

MINUTES OF THE MEETING AUGUST 23, 2010

PRESIDENT SCHULMAN: Good evening ladies and gentlemen and welcome to Canton City Council. With a quorum being present the Chair calls this meeting of the Canton City Council to order. Roll call vote please Madame Clerk.

ROLL CALL TAKEN BY CLERK TIMBERLAKE:

12 COUNCIL MEMBERS PRESENT: (DAVID DOUGHERTY, TERRY PRATER, MARY CIRELLI, JOSEPH COLE, BILL SMUCKLER, GREG HAWK, THOMAS WEST, JAMES GRIFFIN, CHRIS SMITH, PATRICK BARTON, MARK BUTTERWORTH & BRIAN HORNER)

TWELVE COUNCIL MEMBERS PRESENT.

CLERK TIMBERLAKE: All present, Mr. President.

PRESIDENT SCHULMAN: Thank you Madame Clerk. Before I relay to you who will give the invocation tonight, I want to thank Leader Dougherty for taking the Chair in my absence. I appreciated the vacation. Thank you Leader very much. Tonight's invocation will be given by Council Member at Large Joe Cole. Will you all please remain standing for the Pledge of Allegiance.

The regular meeting of Canton City Council was held on August 23, 2010 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 Council Member at Large, Joe Cole. The Pledge of Allegiance led by President Schulman.

AGENDA CORRECTIONS & CHANGES

PRESIDENT SCHULMAN: Thank you Member Cole. And we do have a distinguished citizen of Canton who is in our midst tonight with God's will. John Schwartz, good to have you back. (APPLAUSE) We missed you but, we knew that your abdominal spirit would not keep you away. Although apparently it's kept a lot of people away. Everybody must on vacation John. Welcome back. Hope you're feeling better as you know. Again thank you Member Cole. We're now under Agenda Corrections and Changes. Members of Council you're going to be asked to Suspend Rule 22A to add Second Reading Ordinances #10 - #19. Leader.

MEMBER DOUGHERTY: Mr. President, I move we suspend Rule 22A to add 2nd Readings of Ordinances 10 through 19.

MEMBER PRATER: Seconded.

PRESIDENT SCHULMAN: It's been moved and seconded to suspend Rule 22A to add the 2nd Reading Ordinances 10 through 19 to your agenda. Are there any comments? Hearing none Madame Clerk, roll call vote please.

NO REMARKS

ROLL CALL 12 YEAS, 0 NAYS

CLERK TIMBERLAKE: Twelve yeas, Mr. President.

PRESIDENT SCHULMAN: Rule 22A is suspended. Thank you Madame Clerk and the Ordinances are a

MINUTES OF THE MEETING AUGUST 23, 2010

legal part of your agenda this evening.

PUBLIC HEARINGS

PRESIDENT SCHULMAN: We're now under Public Hearings. We have no Public Hearings this evening.

PUBLIC SPEAKS

PRESIDENT SCHULMAN: We're now under Public Speaks. We have one speaker signed up to speak this evening and that is Patricia Kirk. Miss Kirk as always, it's a pleasure to have you. Would you step forward and give us your name and your residential address.

PATRICIA KIRK: Thank you very much. My name is Patricia Kirk. I live at 131 5th St NE. I'm the tree lady. Canton, oh by the way, the tree lady started as a joke but that happens to be a title of honor in different cities. People come up to me and say, "You're the tree lady from Canton." I have no idea who they are. Canton lacks a plan for green infrastructure which protects resources and makes a city liveable. We're very good at laying more concrete and buildings but that does create more of a problem for our watershed. The Tree Commission of any city is in an advisory capacity. They report to the city. It's important, impossible for all of you to know all of the facts needed. They report to the city so that wise decisions can be made concerning our resources. I have graduated from the Associate program of the Tree Commission Academy of the Ohio Division of Forestry. That leaves the junior and senior classes. Part of my sophomore homework is to conduct a small tree inventory and study the municipal government relationships. It has been suggested that I serve as an advisory capacity in another city that has a Tree Commission already. In all the years of speaking in front of this Council, I've never had a question actually addressed. I do have a question. Why, and I noticed this before over a month ago, that we were going to be the only city with this really super Water Treatment plant, why? Why are we the only surrounding city to have this super Water Treatment plant? The Northeast Urban Forestry seminar mentioned water treatment as a do it now program from the state. Other cities handle this problem with tree canopy. The more canopy, the bigger the canopy, the more water is filtered. Are we doing this at this time because we are cutting down, destroying the trees at 25th and Cleveland which act as a humongous sponge. You'd have to wait for 200 years for that other tree that will be cut down to survive. Any little trees that we plant, will not take it's place. My second question, over a month ago I mentioned to Mayor Healy that Canton has been asked to host the Tree City or the Tree Commission Academy in 2012 because of their central location. 2011 is already taken. I haven't heard anything yet and I'm very sorry about Robert Torres' father's death. This is a great honor and I met a lead certified architect at the Going Green Expo where I had a display, who's willing to help with a facility but I have not heard anything yet. And if anybody knows, can they come to the Shake-a-Leaf meeting at 6:30 Thursday, right across the street at Church of the Savior. Lola will be there. You have to let her know or that date will be taken. In the Tree Commission Academy, we learned that good management is making good decisions. Thank you very much.

PRESIDENT SCHULMAN: Thank you very much.

MEMBER WEST: Mr. President.

PRESIDENT SCHULMAN: Yes, Member West.

MEMBER WEST: In light of what Pat just said, is, I think it's fitting and appropriate that we take a moment

MINUTES OF THE MEETING AUGUST 23, 2010

of silence for the Torres family. He lost his father, I understand today or was it today or yesterday, so....

PRESIDENT SCHULMAN: Yes I think that's appropriate. And let's take a moment of silence for Robert Torres' father. (*MOMENT OF SILENCE OBSERVED*) And Miss Kirk, thank you. You are certainly one of the most diligent, hard working, never say never people we have address us and we appreciate it and I just talked to Joe Martuccio, our Law Director about that Tree Ordinance and I think we're getting closer to at least dusting it off and trying to get this Council to agree with you because everything you say is absolutely correct. And the more trees we have, the better our environment and the less cost to the taxpayers ultimately. And I really do appreciate your public spirit. Thank you very much.

OLD BUSINESS

PRESIDENT SCHULMAN: We're now under Old Business. I leave for one week and we have a new agenda, so we're now under Old Business and I'm going to turn this over to the Mayor's Chief of Staff, Director Price.

SERVICE DIRECTOR PRICE: Thank you Mr. President. There were a number of items discussed during Public Speaks at last, our last Council meeting. Three of those items dealt with matters of the administration has some involvement in. Two of those involved the Safety Department. Both of the individuals that spoke regarding the Police Department did meet the Safety Director and he is aware of those issues and is working to resolve those with those folks. One of them involved a specific traffic matter so I don't think that we need to get into detail about that just suffice to say, we have met, the administration did meet with those individuals. The other one dealt with a garage on a vacant parcel that was on the demo list, the house had recently been demolished there, nearby there was some demo's going on in that neighborhood. A property owner had spoken to Council about perhaps saving that garage and the Development Department asked their Counsel with the Law Department, Tom Burns to look into that matter so we're working with that property owner as well. And those are the only updates we had from Public Speaks last time. Thank you.

PRESIDENT SCHULMAN: Thank you Director very much.

INFORMAL RESOLUTIONS

PRESIDENT SCHULMAN: We're now under Informal Resolutions.

MEMBER DOUGHERTY: Mr. President.

PRESIDENT SCHULMAN: Yes, leader.

MEMBER DOUGHERTY: What about the lady who wanted to have the signs erected at the entrance to the city?

CLERK TIMBERLAKE: It was Barb Gaskill. She was speaking for Sister Mother Angelica. She wanted signs erected at the city limits. She wanted her to be listed under Canton's great on the website. And wanted some publicity as far as advertising for the event held this October at the Civic Center. Those were her specific requests.

SERVICE DIRECTOR PRICE: Mr. Majority Leader, the website we can certainly do. I did not look into the

MINUTES OF THE MEETING AUGUST 23, 2010

sign issue. I overlooked that. I'll report back to you at the next meeting on the signs.

MEMBER DOUGHERTY: Did the gentleman get a call back about his service dog issue?

SERVICE DIRECTOR PRICE: Yes. My understanding, correct me if I'm wrong Director Ream, that we were talking with that gentleman. The service dog....

CLERK TIMBERLAKE: David Poole.

MEMBER DOUGHERTY: At the Blue's Festival.

SAFETY DIRECTOR REAM: Yes, I had conversations with him just last week and we've done what we can do for the gentleman and he understands where we're going with this at this point.

MEMBER DOUGHERTY: Thank you.

PRESIDENT SCHULMAN: Thank you leader. We're now under....anyone else have any comments?

SERVICE DIRECTOR PRICE: Mr. President.

PRESIDENT SCHULMAN: Director.

SERVICE DIRECTOR PRICE: The Law Director led me to understand, that I guess Councilman Griffin is going to be, likely preparing legislation that could get some signage up on the Market Street Corridor. We'll work with you however we can to make that happen.

PRESIDENT SCHULMAN: Great, thanks Director. Anyone else? OK, we're now under Informal Resolutions. We have no Informal Resolutions tonight.

COMMUNICATIONS

PRESIDENT SCHULMAN: We're now under Communications. Let the journal show that all Communications are received as read.

NOTE: ALL COMMUNICATIONS WHICH FOLLOW, LISTED BY AGENDA TITLE, ARE ON FILE IN THEIR ENTIRETY IN THE COUNCIL OFFICE WITH THE AGENDA ITEMS FILE DATED AUGUST 23, 2010.

336. ANNEXATION DIRECTOR, SLIMAN: AUTHORIZE TO INCLUDE THE ARMY NAVY ANNEXATION AREA W/THE "LEMMON ASSOC CEDA" PREVIOUSLY APPROVED IN 2006. - ANNEXATION COMMITTEE
337. AUDITOR MALLONN: CERT OF TOTAL AMT FROM ALL SOURCES FOR 2010. - RECEIVED & FILED

MINUTES OF THE MEETING AUGUST 23, 2010

338. AUDITOR MALLONN: REQ INCREASING APPROPS IN SEVERAL FUNDS DIRECTLY ASSOCIATED W/SALE OF NOTES (PIROLOZZI CLAIM), 1001 GENERAL FUND ANTICIPATORY NOTE (O#127/2010) & POLICE SETTLEMENT CLAIMS. - FINANCE COMMITTEE
339. CIRELLI, M, CNCL-AT-LG: REQ TO AMEND SECTION 105.07, GRANT & LOAN APPLICATION REQUIREMENTS, ADDING THAT AN APPLICANT NOT BE DELINQUENT TO ANY BRANCH OF GOV'T BE IT CITY, COUNTY, STATE OR FEDERAL. - JUDICIARY COMMITTEE
340. COMPLIANCE DIRECTOR MINOR SMITH & SAFETY DIRECTOR REAM: REQ ASSISTANCE IN RECRUITMENT OF QUALIFIED CANDIDATES FOR THE POSITION OF FIREFIGHTER/PARAMEDIC W/CFD. - RECEIVED & FILED
341. HEALTH BENEFITS ADMIN, MCBRIDE: JULY 2010, MONTHLY COMPARATIVE RPT-INS CLAIMS. - RECEIVED & FILED
342. HEALTH COMMISSIONER ADAMS: REQ \$50,000.00 SUPP APPROP FROM: UNAPPROP BAL OF THE 2321 IAP GRANT FUND TO: 2321 IMMUNIZATION ACTION GRANT PERSONNEL FUND. - FINANCE COMMITTEE
343. LIQUOR CONTROL DIVISION (OHIO): REQ NEW C1 C2 LIQ PERMIT FOR BELL STORES INC DBA BELL STORES 122 @ 3812 CLEVELAND AVE NW. - RECEIVED & FILED
344. SAFETY DIRECTOR REAM: AUTHORIZE SAF DIR TO ACCEPT & APPROP THE SAFER GRANT IN AMT OF \$3,440,134.00. - FINANCE COMMITTEE
345. SERVICE DIRECTOR PRICE: ADVISING THAT THE CITY WILL NOT BE ENTERING INTO A PLA FOR 2010 CITY PAVING PROGRAM, GP 1152. - RECEIVED & FILED
346. TREASURER SCHIRACK: COMPARATIVE RPT OF CASH RECEIPTS FILED AS OF 7/31/10. - RECEIVED & FILED

ORDINANCES & FORMAL RESOLUTIONS FOR FIRST READING

PRESIDENT SCHULMAN: And now we're 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 and Madame Clerk would please read the First Reading Ordinances by title.

NOTE: PRESIDENT SCHULMAN CALLED UPON CLERK TIMBERLAKE TO READ ORDINANCES #1 THROUGH #9 FOR THEIR FIRST TIME BY TITLE & ANNOUNCED THE COMMITTEE REFERRAL, AS FOLLOWS:

- #1. (1ST RDG) AN ORDINANCE AUTHORIZING THE MAYOR OR DIRECTOR OF PUBLIC SERVICE TO ACCEPT SUPPLEMENTAL FAIR HOUSING ASSISTANCE FUNDS

MINUTES OF THE MEETING AUGUST 23, 2010

IN THE AMOUNT OF \$8,500.00 TO COVER EXPENSES FOR FOUR (4) INDIVIDUALS TO ATTEND THE ANNUAL POLICY CONFERENCE; AND DECLARING THE SAME TO BE AN EMERGENCY
Referred to Finance Committee

- #2. (1ST RDG) AN ORDINANCE AMENDING APPROPRIATION ORDINANCE NO. 1/2010, AS AMENDED, BY MAKING THE SUPPLEMENTAL APPROPRIATION HEREIN DESCRIBED; AND DECLARING THE SAME TO BE AN EMERGENCY (CANTON FEDERAL CAMPUS PROJECT FUND \$8,234.59)
Referred to Community & Economic Development and Finance Committees
- #3. (1ST RDG) AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO CONTRACT WITH THE CANTON COMMUNITY IMPROVEMENT CORPORATION (CCIC) TO ADMINISTER FUNDS FOR THE FORD ROAD PROJECT; AUTHORIZING THE AUDITOR TO ESTABLISH THE 2816 629 ODOB FORD ROAD GRANT FUND; AMENDING APPROPRIATION ORDINANCE NO. 1/2010; AND DECLARING THE SAME TO BE AN EMERGENCY
Referred to Community & Economic Development and Finance Committees
- #4. (1ST RDG) AN ORDINANCE AMENDING APPROPRIATION ORDINANCE NO. 1/2010, AS AMENDED, BY MAKING THE APPROPRIATION TRANSFER HEREIN DESCRIBED; AND DECLARING THE SAME TO BE AN EMERGENCY (2312 STD CONTROL \$45,000.00)
Referred to Finance Committee
- #5. (1ST RDG) AN ORDINANCE AMENDING APPROPRIATION ORDINANCE NO. 1/2010; AND DECLARING THE SAME TO BE AN EMERGENCY (LAW DEPT \$15,000.00)
Referred to Finance Committee
- #6. (1ST RDG) AN ORDINANCE AUTHORIZING THE MAYOR AND/OR SERVICE DIRECTOR TO MODIFY THE EXISTING ME COMPANIES CONTRACT FOR THE 12TH STREET N. CORRIDOR PROJECT, G.P. 1098 AND TO RECEIVE FEDERAL TRANSPORTATION FUNDS IN AN AMOUNT NOT TO EXCEED \$743,852.00; AMEND APPROPRIATION ORDINANCE NO. 1/2010; AND DECLARING THE SAME TO BE AN EMERGENCY
Referred to Finance & Public Property Capital Improvement Committees
- #7. (1ST RDG) **ADOPTED AS ORDINANCE NO. 158/2010** AN ORDINANCE AMENDING THE CAPTION AND SECTION 1 OF ORDINANCE NO. 77/2010; AND DECLARING THE SAME TO BE AN EMERGENCY
Referred to Community & Economic Development Committee
- #8. (1ST RDG) **ADOPTED AS ORDINANCE NO. 159/2010** AN ORDINANCE AMENDING SECTION 1 OF ORDINANCE NO. 23/2010; AND DECLARING THE SAME TO BE

MINUTES OF THE MEETING AUGUST 23, 2010

AN EMERGENCY

Referred to Judiciary and Finance Committees

- #9. (1ST RDG) **ADOPTED AS ORDINANCE NO. 160/2010** AN ORDINANCE AUTHORIZING AND CONSENTING TO REPAIR OF DAMAGES ON RAFF ROAD BRIDGE OVER U.S. 30; AND DECLARING THE SAME TO BE AN EMERGENCY
Referred to Public Safety & Thoroughfares Committee

PRESIDENT SCHULMAN: At this time the Chair would declare an in house recess for the Community and Economic Development Committee to meet in regard to Ordinance 7 on your Agenda, Judiciary & Finance Committees to meet in regards to Ordinance 8 on your agenda and the Public Safety & Thoroughfares Committee to meet in regard to Ordinance 9 on your agenda.. You're now in recess.

(COUNCIL RECESSED AT 7:53 P.M. FOR THE COMMUNITY AND ECONOMIC DEVELOPMENT COMMITTEE TO DISCUSS ORDINANCE #7; RECONVENED AT 7:54 PM)

(COUNCIL RECESSED AT 7:54 PM FOR THE JUDICIARY & FINANCE COMMITTEES TO DISCUSS ORDINANCE #8; RECONVENED AT 8:00 PM)

(COUNCIL RECESSED AT 8:00 PM FOR THE PUBLIC SAFETY AND THOROUGHFARES COMMITTEE TO DISCUSS ORDINANCE #9; RECONVENED AT 8:01 P.M.)

PRESIDENT SCHULMAN: Council then will reconvene after the recess. Leader.

MEMBER DOUGHERTY: Mr. President, I move we suspend Rule 22A to place Ordinances #7, 8 and 9 back on this evening's agenda.

MEMBER PRATER: Seconded.

PRESIDENT SCHULMAN: It's been moved and seconded to suspend Rule 22A to place Ordinances 7, 8 and 9 back on this evening's agenda. Any remarks? Hearing none, Madame Clerk roll call vote please.

NO REMARKS

ROLL CALL 12 YEAS, 0 NAYS

CLERK TIMBERLAKE: Twelve yeas, Mr. President.

PRESIDENT SCHULMAN: Motion carries and Ordinances 7, 8 and 9 are back on this evening's agenda. Leader.

MEMBER DOUGHERTY: Yes, Mr. President, I move we suspend the Statutory Rules on Ordinance 7.

MEMBER PRATER: Seconded.

PRESIDENT SCHULMAN: It's been moved and seconded to suspend Statutory Rule on Ordinance 7. Any remarks? Hearing none, Madame Clerk roll call vote please.

MINUTES OF THE MEETING AUGUST 23, 2010

NO REMARKS

ROLL CALL 12 YEAS, 0 NAYS

CLERK TIMBERLAKE: Twelve yeas, Mr. President.

PRESIDENT SCHULMAN: Motion carries. You've heard the three readings, Leader.

MEMBER DOUGHERTY: Mr. President, I move we adopt Ordinance #7.

MEMBER PRATER: Seconded.

PRESIDENT SCHULMAN: It's been moved and seconded that you adopt Ordinance #7. Any remarks under this Ordinance? Hearing none, Madame Clerk roll call vote please.

NO REMARKS

ROLL CALL 12 YEAS, 0 NAYS

CLERK TIMBERLAKE: Twelve yeas, Mr. President.

#7 ADOPTED AS ORDINANCE NO. 158/2010

PRESIDENT SCHULMAN: Thank you Madame Clerk. Ordinance 7 has been adopted. Leader.

MEMBER DOUGHERTY: Mr. President, I move we suspend the Statutory Rules on Ordinance 8.

MEMBER PRATER: Seconded.

PRESIDENT SCHULMAN: It's been moved to suspend Statutory Rules on Ordinance 8. Any remarks? Hearing none, Madame Clerk roll call vote please.

NO REMARKS

ROLL CALL 12 YEAS, 0 NAYS

CLERK TIMBERLAKE: Twelve yeas, Mr. President.

PRESIDENT SCHULMAN: Motion carries. You've heard the three readings, Leader.

MEMBER DOUGHERTY: I move we adopt Ordinance 8.

MEMBER PRATER: Seconded.

PRESIDENT SCHULMAN: It's been moved and seconded that you adopt Ordinance #8. Any remarks under this Ordinance?

MEMBER CIRELLI: Mr. President.

PRESIDENT SCHULMAN: Member Cirelli.

MEMBER CIRELLI: Just for a point of clarification to Mr. Price. The answer that I have in front of me was stating that their interested in the \$80,000.00 for the HVAC, putting into the HVAC and mechanical system

MINUTES OF THE MEETING AUGUST 23, 2010

to bring it up to date which divided by their 3 years but the Ordinance is for another three years on top of that. You follow where I'm going from. It's actually going to six years. Am I correct or incorrect on that?

PRESIDENT SCHULMAN: Director.

SERVICE DIRECTOR PRICE: That's correct but there's, there would be an option for the additional three years.

MEMBER CIRELLI: So, Mr. President and Mr. Price, then by your calculations and to my understanding is that the either \$80,000.00 or \$25,000.00 per year, is that going to be for the 6 years if they pick up the option.

SERVICE DIRECTOR PRICE: If they pick up the option, no that would have my calculation. If they would pick up the option for the additional three years, that would cut my 25+ per year in half basically.

MEMBER CIRELLI: OK, just wanted clarification of that. Thank you sir.

PRESIDENT SCHULMAN: I just want to echo, any other remarks? I want to echo what Member West said. The partnership with Stark State and the opportunities Stark State presents to our city are unbelievable, just unbelievable. Stark State for those of you who don't know, is the second fastest growing Stark State type universities in the country. Second fastest growing. They have eight or nine thousand students. They graduate....sorry 13,000. They had 8 or 9 a couple of years ago. So the opportunity that Stark State presents to our city is amazing and we should welcome them with open arms. Saying that, Madame Clerk, roll call vote please.

NO REMARKS

ROLL CALL 12 YEAS, 0 NAYS

CLERK TIMBERLAKE: Twelve yeas, Mr. President.

#8 ADOPTED AS ORDINANCE NO. 159/2010

PRESIDENT SCHULMAN: Ordinance #8 has been adopted. Leader.

MEMBER DOUGHERTY: Mr. President, I move we suspend the Statutory Rules on Ordinance 9.

MEMBER PRATER: Seconded.

PRESIDENT SCHULMAN: It's been moved suspend the Statutory Rules on Ordinance 9. Are there any remarks? Hearing none, Madame Clerk roll call vote please.

NO REMARKS

ROLL CALL 12 YEAS, 0 NAYS

CLERK TIMBERLAKE: Twelve yeas.

PRESIDENT SCHULMAN: Motion carries. You've heard the three readings, Leader.

MEMBER DOUGHERTY: I move we adopt Ordinance 9.

MINUTES OF THE MEETING AUGUST 23, 2010

MEMBER PRATER: Seconded.

PRESIDENT SCHULMAN: It's been moved and seconded to adopt Ordinance 9. Any remarks under that Ordinance? Hearing none, Madame Clerk roll call vote please.

NO REMARKS

ROLL CALL 12 YEAS, 0 NAYS

CLERK TIMBERLAKE: Twelve yeas, Mr. President.

#9 ADOPTED AS ORDINANCE NO. 160/2010

PRESIDENT SCHULMAN: The motion carries and Ordinance #9 is adopted.

ORDINANCES & FORMAL RESOLUTIONS FOR SECOND READING

PRESIDENT SCHULMAN: We're now under Ordinances and Formal Resolutions for the Second Reading. Madame Clerk will you begin with Ordinance 10 please.

NOTE: PRESIDENT SCHULMAN CALLED UPON CLERK TIMBERLAKE TO READ ORDINANCES #10 THROUGH #19 FOR THEIR SECOND TIME BY TITLE AS REQUIRED BY STATE LAW, AS FOLLOWS :

- #10. (2ND RDG) **RETAINED IN COMMITTEE 3/1/10** AN ORDINANCE AUTHORIZING THE DIRECTOR OF PUBLIC SERVICE TO ACCEPT A GRANT FROM THE OHIO DEPARTMENT OF NATURAL RESOURCES (ODNR) IN AM AMOUNT NOT TO EXCEED \$495,000.00 FOR THE CONSTRUCTION OF AN INDOOR WATER PARK FACILITY AT THE EDWARD "PEEL" COLEMAN CENTER; AND TO ENTER INTO A PASS THROUGH AGREEMENT WITH THE ODNR IN AMOUNT NOT TO EXCEED \$495,000.00; AUTHORIZING THE AUDITOR IS AUTHORIZED TO ESTABLISH THE 2237 WATER PARK FACILITY GRANT FUND; AMENDING APPROPRIATION ORDINANCE NO. 1/2010; AND DECLARING THE SAME TO BE AN EMERGENCY
- #11. (2ND RDG) AN ORDINANCE AUTHORIZING CANTON TO ANNEX THE TERRITORY KNOWN AS THE DELONG ANNEXATION AREA CONTAINING APPROXIMATELY 0.192 ACRES; ASSIGNING SAID TERRITORY TO WARD 3 OF THE CITY; ZONING SAID TERRITORY AS R-1A (SINGLE FAMILY RESIDENTIAL); AND DECLARING THE SAME TO BE AN EMERGENCY
PUB HRG: 9/13/10 @ 7:30 PM
- #12. (2ND RDG) AN ORDINANCE AMENDING VARIOUS CHAPTERS OF PART ELEVEN, PLANNING AND ZONING CODE, OF THE CODIFIED ORDINANCES OF THE CITY OF CANTON
PUB HRG: 9/13/10 @ 7:31 PM
- #13. (2ND RDG) **ADOPTED AS ORDINANCE NO. 161/2010** 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

MINUTES OF THE MEETING AUGUST 23, 2010

THE SAME TO BE AN EMERGENCY (PARCEL #02-12064 REX AVE NE)

PRESIDENT SCHULMAN: Leader Dougherty.

MEMBER DOUGHERTY: Mr. President, I move we suspend the Statutory Rules on Ordinance 13.

MEMBER PRATER: Seconded.

PRESIDENT SCHULMAN: It's been moved and seconded to suspend the Statutory Rules on Ordinance 13. Any remarks? Hearing none, 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. You've heard the three readings, Leader.

MEMBER DOUGHERTY: I move we adopt Ordinance 13.

MEMBER PRATER: Seconded.

PRESIDENT SCHULMAN: It's been moved and seconded to adopt Ordinance 13. Any remarks? Hearing none, Madame Clerk roll call vote please.

NO REMARKS

ROLL CALL: 12 YEAS, 0 NAYS

CLERK TIMBERLAKE: Twelve yeas Mr. President.

#13 ADOPTED AS ORDINANCE NO. 161/2010

PRESIDENT SCHULMAN: Ordinance 13 is adopted. Ordinance 14 please.

#14. (2ND RDG) **ADOPTED AS ORDINANCE NO. 162/2010** 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: Leader Dougherty.

MEMBER DOUGHERTY: Mr. President, I move we suspend the Statutory Rules on Ordinance 14.

MEMBER PRATER: Seconded.

PRESIDENT SCHULMAN: There's been a move to suspend the Statutory Rule for Ordinance 14. Any remarks? Hearing none, Madame Clerk roll call vote please.

NO REMARKS

ROLL CALL 12 YEAS, 0 NAYS

MINUTES OF THE MEETING AUGUST 23, 2010

CLERK TIMBERLAKE: Twelve yeas, Mr. President.

PRESIDENT SCHULMAN: Motion carries. Leader you've heard the three readings.

MEMBER DOUGHERTY: I move we adopt Ordinance 14.

MEMBER PRATER: Seconded.

PRESIDENT SCHULMAN: It's been moved and seconded that you adopt Ordinance 14. Any remarks under this Ordinance? Hearing none, Madame Clerk roll call vote please.

NO REMARKS

ROLL CALL: 12 YEAS, 0 NAYS

CLERK TIMBERLAKE: Twelve yeas Mr. President.

#14 ADOPTED AS ORDINANCE NO. 162/2010

PRESIDENT SCHULMAN: Ordinance 14 is adopted. Ordinance 15 please Madame Clerk.

#15. (2ND RDG) **ADOPTED AS ORDINANCE NO. 163/2010** A RESOLUTION AUTHORIZING THE LAW DIRECTOR TO DISTRIBUTE FREE OF CHARGE TO PUBLIC OFFICIALS AND PUBLIC INSTITUTIONS COPIES OF THE 2010 SUPPLEMENT TO THE CANTON CODIFIED ORDINANCES; TO AFFIX PRICE FOR THE SALE OF SAME; AND DECLARING THE SAME TO BE AN EMERGENCY

PRESIDENT SCHULMAN: Leader.

MEMBER DOUGHERTY: Mr. President, I move we suspend the Statutory Rules on Ordinance 15.

MEMBER PRATER: Seconded.

PRESIDENT SCHULMAN: There's been a move to suspend the Statutory Rules on Ordinance 15. Any remarks? Hearing none, Madame Clerk roll call vote please.

NO REMARKS

ROLL CALL 12 YEAS, 0 NAYS

CLERK TIMBERLAKE: Twelve yeas, Mr. President.

PRESIDENT SCHULMAN: Motion carries. You've heard the three readings Leader.

MEMBER DOUGHERTY: Mr. President, I move we adopt Ordinance 15.

MEMBER PRATER: Seconded.

PRESIDENT SCHULMAN: It's been moved and seconded to adopt Ordinance 15. Any remarks under this Ordinance? Hearing none, Madame Clerk roll call vote please.

MINUTES OF THE MEETING AUGUST 23, 2010

NO REMARKS

ROLL CALL: 12 YEAS, 0 NAYS

CLERK TIMBERLAKE: Twelve yeas Mr. President.

#15 ADOPTED AS ORDINANCE NO. 163/2010

PRESIDENT SCHULMAN: Motion carries, you've heard the three readings leader. I'm lost now. Is that right or did we already read it?

CLERK TIMBERLAKE: We're on 16. Suspend Statutory Rules.

PRESIDENT SCHULMAN: 15 is adopted, sorry and I was really trying to keep track of this. Ordinance 16 please.

#16. (2ND RDG) **ADOPTED AS ORDINANCE NO. 164/2010** AN ORDINANCE AUTHORIZING THE DIRECTOR OF PUBLIC SAFETY TO ACCEPT A FIRE DEPARTMENT TRAINING AND EQUIPMENT GRANT IN AN AMOUNT NOT TO EXCEED \$3,950.00; AMENDING APPROPRIATION ORDINANCE NO. 1/2010; AND DECLARING THE SAME TO BE AN EMERGENCY

PRESIDENT SCHULMAN: Leader.

MEMBER DOUGHERTY: Mr. President, I move we suspend the Statutory Rules on Ordinance 16.

MEMBER PRATER: Seconded.

PRESIDENT SCHULMAN: It's been moved and seconded to suspend the Statutory Rules on Ordinance 16. Any remarks? Hearing none, Madame Clerk roll call vote please.

NO REMARKS

ROLL CALL 12 YEAS, 0 NAYS

CLERK TIMBERLAKE: Twelve yeas, Mr. President.

PRESIDENT SCHULMAN: Motion carries. You've heard the three readings on that Ordinance Leader.

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

MEMBER PRATER: Seconded.

PRESIDENT SCHULMAN: It's been moved and seconded to adopt Ordinance 16. Any remarks under this Ordinance? Hearing none, 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. 164/2010

MINUTES OF THE MEETING AUGUST 23, 2010

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

#17. (2ND RDG) **ADOPTED AS ORDINANCE NO. 165/2010** AN ORDINANCE AUTHORIZING THE DIRECTOR OF PUBLIC SAFETY TO EXECUTE THE OPERATIONAL AGREEMENT WITH STARK COUNTY FOR THE 800 MHZ MIXED MODE TRUNKED SIMULCAST SMARTZONE RADIO SYSTEM; AND DECLARING THE SAME TO BE AN EMERGENCY

PRESIDENT SCHULMAN: Leader.

MEMBER DOUGHERTY: I move we suspend the Statutory Rules for Ordinance 17.

MEMBER PRATER: Seconded.

PRESIDENT SCHULMAN: It's been moved and seconded to adopt, to suspend the Statutory Rules for Ordinance 17. Any remarks? Hearing none, Madame Clerk roll call vote please.

NO REMARKS

ROLL CALL 12 YEAS, 0 NAYS

CLERK TIMBERLAKE: Twelve yeas, Mr. President.

PRESIDENT SCHULMAN: Motion carries. You've heard the three readings on 17 Leader Dougherty.

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

MEMBER PRATER: Seconded.

PRESIDENT SCHULMAN: It's been moved and seconded to adopt Ordinance 17. Any remarks under this Ordinance? Hearing none, Madame Clerk roll call vote please.

NO REMARKS

ROLL CALL: 12 YEAS, 0 NAYS

CLERK TIMBERLAKE: Twelve yeas Mr. President.

#17 ADOPTED AS ORDINANCE NO. 165/2010

PRESIDENT SCHULMAN: Ordinance 17 is adopted. Thank you Madame Clerk. Ordinance 18 please.

#18. (2ND RDG) **ADOPTED AS ORDINANCE NO. 166/2010** AN ORDINANCE AUTHORIZING THE DIRECTOR OF PUBLIC SERVICE TO ENTER INTO A CHANGE ORDER WITH ENVIRONMENTAL MANAGEMENT SERVICES IN AN AMOUNT NOT TO EXCEED \$370,675.00 FOR ADDITIONAL COSTS RELATED TO THE BISON REMEDIATION PROJECT; AND DECLARING THE SAME TO BE AN EMERGENCY

PRESIDENT SCHULMAN: Leader.

MEMBER DOUGHERTY: Mr. President, I move we suspend the Statutory Rules on Ordinance 18.

MINUTES OF THE MEETING AUGUST 23, 2010

MEMBER PRATER: Seconded.

PRESIDENT SCHULMAN: It's been moved and seconded to suspend the Statutory Rules on Ordinance 18. Any remarks under this Ordinance? Hearing none, Madame Clerk roll call vote please.

NO REMARKS

ROLL CALL 12 YEAS, 0 NAYS

CLERK TIMBERLAKE: Twelve yeas, Mr. President.

PRESIDENT SCHULMAN: Motion carries. You've heard the three readings Leader.

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

MEMBER PRATER: Seconded.

PRESIDENT SCHULMAN: It's been moved and seconded that you adopt Ordinance 18. Any remarks under this Ordinance? Hearing none, 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. 166/2010

PRESIDENT SCHULMAN: Ordinance 18 is adopted. Ordinance 19 please.

#19. (2ND RDG) **ADOPTED AS ORDINANCE NO. 167/2010** AN ORDINANCE AMENDING APPROPRIATION ORDINANCE NO. 1/2010, AS AMENDED, AND DECLARING THE SAME TO BE AN EMERGENCY (5410 SEWER OPERATING \$5,000.00)

PRESIDENT SCHULMAN: Leader Dougherty.

MEMBER DOUGHERTY: Mr. President, I move we suspend the Statutory Rules for Ordinance 19.

MEMBER PRATER: Seconded.

PRESIDENT SCHULMAN: It's been moved and seconded to suspend the Statutory Rules for Ordinance 19. Any remarks? Hearing none, Madame Clerk roll call vote please.

NO REMARKS

ROLL CALL 12 YEAS, 0 NAYS

CLERK TIMBERLAKE: Twelve yeas, Mr. President.

PRESIDENT SCHULMAN: Motion carries. You've heard the three readings Leader.

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

MEMBER PRATER: Seconded.

MINUTES OF THE MEETING AUGUST 23, 2010

PRESIDENT SCHULMAN: It's been moved and seconded that you adopt Ordinance 19. Any remarks under this Ordinance?

MEMBER HAWK: Mr. President.

PRESIDENT SCHULMAN: Member Hawk.

MEMBER HAWK: This is for travel for members of the Sewer Department to New Orleans. It is not related to (*inaudible*)....or required.

PRESIDENT SCHULMAN: Are there any other remarks on Ordinance 19? Hearing none, Madame Clerk roll call vote please.

NO REMARKS

ROLL CALL: 9 YEAS, 3 NAYS
(MEMBERS CIRELLI, SMUCKLER & HAWK VOTED NAY)

CLERK TIMBERLAKE: Nine yeas, three nays Mr. President.

#19 ADOPTED AS ORDINANCE NO. 167/2010

PRESIDENT SCHULMAN: Ordinance 19 is adopted. Are we ready to adjourn yet Leader, after all that?

ORDINANCES & FORMAL RESOLUTIONS FOR THIRD AND FINAL READING

PRESIDENT SCHULMAN: We're now under, now we're under Ordinances and Formal Resolutions for the Third and final Reading and vote. Madame Clerk if you would at your convenience, would you please read Ordinance 20.

NOTE: PRESIDENT SCHULMAN CALLED UPON CLERK TIMBERLAKE TO READ ORDINANCES #20 THROUGH #26 FOR THEIR THIRD AND FINAL READING BY TITLE AS REQUIRED BY STATE LAW, AS FOLLOWS :

#20. (3RD RDG) **ADOPTED AS ORDINANCE NO. 168/2010** AN ORDINANCE AMENDING APPROPRIATION ORDINANCE NO. 1/2010, AS AMENDED, BY MAKING THE SUPPLEMENTAL APPROPRIATIONS HEREIN DESCRIBED; AND DECLARING THE SAME TO BE AN EMERGENCY (COURT CAPITAL PROJECT FUND AND PRISONER HOUSING FUND - \$14,558.00 & \$28,364.00)

PRESIDENT SCHULMAN: Leader Dougherty.

MEMBER DOUGHERTY: Mr. President I move we adopt Ordinance 20.

MEMBER PRATER: Seconded.

PRESIDENT SCHULMAN: It's been moved and seconded that you adopt Ordinance #20. Any remarks under this Ordinance? Hearing none, Madame Clerk roll call vote please.

NO REMARKS

ROLL CALL: 12 YEAS, 0 NAYS

MINUTES OF THE MEETING AUGUST 23, 2010

CLERK TIMBERLAKE: Twelve yeas Mr. President.

#20 ADOPTED AS ORDINANCE NO. 168/2010

PRESIDENT SCHULMAN: Ordinance 20 is adopted. Ordinance 21 please Madame Clerk.

#21. (3RD RDG) **ADOPTED AS ORDINANCE NO. 169/2010** AN ORDINANCE AMENDING APPROPRIATION ORDINANCE NO. 1/2010; AS AMENDED, BY MAKING THE SUPPLEMENTAL APPROPRIATION HEREIN DESCRIBED; AND DECLARING THE SAME TO BE AN EMERGENCY (PREVENTIVE HEALTH - \$15,000.00)

PRESIDENT SCHULMAN: Leader.

MEMBER DOUGHERTY: Mr. President I move we adopt Ordinance 21.

MEMBER PRATER: Seconded.

PRESIDENT SCHULMAN: It's been moved and seconded to adopt Ordinance 21. Any remarks under this Ordinance? Hearing none, Madame Clerk roll call vote please.

NO REMARKS

ROLL CALL 12 YEAS, 0 NAYS

CLERK TIMBERLAKE: Twelve yeas, Mr. President.

#21 ADOPTED AS ORDINANCE NO. 169/2010

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

#22. (3RD RDG) **WITHDRAWN** AN ORDINANCE AMENDING APPROPRIATION ORDINANCE NO. 1/2010, AS AMENDED, BY MAKING THE APPROPRIATION TRANSFER HEREIN DESCRIBED; AND DECLARING THE SAME TO BE AN EMERGENCY (HEALTHY START - \$50,500.00)

PRESIDENT SCHULMAN: Leader.

MEMBER DOUGHERTY: Mr. President I would ask that Ordinance 22 be withdrawn.

MEMBER PRATER: Seconded.

PRESIDENT SCHULMAN: Member Dougherty's requested that Ordinance 22 be withdrawn. Any remarks?

MEMBER CIRELLI: Mr. President.

PRESIDENT SCHULMAN: Member Cirelli.

MEMBER CIRELLI: Might we know why it's being withdrawn.

PRESIDENT SCHULMAN: Member Hawk.

MEMBER HAWK: Mr. President I can answer that. (*Inaudible*)

MINUTES OF THE MEETING AUGUST 23, 2010

MEMBER CIRELLI: Thank you.

PRESIDENT SCHULMAN: OK Ordinance 22 is withdrawn. Ordinance 23 please.

#23. (3RD RDG) **ADOPTED AS ORDINANCE NO. 170/2010** AN ORDINANCE AUTHORIZING THE AUDITOR TO ESTABLISH THE 2422 THURMAN MUNSON MEMORIAL STADIUM DONATION FUND; AND DECLARING THE SAME TO BE AN EMERGENCY

PRESIDENT SCHULMAN: Leader.

MEMBER DOUGHERTY: Mr. President I move we adopt Ordinance 23.

MEMBER PRATER: Seconded.

PRESIDENT SCHULMAN: It's been moved and seconded to adopt Ordinance 23. Any remarks under this Ordinance? Hearing none, Madame Clerk roll call vote please.

NO REMARKS

ROLL CALL 12 YEAS, 0 NAYS

CLERK TIMBERLAKE: Twelve yeas, Mr. President.

#23 ADOPTED AS ORDINANCE NO. 170/2010

PRESIDENT SCHULMAN: Ordinance 23 is adopted. Ordinance 24 please.

#24. (3RD RDG) **POSTPONED UNTIL 9/13/10** 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 (GIS COORDINATOR)

PRESIDENT SCHULMAN: Leader, I'll recognize a motion to postpone Ordinance 24.

MEMBER DOUGHERTY: Mr. President I believe and I may be wrong, but I believe we have to move to adopt Ordinance 24.

PRESIDENT SCHULMAN: Oh alright. You're probably right.

MEMBER PRATER: Seconded.

PRESIDENT SCHULMAN: It's been moved and seconded to adopt Ordinance 24. Any remarks, Leader?

SERVICE DIRECTOR PRICE: Mr. President.

PRESIDENT SCHULMAN: Director.

SERVICE DIRECTOR PRICE: In regards to the motion to adopt Ordinance 24, and this will apply to Ordinance 24, 25 and 26, my office would request that Canton City Council delay action on these three

MINUTES OF THE MEETING AUGUST 23, 2010

pieces of legislation. As you are aware because we've presented on these matters, these are engineering positions in our Utility Departments. We presented these to you in hopes that we could handle engineering needs within the Utility Departments in house. You're of course aware of the fact that representatives of 2937, AFSCME 2937 and AFSCME 3449 came to Canton City Council in response to my Communication requesting that these positions, these personnel changes be made and at least one position be created and that reaction by our bargaining units caught me somewhat off guard and in the mean time, we have been talking with union leadership given this was coming up for a vote. I was approached by leadership of not only AFSCME 2937 and 3449 but I understand District 8 as well. Their proposal to me was that we would both take a break from advocating on this, take advantage of the holiday that this Council will be off. That will give us an opportunity to conduct Labor Management Meetings so that we can discuss these matters and hopefully deal with any misconceptions or communications issues that may exist on both sides. And so I think this is a good opportunity for us as management and labor to sit down. I'm sure you've heard me say and I hope you believe it when I tell you that, you know when I leave here, it will have been my highest honor to have served the city with our bargaining unit members and rank and file employees that make it happen when I pick up the phone and so when I know that there's distention in the ranks, certainly as we approach a wage reopener and morals certainly effected by these sorts of things that I pay attention to that. And so we will be sitting down with Council's latest legislation, you know I'm not promising we're going to come to any consensus and I'm sure the union leaders wouldn't promise that either but at least it gives us the opportunity to meet and try to hash this out. Thank you.

PRESIDENT SCHULMAN: Thank you Director and Leader I think, well I don't think, the Law Director's informed me that if you wish to move to postpone Ordinances 24, 25 and 26, we do not have to go through each one individually because each one will have been given their third reading by our next meeting. So do we have a motion.

MEMBER DOUGHERTY: Yes Mr. President I'd like to postpone Ordinances 24, 25 and 26 to 9/13/10.

MEMBER PRATER: Seconded.

PRESIDENT SCHULMAN: It's been moved and seconded to postpone Ordinances 24, 25 and 26 until September 13, 2010. Are there any remarks? Hearing none, by voice vote, all those in favor to postpone the Ordinances signify by saying aye. Those opposed nay.

NO REMARKS

POSTPONEMENT PASSED UNANIMOUSLY BY VOICE VOTE

PRESIDENT SCHULMAN: The ayes have it. The motion carries and the three Ordinances are postponed until the next meeting.

MEMBER DOUGHERTY: Mr. President.

PRESIDENT SCHULMAN: Leader.

MEMBER DOUGHERTY: Point of order. On the withdrawn one, was there a voice vote that was needed.

PRESIDENT SCHULMAN: I don't, I think the Law Director informs us no.

MEMBER DOUGHERTY: I just wanted to get that clarified. Thank you.

MINUTES OF THE MEETING AUGUST 23, 2010

PRESIDENT SCHULMAN: You're welcome.

ANNOUNCEMENT OF COMMITTEE MEETINGS

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

MEMBER HAWK: Mr. President.

PRESIDENT SCHULMAN: Member Hawk.

MEMBER HAWK: Thank you good sir. Finance Committee will meet Monday, September 30th, excuse me September 13th at 6:30 PM.

PRESIDENT SCHULMAN: Thank you. Member Smuckler.

MEMBER SMUCKLER: Community Development will be the same day, same time, same place.

PRESIDENT SCHULMAN: Thank you.

MEMBER DOUGHERTY: Mr. President.

PRESIDENT SCHULMAN: Leader.

MEMBER DOUGHERTY: Public Property Capital Improvement with meet 9/13 at 6:30.

PRESIDENT SCHULMAN: Thank you. Any other announcements?

MAYOR HEALY: Mr. President.

PRESIDENT SCHULMAN: Yes Mayor.

MAYOR HEALY: Thank you, Mr. President. I just wanted to take a minute to reference the Hall of Fame Festival activities. I think we had one of the greatest turn outs at fortunately every event that was held, not only in Canton, but Jackson Township, Massillon, everywhere. It was a fabulous event. A great class and a lot of people got recognized. I know there was an editorial in the paper recognizing it. I wanted to take a minute to recognize the city employees. Virtually every employee in every department has to put in a whole lot of extra duty in time and effort and to pull this thing off. From Police and Fire to Street Department to Sanitation. You name it, they're involved. Engineering. There's a tremendous amount of work that has to be done and I have to tell you that I'm awful proud of the work that our employees have done, particularly knowing that they did this with far less employees and more responsibilities than they've ever had. And so I want to compliment them and thank them for the effort they did and make sure that they're being recognized publicly for this event. *(APPLAUSE)*

PRESIDENT SCHULMAN: Thank you Mayor. Although I didn't announce Miscellaneous Business yet but that's alright. Anytime that we can tout the Hall of Fame, doesn't make any difference what it comes under. We're now under Miscellaneous Business. Is there any?

MEMBER WEST: Mr. President.

MINUTES OF THE MEETING AUGUST 23, 2010

PRESIDENT SCHULMAN: Member West.

MEMBER WEST: I'd like to first acknowledge Frank Morris from the Park Board who's here tonight. I want to thank him for taking a trip down Nimisilla Park and seeing some of the whoa's that we have and some of the excitement that goes on down there so I wanted to thank you for that. I also wanted to invite everyone here to the park board, to the playground dedication that's going to be tomorrow at 1:00 at Nimisilla Park. Please all come out to enjoy seeing the disabled park that we put up in Nimisilla Park. Thank you.

PRESIDENT SCHULMAN: Thank you Member West. Member Hawk.

MEMBER HAWK: Mr. President, I wanted to thank our Canton Police officers that did an outstanding job the other evening. I found a three year old boy wondering the streets by himself and received a response from Officer Nordick and Officer Smith. They stayed with us the whole time and helped us find and locate the Mother at their home. I was really impressed by the hard work and dedication they showed in solving the problem. Thank you for helping me get him back safely.

PRESIDENT SCHULMAN: Thank you Member Hawk. Any other Miscellaneous Business.?

MEMBER CIRELLI: Mr. President.

PRESIDENT SCHULMAN: Yes, Member Cirelli.

MEMBER CIRELLI: I have two things. One was yesterday at the, I call it the "Peel" Coleman Center or Southeast Community Center. There was kids that came there for a whole day of fun fair. We passed out 900 book packs and they had stuff in them. I mean they were heavy to take with them and books and what have you. The Mayor's Literacy Committee was there and they had over 900 books and they had a nice variety of books to pass out to the youngsters. I'm afraid we may have probably not had enough book packs, backpacks but I had questioned some of my other Council Members and they were not aware of it. I had saw it in the paper but the same day that I finally got something from a Bethany in the administration that said they were having it. If we could have been informed maybe just a little bit earlier so people could make plans cause it's really something to see those kids coming down there and they had to be with their parents to get this and it's kinda nice to get to know our youth that's going to be looking out after us ahead of time before that happens. So that's just one thing I wanted to mention. It was really a fun filled day down there. The other thing I have and I'm sorry that Mr. Torres had the unfortunate passing of his father, but at our last Council meeting we had an issue on which I voted in the negative and I wanted to thank Mr. Torres for his phone call to me the next day because he told me that I had voted correctly and that he and Tom Burns from the Law Department would be working together to secure the unsecured loan of \$60,000.00+ along with the grant that was given to them of \$19,900.00 that the Mayor had spoken that night, it was an outright grant. And all my fellow colleagues had voted in the affirmative for the Oldtimers organization. Apparently when the original loan was granted Mr. Torres informed me on that, on Tuesday the day after our last Council session that somehow what should have been recorded in the Recorder's office for reason unbeknownst to anyone did not occur and that he and Mr. Burns would see that the new grant and the old loan would be combined to make a secured loan. Which means that the city's CDBG dollars will not be at risk and had this been addresses prior to our last meeting it would have been a more palatable Ordinance. I just wanted to confirm that this was in fact taken care of and I guess it's up to Mr., the Law Director maybe. He may have some input on that to see that this is going to be taken care of.

PRESIDENT SCHULMAN: Thank you Member Cirelli. Anything else. Is there any other Miscellaneous

MINUTES OF THE MEETING AUGUST 23, 2010

Business?

SAFETY DIRECTOR REAM: Mr. President.

PRESIDENT SCHULMAN: Yes, Director Ream.

SAFETY DIRECTOR REAM: I hope that everyone had a chance to review the Communication that myself and Corey Smith sent down reference the recruitment of candidates for our fire exam which is coming up. We have until September 24th to get qualified applicants and in particular, good minority qualified applicants to sign up to take this test. This is a great career opportunity at a time when we know the economy is down and the unemployment is up. So if this Council could help the administration at this time to bring good quality candidates to the table, it would be much appreciated and the city would be well served. Thank you.

PRESIDENT SCHULMAN: Thank you Director. Any other remarks? Leader.

MEMBER DOUGHERTY: Mr. President I'd like to move that we go into Executive Session with all Council Members, the Auditor, Law Director, the administration, Council Clerk and President for the review if you would please Law Director.

LAW DIRECTOR MARTUCCIO: Pending litigation.

MEMBER DOUGHERTY: So moved.

MEMBER PRATER: Seconded.

CLERK TIMBERLAKE: Roll call.

NO REMARKS

ROLL CALL: 12 YEAS, 0 NAYS

CLERK TIMBERLAKE: Twelve yeas.

PRESIDENT SCHULMAN: Leader.

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

MEMBER PRATER: Seconded.

PRESIDENT SCHULMAN: Don't we have to come out of Executive Session or not?

MEMBER PRATER: I second that too.

MEMBER DOUGHERTY: Mr. President, I make a motion to come out of Executive Session.

MEMBER PRATER: Seconded.

PRESIDENT SCHULMAN: It's been moved and seconded to come out of Executive Session. Roll call vote

MINUTES OF THE MEETING AUGUST 23, 2010

please.

NO REMARKS

ROLL CALL: 12 YEAS, 0 NAYS

CLERK TIMBERLAKE: Twelve yeas, Mr. President.

PRESIDENT SCHULMAN: Motion carries. We are now out of Executive Session, Leader.

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

MEMBER PRATER: Seconded.

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

NO REMARKS

ROLL CALL: 12 YEAS, 0 NAYS

CLERK TIMBERLAKE: Meeting adjourned.

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

ADJOURNMENT TIME: 9:01 P.M.

ATTEST:

APPROVED:

CYNTHIA TIMBERLAKE
CLERK OF COUNCIL

ALLEN SCHULMAN
PRESIDENT