

MINUTES OF THE MEETING SEPTEMBER 20, 2010

PRESIDENT SCHULMAN: Good evening ladies and gentlemen and welcome to Canton City Council. With a quorum being present the Chair calls the meeting of the Canton City Council to order. Roll call 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. Tonight our invocation is being given by Ward 1 Council Member Greg Hawk. If you'll all please stand and remain standing for the Pledge of Allegiance.

The regular meeting of Canton City Council was held on September 20, 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 Ward 1 Council Member, Greg Hawk. The Pledge of Allegiance led by President Schulman.

AGENDA CORRECTIONS & CHANGES

PRESIDENT SCHULMAN: Thank you Member Hawk. We're now under Agenda Corrections and Changes and Members of Council you're going to be asked to Suspend Rule 22A to add the Second Reading of Ordinances 7, 8, 9, 10 and 11...I'm sorry 7 and 8. 9, 10 and 11 will be Retained in Committee. Leader Dougherty.

MEMBER DOUGHERTY: Yes, Mr. President, I move Rule 22A to add 2nd Reading Ordinances 7 and 8. Point of Order 9 also was kept, I thought.

CLERK TIMBERLAKE: Judiciary.

MEMBER DOUGHERTY: Judiciary was met on so Member West. A movement on 7, 8 and 9 please.

MEMBER PRATER: Seconded.

MEMBER WEST: Mine is retained.

PRESIDENT SCHULMAN: Nine is retained in committee according to the Chair of the committee. Member West, is that right? So 10 and 11. So 7 and 8 and then 9, 10 and 11 are retained in committee.

MEMBER DOUGHERTY: Yes, Mr. President.

PRESIDENT SCHULMAN: And that's been seconded. Thank you Member Prater. Are there any remarks? Hearing none Madame Clerk, roll call vote please.

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NO REMARKS

ROLL CALL 12 YEAS, 0 NAYS

CLERK TIMBERLAKE: Twelve yeas, Mr. President.

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

PUBLIC HEARINGS

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

OLD BUSINESS

PRESIDENT SCHULMAN: We are now under Old Business and unless the Service Director has anything to add which I believe he does not and the Mayor is with our Vice President, there is no Old Business this evening.

PUBLIC SPEAKS

PRESIDENT SCHULMAN: We're now under Public Speaks and we have four Public Speakers this evening. Our first is Ben Holbert. Mr. Holbert good evening. If you would come forward and give us your name and your residential address, and welcome to Canton City Council.

BEN HOLBERT: Thank you Mr. President, do appreciate it. Good evening Members of Council, Council President, the Mayor and extensha and also the Members of the Administration. My name is Ben Holbert. I am a Senior Partnership Specialist with the UN, United States Census Bureau. The address is 1350 Euclid Avenue, Suite 650 and that's in Cleveland, Ohio. Mr. President I'm here for the purposes of presentation tonight. As Council probably realizes, the decennial census was held on April 1st of 2010 and what we were trying to do with the census is ensure that all citizens in the United States were counted. Specifically here in Stark County and Canton. One of the things that my team, that we were responsible for was to try to encourage participation. We wanted to make sure that people filled out the census forms and sent it back to the US Census and by doing so, they were able to save the government a significant amount of money. So I'm here tonight to state to the Council that Canton did very well. Stark County did very well and the State of Ohio did very well. *(APPLAUSE)* And we also want to thank the citizenry of Canton, so on behalf of the US Census Bureau we would like to provide the Council with a nice plaque of appreciation and this plaque basically states that the community do a great job in making sure that we were counted and I will let, like to let you know as well, that the President of the United States will receive the information of all the people that participated in this census and then it will go to the Governor in April of 2011 and then we'll all know how many people are here in the United States. So we do thank you so much sir.

MEMBER DOUGHERTY: Mr. President.

PRESIDENT SCHULMAN: Yes, Leader Dougherty.

MEMBER DOUGHERTY: Could you present that to Mr. Griffin, please?

PRESIDENT SCHULMAN: Yes.

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MEMBER DOUGHERTY: Member Griffin will you accept that on our behalf here. You had a lot of work with this census. *(APPLAUSE)*

PRESIDENT SCHULMAN: Thank you Mr. Holbert, very much and thank you for your public service. We appreciate all that you and your team has done.

BEN HOLBERT: Thank you so much sir.

PRESIDENT SCHULMAN: Safe trip back.

BEN HOLBERT: Oh, thank you.

PRESIDENT SCHULMAN: And Member Griffin, great job on your behalf. We know how important that is. *(APPLAUSE)* Our next speaker is Monique Conner. And Miss Conner if you'll step forward. I looked at your subject matter and I thought it said "mad money" but it's HUD money. Which may be like mad money. But good evening Miss Conner. If you'll give us your name and your residential address please.

MONIQUE CONNER: I'm Monique Conner. I live at 1022 Struble NE, Canton, Ohio 44705. And what I wanted to kind of briefly talk about cause I got a lot of calls basically from people on, in subsidized housing that wanted to find out exactly what was going on with the HUD money getting sent back and where would that put them. Would they be, have to relocate. Would they be funded for next year and so forth. I was, what I want to know is do our Department heads sign off on anything and how did it come to this point that we missed the deadline and the money got sent back. I mean I don't see too much difference from that action to the Ziegler action. I mean money is money, but we've lost so much money and I did do a little bit of homework cause I wasn't for sure on what all the HUD money funded. I did talk to the Metropolitan and they informed me that FHA block grant money, HOME funds, public housing, Section 8, Metropolitan and different other organizations, you know have a use for the need of that money. And I just want to know if, with all this money that we keep almost losing and losing, we either getting some money stoled, we're almost about to lose this. We barely got the chance to save the money for the water park over in Sherrick. Do we need somebody to micro manage the money? I mean it's unacceptable. We need to know exactly what's going on and the people wants to know. Thank you.

PRESIDENT SCHULMAN: Thank you Miss Conner very much. Our next speaker is Mary Bennett. Miss Bennett. Mary Bennett. Mary Bennett. Not here. Oh, she left. Our next speaker is Minnie Evans. Miss Evans. Good evening. If you'll give us your name and your residential address please.

MINNIE EVANS: Hello my name is Minnie Evans and I live at 1461 9th St NE, Canton, Ohio 44705-1358. Hello. I'm here because of the fact that I live in flood area and my understanding is you're not going to build in that area any more. But the fact that we have so many people in that area stripping houses, the empty houses that are in that area. By the time they get down stripping the houses, you guys tear 'em down. Don't get me wrong, I done called the Police. They don't show up but that's another story. With you tearing the houses down, my problem with that is, you don't cut the grass in my area now. What's going happen after you done made more areas that you're not going to cut the grass. Are you going to allow us to cut the grass and actually give us that property or do we have to buy the property that we have to clean up. Because I'm not going to clean up a property that I'm not going to fence in because the properties that I want they're

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dumping on. So, it's not going to do me any good to clean it up for them to dump on. Because the house, the property behind my barn, you would not believe how many times the city has come over there and cleaned up that house, property. To the point that they have sent me a letter stating that I need to clean up the property. My yard got a fence around it. I don't know what that got to do with me, but you still send me letters. Which I have to come down here and you know, dispute. But I want to know what you're going to do with it. I can't fence in the property that I going, that I'm getting ready to clean up because it's not my property. And I'm not going to clean it up if I can't fence it in. So I mean there are empty houses still up my area that are being stripped daily. I can't tell you what all they're taking. I can tell you right now that there's a house across the street from me that they done took the aluminum door off the doggone hinges and opened up the front door and they been in there every day. But calling the Police is not doing me any good cause no one shows up. So I mean I don't know what else to do. I don't know who else to call, thus here I am again.

PRESIDENT SCHULMAN: Well Miss Evans if you'll stay through the meeting, I don't think it's going to be a particularly long meeting tonight. You can talk to the Mayor and his Administration, they'll be here and they'll try to answer and be responsive to your questions. You've raised some very good questions, some disturbing issues and I know the Mayor and his Administration will do everything they can for you.

MINNIE EVANS: I hope so.

PRESIDENT SCHULMAN: Alrighty, thank you very much.

INFORMAL RESOLUTIONS

PRESIDENT SCHULMAN: We're now under Informal Resolutions. And thank all the speakers by the way. We have no Informal Resolutions this evening.

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 SEPTEMBER 20, 2010.

362. CIVIL SVC COMM ADMINISTRATOR SLIMAN: REQ \$200.00 TRANSFER TO CIVIL SERVICE ACCT FOR TRAVEL TO ATTEND A 1-DAY PILOT WORKSHOP. - FINANCE COMMITTEE
363. FEDORKO, JEFFREY, APPLICANT: APPLICATION TO VACATE A PORTION OF 19TH ST NW FROM FULTON NW TO END OF PROPERTY LINE OF 1829 FULTON DR NW TO BE USED AS ADDT'L PARKING LOT. - PLANNING COMMISSION
364. FINANCE DIRECTOR ALGER: REQ VARIOUS SUPP APPROPS & APPROP TRANSFERS WHICH ARE NECESSARY FOR CITY'S CONTINUING OPERATIONS. - FINANCE COMMITTEE

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365. COMMUNITY DEV DIRECTOR WILLIAMS: ESTABLISH THE FAIR REUSE VALUE OF REAL PROPERTY & AUTHORIZE THE DISPOSITION OF SAID PROPERTY (OLLIE FLOYD - PARCEL 02-13144 ON 3RD ST NE). - COMMUNITY & ECONOMIC DEVELOPMENT COMMITTEE
366. LIQUOR CONTROL DIVISION (OHIO): REQ NEW D2 LIQ PERMIT FOR CANTON WOMANS CLUB INC @ 822 MARKET AVE NORTH. - RECEIVED & FILED
367. MAJORITY LEADER DOUGHERTY, ASST MAJORITY LEADER PRATER & FINANCE CHAIRMAN HAWK: REQ TO MAYOR HEALY FOR THE CURRENT STATUS OF THE 2011 BUDGET. - RECEIVED & FILED
368. PLANNING COMMISSION: RECOMMENDING APPROVAL OF VARIOUS PROPOSED CHANGES TO THE CANTON ZONING ORDINANCE (SIGNAGE). - JUDICIARY COMMITTEE
369. PLANNING COMMISSION: RECOMMENDING APPROVAL OF PROPOSED VACATION OF QUEEN CT NW BETWEEN 12TH ST NW & RICHARD PL NW (WARD 2 - KOSTADINOS FAKELIS). - PUBLIC SAFETY & THOROUGHFARES COMMITTEE
370. PLANNING COMMISSION: RECOMMENDING APPROVAL OF PROPOSED REPLAT OF OUTLOT 889 & LOT 34931 (NEAR THE SW CORNER OF HARMONT AVE NE & 34TH ST NE). - PUBLIC SAFETY & THOROUGHFARES COMMITTEE
371. SAFETY DIRECTOR REAM: REQ TO ENTER INTO PROF SVCS CONTRACT W/OHIO BILLING, INC TO ADMINISTER THE BILLING SVCS FOR AMBULANCE FEES FOR CANTON PARAMEDIC TRANSPORT RUNS FOR CITY. - FINANCE COMMITTEE
372. SERVICE DIRECTOR PRICE: ADVISING THAT THE CITY WILL BE ENTERING INTO A PLA FOR EASTSIDE PARKS TRAIL & BRIDGE PROJECT, GP 1131. - RECEIVED & FILED
373. SERVICE DIRECTOR PRICE: REQ THE FOLLOWING FOR THE EAST SIDE PARKS TRAIL & BRIDGE PROJ, GP 1131: ADVERTISE, REC BIDS, AWARD & EXECUTE CONSTRUCTION CONTRACT FOR CONSTRUCTION OF BRIDGE IN MARTINDALE PARK; MAKE \$109,994.00 APPROP TRANSFER; MAKE \$366,280.00 SUPP APPROP; AUTHORIZE AUDITOR TO DRAW WARRANTS UPON RECEIPT OF VOUCHERS DULY APPROVED BY THE PROPER DEPARTMENT. - PUBLIC PROPERTY CAPITAL IMPROVEMENT COMMITTEE
374. SERVICE DIRECTOR PRICE: AUTHORIZE PREPARATION OF A NEW DRAFT OF THE TREE COMMISSION ORDINANCE THAT WILL ADDRESS FISCAL CONCERNS THAT WERE RAISED IN 2008. - JUDICIARY COMMITTEE
375. SERVICE DIRECTOR PRICE: SUBMITTING LIST OF DELINQUENT WATER & SEWER CHARGES. - ENVIRONMENTAL & PUBLIC UTILITIES COMMITTEE

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PRESIDENT SCHULMAN: 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. Madame Clerk would please read the First Reading Ordinance by title.

NOTE: PRESIDENT SCHULMAN CALLED UPON CLERK TIMBERLAKE TO READ ORDINANCES #1 THROUGH #6 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 ENTER INTO CONTRACT WITH THE DOMESTIC VIOLENCE PROJECT, INC. TO PROVIDE A GRANT IN AN AMOUNT NOT TO EXCEED \$50,000.00 FOR MISCELLANEOUS SHORT-TERM HOUSING SERVICES; AND DECLARING THE SAME TO BE AN EMERGENCY
Referred to Community & Economic Development Committee
- #2. (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 (PHI \$455.46)
Referred to Finance Committee
- #3. (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 (FEDERAL FORFEITURE \$40,125.00)
Referred to Finance Committee
- #4. (1ST RDG) AN ORDINANCE AUTHORIZING THE DIRECTOR OF PUBLIC SERVICE TO SELL A 1989 CHEVROLET SUBURBAN TO CONCERNED CITIZENS OF THE FOURTH WARD FOR THE ESTABLISHED FAIR MARKET VALUE; AND DECLARING THE SAME TO BE AN EMERGENCY
Referred to Finance Committee
- #5. (1ST RDG) AN ORDINANCE AUTHORIZING THE SERVICE DIRECTOR TO ENTER INTO A LOAN WITH THE CANTON NEGRO OLDTIMER'S IN AN AMOUNT NOT TO EXCEED \$61,156.00; AND DECLARING THE SAME TO BE AN EMERGENCY
Referred to Finance Committee
- #6. (1ST RDG) **ADOPTED AS ORDINANCE NO. 178/2010** AN ORDINANCE AUTHORIZING THE MAYOR OR DIRECTOR OF PUBLIC SERVICE TO ENTER INTO AN AMENDED GRANT AGREEMENT AND RECEIVE FUNDS FROM THE DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT IN AN AMOUNT

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NOT TO EXCEED \$35,848.00; AND DECLARING THE SAME TO BE AN EMERGENCY
Referred to Finance Committee

PRESIDENT SCHULMAN: At this time the chair would declare an in house recess for the Finance Committee to meet in regard to Ordinance 6 on your Agenda this evening. You are now in recess. Chairman Hawk.

***(COUNCIL RECESSED AT 7:51 P.M. FOR THE FINANCE COMMITTEE TO DISCUSS
ORDINANCE #6; RECONVENED AT 8:01 PM)***

PRESIDENT SCHULMAN: Council then will now reconvene after its recess. Leader Dougherty.

MEMBER DOUGHERTY: Mr. President, I move we suspend Rule 22A to place Ordinance 6 back on the agenda.

MEMBER PRATER: Seconded.

PRESIDENT SCHULMAN: It's been moved and seconded to suspend Rule 22A to place Ordinance 6 back on this evening's agenda. Are there 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. Ordinance #6 is now a legal part of your agenda. Leader Dougherty.

MEMBER DOUGHERTY: Mr. President, I move we suspend the Statutory Rules on Ordinance 6.

MEMBER PRATER: Seconded.

PRESIDENT SCHULMAN: It's been moved and seconded that you suspend the Statutory Rules on Ordinance 6. Are there any remarks?

MEMBER CIRELLI: Mr. President.

PRESIDENT SCHULMAN: Member Cirelli.

MEMBER CIRELLI: I have a question and I guess I will pose that to Mr. Price.

PRESIDENT SCHULMAN: Member Cirelli, may I just make one point. This is just the Motion to suspend, we're going to be getting into the three readings. I think it's more appropriate at that time. Okay, thank you. Any other remarks on just the Motion to suspend? Hearing none, Madame Clerk roll call vote please.

NO REMARKS

ROLL CALL 12 YEAS, 0 NAYS

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CLERK TIMBERLAKE: Twelve yeas, Mr. President.

PRESIDENT SCHULMAN: Thank you Madame Clerk. And Member Cirelli, the only reason I know it is because I, you know, have it right in front of me here. Otherwise, I would be confused too. The Motion carries, you've heard the three readings, Leader.

MEMBER DOUGHERTY: I move we adopt Ordinance 6.

MEMBER PRATER: Seconded.

PRESIDENT SCHULMAN: It's been moved and seconded that you adopt Ordinance #6. Are there any remarks, Member Cirelli.

MEMBER CIRELLI: Thank you Mr. President. My question I guess I will put to Mr. Price. What if this Honorable Body got a little bit fed up and said we're not...we're going to vote against this, it's going to go back to the Government is it not?

PRESIDENT SCHULMAN: Service Director.

SERVICE DIRECTOR PRICE: Yes, if we don't meet the deadline, I assume it would.

MEMBER CIRELLI: Thank you Mr. Service Director and Mr. President. And I want to thank our Leader, Member Dougherty because too much has been very lax in this Administration. I feel like he does, when something comes on your desk, you move on it immediately. We maybe on summer session but I think the Administration is still supposed to be working full time so that makes it even much more inexcusable that something like this is overlooked. Especially when it falls and piggybacks on what we read in the paper last week, of which none of us are pleased about. And I think people better realize that they need to take their job serious because each and everyone of us can be replaced if we don't because this is taxpayers money and it has to be expedited as quickly as possible. Or else maybe you're in the wrong position. Thank you.

PRESIDENT SCHULMAN: Thank you Member Cirelli. And I just want to make a statement of something you said, you said we were on, you were on summer session but you assumed the Administration is working full time. Let the record reflect that irrespective of whether you're on a summer scheduling recess, Members of Council work all the time. That I do know is what you meant, so. Now, any other 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.

#6 ADOPTED AS ORDINANCE NO. 178/2010

PRESIDENT SCHULMAN: The Motion carries and Ordinance #6 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 please read Ordinance #7.

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NOTE: PRESIDENT SCHULMAN CALLED UPON CLERK TIMBERLAKE TO READ ORDINANCES #7 AND #8 FOR THEIR SECOND TIME BY TITLE AS REQUIRED BY STATE LAW, AS FOLLOWS (O#9, #10, #11 WERE RETAINED IN COMMITTEE):

#7. (2ND RDG) **ADOPTED AS ORDINANCE NO. 179/2010** 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 (\$402,780.70 - COMMUNITY DEVELOPMENT FUND)

PRESIDENT SCHULMAN: Leader Dougherty.

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

MEMBER PRATER: Seconded.

PRESIDENT SCHULMAN: It's been moved and seconded that you're suspending the Statutory Rules for Ordinance #7. 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. The Motion carries and the Statutory Rule is suspended for Ordinance 7. Leader Dougherty, you've heard the three readings.

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. 179/2010

PRESIDENT SCHULMAN: Thank you Madame Clerk, the Motion carries, Ordinance #7 is adopted. Ordinance #8 please.

#8. (2ND RDG) AN ORDINANCE AMENDING APPROPRIATION ORDINANCE NO. 1/2010; AND DECLARING THE SAME TO BE AN EMERGENCY (BOND RETIREMENT FUND - \$5,346.00, POLICE SETTLEMENT FUND - \$1,844,120.00 & GENERAL FUND - \$2,010,000.00)

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- #9. (2ND RDG) **RETAINED IN COMMITTEE** AN ORDINANCE AMENDING SECTION 105.07, GRANT AND LOAN APPLICANT REQUIREMENTS OF THE CODIFIED ORDINANCES OF THE CITY CANTON
- #10. (2ND RDG) **RETAINED IN COMMITTEE** AN ORDINANCE AMENDING APPROPRIATION ORDINANCE NO. 1/2010; AND DECLARING THE SAME TO BE AN EMERGENCY (IAP GRANT FUND - \$50,000.00)
- #11. (2ND RDG) **RETAINED IN COMMITTEE** AN ORDINANCE AUTHORIZING THE DIRECTOR OF PUBLIC SAFETY TO ACCEPT THE FEMA SAFER GRANT IN AN AMOUNT NOT TO EXCEED \$3,440,134.00; AUTHORIZING THE AUDITOR TO ESTABLISH THE 2815 FEMA SAFER GRANT FUND; AND DECLARING THE SAME TO BE AN EMERGENCY

ORDINANCES & FORMAL RESOLUTIONS FOR THIRD AND FINAL READING

PRESIDENT SCHULMAN: We're now under Ordinances and Formal Resolutions for the Third and final Reading and vote. Member Cirelli, see it doesn't make any difference what I have in front of me, I still get confused. Madame Clerk would you please begin with Ordinance 12.

NOTE: PRESIDENT SCHULMAN CALLED UPON CLERK TIMBERLAKE TO READ ORDINANCES #12 THROUGH #16 FOR THEIR THIRD AND FINAL READING BY TITLE AS REQUIRED BY STATE LAW, AS FOLLOWS :

- #12. (3RD RDG) **ADOPTED AS ORDINANCE NO. 180/2010** AN ORDINANCE AUTHORIZING THE MAYOR OR DIRECTOR OF PUBLIC SERVICE TO ACCEPT SUPPLEMENTAL FAIR HOUSING ASSISTANCE FUNDS 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

PRESIDENT SCHULMAN: Leader Dougherty.

MEMBER DOUGHERTY: Mr. President I move we adopt Ordinance 12.

MEMBER PRATER: Seconded.

PRESIDENT SCHULMAN: It's been moved and seconded that you adopt Ordinance 12. Any remarks? Hearing none. Madame Clerk, roll call vote please.

NO REMARKS

ROLL CALL: 12 YEAS, 0 NAYS

CLERK TIMBERLAKE: Twelve yeas, Mr. President.

#12 ADOPTED AS ORDINANCE NO. 180/2010

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

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#13. (3RD RDG) **ADOPTED AS ORDINANCE NO. 181/2010** 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 (CANTON FEDERAL CAMPUS PROJECT FUND \$8,234.59)

PRESIDENT SCHULMAN: Leader.

MEMBER DOUGHERTY: I move we adopt Ordinance 13.

MEMBER PRATER: Seconded.

PRESIDENT SCHULMAN: It's been moved and seconded that you adopt Ordinance #13. 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.

#13 ADOPTED AS ORDINANCE NO. 181/2010

PRESIDENT SCHULMAN: Thank you Madame Clerk, Ordinance 13 is adopted. Ordinance #14 please.

#14. (3RD RDG) **ADOPTED AS ORDINANCE NO. 182/2010** 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

PRESIDENT SCHULMAN: Leader Dougherty.

MEMBER DOUGHERTY: Mr. President I move we adopt Ordinance 14.

MEMBER PRATER: Seconded.

PRESIDENT SCHULMAN: It's been moved and seconded that you adopt Ordinance 14. Are there 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. 182/2010

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

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- #15. (3RD RDG) **ADOPTED AS ORDINANCE NO. 183/2010** 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)

PRESIDENT SCHULMAN: Leader Dougherty.

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

MEMBER PRATER: Seconded.

PRESIDENT SCHULMAN: It's been moved and seconded that you adopt Ordinance 15. 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.

#15 ADOPTED AS ORDINANCE NO. 183/2010

PRESIDENT SCHULMAN: The Motion carries Ordinance 15 is adopted. Ordinance 16 please.

- #16. (3RD RDG) **ADOPTED AS ORDINANCE NO. 184/2010** 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

PRESIDENT SCHULMAN: Leader Dougherty.

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

MEMBER PRATER: Seconded.

PRESIDENT SCHULMAN: It's been moved and seconded that you adopt Ordinance 16. Any remarks under 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. 184/2010

PRESIDENT SCHULMAN: The Motion carries, Ordinance 16 is adopted.

ANNOUNCEMENT OF COMMITTEE MEETINGS

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

MEMBER HAWK: Mr. President.

PRESIDENT SCHULMAN: Member Hawk.

MEMBER HAWK: Finance Committee will meet Monday, September 27th at 6:30 PM right here in Council Chambers.

PRESIDENT SCHULMAN: Thank you sir.

MEMBER SMUCKLER: Mr. President.

PRESIDENT SCHULMAN: Member Smuckler.

MEMBER SMUCKLER: Community Development, same time, same place.

PRESIDENT SCHULMAN: Member West.

MEMBER WEST: Mr. President, Judiciary will meet at the same time, same place on that Ordinance #9.

PRESIDENT SCHULMAN: Thank you. Any other announcements?

MISCELLANEOUS BUSINESS

PRESIDENT SCHULMAN: We're now under Miscellaneous Business. Obviously, to begin with, we want to congratulate and thank for his hard work and incredible dedication Leader Dougherty for the tremendous Feed the Needy, which one of these days we'll not have to do but congratulations again Leader, you did a superb job and thanks to all Members of Council. Great job. *(Applause)* Leader, do you want to say some...say a few words about that?

MEMBER DOUGHERTY: Yeah Mr. President. Thank you, I just wanted to thank everybody for their efforts, all my peers here that helped out. If you haven't given your money yet, you will. *(Laughter)* Because....yeah, I know, I had you on my radar. But I really want to thank you for your help, the staff was great, Patty, thanks for your son coming down and helping us out. You know, a special thanks....and I don't like doing this but I do like doing it...but I know I'll forget somebody and I don't want to make anybody angry, if I do forget somebody, I'm sorry. But, Allen, I do appreciate what you did, you always are very supportive. Bill, you gave a little extra for us in all your donations from your business. Greg, thanks for letting us use your building. Mary, thank you for helping out down there and supplying the extra dessert for everybody, all 400 people. Jim Griffin, right there for us in the morning and doing all of that, I really appreciate that. And Chris Smith, I know you're busy doing hair every Saturday but you shot down there and helped us clean up, so thank you very much. And of course Brian and Pat and Brian's family was down with the kids and they only cried maybe twice I think *(laughter)*...Pat, thank you, I appreciate it your son had a good time. A special thanks to Joe Cole, he made the mistake and asked me, "Just tell me what to do." *(Laughter)* And he's learned that he will not say that anymore because he did an awful lot. I had him going in about 3 or 4 different directions at once. So, I appreciate your effort. Fonda, thanks for coming down, appreciate your help. Cindy's clan, the cooks, Uncle Ronnie, Squeak, Marsha, Karen, Dawn and Chris and

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Abby, thank you very much. Chip Conde came down and helped out. Gary Young came down, first thing in the morning, first face I see is Gary Young, "What do you want me to do?" And he's out there setting everything up. R.A., thank you for your extra donations, as you do every year, I appreciate it very much. Derek Gordon, thanks for coming and help set up, I know you had a busy day. Mayor, I want to thank you for your donation and showing up to the function. We had Linda McBride there from the City, AnnMarie from the City, Wendell from Building Maintenance was a great help, just a great guy. Jim Adams stopped down for the whole event, worked very hard, that Department gave 500 lbs of canned goods and food for our 100 bags that we put together plus \$150.00. So, that was great. Without their help, I don't know where we would be. So that's great. We keep growing, we had the W.O.W. van there from Aultman Hospital. Walmart was there giving eye exams and the Health Department had a booth and that was great. Buckeye Community Health was there, they donated \$500.00 plus they had a booth to help out. People don't have, just to give you an idea, and I really haven't done this before but, just to give you an idea of people that have given donations or discounts on things so we can make this happen, Pro Football Hall of Fame, Stark County Prosecutor's Office, Frank's Produce, Sugardale, Fishers, MaryAnn Donuts, Gabe's Deli, Superior Dairy, Sherrie Sweets, Cake Box Bakery, Chips Enterprise, Schwebels, Aultman Hospital, we had a dental office give us items, McDonalds on Tusc, Arcadia, Arrowhead Orchard, Wonder Bakery, Sand Rock, WalMart gift certificates, Sam's Club gift certificates, BJ's, Giant Eagles, Miller and Company, Canton Chair and Rental, First Ladies Library, McKinley Grand, all that so we could feed 400 plus people. We had 100 kids bags that we gave out, 100 grocery bags, 400 hamburgers and 550 hotdogs in two hours. So, it was a great job. Appreciate your help, couldn't have done it without you. Thank you. (*Applause*)

PRESIDENT SCHULMAN: Thank you Leader for your incredible dedication. R.A....I'm sorry, Mr. Auditor. R.A., I probably shouldn't be that informal.

RICHARD MALLONN: I was unable to attend this year because of a prior commitment but I think Dave Dougherty should receive a big applause because he is instrument of this and has done this for many, many years. Dave, you do an outstanding job of putting everything together (*inaudible*)....family and a ton of other people make this possible. From the bottom of my heart and I'm sure from the community, for those people less fortunate, I'm sure that they certainly appreciate it. And I'd like to thank you (*inaudible*).

(*APPLAUSE*)

PRESIDENT SCHULMAN: I must have missed something, I thought we had already just applauded you like five times. Any other Miscellaneous Business?

MEMBER SMITH: Yes, Mr. President.

PRESIDENT SCHULMAN: Member Smith.

MEMBER SMITH: Yes, once again I'd like to invite you all down to Sherrick Road and Cherry Avenue SE on Sunday at 3:00. We're going to dedicate Sherrick Road and I would love to have everybody to dance down Sherrick Road, Mary gonna leave lead the dance off and we want you all to come and be a part of it. We're going to end up at the Southeast Community Center where there will be refreshments. Thank you so very much.

PRESIDENT SCHULMAN: Thank you Member Smith.

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MEMBER SMITH: The time is 3:00, I'm sorry. The stage and time is at 2. The parade will start at 3.

PRESIDENT SCHULMAN: Member West.

MEMBER WEST: Yes, Mr. President, I just wanted to let Councilman and everyone know that today started the tear down of McDonalds and I believe by the end of the week it will be down. So, you may want to take your last minute and looks at the old McDonalds. Some of you guys probably worked there when they...when it came to Cherry. So, go by and pay your respects because it's down this week.

PRESIDENT SCHULMAN: Great. Member Cirelli.

MEMBER CIRELLI: Thank you Mr. Chairman. I guess I'll direct my questions to the Mayor on the HUD funding, as the young lady got up asked that question. And when I heard all the issues that we were having tonight about the vote on...there was no vote on 12 but there certainly was a lot of conversation on the issue of the money on 6 for...it was an emergency. Now 12 was to...for 4 people to attend an annual policy for Fair Housing Funds, do you suppose they'll give them a course on what mandatory means and also what deadlines are? And I would hope that's going to be a...first, you know, on their priority list. But I have here the article and the Development Director's quote "We're obviously concerned about that and it's the reason why we were tak....we've taken action to review the process and ensure that, that doesn't happen again." Well, on here, and I can appreciate that, you said....it says Williams, but we know that's Fonda but Fonda wasn't there when this occurred because he was not hired in. And Mr. Price, Chief of Staff for the Mayor, will be reviewing why the March 31st deadline was missed. I think we saw a little bit of why that deadline was missed tonight on the other. Did it come in and lay on somebody's desk? Maybe Mr. Price could answer this, I don't know. But as long as I've been in Council, I've never seen this occur and this is money that we very much need, a half a million dollars. We need some explanation and I don't want to have to read it in the newspaper. And I might add that at times I've had very little response in trying to get a hold of the Economic and Community Development Director never returning my calls. I have some real concerns over that. So if you will see that, that is handled accordingly. I must applaud Miss Smith, she does, you know see that I get the information I want and what have you. But my other calls seem to fall on deaf ears. But Mr. Price, maybe you can give us some direction as to how this occurred because we have a general public out there that we have to be held accountable for. And they're kind of upset by this, there's a lot of people that needs this and what do we tell them.

PRESIDENT SCHULMAN: Director.

SERVICE DIRECTOR PRICE: Mr. President, thank you. You'll get an explanation as I promised the three Members of Council that I spoke to more then a month ago when I became aware of this issue. We were in the (*inaudible*) of investigation when it was leaked to the Canton Repository by someone, there were, I don't know, 4 or 5 people that knew about it. Since that happened, I no longer feel that I'm going to necessarily get candor out of staff and multiple personnel that are involved because it involves personnel. I'm not going to discuss that publically or who. I will do that in Executive Session as to the specific persons involved. At this point, I think it would be best taken out of the chain of command and so we have asked HUD consultants who are on staff with us and who have been 100% objective to look into this matter and to report back to us on exactly what happened. The individuals that I spoke with on the Council, I assured, and for the last 2 years I think that, I hope anyway that I have earned your trust and respect. I promised these individuals that I would report back and that this would see the light of day because there's nobody more concerned then myself and I'm sure as you all are in this community and the Mayor who authorized me to conduct this

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investigation when a half million dollars in HUD funds were...that were....that...those...were...were...those are funds we're not going to receive for this year. Now, for those of you who have been on this Council for sometime, I will say this and this...when we're finished and when I've got the information, like I said, it's all going to see the light of day. I'm not going to hide anything from you but this money we lost...or that we've lost, those were 2006 dollars. We received those monies in 2006, since we've gotten here we've been spending 2003, 2004 and 2005 HUD dollars. I'm going to tell you something, we've...the City has been skating on the edge of missing these deadlines for years. We did miss one and I'm going to tell you why and you'll ultimately know who but I have to respect at this point that there are personnel issues involved and I'm going to have to probably share those with you when I do get this in Executive Session. I...since the last time I spoke to a couple key Members of Council, I do have more information. I think I have a better understanding of what happened but I don't think...there's not much more I can say or much more assurance I can give you then to tell you all here in this room, in public in front of the media, in front of the people of the City of Canton that I'm going to tell you what happened. Thank you.

PRESIDENT SCHULMAN: Member Cirelli.

MEMBER CIRELLI: Mr. President. Thank you Service Director Price for what you're going to do. I might ask you sir. Excuse me, and obviously I wasn't one of them or I wouldn't have been asking you tonight. When I say that, I'm one of the people of Council that you had said you had spoke with. But will there be, if the peoples, and I'm going to say peoples, plural because we don't know...that are responsible. This will go against them and something will be put into their file will it not be sir?

PRESIDENT SCHULMAN: Director.

SERVICE DIRECTOR PRICE: Council Woman I'm not trying to be evasive...I just...I'm not comfortable commenting on...on that at this time.

MEMBER CIRELLI: Okay, thank you. I'm just thinking Mr. President, I worked in a hospital and by gosh if I did something that required me to be disciplined and I was responsible for, I'm sure they would of held me accountable for it in my personnel record. And so, I just think we...people are always hearing people saying that Government needs to run more like a business. Well in the business workforce and I see Mr. Price is shaking his head, he knows darn well how business functions. And when you have to go in that direction, I just want to make sure that the right things are done for this community so this doesn't occur again. Thank you.

PRESIDENT SCHULMAN: Director.

SERVICE DIRECTOR PRICE: Mr. President. In terms of accountability ladies and gentlemen, whoever was responsible at whatever level, you of course know that I am the Mayor's Chief of Staff. So, somebody will be held accountable and there's a place that the buck stops and it's pretty close to my office. Thank you.

PRESIDENT SCHULMAN: I...I'm going to just say one thing following up on what the Director said. And I don't know the ins and outs and I'm sort of like Member Cirelli and I don't know how many Members of Council knew about this before it was published in the newspaper. I don't care whether it was leaked or published...leaked and published, I think those types of things, we ought to know about and we ought to know about it publically. I don't like reading in the paper, I don't know when it was, was it Saturday, I don't like opening the paper on Saturday and seeing that the City missed out on something along the lines of a

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million dollars of money that this City desperately needs. And with all due respect and you know I think the world of the Chief of Staff and Service Director Price, but I don't like the idea that just a few Members of Council knew about this. I think the public should know about it when it happens and I think the Members, all the Members of Council should know about it and I'm not sure....I guess my question is Warren, I'm not sure this idea that you can't get answers if it's public. I would think that, that has nothing to do with it. And we have a right to know, and I frankly was very upset and disappointed that reading in the newspaper before hearing if from the Administration. So.....

MEMBER WEST: Mr. President.

PRESIDENT SCHULMAN: Director.

SERVICE DIRECTOR PRICE: Mr. President, my own experience is that if...you've got folks who are aware that it's hitting the fan that the tendency is going to be that if something was done negligent or something was missed or somebody did something wrong that they're going to be more inclined to...there's a greater possibility that somebody would try to...to hide that. I notified, along with Mr. Williams, Council Leadership and we...at the time I notified the Leadership this...we had not lost....we had not received official notice that we had lost the fund. You know, I...like I said, handled this in the most prudent way I thought possible to get the best result and to get the best information.

MEMBER WEST: Mr. President.

PRESIDENT SCHULMAN: I still...I still think, with all due respect to you, I still think the best way is to publically say it. I mean if you just put it out there and it's done and you've let the chips fall where they may but I think we deserve to know. I feel like I deserve to know and I don't know about other Members of Council and I'm not criticizing Leadership either but I do think we have a right to know. Member West.

MEMBER WEST: Mr. President, does this...you said this is 2006 does this cross several Councils and several Administrations and would those people still be here?

PRESIDENT SCHULMAN: Director.

SERVICE DIRECTOR PRICE: When we received HOME dollars, we have two years to...we have two years to obligate those funds and five years to spend those. Yeah so these are 2008 dollars that...they're actually 2008 dollars that were obligated in 2010. So, we would have received these funds, well we would have received notification that we were entitled to these funds in August of 2008. But yes, we have been...when this Administration took office, I wasn't here for that either but when this Administration took office, we were under the gun to spend 2003 dollars. So, there has been a pattern, just so you all know because you've all been here a lot longer then I have. There has been a pattern of this City of waiting until the very last second to spend these HOME dollars and there are a number of reasons for that and I will share those in my report. Thank you.

PRESIDENT SCHULMAN: Thank you Director. Any other Miscellaneous Business? Member West, anything else? Anything else, Leader.

MEMBER DOUGHERTY: I move we adjourn.

MEMBER PRATER: Seconded.

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

CLERK TIMBERLAKE: I'd like some dessert.

NO REMARKS

ROLL CALL: 12 YEAS, 0 NAYS

CLERK TIMBERLAKE: Twelve yeas Mr. President.

PRESIDENT SCHULMAN: *(Gavel falls)*

ADJOURNMENT TIME: 8:32 P.M.

ATTEST:

APPROVED:

CYNTHIA TIMBERLAKE
CLERK OF COUNCIL

ALLEN SCHULMAN
PRESIDENT