...ah...alternative fuel vehicles. We are examining that by way of...ah...purchase when we go out to bid for those. Ah...this is something that President Schulman's...ah...Sustainability Committee is looking at and discussing and that is the energy savings in this particular area. This is an area that...that is here, it's upon us, we are examining this...ah...ah...I don't know that we'll be prep...be prepared to...ah...issue any final determinations this Thursday, but I want you to know that we are looking at this and looking at it seriously.

MEMBER CIRELLI: Mr. President.

PRESIDENT SCHULMAN: Member Cirelli.

MEMBER CIRELLI: Thank you Mr. President. Thank you...ah...Service Director Bernabei, I appreciate that. Then the only other question I have is to the Law Director, and I'm going to take you back about three years...ah...Mr. Martuccio, when Mariella Meistel was with us and it has to do with the licensing that I would like to see of professional landlords. Uh...I was under the impression we were 46% rental properties, a policeman said we're more like 70%, oh, I don't know if that's here say or what have you but...um...even the young...the young girl that got up there and spoke, 5th grade, whatever...um...Mr. West said...ah...how bad Canton is looking. And...um...I visualized that as a fact that these landlords are...they're profession is making money renting out these properties. However, in the same token the City is becoming very deplorable in the neighborhoods everywhere and as I told you, my question was, like I said, I'm a nurse, I have to have a license which maintains certain standards. If I do not maintain those standards then they can pull my license from me. And I think that we could acquire dollars by licensing these professional landlords, I don't want to get the mom and pops that are taking care of their properties, I want the ones that have 15, 20...uh.....30, 40, 50 properties and are doing absolutely nothing but making Canton look like a pigsty, or as that lady said, "Appalachia" and it is happening more and more everyday and I think we need to do something...ah...to stop this, and I have given you some Ordinances from other Cities that in fact do license landlords because this is their business. And I think they need to be held accountable for what is happening to our community because I'm not pleased by it and I don't think anybody in this Council is and we're desperately asking for your help to see if this is doable. Are you moving anywhere in that direction, sir?

PRESIDENT SCHULMAN: Law Director Martuccio.

LAW DIRECTOR MARTUCCIO: Mr. President, Member Cirelli, as you're aware, we have had some meetings with you. Your profession of nursing, my profession, involve advanced training, advanced education, passing bar exams, passing exams. Your notion was to hold them to a higher standard, not so much based on education of course but on the end result of their product. Um...we felt we were being served adequately by Certificates of Occupancy, obviously checking the standard of the home before someone can live in it. Uh...I know Mr. Labriola has considered the process as well. Um...we need to talk with all the parties involved. Um...I have had some communications, written communications from...um...the President of the Landlord Group in Stark County, uh...who indicates that some of them are in fact getting certification...um...some of the larger ones who can afford to do it. And I know you drew the line between

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the moms and pops and the largest of the large. I would suggest that we come together, you with your idea....um...the representative of the Landlord Association with their perception of the reality of that. Um...Mr. Labriola and a couple of folks in our office. I understand other Cities are doing this, some of them are different in terms of their financial abilities and the types of properties they have and so on. We can probably tailor something to meet some of what your talking about but I'd like to do it. Rather than my drafting something that has come from another City, I'd like to tailor it to the unique situations that we have at hand so, I'll invite you to something like that soon. Because you have been our conscience on that...in that regard.

PRESIDENT SCHULMAN: Member Cirelli.

MEMBER CIRELLI: Mr. President. Thank you Mr. President. And thank you Mr. Martuccio...ah...like I said, this is going on three years. I really wanted it to happen yesterday, so, I really would like to have a definite time element that we could possibly sit down and get this started and addressed for the betterment of this community. So, if that is doable...ah...I am looking to you because you are the Law Director and...ah...you've got my go ahead, I'm ready when you are sir.

PRESIDENT SCHULMAN: Thank you Member Cirelli, is there any other miscellaneous business?

MEMBER CASAR: Mr President.

PRESIDENT SCHULMAN: Member Casar.

MEMBER CASAR: I move we adjourn.

MEMBER CARBENIA: Seconded.

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

NO REMARKS ROLL CALL: 12 YEAS, 0 NAYS

CLERK TIMBERLAKE: Twelve yeas.

PRESIDENT SCHULMAN: (*Gavel falls*) The meeting is adjourned, thank you ladies and gentlemen.

ADJOURNMENT TIME: 8:42 P.M.

ATTEST:

APPROVED:

CYNTHIA TIMBERLAKE
CLERK OF COUNCIL

ALLEN SCHULMAN
PRESIDENT