

MINUTES OF THE MEETING FEBRUARY 27, 2012

PRESIDENT SCHULMAN: Good evening ladies and gentlemen. Welcome to Canton City Council. Before we begin the meeting I want to recognize in the audience tonight, Troop 127, Troop 127 from Holy Trinity Lutheran Church on 55th and Middlebranch. Welcome. If you'll all stand up. (*APPLAUSE*) Welcome. It's good to have you here and the Scouts are getting their Communications Merit Badge and we have about 600 speakers tonight so you'll get a great deal of communications about all sorts of things, but I understand you're going to leave around 8:30 and don't feel uncomfortable getting up and leaving and that goes for anyone in the audience who wishes to do that. All we ask is that you leave somewhat quietly. On a more somber note, once again in the United States we suffered a tragedy today in northeastern Ohio, the state of Ohio, in our nation another shooting at a high school. Obviously our heartfelt thoughts and prayers go out to the family and the families affected and the community of Chardon. It's sad commentary on where we are that children have access to weapons and furthermore take them to school and kill their classmates. But never the less if we can have a moment of silence for the families affected and our thoughts and prayers go out to them and additionally to the community of Chardon.

(MOMENT OF SILENCE OBSERVED)

PRESIDENT SCHULMAN: Thank you very much. With a quorum being present, the Chair does call this meeting of Canton City Council to order. Roll call vote please Madame Clerk.

ROLL CALL TAKEN BY CLERK TIMBERLAKE:

12 COUNCIL MEMBERS PRESENT: (DAVID DOUGHERTY, PATRICK BARTON, JAMES BABCOCK, MARY CIRELLI, JOE COLE, GREG HAWK, THOMAS WEST, JAMES GRIFFIN, CHRIS SMITH, KEVIN FISHER, EDMOND MACK & FRANK MORRIS)

TWELVE COUNCIL MEMBERS PRESENT.

CLERK TIMBERLAKE: All present Mr. President.

PRESIDENT SCHULMAN: Thank you Madame Clerk and as all of you can see, we have a new computer program here that our Clerk's are very excited about tonight. In any case tonight we'll have our invocation given by my friend and Ward 1 Council Member, Greg Hawk. Will you all please stand and remain standing for our Pledge of Allegiance.

The regular meeting of Canton City Council was held on February 27, 2012 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 Allen Schulman.

AGENDA CORRECTIONS & CHANGES

PRESIDENT SCHULMAN: We're now under Agenda Corrections and Changes. Leader.

MEMBER DOUGHERTY: Mr. President I move we suspend Rule 22A to add 2nd Reading Ordinances 1 through 4.

MEMBER BARTON: Seconded.

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PRESIDENT SCHULMAN: It's been moved and seconded to Suspend Rule 22A. Is there any, 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: Thank you Madame Clerk, the motion carries and Rule 22A is suspended and the Ordinances 1 through 4 are a legal part of your agenda.

PUBLIC HEARINGS

PRESIDENT SCHULMAN: We're now under Public Hearings. We have three of them tonight and it figures, I'm getting over a cold but I'll try to read them. The first one is scheduled for **7:30** and it's AN ORDINANCE AMENDING ORDINANCE NO. 55/77, AS AMENDED, KNOWN AS THE CITY OF CANTON ZONING ORDINANCE; AND DECLARING THE SAME TO BE AN EMERGENCY; FOR DR. DOMINGO @ 3120 PARKWAY AVENUE NW FROM PB-1 (PLANNED OFFICE DISTRICT) TO PB-3 (PLANNED GENERAL BUSINESS). THE PLANNING COMMISSION HAS RECOMMENDED APPROVAL OF THE SAME IN WARD 1. Is there anyone in the audience wishing to speak for or against this Zone Change, will you please come forward. I see one person coming forward. If you'll step forward ma'am, good evening. If you'll give us your name and your residential address please and welcome to Canton City Council.

KAREN MONAHAN: My name is Karen Monahan. My address is 718 Bachtel in North Canton. I am their Practice Administrator for Dr. Domingo.

PRESIDENT SCHULMAN: Welcome.

KAREN MONAHAN: Thank you. I just wanted to say, we have put an extensive amount of work, time, effort, talent into our Parkway complex. Dr. Domingo's vision is to provide a lot of outreach for the citizen's of Canton. There's a community room there that he is going to be allowing other people to come in and speak on behalf of diabetes teaching, anything that anyone in Canton could benefit from and part of the reason for the zoning is to be able to allow the citizens to read about these things on our sign. And so that's why we have come forward. We're allowing these different types of agencies to use this room and be able to use this sign to alert the people when they're going to occur, times, dates, and so forth.

PRESIDENT SCHULMAN: Great, thank you very much, appreciate it. Is there anyone else in the audience wishing to speak for or against this Zone Change. I see no one stepping forward. The matter now rests in the hands of City Council and the Ordinance will follow later this evening. The next Public Hearing is AN ORDINANCE AMENDING ORDINANCE NO. 55/77, AS AMENDED, KNOWN AS THE CITY OF CANTON ZONING ORDINANCE; AND DECLARING THE SAME TO BE AN EMERGENCY; FOR SCHOOLHOUSE FINANCE LLC @ 1500 & 1530 SUPERIOR AVENUE NE FROM R-1A (SINGLE FAMILY RESIDENTIAL) TO PCS (PLANNED COMMUNITY SERVICE). THE PLANNING COMMISSION HAS SIMILARLY RECOMMENDED APPROVAL OF SAME IN WARD 6. Is there anyone in the audience wishing to speak for or against this Zone Change. Will you please step forward. And I have to repeat it, I apologize. Is there anyone in the audience wishing to speak for or against this Zone

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Change. Seeing no one step forth, the Chair declares the public hearing over in regard to this particular matter and the matter now rests in the hands of Council and as I indicated, the Ordinance will follow later this evening. The last Public Hearing is AN ORDINANCE AMENDING ORDINANCE NO. 55/77, AS AMENDED, KNOWN AS THE CITY OF CANTON ZONING ORDINANCE; AND DECLARING THE SAME TO BE AN EMERGENCY; FOR LEHMAN @ 1120 15TH STREET NW FROM R-1A (SINGLE FAMILY RESIDENTIAL) TO PCS (PLANNED COMMUNITY SERVICE). THE PLANNING COMMISSION HAS RECOMMENDED APPROVAL OF SAME IN WARD 1. Is there anyone in the audience wishing to speak for or against this Zone Change. Will you please step forward. I do see a gentleman. If you'll step forward sir and give us your name and your residential address please. Welcome to City Council. Good evening.

MICHAEL SWINTOSKY: Thank you. Thank you. My name is Michael Swintosky. I'm at 1106 18th Street NW and I'm actually....

PRESIDENT SCHULMAN: Mr. Swintosky could you pull that down, we're getting a little feedback. There you go.

MICHAEL SWINTOSKY: Is that better?

PRESIDENT SCHULMAN: That's great. Thank you very much.

MICHAEL SWINTOSKY: And technically I'm not speaking either in favor or against the proposed Ordinance but rather expressing exasperation at the lack of publicly available information to judge the quality and veracity of the project that's been stated. We are very much, our group is very much in favor of the stated purpose of the project but we're basically being asked to walk in faith, to trust that it's going to be everything that it's stated to be. I'm not a business man so maybe business is normally carried out in this kind of secrecy but, when you're having a zoning change that could potentially....*(Background vibration)*

PRESIDENT SCHULMAN: Sorry about the microphone.

MICHAEL SWINTOSKY: When you're having a zoning change that could allow any number of other things coming into the neighborhood in addition to the project that is, that it's all about, you know we'd like to be able to judge for ourselves that the funding is there for the project to be carried out as stated and that it's likely to be carried on and come through with all the positive results that are expected and... *(microphone noise continues)*.

PRESIDENT SCHULMAN: Again I apologize. Would you bend the microphone all the way down. *(Adjustment made)* There you go. There you go. I think that'll help. I'm sorry. It's physics, I don't know, it has something to do with electrons.

MICHAEL SWINTOSKY: That said, I can relate to that, anyway. That said, we've heard from sources outside the project that are quite supportive of the project and so we've gotten some outside warm fuzzies but as far as the openness of the project itself as far as real information to go on, I could write something on a piece of paper tonight and hand it in and it would be about that substantial, what we had to work with. So, it's exasperation is all I'm complaining about tonight.

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PRESIDENT SCHULMAN: OK.

MICHAEL SWINTOSKY: We are very hopeful that the project will go forward with it's stated purposes and have all the benefits to the community that they're suggesting. So...

PRESIDENT SCHULMAN: Very good.

MICHAEL SWINTOSKY: Just wanted to make that statement.

PRESIDENT SCHULMAN: Thank you very much sir. (*APPLAUSE*) Yes sir, good evening. If you'll step forward and give us your name and your residential address please and welcome to Canton City Council.

PHILLIP SHULTZ: Thank you. My name is Phillip Schultz and I live at 906 Essig Court NW. I'm here to voice support for Dr. Hensley and the organization he represents. The free clinic proposed for the Lehman School building. Mr. President, Honorable Mayor Healy, Council Members and neighbors. I grew up in this area. I attended Summit School, I went to Lehman School. These were family oriented neighborhoods where people helped each other and cared about each other. After being away for many years, I was surprised to find this neighborhood. I love my hometown. I have many good memories here. One symbol of these memories is the Lehman High School building and after hearing of the project to turn this abandoned building into use as a free medical clinic, I was amazed and I did some research. In the last two weeks, I have been able to find who is behind all this organization. I spoke to Rick Stewart who represents persons motivated to undertake this project and he spoke of their long term plans to expand even further the services to the community. My hope is that this project comes to fruition. I've heard many rumors and concerns from neighbors. I've also heard of Dr. Hensley's efforts to educate us about their plans. If a simple zoning variance is necessary for work to begin, I ask that my duly and collected representatives act with diligence and do speed. Support this program. As a long term resident and volunteer I actually care about the health of my community. Please help my friends in need. Thank you.

PRESIDENT SCHULMAN: Thank you very much sir. (*APPLAUSE*) Is there anyone else in the audience wishing to speak for or against this Zone Change. I see one stepping forward. If you'll give us your name and your residential address please.

CINDY HALL: Good evening. My name is Cindy Hall. I live at 1018 14th Street NW which is directly across the street from the old school and I as well graduated from Lehman in 1974 so I am an alumni. I'm here speaking tonight not against the proposed project at Lehman but for the area surrounding the property where I live. My concern is about stabilization, home ownership and conscience citizens. The area surrounding the school has lost many long time residents. I do not want this trend to continue. I hope this project will provide a new base for more stability surrounding the school. I ask for assurance. Last summer living around Lehman was like living on the edge of anarchy. With the school occupied, I hope we will not have to re-live the same situation over again. I would like to see the building bring an opportunity for positive community involvement. I urge Council to monitor the project closely so it's success can be renewed, can be a renewed start for success in a once thriving neighborhood. Thank you.

PRESIDENT SCHULMAN: Thank you very much. (*APPLAUSE*) Is there anyone else in the audience

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wishing to speak for or against this particular Zone Change. I see no one stepping forward. The Chair therefore declares this hearing over in regard to this Ordinance and the matter now again rests in the hands of Council. The Ordinance will follow later this evening.

OLD BUSINESS

PRESIDENT SCHULMAN: We are now under Old Business and I will turn this part of our agenda over to the Mayor's Chief of Staff, Warren Price. Chief.

SERVICE DIRECTOR PRICE: Thank you Mr. President. I really didn't have any follow up on anything specific.

PRESIDENT SCHULMAN: OK, great. Thank you.

PUBLIC SPEAKS

PRESIDENT SCHULMAN: We're now under Public Speaks and as I indicated to the Scouts tonight we have nineteen speakers. I know that a number of them relate to animal control and feral cats and I just want for people who have not attended City Council in the past, I am going to hold, as per our Rules, each speaker to three minutes. Obviously if you can express your point, we want to hear it, in less than three minutes, that would be appreciated too. And similarly if you, if you would not repeat what you've heard before, we would appreciate that too. I know on this issue of animal control and the feral cat issue, we have heard loud and clear, members of our community who have positions on both sides of the issue. So with that I'll begin with Toby Franks. Mr. Franks if you'll step forward and give us your name and your residential address and welcome to the Canton City Council.

TOBY FRANKS: Thank you President Schulman. Toby Frank, 401 Ohio Blvd., Louisville 44641. I want to just say that just because I live in Louisville, I was a Canton resident for 20 years and part of that time I lived in Canton I actually lived in Section 8 housing so, kind of the accusations that while we're all a bunch of outsiders, that's inaccurate. Actually most of my animal rescue efforts are concentrated in the city of Canton at great expense to myself. I just want to talk a little bit about what we have planned for the coming weeks with AlleyCat Allies and just to reiterate the primary objectives. The primary objective of AlleyCat Allies is to help the city of Canton transition from the current lethal, non-effective and expensive and very unpopular animal control program by offering a well managed, non-lethal community based, trap-neuter-return based alternative that will prevent cats and kittens, domestic and feral from being trapped and destroyed. AlleyCat Allies as you know is flying in to Canton the second week of March. During that week, we've got a pretty full itinerary. We'll be touring a couple of facilities. We're going to be going out into some neighborhoods and talking to people but the focus of that visit is going to be a town hall meeting on March 14th at the Stark County District Library. You've all been invited to that personally by myself and to discuss not only our objectives but your objectives as well. All individuals, groups, residents, city officials are all encouraged to attend this town hall meeting to hear our suggestions and ideas but also to offer your own as well. I'm happy to announce that we have on board with us for this program, One of a Kind pet spay and neuter clinic and also Sandra's Wildlife Rehabilitation Center. Both organizations have a great track record and they've offered to, offered their resources to the city of Canton. One of a Kind Pet will be the spay, neuter hub and is offering Canton a drastically reduced rate for spays and neuters, far less than what the city's currently paying to destroy cats and Sandra's Center is offering their resources to the city of Canton as well to handle some wildlife issues

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or to at least educate the public on that. During that week we'll also be recruiting volunteers, creating teams, an administration team, resolution team, neighborhood dispute resolution type team, obviously a trap, neuter, return team to trap and transport cats to the clinic. All of this will be to help the city of Canton and not to take control away from the city of Canton but just to assist you. Also a financial team that will review and track costs associated with the program which by the way, AlleyCat Allies is doing a cost analysis as we speak and they will be comparing side by side the current Canton Animal Control program and the proposed program.

PRESIDENT SCHULMAN: You have about 10 seconds.

TOBY FRANKS: Thank you. Our goal is to establish this operation in order to save the lives of cats and kittens, to save taxpayer money and empower residents to solve their own community animal related issues and offer non-lethal alternatives and assistance to the city's animal control program. Thank you.

PRESIDENT SCHULMAN: Thank you Mr. Franks very much. *(APPLAUSE)* Our next speaker is Jill Kirsch. Miss Kirsch, good evening. If you'll give us your name and your residential address please. Welcome to Canton City Council.

JILL KIRSCH: Jill Kirsch. 948 Pontius NW, Hartville, Ohio. The position of Animal Control was created to deal with nuisance animals. Just what constitutes a nuisance? Mr. West recently contacted Mr. Sedlacko after he arrived home after a Council meeting to find two racoons in his yard. Phil rushed to his aid even though the racoons were not creating a problem, they were merely there late at night now their dead. I'm curious to know how many unwarranted calls are from repeat complainants like Mr. West and several past public speakers and what advise, if any is offered to discourage the animals in the first place. Avoiding conflicts between people and the wildlife would save a lot of time, money and lives. The issue of public safety regarding feral cats has been brought up and I would like to address the misconceptions associated with that. Mr. Toby Franks and I handle cats on a daily basis and we have yet to contract any disease through our interaction. Mr. Sedlacko handled 399 feral cats last year and I do not recall him taking any sick leave due to any illness due to them. The most common diseases people think are an issue with feral cats are toxoplasmosis, a parasitic infection caused by ingesting infected feces. The majority of cases of toxoplasmosis come from eating contaminated meat although not one case was reported in Stark County. Bartinaolosis is otherwise known as Cat Scratch Fever but is not only transmitted by cats but other animals as well. The Center for Disease Control estimated 2.5 cases per 100,000 people per year and not one case was reported in Stark County. The issue of rabies is a mute point with a trap, neuter, return program as all of the cats are vaccinated when spayed and neutered. In Ohio in 2011, there was one reported case and that was from a bat with a B not a C. Giardia is another disease spread through fecal matter. In 2011 the city of Canton reported 13 cases of Giardia. In the same year, 716 cases of chlamydia and 366 cases of gonorrhea were also reported. Clearly the emphasis of public safety is being concentrated in the wrong area.
(APPLAUSE)

PRESIDENT SCHULMAN: You have about 20 seconds.

JILL KIRSCH: A trap, neuter, return program reduces the number of cats therefore reducing the risk of encounters with people. Thank you.

PRESIDENT SCHULMAN: Thank you very much. *(APPLAUSE)* Our next speaker is Steve Silver. Mr. Silver if you'll step forward and give us your name and your residential address please.

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STEVE SILVER: Good evening. My name's Steve Silver. I live at 2007 Kirk Court NW in Canton. There have been some misconceptions that I've been hearing with some of the animal advocates speaking with Council Members that everyone speaking for the animals as an outsider. This is the third meeting I've spoken at and allow me to tell everyone here I've lived in Canton over 40 years of my life, excuse me, except for two years that I spent in the United States Army. I live here now. I work here including in this building. I serve and protect the citizens of this county for 27 years now. I believe it is a grave mistake for City Council to take the actions that they have taken with the Animal Control Officer that they have and exterminating animals and I don't just mean feral cats, I mean all of the other animals that are killed with whatever Mr. Sedlacko does with them. Extermination is not the answer. I advocate trap, neuter, return. I believe in that program. I believe that there are other options available. Yes cats, other animals may be a nuisance. They may be digging up your flowers, excuse me, we're talking about a life compared to some flowers. I see that all the time. All I'm asking Council to do is find another option other than extermination of animals, which brings me to the point of Mr. Sedlacko. I have been quiet about Mr. Sedlacko up to this point. Allow me to speak my piece on Mr. Sedlacko. I do not know the man however, from my job I have had the opportunity to observe Mr. Sedlacko in his job with the Dog Warden's office. Out of my 27 years on the department, and no I'm not by any means an expert on the Dog Warden's office but I have seen them as well as the Humane Society when I have had to occasion to call them. I will tell you here and now that the only person I have ever made a personal complaint on by writing a letter to the Stark County Commissioners was Mr. Phillip Sedlacko for his treatment of the animals at a call that I called him to. I would ask Council to re-think Mr. Sedlacko's contract as well as again, another policy that does not exterminate animals. And I know what I'm talking about extermination, alright. I come from a race of people where more than half of my, half the worlds population of my people were killed because we are what we are. I will never ever, ever take a stand for extermination. I will take a stand against it. Thank you.

PRESIDENT SCHULMAN: Thank you. (*APPLAUSE*) Our next speaker is Karen Kirsch. Miss Kirsch, good evening. If you'll give us your name and your residential address please.

KAREN KIRSCH: Karen Kirsch. 9994 Byers Road, Louisville, Ohio. I'm here for animal control. It seems incredible to me that we're still here discussing the issue of whether or not Phil Sedlacko should be retained to kill cats and wildlife. For weeks Council has heard arguments from many who oppose this contract renewal. In light of all the evidence to retain this man would be irresponsible, reckless and downright foolish. People with years of hands on experience have offered you varied resources and alternatives that are not only humane but efficient, economically and lasting. I should think that elected officials concerned about their community would have thanked these individuals and committed to implementation of alternative programs but instead with the exception of a few of your more progressive Members, the dithering continues. Every animal related issue comes with what I refer to as humaniacs. People driven by emotion rather than scientific facts or empirical evidence. In this case however, the options offered by local animal welfare advocates and national organizations are not based upon hysteria or any irrational demands but on what works. And so, this begs the question, why? No one has demanded that the position of animal control be abandoned, only that it's cruel and unnecessary current format be modified as per the preferred recommendations. Larger, more sophisticated cities as well as smaller, provincial villages have successfully adopted similar programs. You've seen nothing wrong with doling out more than \$27,000.00 annually for years on end but you're reluctant to implement a better program for a year to address the same perceived problems. Why? Should we presume nepotism or kickbacks or sexual favors or any of the other seedy implications commonly dismissed as politics as usual. I sincerely hope not and trust that Council will accept what is being offered to the city with no strings attached by those who's only concern is the welfare of the animals in question. Thank you.

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PRESIDENT SCHULMAN: Thank you. (*APPLAUSE*) Our next speaker is Marcia Zawacky. Miss Zawacky, good evening. Good evening. If you'll step forward and give us your name and your residential address and welcome to Canton City Council.

MARCIA ZAWACKY: Good evening. Thank you for allowing me to be here. I am Marcia not Marsha...

PRESIDENT SCHULMAN: Sorry. Sorry.

MARCIA ZAWACKY: They took a message to Garcia not Garsha. Zawacky. 2831 Harrison Avenue NW, Canton, Ohio and I was here a couple of meetings ago and I realize that many of you are amused because I, you know, there's times when I see people laughing and smiling. I hope that this really is not an amusing issue. I've been with this for over 30 years. This started back when we were actually the Humane Society Auxiliary, am I, I cannot believe that this many years has gone by and the evidence that's been out there periodically, OK and nothing has ever been done to stop these things from happening. I hear the thing about, well these people shouldn't be here because they're from outside of Canton. Mr. Sedlacko is a wildlife officer, that's State of Ohio. OK, he is a Stark County employee and a Canton employee. You guys should be scared to death, OK. My thing is, what we actually have is, we have a really wonderful opportunity right now to analysis this with good facts and scientific evidence and actually do money figuring because we have the Stark County Dog Warden, we have the Humane Society. Dog Warden is to keep dog packs from forming. Humane Society is the group that takes care of animals from neglect and abuse. Lots of people do not know the difference, the different missions of different agencies. We actually have an agency in Florida who makes this a holistic kind of mission and they handle all of these things, OK and they're very, very determined that animals will be spayed and neutered, that people will be educated about animal issues and how their animals should be trained and on a leash and inoculated and the whole nine yards. Why don't we take all this money and do something positive with it instead of sitting around and thinking that you've got a bunch of radicals here and they're just radicals. They aren't really concerned, really sincerely concerned...

PRESIDENT SCHULMAN: You have about 30 seconds. I'm sorry.

MARCIA ZAWACKY: OK, alright. One of my questions is what do you think the Chamber of Commerce thinks of all this when they're looking for people to come into this community. You think want to come in this community when they see this. OK, one more thing.

PRESIDENT SCHULMAN: Well now you have 8 seconds.

MARCIA ZAWACKY: "Greatness of a nation and it's moral progress can be judged by the way it's animals are treated.." That's Mohandas K. Ghandi in case anybody hasn't heard that one before.

PRESIDENT SCHULMAN: Thank you very much ma'am.

MARCIA ZAWACKY: You're welcome. (*APPLAUSE*)

PRESIDENT SCHULMAN: I apologize for mispronouncing your name by the way. Our next speaker is Pete DiGiacomo. Mr. DiGiacomo if you'll step forward and give us your name and your residential address please and good evening.

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PETE DIGIACOMO: Does my time start now?

PRESIDENT SCHULMAN: It does. (*LAUGHTER*)

PETE DIGIACOMO: OK, it took me a little while to get here.

PRESIDENT SCHULMAN: Thank you very much Mr. DiGiacomo. Our next speaker is Jeanette Morris.

PETE DIGIACOMO: OK, my name is Pete DiGiacomo. I live at 600 Dent Place SW, Canton. I've lived in Canton for 67 years. I pay taxes. I vote in the city here. Feral cats and cats I don't want them around my house. If you have come up with a way to keep them about a 100 yards from my house, that's great. I've had problems with feral cats and cats doing their business and other things around my house. Some people don't mind that, we do. I don't like going out in the garden or around my, wherever else I'm working and have to pick up them little brown things that are long you know, feces, urination, things like that. I don't like it. Spayed and neuter, it sounds like a good idea. You bring a feral cat back, it's still a feral cat. I don't know how many people in Council here have actually dealt with a feral cat. Try it sometime. Trust me, you'll only do it one time. You won't like it. One other thing I wanted to discuss or just bring up. Informal Resolutions number 17. I know people talk about big government and government you have to wonder about it. This one I'm wondering about. They want to close the Post Office up on Cleveland Avenue so what they're going to do, unless I'm wrong, if I mail a letter to say, our Council person over here, they're going to take it up to Cleveland, then they're going to bring it back down here to have it sorted so she can get it. That's like a day up, a day back, you know, I'm not a rocket scientist but come on. Thank you.

PRESIDENT SCHULMAN: Thank you Mr. DiGiacomo. (*APPLAUSE*) Our next speaker is Jeannette Morris. Miss Morris if you'll step forward and give us your name and your residential address please and welcome to Canton City Council. Good evening.

JEANNETTE MORRIS: Good evening. My name is Jeanette Morris, 7156 Clearhaven Street in East Canton, Osnaburg Township. I'm here with my husband Greg. We've been residents of Stark County for over 50 years and we operate a small agriculture farm outside of East Canton in Osnaburg Township. I'm a former member of Daisy Dog Rescue and my husband was also active in helping with our cause. I am also a former vet assistant as well as a vet tech for a period of years and also learned the grooming trade and groomed at Promway Kennels for three years. I give you this background because I'm getting to a point here. Daisy Dog Rescue was initiated and managed by Heather Rooney now a resident of Columbus, Ohio. Daisy Dog Rescue began efforts in early 2004 against many odds to obtain photos and generate adoptions to the dogs of the Stark County Dog Pound. At that time, no one was doing anything to give exposures to the dogs at that facility. We were met with much opposition and negative attitude in our mission with the Warden at that time being Jeff Wright. After many months of viewing the disgusting conditions and poor attitude and receiving no encouragement from the Warden but only disdain, we went to The Canton Repository who assigned reporter Melissa Griffey to investigate the Stark County Dog Pound. Over the course of the next year and over 43 editorial responses and follow up articles combined, we witnessed the retirement of the Pound's keeper and the bailing out of the Warden. The rest is history that can be found in the archives of The Canton Repository or by asking one of us. In our many trips into the Pound, both Heather and I witnessed many things. One of these is that the treatment of the dogs incarcerated there. There were actual eye, these were actual eyewitness at times when the deputy's would come in with the dogs. For your need, due to the contract renewal of Deputy Phil Sedlacko for the city animal control, I will tell you how Phil handles dogs. Heather and I were

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taking pictures as Phil came in behind us. We initially heard an odd gurgling sound. We turned around to observe Phil carrying a dog about 6 months old that clearly should have been taken immediately to a vet. It was emaciated to nothing but skin and bones literally. Phil was holding the dog in one arm with the other arm was holding on to the catch pole around the dog's neck. He was squeezing the noose tightly so the dog was making the gurgling sound. When he laid the dog down it was obvious to us that this would not have been necessary as the dog was so near starving to death it had subnormal temperature, visual dehydration, white gums and was cold to the temperature. It could not hold its head up on its own. We asked Phil where the dog came from and he frostedly told us it had been on someone's porch. He went out and while we were examining the dog, we heard again that gurgling sound and Phil came back in with a pup about 4 months old in the very same fashion.

PRESIDENT SCHULMAN: Miss Morris you have about 15 seconds. I hate to cut people off but we have so many speakers tonight. This is I know going to be a long story but if you could just get to the end and give us 10 seconds.

JEANETTE MORRIS: He did this further with the next puppy. He did it with a senior malamute. It was gurgling and gagging, neither of these dogs needed....the malamute was drug in by its neck. It was not enabled to walk. The catch and kill mentality at the Pound is what they were about and Phil is very much about that. I beg you not to renew Phil Sedlacko's contract and find a good soul who needs a job and truly loves animals.

PRESIDENT SCHULMAN: Thank you very much. (*APPLAUSE*) Our next speaker is Christy Gerber. Miss Gerber if you'll step forward and give us your name and your residential address and welcome to Canton City Council.

CHRISTY GERBER: My name is Christy Gerber. 3642 Wales Avenue, Massillon. I find it really hard to believe that Council voted to renew his contract without watching the video because that video is not an isolated incident of Phil Sedlacko's behavior. I also have witnessed him dragging by the neck dogs into that Pound. He uses a catch pole like a weapon. If you're dealing with animals and people in a job, you need to have compassion. He has none. You really need somebody to do this job that does not look at an animal and basically think, well there's another one to toss in the pile. And the trap and kill with the feral cats...you're not going to get anywhere with it. You're going to just kill, kill, kill. You're never going to make a dent in the population, ever. You really do need to trap them, neuter them and spay them and release them. You should at least control the population and in reality in time it will go down.

PRESIDENT SCHULMAN: Thank you very much ma'am. Our next speaker is Vicki Boatright. Miss Boatright if you'll step forward and give us your name and your residential address and welcome to Canton City Council.

VICKI BOATRIGHT: Thank you. My name is Vicki Boatright. I live at 332 ½ 4th Street, Canton, Ohio. I live downtown just a few blocks from here. Many have questioned what actually happened in that video that has now made Canton the epicenter of animal rights activity in the state of Ohio. The Stark County Dog Warden did not. Her words to Phil Sedlacko in a written reprimand were "The inhumane level of animal handling and care that you displayed is unacceptable." That's his boss. Phil Sedlacko's supervisor stated in writing that he treated an animal inhumanely, so that is enough for me to justify my own conclusions about the video. A teacher who abuses a child is not allowed to continue teaching. Likewise an animal control worker

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who treats animals inhumanely should not be contracted to perform animal control with the city. My city. We should not be looking just at the individual for the animal control position however, we should be looking at the best method for animal control and then find a person who is committed to that practice. When it comes to cats, that method is trap, neuter, return or TNR. Many myths are promulgated when the issue of feral cats is raised. These myths have been debunked by research unlike what we heard earlier today. There has been research about the economic and or the ecological impact on communities. That was done by Stanford University. I've given all of you a copy of a summary of that research. That statement is from the Massachusetts Association of Health Boards Incorporated Journal of Local Public Health. That's not from animal activists. That report states, "while it is true that uncontrolled feral cat populations have the potential to spread disease, the evidence of a negative impact on actual human health remains fairly low and largely unsubstantiated even through studies of health departments."

PRESIDENT SCHULMAN: You have about 30 seconds.

VICKI BOATRIGHT: OK. Trap and kill programs lead to more feral cats with more nuisance behaviors and more potential health concerns. Managed TNR programs lead to fewer feral cats, fewer nuisance behaviors and fewer health risks. It's time that we do that right thing that manages the problem instead of throwing tax dollars at something that does not solve the problem. It's time that we stop regurgitating the myths that just don't stand up to the research. Thank you.

PRESIDENT SCHULMAN: Thank you very much. (*APPLAUSE*) Our next speaker is Dana Ray. Ms. Ray if you'll step forward and give us your name, your residential address and welcome to Canton City Council.

DANA RAY: Thank you very much. My name is Dana Ray. I live at 1891 Nichols Road and it's Akron, Ohio. I'm one road away from Stark County. I work with People Who Care Pet Pantry and doing so we help the poor people feed their pets from anywhere from Cuyahoga County down to Wayne County so therefore I have been associated with many people that have the potential for taking their own pets and throwing them out to the street because they can no longer afford to feed them which once again, that's part of the problem that's going on here which has brought me down. The term feral cat seems to be slung around and it refers to an animal that has been thrown out on its own to fend for itself therefore it is being left out in the wild and when it has babies once again, those become very feral because they're not used to a human touch. It's not because they've been brought in from another country of something. These once cared for cats do not pose a health threat. The Stanford Department of Environmental Health and Safety found little risk to humans from the cats and the diseases associated with pets....the pests carried by cats. We've heard about Cat Scratch Fever and it's simple, anybody's cat can do it to you. It does not have to be a feral cat, it does not have to be any cat at all, my own dog has given it to me and it to me and it's very simple, you...you wash it off. You keep it sterile, you're all better unless it gets really bad then you just go do the doctor. The rabies, according to the Bureau of Infectious Disease and Ohio Department of Health, in 2010 going back one more year, out of 3,641 animals tested they found 1 cat diagnosed with rabies but they also found a cow and 3 horses, go figure. Ohio has not had a human case of rabies since 1970 but what I didn't know in doing this research is trapping and killing racoons hastened the spread of disease by removing healthy animals and thus opening up a territorial vacuum and I know we've questioned the whole vacuum thing but it's for real. In the meantime, rabies, needless risk to human health and the deaths of countless animals continue.

PRESIDENT SCHULMAN: You have about 30 seconds.

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DANA RAY: Well we'll skip over the toxlomosis. We talked about that earlier because of the fact that unless you're planning playing with cat poop, putting it in your mouth, you're not going to catch this. And it has become apparent to me as well as to others that you are more likely to catch a disease by going to a fair and petting the animals and then eating your food without washing your hands. Thank you.

PRESIDENT SCHULMAN: Thank you very much ma'am. (*APPLAUSE*) Our next speaker is Kathryn Ramsey. Ms. Ramsey if you'll step forward and give us your name and your residential address and welcome back to Canton City Council.

KATHRYN RAMSEY: Thank you. My name is Kathryn Ramsey and I live at 2322 16th Street NE in Canton and with your permission I'd like to pass these pictures around to City.....

PRESIDENT SCHULMAN: Sure.

KATHRYN RAMSEY: My first question is, with the state of the City and the economy, why are we spending so much of our resources and time on feral cats. Thank you Mayor for ridding my block of desecrated houses but our streets are almost impassable. My front end alignment won't last long. We still have abandon houses, vacant lots which I will have to help keep clean this summer, our post offices are closing, we had another murder, we're loaded with drug houses, cats and dogs, give me a break. Last Sunday morning on my way to church I glanced at my neighbor's house. She's in the hospital and we watch her house. I saw what appeared to be a dead cat at the middle of her driveway. I called my granddaughter to go check. "Yes grandma, it's a dead cat." Sunday morning who do I call. After getting no response from anyone, I decided it was up to me. If you consider yourself an animal advocate, consider this, this is animal abuse and you're all welcome to see the pictures. That's what animal abuse looks like. I had to go over and remove the dead, stiff cat. That is grandmother abuse. Now I love animals. I even called the number on this paper that was handed to me the last time I was at City Council from the people, they live outside of Canton, which I have no problem with but they call someone to get a dead animal. My granddaughter saw a mother cat and kitten get killed by a car on Harrisburg Road. She calls me crying. The kitten ran to the mother and got hit. Blood and guts are splattered all over Harrisburg Road. Yes, you're right, some of these cats aren't even feral cats. They're pissed because their in the City of Canton on the streets, cold and hungry and they're just acting act. A ninja trained in assassination couldn't be more effective than the siamese cat on 16th Street annihilating other feral cats. We have called Mr. Sedlacko on numerous occasions. He has always responded with great professionalism and care. Anyone can make a mistake. For God's sakes, give the man a break. You go out there day and night and face aggressive attack dogs as he has at my house from stray dogs. We've already had enough abandon cats and dogs. Please don't bring them back to my neighborhood. Just walk a mile in my shoes.

PRESIDENT SCHULMAN: Thank you very much Ms. Ramsey. (*APPLAUSE*) Our next speaker is Kenzie Smith. Ms. Smith good evening. If you'll step forward and give us your name and your residential address and welcome to Canton City Council.

KENZIE SMITH: Thank you. My name is Mackenzie Smith. I'm from 6893 Bentler Avenue in Canton, Ohio. First of all I'd like to thank you for allowing me to speak tonight. As others have shared, many people are concerned about the person who has been contracted by the City as Animal Control Officer. Many are concerned about his actions during his employment at the Stark County Dog Pound. I understand it is not your role to address his behavior in a position he holds with the County but that behavior does reflect on his ability to perform his duties on behalf of the City. His own supervisor stated that his actions are inhumane

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and unacceptable. Do we want to continue a contract for animal control with somebody who has been accused of inhumane animal handling by his own boss? With that being said, I have a petition with over 5,200 signatures on it from people all over the world disgusted at his actions. These people have called for immediate action at the Dog Pound. Although the Dog Pound does not fall under your responsibilities, the comments expressed do have relevance to the decision you have to make about his contract as Animal Control Officer. So Mr. Schulman, I ask your permission to present this petition to you.

PRESIDENT SCHULMAN: Certainly, thank you. Here we'll give it to our Clerk. There you go. Thank you very much. *(APPLAUSE)* Thank you. Our next speaker is Jessica Lucilio. I hope I've pronounced your name correctly. Thank you. Welcome to Canton City Council. If you'll give us your name and your residential address please.

JESSICA LUCILIO: My name is Jessica Lucilio. I live in Canton, Ohio at 2510 Nicholas Place NW. I've lived in Stark County most of my life and I'm not telling ya how long cause that would mean I would have to tell ya my age. I am an attorney, although not a practicing one so nobody needs to hate me too much but I'm going to start with one of my favorite lawyers. Abraham Lincoln said, "I am in favor of animal rights as well as human rights. That's the way of a whole human being." If we are to be the whole human beings Lincoln wished for us to be, we must begin to accord animals the kindness and basic decency to which they are entitled. The manner in which we treat animals is indicative of the manner in which we will treat of beings including and especially humans." Currently the legislator in Ohio believes this to be of such importance that it is considering a bill making violent crimes to our animals felonies. Our City's current animal trapper has been given a contract and a trust to carry out. Presumably the intent of that contract includes humane treatment of these animals. Unfortunately, as was recently demonstrated, he performs these duties with a lack of either kindness or compassion. I have personally had an opportunity to witness the trapping of a cat which then spent an entire terrorized cold winter day in a metal trap with no food or water in extraordinarily cold winter weather. When Mr. Sedlacko did finally recover the cat at the very end of the day, he literally picked the animal up in the trap and tossed it into the county animal control van. I won't say he threw it but he tossed it. Too many of these animals who are after all only at large due to irresponsible human behavior are being euthanized viewed as unadoptable. This is patently untrue. I have personally found homes for over 17 cats outside of Canton. It's a matter of patience, time and space. I have also participated in TNR and successfully found homes for those cats as well including one with my parents. Most people see me coming, they run now. We must ask more of ourselves and we must not accept abusive or even unkind behavior of those who act in our names and in our employ.....

PRESIDENT SCHULMAN: You have about 20 seconds. Thank you.

JESSICA LUCILIO: About done. As taxpayers, my husband and I support neither method nor the means of animal control currently used by the City of Canton. We do not wish Mr. Sedlacko to continue in these duties. We support the significantly more humane and cost effective method of TNR already being used by many progressive communities in this country and in Europe. Thank you for your time and careful, patient attention to this.

PRESIDENT SCHULMAN: Thank you very much. *(APPLAUSE)* Our next speaker on this list is Mr. Swintosky but I think you've already addressed your Lehman issue. Similarly, Cindy Hall, you've addressed yours. Phil Shultz, same..right, thank you. Our next speaker then will be Don Joliat. Mr. Joliat good evening. If you'll give us your name and your residential address please and welcome to Canton City Council.

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DON JOLIAT: I'm Don Joliat. I live at 1245 11th Street NW in Canton. I've had several dealings with Phil and I think he does a fabulous job. I do have a question if somebody can answer it later. How many cats were caught in 2010? How many cats were caught in 2011? That would have a little bit of an estimate of whether the system that we're using now is effective. The other thing is, is that when I call him about an animal, especially a cat, when they're doing their business in the flower garden and that, I really don't want them neutered and returned to do their business in my flower garden again. I'm calling him to get rid of it, not to have it back. I do have a solution to the spayed, neuter and return. Now that we have a list of how many thousand people that signed that, now I'm suggesting that we trap, send the cats to them with the requirement that they must keep them on their property and not let them roam. If they can't keep them on their property, take them into their house until they die a natural death. Thank you.

PRESIDENT SCHULMAN: Thank you. (*APPLAUSE*) Our last speaker is Dennis Dorland. Mr. Dorland. Oh, Denise, I'm sorry. Denise. Sorry. Good evening. Welcome to Canton City Council. If you'll give us your name and your residential address.

DENISE DORLAND: Denise Dorland. 1154 Filomena Circle in Louisville. In addition to a TNR program for feral cats, I can see that there is a necessity for an Animal Control Officer for the City of Canton. However, after seeing a video of Animal Control Officer Phil Sedlacko spraying a semiconscious dog with a hose, I do not believe he is the right person for this job. The sequence of events that led to the dog's death are now being disputed by the Stark County Commissioners who over the course of several days circled the wagons and issued a press release on Saturday that effectively covered their collective behinds. Therefore, I don't think any of us will ever truly know what events transpired that day that led to that poor dog's death. What is not in dispute is that Mr. Sedlacko was in fact videotaped spraying an injured and obviously incapacitated dog with water for no apparent reason and it was for this infraction that Mr. Sedlacko was allegedly disciplined. Even though there was not enough evidence to support criminal charges, I think we can all agree, this dog was being abused when he was at his most helpless. As a former licensed veterinary technician, I can't tell you that there are guidelines for the care of a tranquilized dog or cat. First and foremost, the animal must have a clear airway at all times and must be closely monitored for signs of respiratory distress and by the way, a noose around the neck does not allow for a clear airway. Secondly, care must be taken when moving a tranquilized dog or cat because its reflexes are slowed to the point where the animal is immobile and unable to protect itself from injury. Were these basic guidelines followed? Again, we'll never know but I doubt it. The Stark County Commissioner's Office is reluctant to take any further steps concerning this matter and I believe they consider it to be closed. However, as leaders of the City of Canton, you are being presented with a unique opportunity to sever ties with an individual who has exhibited callous disregard for an injured animal's welfare. I strongly urge you not to renew Mr. Sedlacko's contract as Animal Control Officer and instead hire someone who will perform the duties of the job with compassion and empathy for the plight of stray dogs and cats. As a former resident of Canton, I feel that any other decision by you would not only be utterly incomprehensible but unacceptable. Thank you.

PRESIDENT SCHULMAN: Thank you very much. (*APPLAUSE*) The Chair is going to exercise some prerogative here. We're going to take a five minute break. Allow people to leave if they wish and we'll return in five minutes.

INFORMAL RESOLUTIONS

PRESIDENT SCHULMAN: OK, we're gonna.... We convene after the recess. Thank you for that break. I

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appreciated it. We're now under Informal Resolutions. Madame Clerk would we begin with Informal Resolution 17.

#17. COUNCIL AS A WHOLE: OPPOSING THE CLOSURE OF THE MAIN POST OFFICE @ 2650 CLEVELAND AVE NW. - ADOPTED

PRESIDENT SCHULMAN: Leader.

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

MEMBER BARTON: Seconded

PRESIDENT SCHULMAN: It's been moved and seconded that you adopt Resolution 17. Any remarks? OK we're losing 125 jobs which I find to be pretty unacceptable and I hope that our leaders in Washington are doing everything possible to maintain this workforce here. In any case, any other remarks? Hearing none, by voice vote, all those in favor signify by saying aye. Those opposed no.

NO REMARKS

RESOLUTION #17 PASSED UNANIMOUSLY BY VOICE VOTE

PRESIDENT SCHULMAN: The ayes have it. The motion carries, Resolution 17 is adopted. We're now under Resolution 18. Madame Clerk.

#18. PERSONNEL COMMITTEE: REQ CONFIRMATION OF RE-APPT OF JOANNE PAULINO TO TAX INCENTIVE REVIEW BD RETRO 1/1/12 - 12/31/13. - ADOPTED

PRESIDENT SCHULMAN: Leader.

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

MEMBER BARTON: Seconded

PRESIDENT SCHULMAN: It's been moved and seconded to adopt Resolution 18. Any remarks? Hearing none, by voice vote, all those in favor signify by saying aye. Those opposed no.

NO REMARKS

RESOLUTION #18 PASSED UNANIMOUSLY BY VOICE VOTE

PRESIDENT SCHULMAN: The ayes have it. The motion carries, the Resolution is adopted. Resolution 19 please Madame Clerk.

#19. PERSONNEL COMMITTEE: REQ CONFIRMATION OF RE-APPT OF WARREN CHAVERS TO TAX INCENTIVE REVIEW BD RETRO 1/1/12 - 12/31/13. - ADOPTED

PRESIDENT SCHULMAN: Leader.

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

MEMBER BARTON: Seconded

PRESIDENT SCHULMAN: It's been moved and seconded that you adopt Resolution 19. Any remarks? Hearing none, by voice vote, all those in favor signify by saying aye. Those opposed no.

NO REMARKS

RESOLUTION #19 PASSED UNANIMOUSLY BY VOICE VOTE

PRESIDENT SCHULMAN: The ayes have it. The Resolution is adopted. Ordinance or Resolution 20 please.

#20. PERSONNEL COMMITTEE: REQ CONFIRMATION OF RE-APPT OF MARK KINDEL TO CANTON CONSTRUCTION BD FROM 3/1/12 - 2/28/15. - ADOPTED

PRESIDENT SCHULMAN: Leader.

MEMBER DOUGHERTY: Mr. President, I move we adopt Resolution 20.

MEMBER BARTON: Seconded

PRESIDENT SCHULMAN: It's been moved and seconded to adopt Resolution 20. Any remarks? Hearing none, by voice vote, all those in favor signify by saying aye. Those opposed no.

NO REMARKS

RESOLUTION #20 PASSED UNANIMOUSLY BY VOICE VOTE

PRESIDENT SCHULMAN: The ayes have it. The motion carries, the Resolution is adopted.

COMMUNICATIONS

PRESIDENT SCHULMAN: Turning now to 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 FEBRUARY 27, 2012.

86. AUDITOR MALLONN: REQ FOR ADDT'L AMENDED CERTIFICATE DATED 2/12/12. - RECEIVED & FILED

87. CIRELLI, M, CNCL-AT-LG: AUTHORIZE LAW DIR TO RESEARCH & PREPARE AN ORDINANCE OR RESOLUTION TO PUT "CANTON FIRST" WHEN PROCURING SUPPLIES & SVCS, FOLLOWED BY STARK COUNTY, OH & THE U.S. PURSUANT TO ANY FEDERAL, STATE & LOCAL LAWS. - JUDICIARY COMMITTEE

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88. FINANCE DIRECTOR DIRUZZA: RECEIPT OF DRAFT VERSION OF 2012 BUDGET. - FINANCE COMMITTEE
89. LAW DIRECTOR MARTUCCIO: AUTHORIZE LAW DIR TO SUBMIT A NEW EXHIBIT PLAT REPLACING THE ORIGINAL EXHIBIT PLAT KNOWN AS EXHIBIT 'A' OF O#22/2004 DUE TO A GRAPHICAL ERROR & DIMENSIONAL ERROR ON THE ORIGINAL EXHIBIT PLAT. - PUBLIC SAFETY & THOROUGHFARES COMMITTEE
90. LAW DIRECTOR MARTUCCIO: AUTHORIZE TO ENTER INTO CONTRACTS W/CITIES OF LOUISVILLE & NORTH CANTON & VILLAGES OF EAST CANTON, EAST SPARTA, HARTVILLE, MAGNOLIA & WAYNESBURG TO PERFORM THEIR PROSECUTORIAL DUTIES IN CANTON MUNI COURT ON A BIENNIAL CONTRACT BASIS. - FINANCE COMMITTEE
91. MAYOR HEALY: ADVISING OF APPT OF AMANDA STEWART TO THE CITY PLANNING COMMISSION FROM 2/21/12 - 12/31/12. - RECEIVED & FILED
92. MAYOR HEALY: AUTHORIZE APPT OF KELLI SCOTT TO FAIR HOUSING COMMISSION RETRO FROM 2/1/12 - 1/31/17. - PERSONNEL COMMITTEE
93. MAYOR HEALY: AUTHORIZE PROF SVCS CONTRACT IN AMT OF \$30,000.00 TO FULFILL PAYMENT OBLIGATIONS THROUGHOUT REMAINDER OF 2011 & 2012 THAT MAY BE DUE & OWING TO BLACK, MCCUSKEY, SOUERS & ARBAUGH LPA FOR WORKER'S COMP REPRESENTATION; APPROP \$30,000.00 TO 6010501101 HUMAN RESOURCES - OTHER. - FINANCE COMMITTEE
94. PLANNING COMMISSION: RECOMMENDING APPROVAL OF ZONE CHANGE @ 509 15TH ST NW (LOTS 4744 & 4745, PARCEL 235243) FROM B-2 (NEIGHBORHOOD BUSINESS) TO PB-3 (PLANNED GENERAL BUSINESS) TO ALLOW FOR THE REPAIR WORK ON COMPUTERS, ELECTRICAL DEVICES, STORE COMMERCIAL TRUCKS & ALLOW AN ELECTRONIC MESSAGE UNIT (TIMOTHY GILLEMS) IN WARD 9. - JUDICIARY COMMITTEE
95. SAFETY DIRECTOR REAM: REQ APPROVAL OF DEMO OF 4 PROPERTIES ON BEHALF OF CANTON BLDG DEPT. - COMMUNITY & ECONOMIC DEVELOPMENT COMMITTEE
96. SAFETY DIRECTOR REAM: REQ TO ENTER INTO CONTRACT FOR SPRINT EQUIPMENT & WIRELESS COMMUNICATION SVCS WITH WESTERN STATES CONTRACTING ALLIANCE; REQ \$4,000.00 MORAL OB BE RATIFIED & PAID TO SPRINTCOM EQUIPMENT CO LP & THAT CONTRACTUAL TIME PERIOD RETROACTIVE TO 11/2011 ALSO BE RATIFIED; REQ \$24,000.00 APPROP TO COVER ANTICIPATED EXPENSES OVER BALANCE OF YEAR. - FINANCE COMMITTEE
97. SERVICE DIRECTOR PRICE: REQ TO ADVERTISE, REC BIDS, AWARD & EXECUTE A CONSTRUCTION CONTRACT FOR STANDBY GENERATOR FOR CANTON COLLECTION SYSTEM SVC BLDG, GP 1164; AUTHORIZE \$100,000.00 SUPP APPROP & AUDITOR TO DRAW WARRANTS UPON RECEIPT OF VOUCHERS DULY APPROVED BY PROPER DEPT AUTHORITY. - PUBLIC PROPERTY CAPITAL IMPROVEMENT & FINANCE COMMITTEES

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98. SERVICE DIRECTOR PRICE: ADVISING THAT THE CITY WILL NOT BE ENTERING INTO A PLA FOR STANDBY GENERATOR FOR CANTON COLLECTION SYSTEMS SVC BLDG, GP 1164 DUE TO THE ANTICIPATED IMPROVEMENT COSTING LESS THAN \$100,000.00. - RECEIVED & FILED
99. SERVICE DIRECTOR PRICE: REQ TO ENTER INTO A PROF SVC AGMT W/KIKO AUCTIONEERS, INC TO CONTINUE THE PAST PRACTICE OF CONDUCTING CITY AUCTIONS @ THE SVC CENTER FOR SALE OF SCRAP & DISCARDED ITEMS & CITY IMPOUNDED VEHICLES FOR 2 YR PERIOD ENDING 12/31/13. - FINANCE COMMITTEE
100. SERVICE DIRECTOR PRICE: RECEIPT OF 2011 WRF ANNUAL REPORT OF OPERATION. - RECEIVED & FILED
101. MAYOR HEALY: REQ NAME CHANGE OF INFORMATION TECH MANAGER TO DIR OF INFORMATION TECHNOLOGY; REQ SALARY TO REFLECT UP TO 93% OF RANGE FOR NEG PURPOSES. - PERSONNEL COMMITTEE

ORDINANCES & FORMAL RESOLUTIONS FOR FIRST READING

PRESIDENT SCHULMAN: We're now under First Reading Ordinances, Madame Clerk would you please begin with Ordinance #...

CLERK TIMBERLAKE: We have no First Readings.

PRESIDENT SCHULMAN: Oh, we have no First Readings.

ORDINANCES & FORMAL RESOLUTIONS FOR SECOND READING

PRESIDENT SCHULMAN: We're now under Ordinances and Formal Resolutions for the Second Reading. Would you please begin with Resolution or Ordinance #1.

NOTE: PRESIDENT SCHULMAN CALLED UPON CLERK TIMBERLAKE TO READ ORDINANCES #1 THROUGH #4 FOR THEIR SECOND READING BY TITLE AS REQUIRED BY STATE LAW, AS FOLLOWS:

- #1. (2ND RDG) AN ORDINANCE AUTHORIZING THE MAYOR AND/OR DIRECTOR OF PUBLIC SERVICE TO ENTER INTO CONTRACT WITH FREED HOUSING TO PROVIDE A GRANT IN AN AMOUNT NOT TO EXCEED \$100,000.00 FOR A TENANT BASED RENTAL ASSISTANCE PROGRAM TO BENEFIT LOW TO MODERATE INCOME INDIVIDUALS AND FAMILIES; AND DECLARING THE SAME TO BE AN EMERGENCY
- #2. (2ND RDG) AN ORDINANCE AUTHORIZING THE DIRECTOR OF PUBLIC SAFETY TO ENTER INTO A LEASE AGREEMENT WITH VXI GLOBAL SOLUTIONS FOR THE PURPOSE OF UTILIZING CITY OWNED PARKING SPACE; AND DECLARING THE SAME TO BE AN EMERGENCY
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- #3. (2ND RDG) AN ORDINANCE AMENDING ORDINANCE NO. 200/2011 TO AUTHORIZE THE DIRECTOR OF PUBLIC SAFETY TO ACCEPT AN ADDITIONAL \$49,600.00 IN FUNDS FROM THE 2011 EDWARD BYRNE MEMORIAL JUSTICE ASSISTANCE GRANT AND TO AMEND APPROPRIATION ORDINANCE NO. 220/2011; AND DECLARING THE SAME TO BE AN EMERGENCY
- #4. (2ND RDG) AN ORDINANCE AUTHORIZING THE DIRECTOR OF PUBLIC SERVICE TO: ENTER INTO CONTRACT WITH CTI ENGINEERS, INC FOR ENGINEERING SERVICES; ADVERTISE, RECEIVE BIDS AND ENTER INTO CONTRACT FOR CONSTRUCTION OF THE WATER MAIN REPLACEMENT; ACCEPT OHIO PUBLIC WORKS COMMISSION (OPWC) GRANT FUNDS IN THE AMOUNT OF \$477,300.00 AND ACCEPT OPWC ZERO PERCENT LOAN FUNDS FOR A TERM OF TEN YEARS IN THE AMOUNT OF \$167,700.00; AUTHORIZE THE AUDITOR TO ESTABLISH THE 5226 HARRISBURG WATER MAIN REPLACEMENT PROJECT FUND; AMENDING APPROPRIATION ORDINANCE NO. 220/2011; AND DECLARING THE SAME TO BE AN EMERGENCY

ORDINANCES & FORMAL RESOLUTIONS FOR THIRD AND FINAL READING

PRESIDENT SCHULMAN: Thank you Madame Clerk. We're now under Ordinances and Formal Resolutions for the Third and Final Reading and vote. Would you please begin with Ordinance 5.

- #5. (3RD RDG) ***POSTPONED UNTIL 3/12/12*** AN ORDINANCE AUTHORIZING THE DIRECTOR OF PUBLIC SERVICE TO ENTER INTO A LEASE AGREEMENT WITH THE CANTON JOINT RECREATION DISTRICT; AND DECLARING THE SAME TO BE AN EMERGENCY

PRESIDENT SCHULMAN: Leader.

MEMBER DOUGHERTY: Mr. President, I move we adopt Ordinance 5.

MEMBER BARTON: Seconded.

PRESIDENT SCHULMAN: It's been moved and seconded to adopt Ordinance 5. Any remarks? Leader.

MEMBER DOUGHERTY: Mr. President, I move we postpone Ordinance 5 until 3/12/12.

MEMBER BARTON: Seconded.

PRESIDENT SCHULMAN: It's a motion to postpone Ordinance #5 for a two week period. Any remarks? Hearing none by voice vote, all those in favor of the motion signify by saying aye. Those opposed no.

NO REMARKS

ORDINANCE #5 POSTPONED UNANIMOUSLY BY VOICE VOTE

PRESIDENT SCHULMAN: The ayes have it. The motion carries. Ordinance 5 is postponed. Ordinance 6 please Madame Clerk..

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- #6. (3RD RDG) **ADOPTED AS ORDINANCE NO. 25/2012** AN ORDINANCE AMENDING ORDINANCE NO. 55/77, AS AMENDED, KNOWN AS THE CITY OF CANTON ZONING ORDINANCE; AND DECLARING THE SAME TO BE AN EMERGENCY (DR. DOMINGO @ 3120 PARKWAY AVE NW, OUTLOTS 1338 AND 518) **PUB HRG 2/27/12 @ 7:30 PM**

PRESIDENT SCHULMAN: Leader Dougherty.

MEMBER DOUGHERTY: Mr. President, I move we adopt Ordinance 6.

MEMBER BARTON: Seconded.

PRESIDENT SCHULMAN: It's been moved and seconded to adopt Ordinance 6. 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.

#6 ADOPTED AS ORDINANCE NO. 25/2012

PRESIDENT SCHULMAN: Thank you Madame Clerk Ordinance 6 is adopted. Ordinance #7 please.

- #7. (3RD RDG) **ADOPTED AS ORDINANCE NO. 26/2012** AN ORDINANCE AMENDING ORDINANCE NO. 55/77, AS AMENDED, KNOWN AS THE CITY OF CANTON ZONING ORDINANCE; AND DECLARING THE SAME TO BE AN EMERGENCY (SCHOOLFINANCE LLC @ 1500 AND 1530 SUPERIOR AVE NE, PARTS OF LOTS 10657, 10658, 10695 AND 10693 AND ALL OF LOTS 10697 AND 10786) **PUB HRG 2/27/12 @ 7:31 PM**

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

MEMBER BARTON: Seconded.

PRESIDENT SCHULMAN: It's been moved and seconded to 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, zero nays Mr. President.

#7 ADOPTED AS ORDINANCE NO. 26/2012

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

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(ORDINANCE #9 READ IN PLACE OF #8)

AN ORDINANCE AMENDING APPROPRIATION ORDINANCE NO. 220/2011, AS AMENDED, BY MAKING THE SUPPLEMENTAL APPROPRIATIONS HEREIN DESCRIBED; AND DECLARING THE SAME TO BE AN EMERGENCY (TO OPERATE THE CITY EFFICIENTLY)

#8. (3RD RDG) **ADOPTED AS ORDINANCE NO. 27/2012** AN ORDINANCE AMENDING ORDINANCE NO. 55/77, AS AMENDED, KNOWN AS THE CITY OF CANTON ZONING ORDINANCE; AND DECLARING THE SAME TO BE AN EMERGENCY (HEALING AND WELLNESS CENTER @ 1120 15TH ST NW, OUTLOT 239) **PUB HRG 2/27/12 @ 7:32 PM**

PRESIDENT SCHULMAN: Leader Dougherty.

MEMBER DOUGHERTY: Mr. President, I move we adopt Ordinance 8.

MEMBER BARTON: Seconded.

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

#8 ADOPTED AS ORDINANCE NO. 27/2012

PRESIDENT SCHULMAN: Ordinance #8 is adopted. Ordinance 9 please.

(ORDINANCE #10 READ IN PLACE OF #9)

#9. (3RD RDG) AN ORDINANCE AUTHORIZING THE CLERK OF COUNCIL TO CERTIFY TO THE COUNTY AUDITOR UNPAID AND DELINQUENT CHARGES FOR THE REMOVAL OF NOXIOUS WEEDS AND DEBRIS; AND DECLARING THE SAME TO BE AN EMERGENCY

PRESIDENT SCHULMAN: Is that #9?

CLERK TIMBERLAKE: Yea, we're on 10.

PRESIDENT SCHULMAN: Oh, OK. Ordinance #9 was adopted then. Ordinance #10, Leader.

CLERK TIMBERLAKE: Wait, wait, wait.

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PRESIDENT SCHULMAN: I don't think we did Ordinance #9, did we?

CLERK TIMBERLAKE: No. Ordinance 9, excuse me.

PRESIDENT SCHULMAN: That's OK.

#9. (3RD RDG) **ADOPTED AS ORDINANCE NO. 28/2012** AN ORDINANCE AMENDING APPROPRIATION ORDINANCE NO. 220/2011, AS AMENDED, BY MAKING THE SUPPLEMENTAL APPROPRIATIONS HEREIN DESCRIBED; AND DECLARING THE SAME TO BE AN EMERGENCY (TO OPERATE CITY EFFICIENTLY)

PRESIDENT SCHULMAN: You'd think this new computer program would tell you that but, apparently not.

CLERK TIMBERLAKE: *(Inaudible)*

PRESIDENT SCHULMAN: You've made a mistake.

CLERK TIMBERLAKE: Error, error.

PRESIDENT SCHULMAN: Leader.

MEMBER DOUGHERTY: Mr. President, I move we adopt Ordinance 9.

MEMBER BARTON: Seconded.

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

NO REMARKS

ROLL CALL 12 YEAS, 0 NAY

CLERK TIMBERLAKE: Twelve yeas, zero nays Mr. President.

#9 ADOPTED AS ORDINANCE NO. 28/2012

PRESIDENT SCHULMAN: Ordinance #9 is adopted. Ordinance #10 please.

#10. (3RD RDG) **ADOPTED AS ORDINANCE NO. 29/2012** AN ORDINANCE AUTHORIZING THE CLERK OF COUNCIL TO CERTIFY TO THE COUNTY AUDITOR UNPAID AND DELINQUENT CHARGES FOR THE REMOVAL OF NOXIOUS WEEDS AND DEBRIS; AND DECLARING THE SAME TO BE AN EMERGENCY

PRESIDENT SCHULMAN: Leader Dougherty.

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MEMBER DOUGHERTY: Mr. President, I move we adopt Ordinance 10.

MEMBER BARTON: Seconded.

PRESIDENT SCHULMAN: It's been moved and seconded that you adopt Ordinance 10. Any remarks? Member Cirelli do you have anything? OK, hearing none Madame Clerk, roll call vote please.

NO REMARKS

ROLL CALL 12 YEAS, 0 NAYS

CLERK TIMBERLAKE: Twelve yeas, zero nays Mr. President.

#10 ADOPTED AS ORDINANCE NO. 29/2012

PRESIDENT SCHULMAN: Ordinance 10 is adopted including a yes vote by Edmond Mack. Ordinance #11 please.

CLERK TIMBERLAKE: It's a good thing we practiced today.

#11. (3RD RDG) **ADOPTED AS ORDINANCE NO. 30/2012** AN ORDINANCE AUTHORIZING THE MAYOR AND/OR DIRECTOR OF PUBLIC SERVICE TO: ADVERTISE, RECEIVE BIDS, AWARD AND EXECUTE A CONSTRUCTION CONTRACT FOR THE WEST SIDE INTERCEPTOR SANITARY SEWER REHABILITATION PROJECT, G.P. 1138; RECEIVE AN OHIO PUBLIC WORKS COMMISSION (OPWC) GRANT; AMEND EXISTING AND/OR ENTER INTO NEW AGREEMENTS WITH STARK COUNTY AND NORTH CANTON FOR THE CONSTRUCTION AND REIMBURSEMENT OF THEIR COSTS ASSOCIATED WITH THE WORK; AUTHORIZING THE AUDITOR TO ESTABLISH THE 5443 WEST SIDE INTERCEPTOR SANITARY SEWER REHABILITATION PROJECT, G.P. 1138 FUND; AMENDING APPROPRIATION NO. 220/2011; AND DECLARING THE SAME TO SAME TO BE AN EMERGENCY

PRESIDENT SCHULMAN: Leader Dougherty.

MEMBER DOUGHERTY: Mr. President, I move we adopt Ordinance 11.

MEMBER BARTON: Seconded.

PRESIDENT SCHULMAN: It's been moved and seconded that you adopt Ordinance 11. 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, zero nays Mr. President.

#11 ADOPTED AS ORDINANCE NO. 30/2012

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PRESIDENT SCHULMAN: Ordinance #11 is adopted. Ordinance #12 please.

#12. (3RD RDG) **ADOPTED AS ORDINANCE NO. 31/2012** AN ORDINANCE AMENDING APPROPRIATION ORDINANCE NO. 220/2011, AS AMENDED, BY MAKING THE SUPPLEMENTAL APPROPRIATIONS HEREIN DESCRIBED; AND DECLARING THE SAME TO BE AN EMERGENCY (TO ENSURE THE ABILITY IF REQUIRED TO MAKE TERMINAL PAYMENTS TO THE EMPLOYEES INVOLVED IN THE ONGOING RETIRE/REHIRE INVESTIGATION)

PRESIDENT SCHULMAN: Leader Dougherty.

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

MEMBER BARTON: Seconded.

PRESIDENT SCHULMAN: It's been moved and seconded that you adopt Ordinance 12. Any remarks?

MEMBER CIRELLI: Mr. President.

PRESIDENT SCHULMAN: Yes, Member Cirelli.

MEMBER CIRELLI: Thank you. I just want this, is Mr. DiRuzza there, our, yea, financial gentleman. The amount of money that we're looking at sir, could you just state that for the record please and where it will come from.

PRESIDENT SCHULMAN: Director.

FINANCE DIRECTOR DIRUZZA: It's approximately \$973,000.00 in this appropriation. It's coming from the General Fund, Water, Sewer, Refuse and I think the Parking Fund.

MEMBER CIRELLI: Mr. President, Mr. DiRuzza. Approximately \$325,000.00 or plus might come from the General Fund, the rest will come from the departments that possibly were involved. Is that correct sir?

PRESIDENT SCHULMAN: Director.

FINANCE DIRECTOR DIRUZZA: That's correct.

MEMBER CIRELLI: And Mr. President, a question to Mr. Price cause he's been the lucky fella to have to do all the work in this and he's been so busy he hasn't got a chance to return my calls. Is there a potential that we may do some collections back from some of these employees if the state auditors or the independent auditors might come back and say that, this is a possibility.

PRESIDENT SCHULMAN: Director Price.

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SERVICE DIRECTOR PRICE: Thank you Mr. President. Yes, that possibility exists.

MEMBER CIRELLI: Thank you very much. Thank you Mr. President.

PRESIDENT SCHULMAN: Thank you Member Cirelli. Any other remarks on Ordinance #12? Hearing none Madame Clerk, roll call vote please.

NO REMARKS

ROLL CALL 12 YEAS, 0 NAYS, 1 ABSTAIN
(MEMBER MACK ABSTAINED)

CLERK TIMBERLAKE: Eleven yeas, one abstain Mr. President.

#12 ADOPTED AS ORDINANCE NO. 31/2012

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

ANNOUNCEMENT OF COMMITTEE MEETINGS

PRESIDENT SCHULMAN: Any Announcement of Committees?

MEMBER BARTON: Mr. President.

PRESIDENT SCHULMAN: Member Barton.

MEMBER BARTON: Personnel will meet next week at 7:00 PM.

MEMBER DOUGHERTY: Mr. President.

PRESIDENT SCHULMAN: Leader.

MEMBER DOUGHERTY: It's not a Committee but a reminder to everybody to be here at 6:30 because we have that speaker.

PRESIDENT SCHULMAN: Any other announcements?

MISCELLANEOUS BUSINESS

PRESIDENT SCHULMAN: We're now turning to Miscellaneous Business. Is there any?

MEMBER FISHER: Mr. President.

PRESIDENT SCHULMAN: Who said that?

MEMBER FISHER: Over here Mr. President.

PRESIDENT SCHULMAN: I'm not used to hearing your voice yet. And it actually kind of scared me a little bit.

MEMBER FISHER: I have that affect on people, yea. You know, I just, I wanted to point out a few statistics

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that I, that I picked up today, I looked over and I think that with the, the two months or so of this term and where the issue has turned with animal control, these might be interesting to some people. 53% of the children in the city of Canton live below the federal poverty line which by the way for a family of four is \$23,000.00 so at \$24,000.00 your not poor, congratulations. Over 87% of the kids who attend Canton City Schools live in or near poverty. 87%. Last year, let me jump back another one, the per capita income in the city of Canton is \$15,000.00 a year. That is roughly just a little more than half of the national average. \$15,000.00 per person income in this city. Also we're coming off a year of near record number murders in this city. We have a record low staffing at the Police Department and nearly \$2,000,000.00 projected deficit with future cuts coming for local government fund and the elimination of the Estate Tax. None of these are really an issue at this Council because we're spending all of our time on feral cats. I mean it's amazing to me, it's amazing to me and listen, animal control is an issue. It is one issue and the people that have come down here have every right to come down and speak their opinion and we're glad to hear it but the 73,000 people in this city who are not here tonight speaking, have the right for a government that is going to be looking out for issues such as 87% of the kids who go to their public school system living at or near poverty. And the fact is what I think we need to do is we need to get to a point where we're going to make a decision on this and get to the workd of addressing these serious issues. *(APPLAUSE)*

PRESIDENT SCHULMAN: Thank you Member Fisher.

MEMBER CIRELLI: Mr. President.

PRESIDENT SCHULMAN: Member Cirelli.

MEMBER CIRELLI: I just want to remind my fellow Councilmen and I'm sure Mr. Fisher will be glad to be available tomorrow. The Auditor will be here and at 10:00 I believe it is. You can check with our Clerk there to give us some indication of the finances, so I imagine he'll probably want to be there.

PRESIDENT SCHULMAN: It's actually 10:30 in the Council Caucus.

MEMBER CIRELLI: Right, so I just wanted to remind our fellow Council Members about that since Member Fisher would want to be there. You're more than welcome.

PRESIDENT SCHULMAN: Any other Miscellaneous Business?

MEMBER FISHER: Mr. President. Just real quick.

PRESIDENT SCHULMAN: Member Fisher.

MEMBER FISHER: Member Cirelli I'd love to be there but with the owner of my company out out on vacation, we're, there's no time off so I will be trying to follow up on that but thank you.

PRESIDENT SCHULMAN: Thank you. Any other Miscellaneous Business?

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

MEMBER BARTON: Seconded.

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

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please.

NO REMARKS

ROLL CALL: 12 YEAS, 0 NAYS

CLERK TIMBERLAKE: Twelve yeas.

PRESIDENT SCHULMAN: (*Gavel falls*) Meeting is adjourned. Thank you ladies and gentlemen for coming down. Have a safe trip home.

ADJOURNMENT TIME: 8:54 P.M.

ATTEST: MARCH 8, 2012
CYNTHIA TIMBERLAKE
CLERK OF COUNCIL

APPROVED: MARCH 8, 2012
ALLEN SCHULMAN
PRESIDENT