

**MINUTES OF THE MEETING OF AUGUST 25, 2008**

PRESIDENT SCHULMAN: Good evening ladies and gentlemen, that's our Clerk of Council (*referring to the start of the meeting with the gavel*). She obviously has attracted everyone's attention. Before we begin tonight's meeting we have a special recognition and I have always said that I don't think the public recognizes, all the time, how dedicated public servants are and we have, and have been blessed to have, great public servants in the City of Canton and we are going to recognize one of those public servants tonight. We have Tracy Mills here from the Water Reclamation Facility and I was admonished about that because we in fact changed the name from the Water Pollution Control to the Water Reclamation Facility. We have three people from the Ohio Water Environment Association and that...I'm sorry....two, Dianne Sumego and Keith Riley are here from the Ohio Water Environment Association to present an award to one of outstanding public servants. So I will, before the meeting begins, recognize Mr. Mills and present this outstanding honor.

(APPLAUSE)

TRACY MILLS: Thank you Mr. President. At this time I'd like to recognize the President of the Ohio Water Environment Association, Dianne Sumego and Keith Riley who is a past President of the organization as well as the Assistant District Chief of Northeast District of Ohio EPA. And they would like to re-present an award to George Rohde, our Industrial Waste Supervisor that he received at the State Conference back in June up in Cleveland. So with that, I'll turn it over to Dianne.

PRESIDENT SCHULMAN: Great thank you very much Tracy and good evening Ms. Sumego.

DIANNE SUMEGO: Good evening, thank you for the opportunity to re-present this award and George, why don't you come on all the way up front so everybody can see you. It is always a privilege and a pleasure to come back to different communities in places within Northeast Ohio, which is where I'm from and to present awards. We have been back to Canton in the past to give out awards. We've given them to both Tracy and John, your Superintendent, Assistant Superintendent and we're back to give a third award to Mr. George Rohde. So that tells you a lot about the leadership that you have within the City of Canton. You are in great hands, they are leaders in industry. John is also currently serving as President, so you have long history here. I'm going to present to George, his award that he received back in June and this is a State award and it is F.H. Waring Award and is presented to an individual who has demonstrated a significant contribution to the field of industrial wastewater treatment by the organization and administration of an industrial program for pollution abatement, research, development of analytical procedures or treatment processes pertinent to industrial waste. This also looks outstanding operations of industrial wastewater treatment plant as indicated by operation and maintenance records and reports of operations. So you can see, George went up against a lot of highly qualified candidates across the state. He was elected and let me just mention just a few of his credentials. George currently serves as a City of Canton Industrial Waste Supervisor, he began his career as a Utility Operator II and was appointed as the Industrial Waste Inspector in 1997. He currently holds a class III Wastewater Operator Certificate. He's an Industrial Waste Supervisor and is responsible for all facets of your industry, waste control and implementation of your City's industrial pretreatment program. The three industrial waste inspectors under George's direction, I think some of them are currently here to see him receive this award. And he currently oversees thirty-five different industrial users. He is also responsible for the development and implementation of a new program which goes beyond what is typically expected by the U.S. E.P.A. and the Ohio E.P.A. and it's called the industrial toxic waste control program. This was initiated in 2005 and intent was to identify and sample district sanitary sewer trunk lines. The goal of the program was to determine baseline wastewater characteristics for each sink area serviced by the sanitary sewers, tributary to the Canton Water Pollution Control. I always have to read this because it's so hard to try and

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really explain and put into words of what somebody of this magnitude has done. George is an excellent role model, he has definitely stepped into the limelight as far as taking on to new programs. He has put City of Canton on the State level as far as new industrial programs, industries and different committees are coming to him now to find out what he's done and how he'd done it and how the implementation is going. So, he is definitely worthy of this award and I am pleased to present The F.H. Waring Award.

*(STANDING OVATION)*

DIANNE SUMEGO: Before George gets the mic though we're going to let Keith Riley come around and...and Keith always serves a couple roles with us, Keith is also a past President of the Ohio Water Environment Association but Keith also has a role with the E.P.A. and he will provide some final comments.

KEITH RILEY: I want to congratulate George. My thirty-five years of being at Ohio E.P.A. and Assistant Chief now, the last eight years, this magic of putting out good water doesn't happen easily, it's by hiring great staff and I want to congratulate the City for hiring and maintaining excellence in their staff. Tracy Mills, John Leinendecker and George are leaders in Northeast Ohio, we cover a fifteen county area and it doesn't come easy day in and day out, doing the elbow grease and making it happen, making sure there's no surprises and there are some with our key industries that help our economy while maintaining protection of our environment. I want to, I ask my staff, person who regulates Canton everyday and I never want to come down here and get embarrassed. I got a house in Canton, do I know how it used to be? He said "Best in Ohio." No I can't say that, how about I say if they are one of the best in Ohio and it's all to members of your staff, like George, I want to congratulate him.

*(APPLAUSE)*

GEORGE ROHDE: Thank you, that was really very nice words spoken of me. It's a real honor and I thank you very much for making the time for this recognition. That's all I have to say. Thank you.

PRESIDENT SCHULMAN: Thank you. Congratulations again. And I say to everyone who comes and gets awards, you do not have to stay for the meeting if you do not want to. You will not ah...we'll not think less of you. Where are all of you going? *(stated as they stand up to leave)* *(Laughter)* I was just kidding. *(Laughter)* Thanks again George, congratulations. With a quorum is present, the Chair calls this meeting of Canton City Council to order. Roll call vote please Madame Clerk.

*ROLL CALL TAKEN BY CLERK TIMBERLAKE:*

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

ELEVEN COUNCILMEMBERS PRESENT, ONE ABSENT (MARY CIRELLI)

CLERK TIMBERLAKE: Eleven present Mr. President.

PRESIDENT SCHULMAN: Thank you Madame Clerk. Tonight were going to have our invocation given by Assistant Majority Leader, Member Joe Carbenia. Will you please all remain standing for our Pledge of Allegiance.

*The regular meeting of Canton City Council was held on Monday, August 25, 2008 at 7:30 P.M. in the*

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*Canton City Council Chamber. The roll call was taken (see above) by Clerk of Council Cynthia Timberlake. The invocation was given by Assistant Majority Leader Carbenia, 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, as always, you're going to be asked to suspend Rule 22A to add the Second Reading of Ordinances 9 through 18 with the exception of Ordinance 16 and 17 which will be held in committee. Member Casar, the Chair will recognize that motion.

MEMBER CASAR: Mr. President, I move we suspend Rule 22A and add Ordinances 9 through and including 18, with the exception of 16 and 17 which will remain in committee to this evening's agenda.

MEMBER CARBENIA: Seconded.

PRESIDENT SCHULMAN: It's been moved and seconded than to suspend Rule 22A to second reading Ordinances 9, 10, 11, 12, 13, 14, 15 and 18 to this evening's Agenda. Are there any remarks? If not, roll call vote please Madame Clerk.

NO REMARKS ROLL CALL: 11 YEAS, 0 NAYS

CLERK TIMBERLAKE: Eleven yeas Mr. President.

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

**PUBLIC HEARINGS**

PRESIDENT SCHULMAN: We're now under Public Hearings and we have two public hearings this evening. The first is a public hearing scheduled for 7:30 P.M. and IT'S 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; IT IS ASSIGNED TO WARD 5; THE PLANNING COMMISSION RECOMMENDED APPROVAL WITH CONDITIONS OF ZONE CHANGE. Is there anyone in the audience wishing to speak for or against this zone change, would you please come forward. I have to say this again for those of you who have been here. Is there anyone in the audience wishing to speak for or against this zone change, please come forward. No one having come forward the Chair declares the public hearing over in regard to this matter and this matter will now rest in the hands of Council. The Ordinance will follow later this evening. We have a second Ordinance and IT'S 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; IT IS ASSIGNED TO WARD 3; THE PLANNING COMMISSION RECOMMENDED APPROVAL OF ZONE CHANGE. Is there anyone in the audience wishing to speak for or against this zone change, would you please come forward. Good evening sir, if you would tell Council please and the Mayor's Administration your name and your residential address please.

JOHN BARKAN: My name is John Barkan, I live at 127 Montrose Avenue N.W.

PRESIDENT SCHULMAN: Good evening Mr. Barkan.

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JOHN BARKAN: Good evening. My property is within the view of the property that's in question here and from our front yard we could fully see the property. Our neighbors, people that own the homes in the area have discussed the proposed zone change and all have expressed opposition to any zoning other than single family residential for a number of reasons including, we have been a quality single family neighborhood since the 1920's when it was developed the name Harter Heights, home to many of Canton's leading citizens. As the neighborhood aged, it has remained for the most part a well maintained homogenous community. A neighborhood association has been formed whose purpose is to retain a quality residential character. You travel from downtown to the west City limits along West Tusc., you'll notice that our couple of blocks are the only green strip left that has front lawns, no parking lots, large green trees and minimal signs. So it is that we believe that any move away from residential single family, R-1 will destroy the environmental ambiance, reduce our housing values and lead to a decline in the aesthetic appeal of our historic neighborhood. I thank you.

*(APPLAUSE)*

PRESIDENT SCHULMAN: Thank you very much Mr. Barkan. Is there anyone else in the audience wishing to speak for or against this zone change? Good evening sir, if you'll give us your name and your residential address.

IGOR NIKISHIN: Good evening Mr. President, distinguished Members of the Council, my name is Igor Nikishin and I reside at 119 Montrose Avenue N.W.

PRESIDENT SCHULMAN: Good evening sir.

IGOR NIKISHIN: Good evening. I reside at 119 Montrose Avenue N.W., which is across the street and slightly north of the property in question. I wish to state the reasons why I believe this property should remain residential and not be rezoned as is being considered this evening. We have two neighborhood meetings...we have had two neighborhood meetings involving this change. I have heard the comments of neighbors residing along side of this property as well as homeowners within visual distance of this property and their concerns are justified. Several of the items mentioned by the participants of these meetings are as follows: first, there will be an increase in traffic, while the entrances designed to be on Tuscarawas, incoming and outgoing traffic will have an option to approach the business using side streets, including Montrose, our street. People heading westbound attempted to enter business....enter the business on Tusc. who miss the initial turn will find themselves turning onto Montrose using various driveways to turn around. We have children in the area, including my six year old and ten week old boy who will be subjected to possibly higher traffic, including those that use our driveway for turn around. Second, when one drives westward, as was mentioned earlier from West Tusc., downtown Canton on West Tusc. to Whipple Avenue, you'll see a business or apartment building on every block except for four. The exception is from Roslyn Avenue to Raff Road, which includes the property selected for rezoning. These are the only blocks along the whole drive that have homes with no business buildings. While some of the homes on these four blocks are used as businesses, the facade of the home remains. Presenting the residential community of Harter Heights to the passerby. The building proposed in this rezoning is not designed to look like a home and would change the face of our neighborhood. Third, one of our meeting participants asked the person requesting the zoning change if he had looked into moving it, or building his business at some other location along Tuscarawas that were not residential. And his response was no he had not. By looking elsewhere first, he may have had other options preventing him from needing to request the zone change for this to become from residential to business. In closing, we have a chance to preserve this section of Harter Heights and how we present this community, not only to our residents but to those visiting and driving along Tuscarawas. I

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believe this rezoning is not a good idea. I feel keeping this area free from business buildings will help and be beneficial to the neighborhood as well as the City. Thank you for your time.

*(APPLAUSE)*

PRESIDENT SCHULMAN: Thank you Mr. Nikishin. Is there anyone else wishing to speak for against this zone change? Yes sir. Good evening sir, if you'll give us your name and your residential address please.

PETER RADAKOVICH: Good evening, my name is Peter Eric Radakovich and I reside at 124 Montrose Avenue N.W., City of Canton. I also am opposed to the rezoning of this particular property. We feel that Harter Heights is a very lovely, historic neighborhood. We have a lot of character with the properties and also the underground wiring, the nice streetlights that we have, the brick streets, that sort of thing. We're very proud of our neighborhood and we've worked very hard to maintain our properties in most cases, including myself. I am in the process of restoring my home and that's removing all of the paint and redoing the windows, the glazing, everything. I live in the old Hursh Estate and that was built back in the 1920's as most of the other homes were built and as I understand, this land of Harter Heights was once owned by President McKinley and then it was sold eventually to George D. Harter and that's how the name Harter Heights came into faze. So, what I'm saying is we have a lot of character, we have a lot of history in this neighborhood. And I've talked to so many of the neighbors throughout this past year since we've been going to these various meetings and every person that I talk to says that they love the neighborhood and they want to keep it private, residential and they want to stay in the neighborhood and so we're looking into the future of keeping that as a well kept reserved neighborhood in the City of Canton. And I can say that I've lived in Ridgewood and I know how Ridgewood is, this is pretty much compatible to Ridgewood as far as the atmosphere of the neighborhood. So we're hoping to keep the neighborhood residential. If we had this development put in and it would run against my property line, I'd be getting the traffic in the parking lot, cars going in and out, the fumes from the trucks and the cars and the various vehicles, the noise, perhaps from the radios and that sort of thing. Uh, the doctor stipulated that he would have approximately forty patients a day so that's a lot of people coming. And then the exit and entrance coming off of the highway, there's a lot of traffic there, there's a lot of children in the neighborhood. So we're concerned about the safety factor as well because there's a speed limit sign in front of my property, it says 25 mph and I can tell you how many people travel up and down that road at 35 and 40 mph and sometimes even more and God forbid somebody pulls out and doesn't see a car. So we want to avoid these type of tragedies that might occur and so we're asking that you'll respectfully consider our feelings about our neighborhood so we can keep our neighborhood to be a wonderful restored beautiful Harter Heights. Thank you.

*(APPLAUSE)*

PRESIDENT SCHULMAN: Thank you sir. I will say for the record that Member Griffin, your Councilmember has done an outstanding job of preparing this Council for the vote this evening and he is to be commended. Yes ma'am?

*(INAUDIBLE FROM THE AUDIENCE)*

PRESIDENT SCHULMAN: Yes, I didn't mean to interrupt you, I just didn't see you.

DIANA THOMPSON: That's okay, I'm invisible in my bright orange shirt today.

PRESIDENT SCHULMAN: No, no, you're....

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DIANA THOMPSON: Good evening my name is Diana Thompson, I reside at 327 Aultman Avenue N.W. I'm the president of The Harter Heights Area Neighborhood Association and tonight I speak on behalf of the Association. At our meeting last week we discussed Dr. Younus' plans for a new medical building in the 3500 block of West Tuscarawas Street. As an Association, we oppose the zoning change necessary for this new building. The style and size of the proposed building with its parking lots does not maintain the architectural integrity and tradition of our neighborhood. We would like to see the few blocks from Roslyn Avenue N.W. to Raff Road N.W. continue to maintain the look and nature of residential buildings. We thank you for considering our concerns.

*(APPLAUSE)*

PRESIDENT SCHULMAN: Thank you very much. Is there anyone else in the audience wishing to speak for or against this zone change? Yes sir? Good evening, if you'll give us your name and your residential address please sir.

PAT NOLAN: Good evening, my name is Pat Nolan, I live at 144 Montrose, about three doors north of the proposed new office and just to reinforce what all these guys said, I just think it's important that you know, the neighbors don't want the change in the neighborhood and based on the availability of land and other properties in the area, I don't see any reason that it should go through to start disturbing what's been here for almost 100 years. So, I think the opposition to this is pretty strong and I think you all need to consider it very strongly that we should be able to maintain the integrity of the neighborhood. And that's it.

*(APPLAUSE)*

PRESIDENT SCHULMAN: Thank you sir, very much. Once more, is there anyone else wishing to speak for or against this zone change would you please step forward? It appears that no one has any further remarks so the Chair declares the Public Hearing over in regard to this matter and the matter now rests in the hands of Council. And as a Presidential prerogative, I am going to ask that this Ordinance be brought to the floor now so City Council can vote on it and Member Casar, first if you'll read the Ordinance by title. Clerk, oh I'm sorry, no I was thinking of Member Casar but I would like our Clerk to read this first. I'm always thinking about our leader. *(Laughter)* Sorta like the Olympics.

#24. (3<sup>RD</sup> RDG) **DEFEATED** 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 **PUB HRG: 8/25/08 @ 7:31 PM**

PRESIDENT SCHULMAN: Now Member Casar.

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

MEMBER CARBENIA: Seconded.

PRESIDENT SCHULMAN: It's been moved and seconded to adopt Ordinance #24 and our Law Director has advised the vote on this, has advised what the vote means. Are there? Hearing none, Madame Clerk, roll call vote please.

NO REMARKS ROLL CALL: 0 YEAS, 11 NAYS

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CLERK TIMBERLAKE: Eleven nays Mr. President.

**#24 DEFEATED**

PRESIDENT SCHULMAN: The Ordinance is defeated.

*(APPLAUSE)*

PRESIDENT SCHULMAN: Well, I was hoping for that, you know, at least. We went to a lot of work to get this moved up. And again I will, I will say to the members who, of Harter Heights who came down to speak tonight, you also do not have to remain here, you will not be disrespectful if you wish to leave now as opposed to staying throughout the Council meeting. I just will say again that I think Member Griffin deserves a lot of gratitude from your community. He did an outstanding job.

*(APPLAUSE)*

PRESIDENT SCHULMAN: Alright, public speaks is over, thank you folks for coming down and sharing your thoughts and opinions.

*(INAUDIBLE FROM THE AUDIENCE)*

PRESIDENT SCHULMAN: It's over. Well I can't speak to that but if you want to stay around for the rest of the meeting you can certainly ask our Law Director that question.

MEMBER KRAUS: One year.

PRESIDENT SCHULMAN: Did you hear the answer?

FROM THE AUDIENCE: Yes, thank you.

PRESIDENT SCHULMAN: Okay, you're welcome. Now we are back to live action.

**INFORMAL RESOLUTIONS**

PRESIDENT SCHULMAN: We are now under Informal Resolutions. Member Casar, the Chair will recognize a motion to excuse Member Cirelli who I know wishes to be here but she's under the weather tonight, so Member Casar.

MEMBER CASAR: Mr. President, I move we excuse Council-at-large Member Mary Cirelli from this evening's meeting.

MEMBER CARBENIA: Seconded.

PRESIDENT SCHULMAN: It's been moved and seconded to excuse Member Cirelli. Are there any remarks? If not, roll call vote please.

NO REMARKS

ROLL CALL: 11 YEAS, 0 NAYS

CLERK TIMBERLAKE: Eleven yeas Mr. President.

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PRESIDENT SCHULMAN: The motion carries and Member Cirelli is excused from this evening's meeting.

**PUBLIC SPEAKS**

PRESIDENT SCHULMAN: And ever since we gave this award to Mr. Rohde, I'm all out of position here on my Agenda. But we're now under Public Speaks on Ordinance and Resolutions for adoption. We have no speakers signed up this evening.

**INFORMAL RESOLUTIONS**

PRESIDENT SCHULMAN: Now we're under Informal Resolutions and Madame Clerk will you please read Informal Resolution 78.

#78. COUNCIL OF THE WHOLE: APPOINTING PATRICIA DOROSKY AS ADMINISTRATIVE ASSISTANT V IN CANTON CITY COUNCIL OFFICE. - ADOPTED

PRESIDENT SCHULMAN: Member Casar.

MEMBER CASAR: Mr. President, I move we adopt Resolution #78.

MEMBER CARBENIA: Seconded.

PRESIDENT SCHULMAN: It's been moved and seconded to adopt Resolution #78. Any remarks? If not, by voice vote, all those in favor signify by saying aye. Those opposed no.

NO REMARKS      RESOLUTION #78 PASSED UNANIMOUSLY BY VOICE VOTE

PRESIDENT SCHULMAN: The motion carries. Resolution 79 please.

MEMBER CASAR: Mr. President.

PRESIDENT SCHULMAN: Yes, Member Casar.

MEMBER CASAR: I would be honored if you would have the Clerk announce our new Executive, Administrative Assistant at this time please.

PRESIDENT SCHULMAN: Oh sure, absolutely.

CLERK TIMBERLAKE: Patricia Dorosky would you please stand up and welcome to Canton City Council Office, we appreciate you coming on board.

*(APPLAUSE)*

PRESIDENT SCHULMAN: You can tell that you're going to have a lot of work with me, I'll tell you that and you are from Ward 6.

MEMBER CASAR: Mr. President.

PRESIDENT SCHULMAN: Member Casar.

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MEMBER CASAR: That's why I didn't say she is in Ward 6 until after the vote.

*(LAUGHTER)*

PRESIDENT SCHULMAN: Resolution 79 please.

**#79. COUNCIL OF THE WHOLE: SUPPORTING THE 1-MIL REPLACEMENT LEVY FOR THE MENTAL HEALTH & RECOVERY SERVICES OF STARK COUNTY. - ADOPTED**

PRESIDENT SCHULMAN: Member Casar.

MEMBER CASAR: Mr. President, I move we adopt Resolution #79.

MEMBER CARBENIA: Seconded.

PRESIDENT SCHULMAN: It's been moved and seconded to adopt Resolution 79. Are there any remarks? If not by voice vote all those in favor signify by saying aye. Those opposed no.

NO REMARKS        RESOLUTION #79 PASSED UNANIMOUSLY BY VOICE VOTE

PRESIDENT SCHULMAN: The motion carries. Resolution 80 please.

**#80. FINANCE COMMITTEE: APPROVING PROPOSED ALTERNATIVE TAX BUDGET OF THE CITY OF CANTON FOR FISCAL YEAR ENDING 12/31/09. - ADOPTED**

MEMBER CASAR: Mr. President.

PRESIDENT SCHULMAN: Member Casar.

MEMBER CASAR: Mr. I move we adopt Resolution #80.

MEMBER CARBENIA: Seconded.

PRESIDENT SCHULMAN: It's been moved and seconded that you adopt Resolution 80. Are there any remarks? If not by voice vote all those in favor signify by saying aye. Those opposed no.

NO REMARKS        RESOLUTION #80 PASSED UNANIMOUSLY BY VOICE VOTE

PRESIDENT SCHULMAN: The motion carries.

**COMMUNICATIONS**

PRESIDENT SCHULMAN: We're now under Communications, let the journal show that all communications are received as read. And for the record, Informal Resolution 81 has been retained in Committee.

***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 AUGUST 25, 2008.***

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340. CASAR, D., CNCL-AT-LG: AUTHORIZE LAW DEPT TO PREPARE NECESSARY PERSONNEL ORDINANCE(S) FOR COUNCIL'S CONSIDERATION WHICH WILL CREATE CLASSIFICATION OF ANIMAL CONTROL OFFICER. - PERSONNEL COMMITTEE

341. LIQUOR CONTROL DIVISION (OHIO): REQ NEW C1 LIQUOR PERMIT FOR SHAWN MICHELLE MARTIN DBA PRIMETIME PUB & DRIVE THRU @ 400 NAVARRE AVE SW. - RECEIVED & FILED

342. LIQUOR CONTROL DIVISION (OHIO): NOTICE OF HRG ON 9/18/08 @ 11:30 AM FOR NEW C-1-2 LIQUOR PERMIT FOR BENZO INC DBA FULTON DRIVE THRU @ 1133 FULTON RD. - RECEIVED & FILED

343. PLANNING COMMISSION: RECOMMENDING APPROVAL OF REPLAT OF LOT 14320 & PART OF LOT 14321 (1211 & 1209 AUBURN PL NW ROGER RAMBOUD). - PUBLIC SAFETY & THOROUGHFARES COMMITTEE

344. SAFETY DIRECTOR NESBITT: AUTHORIZE SAF DIR TO PAY \$13,694.79 MORAL OB TO SPITZER CHEVROLET FOR REPAIRS TO CPD VEHICLES DUE TO DEFECTIVE GASOLINE DELIVERED TO CITY BY ITS SUPPLIER; FUNDS TO BE REIMBURSED TO CITY BY SUPPLIER. - FINANCE COMMITTEE

345. SERVICE DIRECTOR BERNABEI: AMEND CODIFIED ORD 921.02, ELIGIBILITY, CONCERNING CITYSCAPE SIDEWALK & CURB PROG FOR PURPOSE OF EXPANDING BOUNDARIES OF PROG TO COINCIDE IN PART W/THE BOUNDARIES OF SPECIAL IMPROV DISTRICT, AS THOSE BOUNDARIES MAY EXIST PRESENTLY OR AS THEY EXPAND INTO THE FUTURE. - JUDICIARY & SIDEWALK & STREET LIGHT COMMITTEES

346. SERVICE DIRECTOR BERNABEI: AUTHORIZE MAYOR &/OR SERV DIR TO MAKE APPLICATION, EXECUTE THE GRANT AGMT & ACCEPT FUNDS FOR GRANT FROM OHIO & ERIE CANALWAY ASSOC FOR AN EXPANSION OF PASSENGER LOADING AREA @ THE CANTON LINCOLN HGWY STATION. - FINANCE COMMITTEE

347. SERVICE DIRECTOR BERNABEI: AUTHORIZE SERV DIR TO ADVERTISE, REC BIDS & ENTER INTO CONTRACT FOR PURCHASE & INSTALLATION OF 1 PRE-MANUFACTURED CONCRETE RESTROOM BLDG FOR MALLONN PARK. - FINANCE COMMITTEE

348. SERVICE DIRECTOR BERNABEI: REQ COUNCIL TO ADOPT THE ALTERNATIVE TAX BUDGET OF THE CITY FOR FISCAL YR ENDING 12/31/09. - RECEIVED & FILED

349. TREASURER SCHIRACK: RPT OF TREAS OFC BANK RECONCILIATIONS & CITY'S OUTSTANDING INVESTMENTS AS OF 7/31/08. - 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 readings as required by State Law. Madame Clerk would please read the First Reading Ordinances by title.

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***NOTE: PRESIDENT SCHULMAN CALLED UPON CLERK TIMBERLAKE TO READ ORDINANCES #1 THROUGH #8 FOR THE FIRST TIME BY TITLE & ANNOUNCED THE COMMITTEE REFERRAL, AS FOLLOWS.***

#1. (1<sup>ST</sup> RDG) AN ORDINANCE ESTABLISHING THE FAIR MARKET REUSE VALUE OF ONE PARCEL OF CITY-OWNED PROPERTY; AUTHORIZING THE SALE AND CONVEYANCE OF SAID PROPERTY PURSUANT TO THE CITY'S RESIDENTIAL LAND DISPOSITION PROGRAM; AND DECLARING THE SAME TO BE AN EMERGENCY (#02-47368 QUEEN CT NW)

Referred to Community & Economic Development Committee

#2. (1<sup>ST</sup> RDG) AN ORDINANCE AUTHORIZING THE MAYOR OR DIRECTOR OF PUBLIC SERVICE TO ENTER INTO CONTRACT WITH THE YWCA OF CENTRAL STARK COUNTY TO PROVIDE A GRANT IN AN AMOUNT NOT TO EXCEED \$15,000 FOR MISCELLANEOUS OPERATING COSTS FOR THE TRANSITIONAL HOUSING PROGRAM KNOWN AS NEW BEGINNINGS; AND DECLARING THE SAME TO BE AN EMERGENCY

Referred to Community & Economic Development Committee

#3. (1<sup>ST</sup> RDG) AN ORDINANCE AMENDING SECTION 505.18, DANGEROUS OR VICIOUS ANIMALS, OF CHAPTER 505, ANIMALS AND FOWL, OF THE CODIFIED ORDINANCES

Referred to Judiciary Committee

#4. (1<sup>ST</sup> RDG) AN ORDINANCE AMENDING ORDINANCE NO. 17/2007; AMENDING EXHIBIT A TO ORDINANCE NO. 164/2001, THE CLASSIFICATION PLAN AND GENERAL SALARIES FOR MANAGEMENT AND NON-BARGAINING UNIT EMPLOYEES OF THE CITY OF CANTON; AND DECLARING THE SAME TO BE AN EMERGENCY

Referred to Judiciary & Personnel Committees

#5. (1<sup>ST</sup> RDG) AN ORDINANCE AUTHORIZING THE DIRECTOR OF PUBLIC SERVICE TO ENTER INTO CONTRACT WITH NORTHEAST OHIO LABOR MANAGEMENT COUNCIL IN AN AMOUNT NOT TO EXCEED \$10,000 TO PROVIDE LABOR MANAGEMENT CONSULTATION SERVICES; AMENDING ORDINANCE NO. 1/2008 BY MAKING THE SUPPLEMENTAL APPROPRIATION HEREIN DESCRIBED; AND DECLARING THE SAME TO BE AN EMERGENCY

Referred to Finance Committee

#6. (1<sup>ST</sup> RDG) AN ORDINANCE AUTHORIZING THE CITY AUDITOR TO PAY MORAL OBLIGATIONS IN A TOTAL AMOUNT NOT TO EXCEED \$14,000.00 TO AULTWORKS OCCUPATIONAL MEDICINE AND PSYCHOLOGICAL AND FAMILY CONSULTANTS; AMENDING ORDINANCE NO. 1/2008 BY MAKING THE SUPPLEMENTAL APPROPRIATION HEREIN DESCRIBED; AND DECLARING THE SAME TO BE AN EMERGENCY

Referred to Finance & Personnel Committees

#7. (1<sup>ST</sup> RDG) AN ORDINANCE AMENDING APPROPRIATION ORDINANCE NO. 1/2008, AS AMENDED, BY MAKING THE SUPPLEMENTAL APPROPRIATIONS, APPROPRIATION TRANSFERS AND INTERFUND TRANSFERS HEREIN DESCRIBED; AND DECLARING THE SAME TO BE AN EMERGENCY (GASOLINE & DIESEL FUEL)

Referred to Finance Committee

#8. (1<sup>ST</sup> RDG) AN ORDINANCE AMENDING APPROPRIATION ORDINANCE NO. 1/2008, AS

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AMENDED, BY MAKING THE SUPPLEMENTAL APPROPRIATIONS HEREIN DESCRIBED; AND DECLARING THE SAME TO BE AN EMERGENCY (WATERWORKS)

Referred to Finance Committee

**ORDINANCES & FORMAL RESOLUTIONS FOR SECOND READING**

PRESIDENT SCHULMAN: Thank you Madame Clerk. We're now under Ordinances for their second reading. Madame Clerk, will you please read Ordinance 9 by title.

***NOTE: PRESIDENT SCHULMAN CALLED UPON CLERK TIMBERLAKE TO READ ORDINANCE #9 THROUGH AND INCLUDING #18, WITH THE EXCEPTION OF ORDINANCE #16 AND ORDINANCE #17 WHICH WERE RETAINED IN COMMITTEE, FOR THEIR SECOND TIME BY TITLE AS REQUIRED BY STATE LAW, AS FOLLOWS.***

#9. (2<sup>ND</sup> 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 **PUB HRG: 8/25/08 @ 7:30 PM**

#10. (2<sup>ND</sup> RDG) AN ORDINANCE AUTHORIZING CANTON TO ANNEX THE TERRITORY KNOWN AS THE FIRST TEE ANNEXATION AREA CONTAINING APPROXIMATELY 0.247 ACRES; ASSIGNING SAID TERRITORY TO WARD 6 OF THE CITY; ZONING SAID TERRITORY AS OS (OPEN SPACE); AND DECLARING THE SAME TO BE AN EMERGENCY

#11. (2<sup>ND</sup> RDG) AN ORDINANCE AUTHORIZING THE DIRECTOR OF PUBLIC SERVICE TO ENTER INTO A LEASE AGREEMENT WITH THE NATIONAL ASSOCIATION FOR THE ADVANCEMENT OF COLORED PEOPLE; AND DECLARING THE SAME TO BE AN EMERGENCY

#12. (2<sup>ND</sup> RDG) AN ORDINANCE AUTHORIZING THE CITY OF CANTON TO ACCEPT DONATION OF REAL PROPERTY FROM FRANK A. WILLIAMS (FIELD ST.)

#13. (2<sup>ND</sup> RDG) AN ORDINANCE AUTHORIZING THE DIRECTOR OF PUBLIC SERVICE TO CONVEY CITY-OWNED REAL PROPERTY, NO LONGER NEEDED FOR MUNICIPAL PURPOSES, TO THE CANTON COMMUNITY IMPROVEMENT CORPORATION; AND DECLARING THE SAME TO BE AN EMERGENCY (1114 GONDER SE - ALLEN SCHOOL)

#14. (2<sup>ND</sup> RDG) AN ORDINANCE AMENDING SECTION 521.08, LITTERING AND DUMPING, OF THE CODIFIED ORDINANCES OF THE CITY OF CANTON

#15. (2<sup>ND</sup> 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 (HEALTH DEPT)

#16. (2<sup>ND</sup> RDG) ***RETAINED IN COMMITTEE*** 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

#17. (2<sup>ND</sup> RDG) ***RETAINED IN COMMITTEE*** AN ORDINANCE AMENDING EXHIBIT A TO ORDINANCE NO. 164/2001, AS AMENDED, THE CLASSIFICATION PLAN AND SALARIES FOR

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*MANAGEMENT AND NON-BARGAINING UNIT EMPLOYEES OF THE CITY OF CANTON; AND DECLARING THE SAME TO BE AN EMERGENCY*

#18. (2<sup>ND</sup> RDG) AN ORDINANCE AUTHORIZING THE DIRECTOR OF PUBLIC SERVICE TO ENTER INTO AGREEMENT WITH THE OHIO DEPARTMENT OF TRANSPORTATION FOR LIGHTING MAINTENANCE OF INTERSTATE 77 WITHIN CANTON CITY LIMITS; 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 reading and final reading. Madame Clerk would you please read Ordinance #19 by title.

***NOTE: PRESIDENT SCHULMAN CALLED UPON CLERK TIMBERLAKE TO READ THE FOLLOWING ORDINANCES #19 THROUGH AND INCLUDING #26 FOR THEIR THIRD AND FINAL READING BY TITLE AS REQUIRED BY STATE LAW, AS FOLLOWS.***

#19. (3<sup>RD</sup> RDG) **ADOPTED AS ORDINANCE NO. 116/2008** AN ORDINANCE AMENDING ORDINANCE NO. 17/89, AS AMENDED, AUTHORIZING THE MAYOR TO ENTER INTO AN AMENDED CONTRACT WITH THE CANTON COMMUNITY IMPROVEMENT CORPORATION TO ADMINISTER ADDITIONAL COMMUNITY DEVELOPMENT BLOCK GRANT FUNDS IN AN AMOUNT NOT TO EXCEED \$500,000.00; 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. Any remarks? If not Madame Clerk, roll call vote please.

NO REMARKS ROLL CALL: 11 YEAS, 0 NAYS

CLERK TIMBERLAKE: Eleven yeas Mr. President.

**#19 ADOPTED AS ORDINANCE NO. 116/2008**

PRESIDENT SCHULMAN: Ordinance #19 is adopted. Ordinance #20 please.

#20. (3<sup>RD</sup> RDG) **ADOPTED AS ORDINANCE NO. 117/2008** AN ORDINANCE AUTHORIZING THE MAYOR TO MAKE APPLICATION AND RECEIVE A CLEAN OHIO ASSISTANCE FUND GRANT FROM THE OHIO DEPARTMENT OF DEVELOPMENT; AUTHORIZING THE MAYOR TO ENTER INTO A PROFESSIONAL SERVICES CONTRACT FOR OVERSIGHT OF THE REMEDIATION WORK AT THE STEIN INDUSTRIAL PARK; AUTHORIZING THE DIRECTOR OF PUBLIC SERVICE TO ADVERTISE, RECEIVE BIDS AND ENTER INTO CONTRACT WITH A REMEDIATION CONTRACTOR FOR THE REMEDIATION WORK; AND DECLARING THE SAME TO BE AN EMERGENCY

PRESIDENT SCHULMAN: Member Casar.

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MEMBER CASAR: Mr. President, I move we adopt Ordinance #20.

MEMBER CARBENIA: Seconded.

PRESIDENT SCHULMAN: It's been moved and seconded to adopt Ordinance #20. Any remarks? If not roll call vote please Madame Clerk.

NO REMARKS      ROLL CALL: 11 YEAS, 0 NAYS

CLERK TIMBERLAKE: Eleven yeas Mr. President.

**#20 ADOPTED AS ORDINANCE NO. 117/2008**

PRESIDENT SCHULMAN: Ordinance #20 is adopted. Ordinance #21 please.

#21. (3<sup>RD</sup> RDG)      **ADOPTED AS ORDINANCE NO. 118/2008** AN ORDINANCE ESTABLISHING THE FAIR REUSE VALUE OF REAL PROPERTY; AUTHORIZING THE DIRECTOR OF PUBLIC SERVICE TO IMPLEMENT RIGHT OF REVERSION CLAUSE AND PURCHASE SAID PARCEL; AND DECLARING THE SAME TO BE AN EMERGENCY (#02-48016 5<sup>TH</sup> ST NE)

PRESIDENT SCHULMAN: Member Casar.

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

MEMBER CARBENIA: Seconded.

PRESIDENT SCHULMAN: It's been moved and seconded to adopt Ordinance #21. Any remarks? If not Madame Clerk, roll call vote please.

NO REMARKS      ROLL CALL: 11 YEAS, 0 NAYS

CLERK TIMBERLAKE: Eleven yeas Mr. President.

**#21 ADOPTED AS ORDINANCE NO. 118/2008**

PRESIDENT SCHULMAN: Ordinance #21 is adopted. Ordinance #22 please.

#22. (3<sup>RD</sup> RDG)      **ADOPTED AS ORDINANCE NO. 119/2008** AN ORDINANCE AUTHORIZING THE EDITING AND INCLUSION OF CERTAIN ORDINANCES AS PARTS OF THE VARIOUS COMPONENT CODES OF THE CODIFIED ORDINANCES OF CANTON, OHIO; AND DECLARING THE SAME TO BE AN EMERGENCY

PRESIDENT SCHULMAN: Member Casar.

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

MEMBER CARBENIA: Seconded.

PRESIDENT SCHULMAN: It's been moved and seconded to adopt Ordinance #22. Any remarks? If not

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Madame Clerk, roll call vote please.

NO REMARKS      ROLL CALL: 11 YEAS, 0 NAYS

CLERK TIMBERLAKE: Eleven yeas Mr. President.

**#22 ADOPTED AS ORDINANCE NO. 119/2008**

PRESIDENT SCHULMAN: Ordinance #22 is adopted. Ordinance #23 please.

#23. (3<sup>RD</sup> RDG)      **ADOPTED AS ORDINANCE NO. 120/2008** A RESOLUTION AUTHORIZING THE LAW DIRECTOR TO DISTRIBUTE FREE OF CHARGE TO PUBLIC OFFICIALS AND PUBLIC INSTITUTIONS COPIES OF THE 2008 SUPPLEMENT TO THE CANTON CODIFIED ORDINANCES; TO AFFIX PRICE FOR THE SALE OF SAME; AND DECLARING THE SAME TO BE AN EMERGENCY

PRESIDENT SCHULMAN: Member Casar.

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

MEMBER CARBENIA: Seconded.

PRESIDENT SCHULMAN: It's been moved and seconded to adopt Ordinance #23. Any remarks Ordinance? If not Madame Clerk, roll call vote please.

NO REMARKS      ROLL CALL: 11 YEAS, 0 NAYS

CLERK TIMBERLAKE: Eleven yeas Mr. President.

**#23 ADOPTED AS ORDINANCE NO. 120/2008**

PRESIDENT SCHULMAN: Ordinance #23 is adopted. Ordinance #24 has been defeated. Ordinance 25 please.

*(Ordinance #24 voted on and Defeated after Public Hearing)*

#24. (3<sup>RD</sup> RDG)      **DEFEATED** 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 (ASIF YOUNUS)

**PUB HRG: 8/25/08 @ 7:31 PM**

#25. (3<sup>RD</sup> RDG)      **ADOPTED AS ORDINANCE NO. 121/2008** AN ORDINANCE AUTHORIZING THE AUDITOR TO PAY A MORAL OBLIGATION IN AN AMOUNT NOT TO EXCEED \$600.00 TO DSR & ASSOCIATES; AND DECLARING THE SAME TO BE AN EMERGENCY

PRESIDENT SCHULMAN: Member Casar.

MEMBER CASAR: Mr. President, I move we adopt Ordinance #25.

MEMBER CARBENIA: Seconded.

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PRESIDENT SCHULMAN: It's been moved and seconded to adopt Ordinance #25. Any remarks? If not roll call vote please Madame Clerk.

NO REMARKS      ROLL CALL: 11 YEAS, 0 NAYS

CLERK TIMBERLAKE: Eleven yeas Mr. President.

**#25 ADOPTED AS ORDINANCE NO. 121/2008**

PRESIDENT SCHULMAN: Ordinance #26 is adopted I'm sorry Ordinance #25 is adopted. Ordinance #26 please.

#26. (3<sup>RD</sup> RDG)      **ADOPTED AS ORDINANCE NO. 122/2008** AN ORDINANCE AUTHORIZING THE DIRECTOR OF PUBLIC SERVICE TO ADVERTISE, RECEIVE BIDS AND ENTER INTO CONTRACT FOR A TRAIL UNDERPASS IN CONJUNCTION WITH THE WEST SIDE PARKS TRAIL AND BRIDGE PROJECT; AND DECLARING THE SAME TO BE AN EMERGENCY

PRESIDENT SCHULMAN: Member Casar.

MEMBER CASAR: Mr. President, I move we adopt Ordinance #26.

MEMBER CARBENIA: Seconded.

PRESIDENT SCHULMAN: It's been moved and seconded to adopt Ordinance #26. 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.

**#26 ADOPTED AS ORDINANCE NO. 122/2008**

PRESIDENT SCHULMAN: Ordinance #26 is adopted.

**ANNOUNCEMENT OF COMMITTEE MEETINGS**

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

MEMBER CARBENIA: Mr. President.

PRESIDENT SCHULMAN: Member Carbenia.

MEMBER CARBENIA: Community & Economic Development Committee will meet at 6 P.M. on September 8, 2008.

PRESIDENT SCHULMAN: Thank you.

MEMBER WEST: Mr. President.

PRESIDENT SCHULMAN: Member West.

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MEMBER WEST: Judiciary will meet September 8, 2008 at 6 PM.

MEMBER PRATER: Mr. President.

PRESIDENT SCHULMAN: Member Prater.

MEMBER PRATER: Personnel Committee will meet September 8<sup>th</sup> at 6 P.M.

PRESIDENT SCHULMAN: Thank you.

MEMBER HAWK: Mr. President.

PRESIDENT SCHULMAN: Member Hawk.

MEMBER HAWK: The Finance Committee will meet Monday, September 8<sup>th</sup> at 6 P.M.

PRESIDENT SCHULMAN: Thank you. And that concludes the announcement of committee meetings.

**PUBLIC SPEAKS (OPEN FORUM--CITY BUSINESS ONLY)**

PRESIDENT SCHULMAN: We're now under Public Speaks, Open Forum. We have three speakers signed up this evening. Again, we appreciate you coming down. I think most of you have spoken, so I'm just going to make it very quick, to the point. Three minutes please. Our first speaker is Lois DiGiacomo. Good evening, it's always nice to see you.

LOIS DIGIACOMO: Thank you.

PRESIDENT SCHULMAN: If you'll give us your name and residential address please.

LOIS DIGIACOMO: Lois Digiaco, 3198 Mariner's Island Drive, here in Canton and I'm here tonight at your invitation and I thank you.

PRESIDENT SCHULMAN: Your welcome.

LOIS DIGIACOMO: My topic is Stark County's only musical dinner theatre, The Canton Cabaret. We are a dinner theatre with a dance floor. My focus tonight is Canton Cabaret's history, growth and potential. With our potential, I hope to convince all of you to support Canton's Cabaret with your attendance and encouraging others to attend, instead of going north to Cleveland and Akron for professional musical theatre, you have it right here in town. We were originally funded by Arts in Stark, we are the only non profit disguised as a business. The only non profit disguised as a tourist attraction with the purpose of expanding Stark County's draw as a tourist destination. We are non profit, we have a volunteer working board. We are a production arm of a company begun in 1994. I'll preface the history with a person note, I will soon record my 400<sup>th</sup> State of the Art T.V. show for Channel 11. Since 2000 I've interviewed virtually every artist in State County, some more than once. So when Canton Cabaret has an audition call, it's not difficult to get the cream of the crop to audition for us. We have a repertory company of singers, dancers, playwrights and composers and the areas only nine piece orchestra made up of our finest union musicians. Read about us at [www.cantoncabaretorchestra.com](http://www.cantoncabaretorchestra.com). We premiered in May of 2000 and have produced seven original musicals. Several celebrating Canton's musical history. A Hank Williams tribute, putting on the show "He kind of

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missed” in 1953. “Celebrating New Year’s Eve in Little Chicago” which was Canton in the 20’s. And we recently brought back “Remembering Moon Light Ballroom” by popular demand. All of our productions are original musicals that can be reproduced anywhere at anytime. We are not in any competition with the Players Guild or the new theatre in the Second April Art Gallery, the Kathleen Howland Theatre. In 2007, in November, when we were less than six months old, we received an award from the special improvement district for bringing economic growth to downtown Canton. Our potential, after successful launch for dinner theatre, we now need to expand our outreach. These are some of our areas of growth. We will be initiating more performances at the McKinley Grand because it has a larger dinning room and more performance dates available. We will also initiate being able to booked for reunions, fundraisers or events of any size and type in any location and we’re available year round. That’s artists of any kind, musicians of any kind. Information on our New Year’s Eve show will be available soon and our ‘09 season will also be available. One more note, our next program coming up is an original musical called “Songs Sung Blues”, it’s the story of the Harlem Renaissance Singers, this is an original that will include Lena Horne and Ethel Waters and Ma Rainey and Josephine Baker and all of them. We’ve already been approached by a national black theatre festival about interest in our musical. Our goal is to become an even bigger source of economic growth in downtown Canton and we ask all of you to support us in us accomplishing that. Thank you very much.

PRESIDENT SCHULMAN: Thank you, Lois, thank you very much. You know, this is very worth while and I hope we’ll maybe talk a little bit about it in Miscellaneous Business. Could you tell us Lois, when is the next event?

LOIS DIGIACOMO: *(From the audience)* October.

PRESIDENT SCHULMAN: October, great, thank you very much. Thanks for coming down. Our next speaker is also well known, Monique Conner. Monique, good evening. If you’ll step up and give us your name and your residential address please.

MONIQUE CONNER: Good evening, I’m Monique Conner, my address is 1823 Tuscarawas Street, East, Canton, Ohio 44704. I’m also the President of Stark County N.A.A.C.P. and I really want to thank everyone for even considering the N.A.A.C.P. to have this opportunity to get a office in the Peel Coleman Center. First I’d like to say, the N.A.A.C.P. at this time has two hundred and eighty something members and it is an organization as non profit and we do do a lot of good in the community. We do not use the Repository to brag about what we do nor to discuss any problems that we do have. But we are out there fighting for people’s justice and equal rights everyday, may they be black or white, whatever the cause may be, we’re there. And I definitely want to stress the issue and axe for everyone’s support in allowing us to have a office in the Peel Coleman Center. I will continue to fight regardless to where we have to fight at. For sometime in Stark County they have been using their homes for the office with the freedom to use the Peel Coleman Center, in and out for meetings or whatever it is that they may have. We brought several national people here to speak for banquets to educate the people. We just brought the late Stephanie Tubbs Jones here to speak and educate our people. There’s so many good...so many things good that the Urban...that the N.A.A.C.P. does and we really would like to have a office to do it because it’s getting to be so overwhelming to it’s interrupting my household at night. It’s really...calls at 3:00 in the morning. And myself being the Civil Rights President for the United Steelworkers 550 for over 12 years, I didn’t realize the issues of racism that we had in the Ci...in Stark County until I became the N.A.A.C.P. President, which was nine years ago when I re-advised the N.A.A.C.P. and then later on was elected as the President. But we have a lot of issues here in Stark County that is bigger than just myself and the committee members that we have active. We’re asking for everyone to not only support us in having this office but also to become a member of the N.A.A.C.P. and I do, yes I do recognize half of Council are members of the N.A.A.C.P. and I thank you for your support. But

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please, please when you go to vote, vote in favor of the N.A.A.C.P. Thank you very much.

PRESIDENT SCHULMAN: Thank you very President Conner. And I know a lot of us were at the N.A.A.C.P. meeting that was brought in, the state meeting, and it was just unbelievable and a great boost to our City so we thank you for that. Our last speaker tonight is Jason Scaglione. Mr. Scaglione, good evening, I know you've been here before, if you could give us your name and your residential address please.

JASON SCAGLIONE: Yes sir, good evening Council, my name is Jason Scaglione, 3027 Glen Place, Canton, Ohio here. Just wanted to come tonight actually to give a little bit of thanks for some of the things that we have seen happen in the neighborhood here. I know it's not often heard and we do give thanks where...where thanks are due. We're far from, far from where we need to be every little step is a step. Safety Director has been wonderful, the police department has been wonderful, we're starting to gain a little ground I hope. We can't however, slide backwards, we've gotta keep pursuing the issues that we've looked out in this area and we've just got to use our heads here and come together as a City and the citizens of this Ward in this particular area and keep going at what we started to get back to the nice single family houses like...like we've heard here just earlier, you know, today. Some apartment buildings and things that are falling down, maybe if they weren't there, that wouldn't be an issue but we need to address what is there and I continue..continue to ask your support in everything that we have there to accomplish in the near future. Thank you.

PRESIDENT SCHULMAN: Thank you very much sir, appreciate it. And it was really nice not to hear "But." We're now over public speaks.

**MISCELLANEOUS BUSINESS**

PRESIDENT SCHULMAN: And we're now under Miscellaneous Business. And before we begin, we lost...we lost a tremendous woman in the last week. I had the privilege of knowing Congresswoman Stephanie Tubbs Jones, in fact, she was at my home when she ran for the Ohio Supreme Court and I believe, I will stand corrected, that she was the first African American ever to do that. And very few people gave her the chance, she was running against a sitting Supreme Court Justice, Craig Wright, who was, despite his legal skills very popular and she...she was a dynamo and it was truly a privilege and an honor to know her. Ohio however, has lost an extraordinary political asset. *(Applause)* And I don't think any of us really realized or appreciated what kind of a political asset she was to us. She was a member of the Ways and Means Committee and the only Ohio...the only Ohio Congress Person on that very most powerful committee in Congress. So, aside from losing a friend, a dear friend and a great Ohioan we will miss Stephanie Tubbs Jones. She was a wonderful woman, just terrific. And I read that Connie Schultz's column in the Cleveland in the Plain Dealer, she closed it by saying "Count on it and..." It's a tragic loss to our State and to our County and to our World. So, with that, I would also recognize that Cleveland lost a long term Councilmember, Fannie Lewis and.... in the last week and so we have lost two wonderful public servants and great people and people that cared about our State and our County. So with that said, I would like a moment of silence for both.

*(MOMENT OF SILENCE FOR STEPHANIE TUBBS JONES AND FANNIE LEWIS)*

PRESIDENT SCHULMAN: Thank you very much. And Connie Schultz's statement at the end of the article was, oh I forgot it again. I'll think of it in a moment "Count on it Girlfriend" that's what she always said. Stephanie would always say "Count on it Girlfriend." So, is there any other Miscellaneous Business? Member West.

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MEMBER WEST: Yes, thank you Mr. President. On August 28, 1963, Dr. Martin Luther King, Jr. delivered his famous "I Have a Dream Speech" in Washington, D.C. Forty five years later, that's Thursday, August 28<sup>th</sup>, the City of Canton, one of the last major Cities in Ohio were recognized Dr. King by displaying or unveiling a sign in downtown Canton. So this is that time that Canton will pay its debt of gratitude for Dr. King who is a moral lead and we're asking each Councilmember if they would come down at Tusc. and Cherry to march with us up to the square where they will unveil the Dr. Martin Luther King Memorial sign and this is being, again, hosted by the Dr. Martin Luther King Commission, Community Coalition Against Violence and the Canton Community will be unhost...will be hosting this event. So if you guys will all come down, the community, and march with us from, again, this is only a couple blocks since some of you guys ain't got the wind you used to have, this is the chance to get your exercise in. Come on march with us from Tusc. to Cherry to the square where they will do an unveiling, it's not that long. And then also on the 28<sup>th</sup>....

MEMBER SMUCKLER: (*inaudible*)

MEMBER WEST: Okay the time, the time is important Bill. 5:30 P.M. we'll meet there and we'll convene to march up to the square and 6:00 there will be community leaders that will say a few words, only a few words and I would like all the Councilmembers if you could to support this event, I'd really much appreciate that. Also on the 28<sup>th</sup> the Canton City Health Department and the Stark County Minority Health Coalition will be hosting a national chat at The Kent State Stark Campus and this is to address some of the health disparities in this community and what's unique about this is the State put on a grant and the City Health Department got this grant to do this. So, we got national people coming in, the State people coming in for us to identify our health disparities so that we are not just adopting the State's or the national's health disparities and saying these are our own, we will be able to identify them right here. If you want more information on that contact Kathy Paris at the Health Department and this is pretty important because, I mean we got a lot things going on on the 28<sup>th</sup> that's just so amazing. And also on the Kresge Lot that same evening where Barack Obama will...they're having Barack Obama on televised, their campaign team. So come on out there on the Kresge Lot and they'll have a T.V. there and they will be actually doing the...showing the video of him delivering his speech. So, thank you.

PRESIDENT SCHULMAN: Thank you Member West, any other Miscellaneous Business?

MEMBER DOUGHERTY: Mr. President.

PRESIDENT SCHULMAN: Member Dougherty.

MEMBER DOUGHERTY: Yeah, I just want to remind everybody about the picnic for "Feed the Needy" on the 13<sup>th</sup> of September from 11:00 to 1:00 so I need everyone's help in that if possible and don't forget your donations too if you haven't done that already. And also we had a festival over the weekend at The Mahoning Road Corridor, it was held by the neighborhood group, it was the first time that they did this and they want to make it an annual event and it turned out really good for the first time. And I want to take this time to thank the Service Director and his staff, Mayor, also, you know all the staff was really helpful, if you'll pass that on to the Safety Director, I see that the Chief is here tonight, Police Chief, the Police Department was involved in the parade. They also stayed, did a K-9 demonstration, had the motorcycles there...so it was...fire trucks.....it was well received and Larry and Kevin from the Street Department, Sanitation Department, we couldn't have pulled this off without them and they were just ready to help and that was great. So thank you.

PRESIDENT SCHULMAN: Thank you Member Dougherty and also thank you for what you do with that

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“Feed the Needy” is an extraordinary event and we’ll all try to be there.

MEMBER SMITH: Mr. President.

PRESIDENT SCHULMAN: Member Smith.

MEMBER SMITH: 4<sup>th</sup> Ward, we’d like to thank all of those that came out for the 4<sup>th</sup> Ward cleanup and on Sunday, August 31<sup>st</sup> will be the 4<sup>th</sup> Ward Community Cookout at Crenshaw Park starting at 12:00.

PRESIDENT SCHULMAN: Thank you Member Smith. Any other...Law Director Martuccio.

LAW DIRECTOR MARTUCCIO: Thank you Mr. President. I wanted to follow up on what has become a prevalent theme for this evening and draw attention to a couple of things that are economically helpful to the community and really inspiring. Lois DiGiacomo, a talent director and actress in her own right, is pulling together a marvelously talented group of people of all races, ages and backgrounds to sing and entertain at the new Green Metro Center and a wonderful program. I want to recognize one or two people here this evening that are associated with the Player’s Guild production and working hard on Ragtime. It is amazing, it is an amazing assortment of extremely talented singers, dancers and actors of all races, ages and background, which is why I didn’t audition for it because they’re extremely talented. And I want to mention that Second April, that was brought up earlier is also doing a diverse and eclectic bit of work in it’s lower new Kathleen Howland Theatre. They are wonderful examples of people coming together, not only to bring more money into the community through ticket sales and please open up your wallets and take someone out to see a live dinner theatre, a live play at one of these events. But it’s inspiring and it’s eloquent in their presentations, they really move people. Ragtime is an incredibly historic and terrific presentation of immigration and racial hatred and a mixture of hope and despair and in the end, hope again. Thank you for the plugs.

*(APPLAUSE)*

PRESIDENT SCHULMAN: Thank you. You know I think Don, or Member Casar gave me an article which shows the arts, they did a study in Northwestern Ohio. The arts bring in over two billion...billion dollars in economic development. So, while we’re a great football City and we love our football, the arts are equally important and very important to the economic vitality of this community. Member Hawk, do you wish to say something.

MEMBER HAWK: No sir.

PRESIDENT SCHULMAN: Oh...oh, I’m sorry. Anyone else?

MEMBER HAWK: *(Inaudible)*

PRESIDENT SCHULMAN: No, you looked like you were poised to speak. Member Casar.

MEMBER CASAR: Mr. President, I move we adjourn.

MEMBER CARBENIA: Seconded.

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

**MINUTES OF THE MEETING OF AUGUST 25, 2008**

NO REMARKS      ROLL CALL: 11 YEAS, 0 NAYS

CLERK TIMBERLAKE: Eleven yeas Mr. President.

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

ADJOURNMENT TIME: 8:31 P.M.

ATTEST:

APPROVED:

CYNTHIA TIMBERLAKE  
CLERK OF COUNCIL

ALLEN SCHULMAN  
PRESIDENT