

MINUTES OF THE MEETING JUNE 18, 2012

PRESIDENT SCHULMAN: Good evening ladies and gentlemen and welcome to Canton City Council. We appreciate you all being here this evening. And with a quorum being present, the Chair calls this meeting of Canton City Council to order. Roll call vote please Madame Clerk..

ROLL CALL TAKEN BY CLERK TIMBERLAKE:

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

ELEVEN COUNCIL MEMBERS PRESENT. MEMBER GRIFFIN ABSENT

CLERK TIMBERLAKE: Eleven present, Mr. President.

EXCUSING MEMBERS

PRESIDENT SCHULMAN: Thank you Madame Clerk. Leader, I'll recognize a motion to excuse Member Griffin from this evening's meeting.

MEMBER DOUGHERTY: Mr. President I move we excuse Member Griffin from tonight's meeting.

MEMBER BABCOCK: Seconded.

PRESIDENT SCHULMAN: It's been moved and seconded that you excuse Member Griffin from this evening's meeting. I know he had some personal matters to attend to and we hope everything is alright. Any remarks? Hearing none, Madame Clerk, roll call vote please.

NO REMARKS

ROLL CALL 11 YEAS, 0 NAYS

CLERK TIMBERLAKE: Eleven yeas Mr. President.

PRESIDENT SCHULMAN: Thank you Madame Clerk, the Motion carries and Member Griffin is excused from this evening's meeting. Tonight our invocation will be given by Ward 5 Council Member, Kevin Fisher. Will you all please stand and remain standing for our pledge of allegiance.

The regular meeting of Canton City Council was held on June 18, 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 5 Council Member Kevin Fisher. The Pledge of Allegiance led by President Schulman.

PRESIDENT SCHULMAN: Thank you very much Member Fisher and we certainly hope the Miami Heat do lose tomorrow night.

AGENDA CORRECTIONS & CHANGES

PRESIDENT SCHULMAN: Leader.

MEMBER DOUGHERTY: Mr. President I move we suspend Rule 22A to add 2nd Reading Ordinances 7, 8

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and 9 and withdrawal Communication 233 from the...by the applicant.

MEMBER BABCOCK: Seconded.

PRESIDENT SCHULMAN: It's been moved and seconded to suspend Rule 22A to add the 2nd Reading Ordinances 7 through 9 and to withdrawal Communication #233. Any remarks? Hearing none Madame Clerk, roll call vote please.

NO REMARKS

ROLL CALL 11 YEAS, 0 NAYS

CLERK TIMBERLAKE: Eleven 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 Hearing's this evening.

OLD BUSINESS

PRESIDENT SCHULMAN: Turning now to Old Business. The Chief of Staff, Warren Price informs me we have no Old Business tonight.

PUBLIC SPEAKS

PRESIDENT SCHULMAN: We're now under Public Speaks. And we do have six speakers who wish to address Council and the Administration. Our first speaker is Mr. Charles Killens. Mr. Killins, I don't see Mr. Killins. Okay, he's not here apparently so if he does come back I'll swing around and ask him to step forward. Our next speaker is Dick Drake. Mr. Drake would you step forward and give us your name and your residential address please and again as always welcome to Canton City Council.

DICK DRAKE: Good evening Council, fellow citizens. My name is Richard Drake, I live at 320 Sycamore Ave SE. I brought you guys some papers tonight, one on Canton City parks brochure, (*inaudible*). And then I brought you some papers on storm water management and it goes back...dated back to 1939 when we were have problems that we're having today only more on a larger scale. And remember water runs downhill so when you're having problems with flooding, you want to go back, upgrade and see where the problem originated and try to fix it so we don't have as much flooding. Then I got some more pictures here and ones on our gateways to the City which is Market Avenue North and everyone said in the past how Ohio Power skinned the sides of a tree and left the lower limbs. Now this is at the 4700 block up there. Now remember this is a State Route and State Routes require a minimum clearance of 20 feet above the highway. So, I think we got them here, these limbs I don't think are over 20 feet high. So, they should be made to come back to take these limbs off. And I got pictures here of the trees and the addresses and the one trees that should actually be put out of its misery. There's not much tree left. And then last that we talked and you guys talked about extending the corridor from 9th Street on Cleveland up, where it used to be 6th. So I went through and did the cityscapes for you. And on my way up through, I had to clear a lot of debris and a lot of vegetation around some of these trees. Now these are trees that are killers. Actually you should put a sign up "Travel at your own risk." So, I got the trees here all in pictures so you can look at them and if you need to know where

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they are then I can give you the addresses. And ones out at Canton Center here where you have a lot of kids, juveniles and everything going in, that's City operated, that tree out front is so bad...so bad, it's really a...a hazard. It's really dangerous. Now if I was to take a limb or two off the tree, trying to help you out, that's negligence because I left that tree up but fell. So, you're not going to get me in the middle of this one. And they you got another tree on McKinley Avenue, north of 9th Street on the west side completely dead.

PRESIDENT SCHULMAN: You have about..you have about 15 seconds Dick, thank you.

DICK DRAKE: I'll hand you the pictures now, if you need anymore information, well, feel free to contact me. And also the corridors I did for you, I had people give me high fives, handshakes because they had to stoop down to walk under the trees on McKinley Avenue come down at the business places like AT&T, they had to actually go out in the street and stoop over and almost duck walk under the trees. But I did them so well that you won't know the trees were cut and you'll still appreciate what I did. People was really happy. Thank you.

PRESIDENT SCHULMAN: Thank you very much. Thanks a lot.

DICK DRAKE: One other thing, that was Dick Drake doing what he does for the City. I give to the City.

PRESIDENT SCHULMAN: I know you do. Thank you very much Dick. Our next speaker is Patricia Kirk, Ms. Kirk good evening, welcome as always to Canton City Council. If you'll give us your name and your residential address please.

PATRICIA KIRK: Yes, hi my name is Patricia Kirk. I live at 131 5th Street NE. I'm president of Downtown Central Neighborhood Association and Shake-A-Leaf. When you go home tonight, I would like you all to go up Market North and look at the old McKinley High School building. Saturday morning early, I heard the sound trees coming down and I walked the street and I found that they took down three majestic trees that were in front of the McKinley building, topped them. They cut down two other trees closer to the parking lot and the employee of the company that was doing it was very, very nice and helped me take pictures. But I said that we have a Tree Ordinance now that does not allow topping. He said that it...at first he said "Oh we're just trimming the trees." I said, "That's not trimming, that's topping." He said, "Yes, that is illegal in some Cities but that's why they checked out Canton's Tree Ordinance and was told that it was not signed into law and that the definition of topping, they took to mean that topping was okay." And he said that their company usually tries to talk people out of topping but they will do what the customer wants because they see topping as cheaper and quicker. Now the kicker is this, when you see those trees remember those trees took decades to grow into majestic beauties and they were destroyed. That's how you kill trees, that's what you do to trees before you cut them down. When you remove the canopy, that's the tree's only way to make food. The limbs are not limbs but waterspouts and they break very easily. It also enters wounds where rot can enter in. The reason they did this is so the front of the building could be decorated during the parade. Also, Mr. Price, I'm sorry that I missed you when I called you a couple of days ago, you were out of town at a meeting But I was wondering when 9 of us showed up at the Planning Commission Board last Tuesday, we were mistakenly led, misled to believe that the meeting was in the other room even though we were there early, by the time we came back into the auditorium the discussion on Kresge Lot was over. We sat there for the remainder of the time and of course it wasn't about Kresge Lot. Could we have a do-over since the 9 people took great pains to be there, there were only 2 other people there at the meeting. And Mr. Zengler was very nice with his discussion but I find that it does not match the review on the Agenda that evening for Kresge

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Lot. And also yes, I think we can do without more firefighters since I stomped out a fire under a tree last week. Thank you.

PRESIDENT SCHULMAN: Thank Ms. Kirk as always. Our next speaker is Ruby Brogdon. Ms. Brogdon, good evening. If you'll step forward and give us your name and your residential address and as always and thank you for being here, welcome to City Council.

RUBY BROGDON: My name is Ruby Brogdon, I live at 1617 3rd Street, NE. I'm speaking about vacant houses. I'm sick of vacant houses, I want this one in front of me torn down. I had to fight to get it boarded up, I guess I have to fight to get it torn down. Then we have one recently on the side, look like the porch may come down any day. The lady would have stayed there but the man wouldn't fix the roof, she said it was leaking on her bed. She was a real nice neighbor, I would have loved to have her in the 1500 block. I am tired of fighting for vacant lots. Then we have a problem, on 3rd Street, you can only see in front of you. We used to see up 4th Street, you got the people around like this for a vacant house. It's one vacant house in the 1500 block have been vacant for about 20 years and why you don't know that, the neighbor men have been cutting these house. I think that it should be something done about these people living in neighborhoods putting they junk off on other people. And if they think that they gonna put they junk up in front of me, they should think another thing cause you see I've been around here for a long time and it's not what you know, it's who I know. Now, my Councilman over here, I think she doing a good job. I been knowing here every since she was a little girl, she played in my alley and when she get grownd, I gets her too, I won't...(inaudible). (Laughter)

PRESIDENT SCHULMAN: And as always, thank you very much Ms. Brogdon. Our next speaker is Lois DiGiacomo. Ms. DiGiacomo, good evening, if you'll step forward and give us your name and your residential address please.

LOIS DIGIACOMO JACOBSON: 1969 Kingscote, Washington Square, North Canton. I'm here tonight to tell you some good news. We began theater the Repertory Company in this area in 1994 with the mission to advance the community through the arts. My partner all this time has been Kathy Mitchell and she's not with me tonight because she's in rehearsal and she's rehearsing the biggest gospel musical show that will ever be produced, that has ever been produced in Canton, Ohio. It's called "The Caravan of Gospel." It's the true story of the Caravans, the gospel group from the '50s and '60s out of which came all recording stars, including Aretha Franklin, Sam Cook, James Cleveland, Albertina Walker. We're going to be producing this June 29th at the Palace Theater and we hope it is the first production of being able to tour with this because this story has never been told, as I said it's a true story. We're publicizing as far as Cleveland, Akron and you see I put up some articles in the back from the Beacon Journal and from the Canton Repository. We got wonderful publicity so far. The object to bring to Canton, to bring something here that will improve and advance the community because this music is just something we haven't for a while from the '50s and '60s. In addition, Kathy Mitchell is a pastor of a church who has been assisting people in Haiti for 20 years during the earthquake, they lost a lot of the people and the buildings that they put there and this is going to be a fund raiser benefit for the people in Haiti to rebuild their elementary school. Kathy has written this play, it's been in her intention for the past 3 years and the youth choir from Haiti will be coming and so put it together and they will be at the performance also. So, I'll use my remaining time, if any of you have any questions or comments, I'm out here to ask your support, to come to it to tell everybody else about it and...as far as you can spread the word.

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PRESIDENT SCHULMAN: It's June 29th at what time?

LOIS DIGIACOMO JACOBSON: June 29th, 7:00 at the Palace Theater.

PRESIDENT SCHULMAN: Great. Any questions, comments? Thank you very much. We appreciate all you do.

LOIS DIGIACOMO JACOBSON: Thank you very much.

PRESIDENT SCHULMAN: Our last speaker this evening is Tim Strickland. Mr. Strickland if you'll step forward and give us your name and you're residential address and welcome to Canton City Council sir. That was a long walk, good evening sir. *(Laughter)*

TIM STRICKLAND: Good evening Council Members. I come here today on behalf of independent riders....

PRESIDENT SCHULMAN: Before you begin Mr. Strickland, could you give us your name just so our record is....

TIM STRICKLAND: Oh yes, I live at 3141 Frazier Street, NW, Canton, Ohio.

PRESIDENT SCHULMAN: Thank you, that's good. Thanks.

TIM STRICKLAND: You're welcome sir. Yes, I come here today on behalf of the independent riders. It's a motorcycle group, not an MC, not a club, not a gang. What we're doing this coming Saturday, Sunday at 9:00 at the O'Reilly's on Cleveland Avenue, we're doing a free car wash. All donations or what have you will go toward the recreations and some of the local City parks. A couple of our members have recently done some work there and we're just wanting to get ourselves out there in the community and start doing positive things instead of being looked upon as something negative. So, you know, you guys come out, feel free to come get your free car wash or vacuum or what have you and you know, let's keep this City clean. And that's what we're doing and that's all I have to say.

PRESIDENT SCHULMAN: Great thank you very much Mr. Strickland. What time is it?

TIM STRICKLAND: Oh it is at....I have some flyers in which I *(inaudible)* I forgot they put the time on there but they will start at 9 and...

PRESIDENT SCHULMAN: 9:00? Good.

TIM STRICKLAND: ...it's going to be Saturday and Sunday. It starts at 9 on both days. We're not shutting time...we're not putting a set time on it, when it stops, we're just going to be out there until the traffic starts slowing down.

PRESIDENT SCHULMAN: Wonderful, thank you very much.

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MEMBER WEST: Mr. President.

PRESIDENT SCHULMAN: Yes, Member West.

MEMBER WEST: If I could just mention real quick, the Independent Riders, they already donated about 250 bags of rubber mulch for Nimisilla Park and they're here today also to show their support for recreation in our City and plan to continue it. Not only them but also MAN-UP, they couldn't make it tonight but their group is doing marvelous work down at Nimisilla, so I appreciate their efforts.

PRESIDENT SCHULMAN: Right, thank you Mr. Strickland very much and thanks to your group. And that concludes Public Speaks. I don't think that Mr. Killins got back, correct? Okay.

INFORMAL RESOLUTIONS

PRESIDENT SCHULMAN: Moving now to Informal Resolutions. Madame Clerk would you please read Resolution 44.

CLERK TIMBERLAKE: 45.

PRESIDENT SCHULMAN: 45, 44 is Postponed. 45, thank you.

PRESIDENT SCHULMAN: Leader.

MEMBER DOUGHERTY: We need to do 44 first, it has to be postponed.

PRESIDENT SCHULMAN: That's what I thought, that's alright, it's my fault. Let's do 44 then.

#44. COUNCIL-AS-A-WHOLE: COMMENDING JIM GRIFFIN FOR RECEIPT OF VOLUNTEER OF THE YEAR AWARD FROM KNIGHTS OF COLUMBUS. - **POSTPONED UNTIL 7/2/12**

PRESIDENT SCHULMAN: Leader Dougherty.

MEMBER DOUGHERTY: Mr. President I move we adopt Ordinance 44, Resolution 44, I'm sorry.

MEMBER BABCOCK: Seconded.

PRESIDENT SCHULMAN: It's been moved and seconded that you adopt Resolution 44. Any remarks? Leader.

MEMBER DOUGHERTY: Mr. President I move we postpone Resolution 44 until July 2nd.

MEMBER BABCOCK: Seconded.

PRESIDENT SCHULMAN: It's been moved and seconded to postpone Resolution 44 until July 2, 2012. Any remarks? Hearing none, all those in favor signify by saying aye. Those opposed no.

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NO REMARKS

RESOLUTION #44 POSTPONED UNANIMOUSLY BY VOICE VOTE

PRESIDENT SCHULMAN: The ayes have it, the motion carries. Now we're on Resolution 45 Madame Clerk.

CLERK TIMBERLAKE: I apologize.

PRESIDENT SCHULMAN: That's alright, not a problem.

#45. PERSONNEL COMMITTEE: REQ CONFIRMATION OF APPT OF BRIAN SKILES TO CANTON RECREATION BOARD EXPIRING 12/31/16. - ADOPTED

PRESIDENT SCHULMAN: Leader.

MEMBER DOUGHERTY: Mr. President I move we adopt Resolution 45.

MEMBER BABCOCK: Seconded.

PRESIDENT SCHULMAN: It's been moved and seconded that you adopt Resolution 45. Any remarks under this Resolution? Hearing none, again by voice vote, all those in favor signify by saying aye. Those opposed no.

NO REMARKS

RESOLUTION #45 PASSED UNANIMOUSLY BY VOICE VOTE

PRESIDENT SCHULMAN: The ayes have it . The motion carries. Resolution 45 is adopted. Resolution 46 please.

#46. PERSONNEL COMMITTEE: REQ CONFIRMATION OF APPT OF COREY MINOR SMITH TO INCOME TAX REVIEW BOARD EXPIRING 2/28/14. - ADOPTED

PRESIDENT SCHULMAN: Leader.

MEMBER DOUGHERTY: Mr. President I move we adopt Resolution 46.

MEMBER BABCOCK: Seconded.

PRESIDENT SCHULMAN: It's been moved and seconded that you adopt Resolution 46. Any remarks under this Resolution? Hearing none, again by voice vote, all those in favor signify by saying aye. Those opposed no.

NO REMARKS

RESOLUTION #46 PASSED UNANIMOUSLY BY VOICE VOTE

PRESIDENT SCHULMAN: The ayes have it. The motion carries. Resolution 46 is adopted. Resolution 47 please.

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#47. PERSONNEL COMMITTEE: REQ CONFIRMATION OF APPT OF AMY SHRIVER TO STARK COUNTY REGIONAL PLANNING COMMISSION FOR A 3 YR TERM EXPIRING 7/31/15. - ADOPTED

PRESIDENT SCHULMAN: Leader.

MEMBER DOUGHERTY: Mr. President I move we adopt Resolution 47.

MEMBER BABCOCK: Seconded.

PRESIDENT SCHULMAN: It's been moved and seconded that you adopt Resolution 47. Any remarks under this Resolution? Hearing none, by voice vote, all those in favor signify by saying aye. Those opposed no.

NO REMARKS

RESOLUTION #47 PASSED UNANIMOUSLY BY VOICE VOTE

PRESIDENT SCHULMAN: The ayes have it. The motion carries. Resolution 47 is adopted. Resolution 48.

#48. WEST, T. WARD 2 CNCL MBR: CREATION OF DOWNTOWN GREEN SPACE NAMING COMMITTEE FOR FORMER KRESGE LOT. - ADOPTED

PRESIDENT SCHULMAN: Leader.

MEMBER DOUGHERTY: Mr. President I move we adopt Resolution 48.

MEMBER BABCOCK: Seconded.

PRESIDENT SCHULMAN: It's been moved and seconded that you adopt Resolution 48. Any remarks under this Resolution?

MEMBER WEST: Mr. President.

MEMBER CIRELLI: Mr. President.

PRESIDENT SCHULMAN: Member West.

MEMBER WEST: Yes, could we have that read please.

PRESIDENT SCHULMAN: Sure, would you mind reading that for us Madame Clerk?

CLERK TIMBERLAKE: **WHEREAS**, Council is in receipt of Communication #231 from Thomas E. West, Ward 2 Council Member, requesting that Council authorize the creation of a Downtown Green Space Naming Committee that will conduct a contest led by the Ward 2 Council Member to symbolically or honorarily name

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the Green Space know as the “Former Kresge Lot”; and **WHEREAS**, Member West recommends the naming committee include the following individuals: Ward Council Member, Neighborhood Association Leader, Council President, Majority Leader or the Clerk of Council, SID member, Leadership Stark County Director, Law Director, ArtsinStark Director and the Mayor; and **WHEREAS**, Council is in agreement with Member West that an advisory Downtown Green Spacing Naming Committee be created that will conduct a nominating contest led by the Ward 2 Council Member and that the select committee of volunteers will narrow the nominations to three. **NOW, THEREFORE, BE IT RESOLVED:** that we, Members of City Council of Canton, Ohio agree that an advisory Downtown Green Space Naming Committee shall be created and led by the Ward 2 Council Member. It shall consist of a select committee of volunteers, i.e. the Ward Council Member, Neighborhood Association Leader, Council President, Majority Leader or the Clerk of Council, SID member, Leadership Stark County Director, Law Director, ArtsinStark Director and the Mayor who will be charged with conducting a nominating contest and selecting the final three honorary names that will be chosen for the “Kresge” green space, and revealed at the Fourth of July Celebration.

PRESIDENT SCHULMAN: Thank you. Member West, you want to add anything to this Resolution?

MEMBER WEST: Yes just real quick. Currently the Kresge Lot does not have a name, we call it the former Kresge Lot because the Kresge building was on that lot. Also as it was brought to me that the Kresge Lot, or the Kresge building reminds people of blight and unpleasant conditions because it took us many years and many Administrations to get that building down. So I felt that let’s make some fun out of it and lets get the community involved to rename that lot so when people are coming down, they know that they’re coming down to a vibrant square in our downtown. So, it’s going to be fun and of course all the names by all means, submit them to City...to our Clerk and we’re going to try get this done before July 4th and name it the 4th of July celebration. Appreciate your support on that.

PRESIDENT SCHULMAN: Member Cirelli, did you want to say something?

MEMBER CIRELLI: Ah...excuse me. Yes, Mr. President. Kresge Lot is almost the same as like the Courthouse lot. It’s the same as when people say the Stern and Mann building which happens to be there. I can recall how many people wanted to get the Case Mansion down and that was a wonderful place and that has now turned into slum and blight and it’s nothing but a rental property with nothing but nightmares there. You know, history is something that we seem to forget and maybe Ms. Kirk I don’t believe had enough time to clarify what she wanted to say about the Kresge Lot. There was a vision of that was a re-zoning issue. She had a lot of people and I’ve received a lot of calls that people want the Kresge Lot to be the Kresge Lot because of the history of it and we have some people that came that night, unfortunately we had another meeting, Mr. West and I did over in the other room and the people I guess followed him into that meeting and...and it really wouldn’t have had anything to do with the naming anyhow of the Kresge Lot. But Kresge brings back a lot of memories how Mr. President and I know Mr. West is always on facebook and people are doing all kinds of things about what Canton was and what it was about and they have a lot of positive things to say about the Kresge Lot. You know, the people that worked there, the kids that was in high school that got work permits to go there in the summertime and to work. They have functions there, it just was, I see no need why we have to take and just destroy anything concerning our history of the City. I don’t think it will ever, even if they change the name of the lot, I don’t think it will ever be changed in some peoples minds. It’s going to always be the Kresge. And I don’t see any logic for this. I don’t understand why we want to name a group to do something that, hey did we even put it out there to the general public to say do you want to do this. I

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haven't seen that. If anything I think we should maybe have a hearing on it to see what the general public feels about it because it's their City. Is it our right to just do as we please because maybe we think it was old and decrepit and what have you? I don't think so. But I mean, I cannot support this and I would hope my other fellow Council Members will take it into consideration. I think it's a wonderful green space and will stay that way. I was there for the rock and roll or blue thing the other night and everybody says always "Meet you at the Kresge Lot" and I think that it should remain the Kresge Lot. So I would like to see a public hearing and I hope it will be defeated. Thank you sir.

PRESIDENT SCHULMAN: Member West.

MEMBER WEST: Yes, Mr. President. I don't disagree, if you would like to see the Kresge Lot be named the Kresge Lot then I think you should turn that name in "Kresge Lot." Currently it doesn't have a name. It's just the former Kresge Lot, it's the downtown green space. Right now it's the downtown brown space. The reality is, it does not have a name and we are asking to let's officially name the lot. And Member Cirelli, if you would like to put that name in the contest, I welcome that. And the nine member committee that includes Ms. Kirk and the Neighborhood Association, they can support that and...and hopefully get the names that....

PATRICIA KIRK: *(Inaudible outburst from the audience)*

PRESIDENT SCHULMAN: Okay, Member Kir...or sorry, Ms. Kirk.....

PATRICIA KIRK: *(Inaudible outburst from the audience)*

PRESIDENT SCHULMAN: I know but you've...okay, I understand.

MEMBER WEST: And she don't have to be on the committee. I mean we just suggested a Neighborhood Association be on the Member...on the Committee. But that's what it's all about, the bottom line is, you know, we named, I just tore...we just tore down the old McDonald's, that lot down there and hopefully, eventually we'll name that a green space. You know, AT&T building right across the street on Cleveland Avenue, now it's the VXI building. You know, life goes on, we must move on. History has its place but it's time that Canton moves on and we also start naming things downtown. And a constituent brought this to me so therefore, I brought it to the table and said "You know what, you're right, let's put it on the table, let's officially name that lot." If somebody wants to name it Kresge, fine, if somebody wants to name it downtown Canton green space, fine but I think it got to go through it's process and name it. Thank you.

PRESIDENT SCHULMAN: Law Director Martuccio.

LAW DIRECTOR MARTUCCIO: Thank you Mr. President. Members West and Members of Council, what you have in front of you is an Informal Resolution and while Member West has said it's to consider officially naming the lot in the sense that officials will lend some credence to an informal or symbolic name, it would be an honorary name only. As we all know, parcels have numbers and those parcels have numbers. The Martuccio home sits on a parcel with a number on it. We really can't officially name a parcel by a name. So this again, what is before you, lends your official nest to this committee if you want to form it to take suggestions and come up with a name that I assume then would be subject to some sort of contest to be an

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honorary or symbolic name. It's...I just want to make the point, it's not a Codified Ordinance, it's an Informal Resolution and certainly it's up to you as a Council to decide whether to go ahead with this or not.

MEMBER WEST: Mr. President.

PRESIDENT SCHULMAN: Yes Member West.

MEMBER WEST: Let me also say...let me also so the press release will actually go out tomorrow. So, we just wanted to wait until we got through this process.

PRESIDENT SCHULMAN: Okay, any other remarks?

MEMBER CIRELLI: Mr. President, I didn't hear Mr....Member West's last comments sir.

PRESIDENT SCHULMAN: He said "I think a press release will go out tomorrow, depending of course on whether the Resolution is adopted. So, with that, any other remarks?"

MEMBER CIRELLI: Yes Mr. President.

PRESIDENT SCHULMAN: Member Cirelli.

MEMBER CIRELLI: I'd like to make a request that we postpone this Resolution and in place all...ask for a public hearing.

PRESIDENT SCHULMAN: Is that a request or a Motion?

MEMBER CIRELLI: Motion, sir.

PRESIDENT SCHULMAN: Is there a second?

MEMBER MORRIS: Seconded.

PRESIDENT SCHULMAN: Who seconded, I'm sorry?

CLERK TIMBERLAKE: Frank.

PRESIDENT SCHULMAN: Oh, Mr. Morris. Alright, it's been moved and seconded that you postpone Resolution 48. By voice vote, all those in favor signify by saying aye. Those opposed no.

NO REMARKS

RESOLUTION #48 VOTED ON BY VOICE VOTE

PRESIDENT SCHULMAN: I can't tell, let's...yes, let's do a roll call vote please.

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CLERK TIMBERLAKE: Two yeas, nine nays Mr. President.

NO REMARKS

ROLL CALL 2 YEAS, 9 NAYS
(MEMBERS CIRELLI AND MORRIS VOTED YEA)

PRESIDENT SCHULMAN: The yeas certainly resented louder than the nays. Alright, well in any case. The Motion to postpone is not adopted. And so we'll move now to a voice vote on adoption of Informal Resolution 48. All those in favor signify by saying aye. Those opposed no.

NO REMARKS

RESOLUTION #48 PASSED BY VOICE VOTE

PRESIDENT SCHULMAN: I heard...I heard, pretty sure I heard two. Resolution 48 is adopted. Resolution 49 please Madame Clerk.

#49. WEST, T. WARD 2 CNCL MBR: CREATION OF DOWNTOWN WALK OF FAME SUMMER WALKING PROGRAM. - ADOPTED

PRESIDENT SCHULMAN: Leader.

MEMBER DOUGHERTY: Mr. President, I move we adopt Resolution 49.

MEMBER BABCOCK: Seconded.

PRESIDENT SCHULMAN: It's been moved and seconded that you adopt Resolution 49. Any comments under this Resolution?

MEMBER WEST: Mr. President.

PRESIDENT SCHULMAN: Member West.

MEMBER WEST: Can I have the Clerk read that please?

PRESIDENT SCHULMAN: Yes, if you'd read that for us Madame Clerk.

CLERK TIMBERLAKE: Surely. **WHEREAS**, Council is in receipt of Communication #232 from Thomas E. West, Ward 2 Council Member, requesting that Council authorize the creation of a "Downtown Walk of Fame," a summer walking program conducted July through October; and **WHEREAS**, Member West recommends the program be created in partnership with Ms. Camela Chavers Douglass of Mo Better Me, the Human Resources Department and the Canton community; and **WHEREAS**, Council is in agreement with Member West that a "Downtown Walk of Fame" be created that will enhance personal fitness for people working and living in & around downtown and promote familiarity with downtown Canton. **NOW, THEREFORE, BE IT RESOLVED:** that we, Members of City Council of Canton, Ohio agree that a "Downtown Walk of Fame," a summer walking program be created in partnership with Ms. Camela Chavers Douglass of Mo Better Me, the City of Canton Human Resources Department and the Canton business and

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residential community. The program shall commence with a kickoff walk over lunchtime on July 10, and shall conclude on October 31, 2012.

PRESIDENT SCHULMAN: Thank you Madame Clerk, any remarks?

MEMBER CIRELLI: Mr. President.

PRESIDENT SCHULMAN: Member Cirelli.

MEMBER CIRELLI: Is there going to be....I can ask the maker or whatever, is there a cost to do this program?

PRESIDENT SCHULMAN: Member West.

MEMBER WEST: No, this is free, free cost.

MEMBER CIRELLI: Thank you.

PRESIDENT SCHULMAN: Any other comments? Hearing none, all those in favor of Resolution 49, signify by saying aye. Those opposed no.

NO REMARKS

RESOLUTION #49 PASSED UNANIMOUSLY BY VOICE VOTE

PRESIDENT SCHULMAN: The ayes have it. Motion carries and Resolution 49 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 JUNE 18, 2012.

233. APPLICANT, DGS DEVELOPMENT CO LTD: REQ FOR ZONE CHG ON FAIRCREST AVE SW - PARCELS 8300004, 8300025 & 830026 FROM B-3 (NEIGHBORHOOD BUSINESS) TO P1-1 (PLANNED LIGHT INDUSTRIAL) FOR INDUSTRIAL SITE DEVELOPMENT FOR OIL & GAS SERVICES. - **WITHDRAWN**
234. LIQUOR CONTROL DIVISION (OHIO): REQ NEW D51 PERMIT FOR EDGEHILL INVESTMENTS LLC @ 111 CLEVELAND AVE S. - RECEIVED & FILED
235. MAYOR WILLIAM HEALY: ADVISING OF RE-APPT OF LINDA BARNES TO CANTON CITY PLANNING COMMISSION FOR 6 YR TERM FROM 7/1/12 - 6/30/18. - RECEIVED & FILED

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236. MAYOR WILLIAM HEALY: AUTHORIZE APPT OF AMANDA STEWART TO COMMUNITY REINVESTMENT AREA HOUSING COUNCIL FOR 3 YR TERM RETRO FROM 6/1/12 - 5/31/15. - PERSONNEL COMMITTEE
237. MAYOR WILLIAM HEALY: AUTHORIZE THE PROCESS TO INITIATE AN ALTERNATE BUDGET PLAN FOR 2013 BUDGET. - FINANCE COMMITTEE
238. PLANNING COMMISSION: RECOMMEND APPRVL OF REPLAT OF LOTS 22, 23 AND 24 AKA THE KRESGE BLOCK, 300 BLOCK OF MARKET AVE N, WEST SIDE BY THE CITY OF CANTON. - PUBLIC SAFETY & THOROUGHFARES COMMITTEE
239. PLANNING COMMISSION: RECOMMEND APPRVL OF REPLAT OF PART OF LOT 42554 ON 34TH ST NE AT MORRIS AVE NE FOR DON MOORE (PARCEL #306249). - PUBLIC SAFETY & THOROUGHFARES COMMITTEE
240. PLANNING COMMISSION: RECOMMEND WARD ASSIGNMENT & ZONING DESIGNATION FOR 1315 BROAD AVE NW BEING ANNEXED INTO THE CITY IN WARD 1 AND CLASSIFIED AS R-1A (SINGLE FAMILY RESIDENTIAL). - ANNEXATION COMMITTEE
241. PLANNING COMMISSION: RECOMMEND APPRVL OF ZONE CHG ON EAST SIDE OF HARMONT AVE NE OF PARCELS 306138, 305896, 10002406, 305898 FOR CENTRAL ALLIED ET. FROM PI-1 (LIGHT INDUSTRIAL) TO PI-2 (HEAVY INDUSTRIAL) TO ACCOMMODATE PORTABLE PROCESSING MACHINE. - JUDICIARY COMMITTEE
242. SERVICE DIRECTOR PRICE: AUTHORIZE SERV DIR TO ENTER INTO 1 YR SUPPORT W/THE JAMES GROUP IN THE AMT OF \$38,139.20 FOR ONGOING SUPPORT & MAINTENANCE OF THE CITY'S ORACLE SOFTWARE LICENSES. - FINANCE COMMITTEE
243. SERVICE DIRECTOR PRICE: REQ LEGISLATION TO ADVERTISE, REC BIDS AND ENTER INTO CONTRACT IN AMT NOT TO EXCEED \$200,000.00 FOR THE EVALUATION OF THE LARGE AND CRITICAL WATER VALVES AND SUPP APPROP FROM UNAPPROP BAL OF 5201 WATER FUND TO 5201 207022 75812 WATER DISTRIBUTION FUND. - PUBLIC PROPERTY CAPITAL IMPROVEMENT COMMITTEE
244. SERVICE DIRECTOR PRICE: AUTHORIZE MAYOR &/OR SERV DIR TO ADVERTISE, REC BIDS, AWARD & EXECUTE CONSTRUCTION CONTRACT FOR CAPITAL PROJ AT INTERSECTION OF 38TH ST NW AND GUILFORD AVE; SUPP APPROP FROM UNAPPROP BAL OF 4501 CAPITAL FUND TO 4501 202092 CAPITAL FUND - 38TH ST NW & GUILFORD AVE INTERSECTION IMPROVEMENT PROJ GP 1175; AUTHORIZE AUDITOR TO DRAW WARRANTS UP RECEIPT OF VOUCHERS. - PUBLIC PROPERTY CAPITAL IMPROVEMENT COMMITTEE
245. SERVICE DIRECTOR PRICE: AUTHORIZE MAYOR &/OR SERV DIR TO ADVERTISE, REC BIDS, AWARD & EXECUTE CONSTRUCTION CONTRACT FOR CAPITAL PROJ AT INTERSECTION OF 16TH ST NW AND MYRTLE; SUPP APPROP FROM UNAPPROP BAL OF 4501 CAPITAL FUND TO

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4501 202093 CAPITAL FUND - 16TH ST NW ROADWAY PROJ GP 1176; AUTHORIZE AUDITOR TO DRAW WARRANTS UP RECEIPT OF VOUCHERS. - PUBLIC PROPERTY CAPITAL IMPROVEMENT COMMITTEE

246. SERVICE DIRECTOR PRICE: REQ PARTICIPATORY LEGISLATION WITH ODOT TO RESURFACE THE PORTION OF HARRISON AVE OVER US30 (STA-BH2013, PID 93089, GP1186). - PUBLIC SAFETY & THOROUGHFARES COMMITTEE
247. TREASURER SCHIRACK: RPT OF DEPOSITS AND PAY INS FOR AMBULANCE LOCK BOX ACCT FOR MAY 2012. - RECEIVED & FILED
248. TREASURER SCHIRACK: RPT OF PARKING METER REVENUE FOR MAY 2012. - RECEIVED & FILED
249. TREASURER SCHIRACK: RPT OF BANK RECONCILIATIONS AND CITY'S OUTSTANDING INVESTMENTS AS OF 5/31/12. - RECEIVED & FILED
250. TREASURER SCHIRACK: COMPARATIVE RPT OF CASH RECEIPTS AS OF 4/30/12. - RECEIVED & FILED

ORDINANCES & FORMAL RESOLUTIONS FOR FIRST READING

PRESIDENT SCHULMAN: We're now under First Reading 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 you please read the First Reading Ordinance by title.

NOTE: PRESIDENT SCHULMAN CALLED UPON CLERK TIMBERLAKE TO READ ORDINANCES #1 THROUGH #6 FOR THEIR FIRST READING BY TITLE AS REQUIRED BY STATE LAW, AS FOLLOWS:

- #1. (1ST RDG) AN ORDINANCE DECLARING THE IMPROVEMENT OF CERTAIN REAL PROPERTY LOCATED IN THE CITY OF CANTON TO BE A PUBLIC PURPOSE; DECLARING A PORTION OF SUCH PROPERTY TO BE EXEMPT FROM REAL PROPERTY TAXATION; COMPENSATING THE SCHOOL DISTRICT FOR REVENUE NOT REALIZED; DESIGNATING INFRASTRUCTURE IMPROVEMENTS TO BE MADE THAT WILL BENEFIT SUCH PROPERTY; REQUIRING ANNUAL SERVICE PAYMENTS IN LIEU OF TAXES; ESTABLISHING A MUNICIPAL PUBLIC IMPROVEMENT TAX INCREMENT EQUIVALENT FUND; AND DECLARING THE SAME TO BE AN EMERGENCY
Referred to Community & Economic Development Committee
- #2. (1ST RDG) AN ORDINANCE AUTHORIZING THE MAYOR OR DIRECTOR OF PUBLIC SERVICE TO ENTER INTO A COOPERATIVE DEVELOPMENT AGREEMENT WITH D'AMICO SENIOR HEALTH CARE FOR THE DEVELOPMENT OF 3332 - 13TH STREET N.W.; AND DECLARING THE SAME TO BE AN EMERGENCY
Referred to Community & Economic Development Committee

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- #3. (1ST RDG) AN ORDINANCE ADOPTING THE DEPARTMENT OF DEVELOPMENT'S CITIZEN PARTICIPATION PLAN; AND DECLARING THE SAME TO BE AN EMERGENCY
Referred to Community & Economic Development Committee
- #4. (1ST RDG) AN ORDINANCE AUTHORIZING THE DIRECTOR OF PUBLIC SAFETY TO ENTER INTO A PROFESSIONAL SERVICES CONTRACT FOR THE PART-TIME POSITION OF CRIME ANALYST WITHIN THE CANTON POLICE DEPARTMENT IN AN AMOUNT NOT TO EXCEED \$20,000.00; AND DECLARING THE SAME TO BE AN EMERGENCY
Referred to Finance Committee
- #5. (1ST RDG) AN ORDINANCE AUTHORIZING THE DIRECTOR OF PUBLIC SERVICE TO ENTER INTO A CONTRACT WITH GERMAIN FORD FOR THE PURCHASE OF ONE 2012 OR 2013 FORD F-250, WITH APPLICABLE OPTIONS, AND TWO 2012 OR 2013 FORD F-450 CAB AND CHASSIS, WITH APPLICABLE OPTIONS, IN A TOTAL AMOUNT NOT TO EXCEED \$100,000.00 PURSUANT TO O.R.C. SECTION 125.04; AND DECLARING THE SAME TO BE AN EMERGENCY (COLLECTION SYSTEMS)
Referred to Public Property Capital Improvement Committee
- #6. (1ST RDG) AN ORDINANCE AUTHORIZING THE DIRECTOR OF PUBLIC SERVICE TO ENTER INTO A CONTRACT AMENDMENT WITH M-E COMPANIES FOR AN ADDITIONAL AMOUNT NOT TO EXCEED \$35,900.00 FOR ENGINEERING SERVICES DURING BIDDING AND OVERSIGHT SERVICES CONSTRUCTION OF PHASE II OF THE WATER MAIN EXTENSION INTO THE VILLAGE OF HARTVILLE; AND DECLARING THE SAME TO BE AN EMERGENCY
Referred to Finance Committee

ORDINANCES & FORMAL RESOLUTIONS FOR SECOND READING

PRESIDENT SCHULMAN: Thank you Madame Clerk. Now going to Ordinances and Formal Resolutions for their Second Readings. Will you please begin with Ordinance #7.

NOTE: PRESIDENT SCHULMAN CALLED UPON CLERK TIMBERLAKE TO READ ORDINANCES #7 THROUGH #9 FOR THEIR SECOND READING BY TITLE AS REQUIRED BY STATE LAW, AS FOLLOWS:

- #7. (2ND RDG) AN ORDINANCE AUTHORIZING THE CLERK OF COUNCIL AND CITY ENGINEER TO ADD STREETS TO THE LIST OF GATEWAY CORRIDORS; AND DECLARING THE SAME TO BE AN EMERGENCY
- #8. (2ND RDG) AN ORDINANCE AMENDING ORDINANCE NO. 55/77, AS AMENDED, KNOWN AS THE CITY OF CANTON ZONING ORDINANCE; AND DECLARING THE SAME TO BE AN EMERGENCY (617 MCKINLEY AVE SW - FORMER WELLS ELEMENTARY SCHOOL - SMHA)
PUB HRG 7/2/12 @ 7:30 P.M.
- #9. (2ND RDG) AN ORDINANCE AMENDING APPROPRIATION ORDINANCE NO. 220/2011, AS

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AMENDED, BY MAKING THE INTERFUND TRANSFER HEREIN DESCRIBED; AND DECLARING THE SAME TO BE AN EMERGENCY (\$7,917.47 FROM NORWOOD HILLS FUND TO WATER FUND)

ORDINANCES & FORMAL RESOLUTIONS FOR THIRD AND FINAL READING

PRESIDENT SCHULMAN: Thank you Madame Clerk. Turning now to Ordinances and Formal Resolutions for their Third, Final Reading and vote. Would you please begin with Ordinance 10.

#10. (3RD RDG) **ADOPTED AS ORDINANCE NO. 94/2012** AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO AGREEMENT WITH THE STATE OF OHIO, DEPARTMENT OF REHABILITATION & CORRECTION FOR RECEIPT OF THE FY 2013 COMMUNITY CORRECTIONS ACT GRANT IN AN AMOUNT NOT TO EXCEED \$170,601.00; AND DECLARING THE SAME TO BE AN EMERGENCY

MEMBER DOUGHERTY: Mr. President

PRESIDENT SCHULMAN: Leader.

MEMBER DOUGHERTY: I move we adopt Ordinance 10.

MEMBER BABCOCK: Seconded.

PRESIDENT SCHULMAN: It's been moved and seconded that you adopt Ordinance #10. Any remarks under this Ordinance? Hearing none, Madame Clerk roll call vote please.

NO REMARKS

ROLL CALL 11 YEAS, 0 NAYS

CLERK TIMBERLAKE: Eleven yeas Mr. President.

#10 ADOPTED AS ORDINANCE NO. 94/2012

PRESIDENT SCHULMAN: Thank you Madame Clerk. Ordinance #10 is adopted. Ordinance #11 please.

#11. (3RD RDG) **POSTPONED UNTIL 7/16/12** AN ORDINANCE AUTHORIZING THE LAW DIRECTOR TO ENTER INTO CONTRACT WITH N AND T RAILROAD, REPUBLIC STEEL IN THE AMOUNT OF \$1,672.00 TO PROVIDE PROSECUTORIAL SERVICES RETROACTIVE TO MAY 1, 2012; EFFECTIVE THROUGH DECEMBER 31, 2012; AND DECLARING THE SAME TO BE AN EMERGENCY

PRESIDENT SCHULMAN: Leader Dougherty.

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

MEMBER BABCOCK: Seconded.

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PRESIDENT SCHULMAN: It's been moved and seconded that you adopt Ordinance 11. Any remarks? Leader.

MEMBER DOUGHERTY: Mr. President, I move we Postponed Ordinance 11 until July 16, 2012.

MEMBER BABCOCK: Seconded.

PRESIDENT SCHULMAN: It's been moved and seconded to Postpone Ordinance #11. Any remarks? Hearing none, by voice vote, all those in favor signify by saying aye. Those opposed no.

NO REMARKS

ORDINANCE #11 POSTPONED UNANIMOUSLY BY VOICE VOTE

PRESIDENT SCHULMAN: The ayes have it, the motion carries and Ordinance 11 is Postponed. Ordinance #12 please Madame Clerk.

#12. (3RD RDG) **ADOPTED AS ORDINANCE NO. 95/2012** AN ORDINANCE AUTHORIZING THE DIRECTOR OF PUBLIC SAFETY TO ACCEPT A GRANT FROM THE 2012 EDWARD BYRNE MEMORIAL JUSTICE ASSISTANCE GRANT IN AN AMOUNT NOT TO EXCEED \$39,369.00 FOR THE POLICE DEPARTMENT; TO RATIFY ANY AGREEMENT ENTERED INTO WITH THE STARK COUNTY COMMISSIONERS REGARDING THE DISTRIBUTION OF GRANT FUNDS; AND AUTHORIZING THE AUDITOR TO RENAME FUND 2771 FROM THE 2011 BYRNE LOCAL SOLICITATION GRANT FUND TO THE 2012 LOCAL SOLICITATION BYRNE GRANT FUND; AMENDING APPROPRIATION ORDINANCE NO. 220/2011; AND DECLARING THE SAME TO BE AN EMERGENCY

PRESIDENT SCHULMAN: Thank you Madame Clerk. Leader.

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

MEMBER BABCOCK: Seconded.

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

NO REMARKS

ROLL CALL 11 YEAS, 0 NAYS

CLERK TIMBERLAKE: Eleven yeas Mr. President.

#12 ADOPTED AS ORDINANCE NO. 95/2012

PRESIDENT SCHULMAN: Thank you Madame Clerk. Ordinance #12 is adopted. That concludes Ordinances for their Third Final Reading and Vote.

ANNOUNCEMENT OF COMMITTEE MEETINGS

PRESIDENT SCHULMAN: Turning now to Announcement of Committee meetings.

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MEMBER COLE: Mr. President.

PRESIDENT SCHULMAN: Member Cole.

MEMBER COLE: Finance will meet July 2nd at 6:30 P.M.

PRESIDENT SCHULMAN: Thank you.

MEMBER SMITH: Mr. President.

PRESIDENT SCHULMAN: Member Smith.

MEMBER SMITH: Community and Economic Development will also meet July 2nd at 6:30.

PRESIDENT SCHULMAN: Thank you.

MEMBER DOUGHERTY: Mr. President.

PRESIDENT SCHULMAN: Leader.

MEMBER DOUGHERTY: Public Property Capital Improvement will also meet the 2nd at 6:30.

PRESIDENT SCHULMAN: Very good.

MEMBER CIRELLI: Mr. President.

PRESIDENT SCHULMAN: Public Safety and Thoroughfare will also meet at the same time on July 2nd.

PRESIDENT SCHULMAN: Great, thank you. That concludes....

CLERK TIMBERLAKE: Personnel?

MEMBER SMITH: Mr. President.

PRESIDENT SCHULMAN: Yes, Member Smith.

MEMBER SMITH: Personnel will also meet July 2nd at 6:30.

PRESIDENT SCHULMAN: Thank you.

MISCELLANEOUS BUSINESS

PRESIDENT SCHULMAN: Turning to Miscellaneous Business. Is there any tonight?

MEMBER HAWK: Mr. President.

PRESIDENT SCHULMAN: Member Hawk.

MEMBER HAWK: Thank you sir. On Thursday, June 21st at 5 PM there will be a fundraiser, donations accepted at

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the Arcadia Grill. It will be helping to raise funds for the monumental 4th which will provide the US Army Concert Band and fireworks that happen at McKinley Monument on Wednesday, July 4th. So please be there about 5 PM. Mr. Babcock, I'm sorry I gave you the wrong date earlier. I apologize to you sir. Thank you for inquiring and asking me and calling it to my memory. I appreciate it sir. Thank you.

MEMBER WEST: Mr. President.

PRESIDENT SCHULMAN: Member West.

MEMBER WEST: Just real briefly, I got a bit of bad news. The, ah what's his name....the Noah's Ark Amusement Park, the little kiddie rides, today they got a...or they actually moved out today. They were there for two months and they just wasn't generating enough funds so they moved to Lake Geneva. So, I was informed of that today. So they were pulling out because they wasn't making enough money. The brighter side of that, we were able to see...see how it functioned and it looked real well so the committee is putting our...getting back together and trying to figure out what we can do in place of that. So that's the bit of bad news. But then the other thing I wanted to also mention in reference to Ms. Kirk's discussion earlier about the two meetings, the nonviolence committee met again last week. We're moving forward, I thank Member Cirelli for attending that as well and Member Chris is involved in that as well. But that night there was a meeting here in this room in reference to the parcels and Law Director, can you just touch on that real quick in reference to that meeting? I don't know if you recall but they were looking at taking three parcels and making it into two lots. The parking versus the green space in Kresge Lot, can you explain that real quick for everybody?

PRESIDENT SCHULMAN: Law Director.

LAW DIRECTOR MARTUCCIO: Mr. President....

MEMBER WEST: Or maybe Service Director.

LAW DIRECTOR MARTUCCIO: I will yield because I wasn't present at that meeting.

MEMBER WEST: Service Director, can you?

SERVICE DIRECTOR PRICE: Well...

PRESIDENT SCHULMAN: Director.

SERVICE DIRECTOR PRICE: ...all I can say is what the Planning Commission recommended approval by City Council of was a replat, yes that would have...and I don't think there is any change proposed as a result of that. This is simply to put the parking area on one lot and the rest of on the other lot. Now if you don't mind, let me just say the....I remember Ms. Kirk and her...some folks out there as we began this meeting, and I'm happy to put it under Old Business to discuss it but I don't know that we...I mean we can't do a do over and there is another bite at the apple here when this goes before Council. But all that happened procedurally to this point was the first step in the process which is Planning Commission reviews it. It was...it was a replat, which I don't want, I mean I won't get into all that...all you're doing is splitting the lot. The property lines cross the parking lot. So they've, you know, that's cleaning that up doesn't really affect it in any other way. However, I mean it would have been great for those folks to have the opportunity to speak, I was just talking to the Law Director about that. We complied entirely with the sunshine law, I don't know how the misinformation in terms of how, you know, they...the folks left the room and then came back and when it was discussed...but the discussion was very brief because essentially the parking lot

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is going to be on one lot then the....then the green space will be on...on another lot. So, it was just cleaning up a property line that crossed, what's now clearly a parking lot. So, I mean that's what was happening. But they will have another opportunity once this gets on because we have communic....Planning Commission recommends approval of the replat but it will be ultimately up to Council to decide whether to replat it or not.

MEMBER WEST: Okay, thank you.

PRESIDENT SCHULMAN: Thank you Member West. Member Cirelli.

MEMBER CIRELLI: Thank you Mr. President. I just have two things, one of the...and I've sent this to Director Price at both of your email addresses and also Tyler Converse, Mr. Martuccio and I have a lot of people because of this hydrofracking issue that is really...that's all we're reading in the paper now, you know, about jobs and water and what have you and the general public wants to know if the City of Canton will be selling water to the used for this particular type...hydrofracking of wells to any of our water that we also give to, I mean sell to our Townships that tie into us and what have you. If, they want to know, you know, if we plan on doing that. That's one of the questions.

PRESIDENT SCHULMAN: Director.

SERVICE DIRECTOR PRICE: Mr. President. Thank you. It's...we sell water in...in three different ways. One would be at our fill station at the Northeast Water Treatment Plant. I don't know for a fact and I asked Tyler to look into it because I did see your emails and I now know that he didn't respond to you directly but he was probably waiting for me to, you know, authorize or respond or, you know, talk with him about it. But you know what, our bulk fill station, I don't know that we've sold water to Chesapeake or any other oil and gas company. I assume we have from our Northeast Water Treatment Plant bulk fill station. I do know that there was a service connection that was applied for and award...granted to a site I believe is probably related to fracking but I'm not able to really, on a normal service connection, another words, I want to....that's the second way we...we provide water to people, through either residential, commercial or industrial service connections. So there, I believe is one service connection in our system and that would be the one, I believe that would be the site down there, the Quarry. Now, the...I have been approached...approached by a company about potentially contract....obtaining a contractual rate from the City of Canton to provide water for the...the oil and gas industry. To sell water for a service connection, another words when somebody applies for a service connection that's basically sort of a ministerial function, you apply for a service connection, you're just tapping into one of our mains. This would be different. Now I certainly don't have the authority to contract to provide a...a...a certain amount of water to a certain entity at a certain rate, another words, I don't think I do anyway, I don't believe I have that authority without Council approval. So, any...any bulk sale like that, any contract with any company whether it be oil and gas but I know what you're asking specifically is about hydraulic fraction. Any contract that would sell water on a bulk basis like that in some guaranteed rate or guaranteed amount, I'd have to obtain Council approval to do that. So, while that's been talked about and I believe they've sent me a draft contract and I will share that with any of you because it'll all have to be, you know, vetted through City Council anyway. I've not submitted that because they're not far enough along but I'm basically saying to them, "You know, you gotta...you make a proposal and I'm going to have to go to City Council and you know, they'll...they'll have to consider it." And I'm happy to make your recommendations or you know, talk to you about what rates would be competitive or you know, if..if there would be, you know, any issues. I'm happy to answer...I'll be happy to ans....another words, it will be fully vetted before this body and public. But we probably have sold water to the oil and gas industry but on a very small scale at this point but they have...I have been approached about a larger scale sale of water.

PRESIDENT SCHULMAN: Thank you. Any other remarks Member Cirelli?

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MEMBER CIRELLI: Thank you. Yes sir. This was in the paper on Thursday, June 14th and because some of our Members have been on vacation or maybe miss different things, it was under I...the General Assembly, what was going on there and it's uh...I can't remember, alright it's Kirk Schuring. I'm going to read it and maybe somebody here could explain exactly what it is, so you...I think you know where I'm going with this. He says "The second provision allows a City or Village in only Stark County....." Keep in mind, all the people in Columbus are going to do this only for Stark County. ".....from July 1st to June 30, 2014 to spend up to 5% of the money in its water and sewer funds to extend this water and sewer lines for economic development. The lines also might...must be extended into an area that's covered by a cooperative economic development agreement between the municipality and a township. Schuring said Canton officials as part of a pilot project want the ability to use a portion of the City's water and sewer fees to extend the City's water and sewer lines. They plan to expand Canton's water and sewer system to an area around Faircrest SW that was annexed from Canton Townsh....Township," excuse me sir. Can you maybe explain and I...and chances are why these things catch my eyes as you know in the last Council, that was the...Committee I was on, so I kind of get attached to things and then I sort of watch what's happening and then I was called about it and I seen it all, so.

PRESIDENT SCHULMAN: Director.

SERVICE DIRECTOR PRICE: Mr. President, thank you. Yeah, this is involving the 800 acre Faircrest annexation which would include, I mean the most...the two locations that probably you know as Council Members would be the Mills Industrial Park but then also the 11th Street Church of God. You'll may...may recall and I know Councilman Fisher's certainly aware of this cause I know he's been dealing with this issue but Councilman Prater had dealt with it as well and Councilman Smuckler, I mean we've all dealt with it but basically, the City of Canton annexed an 800 area...800 acre area, the Faircrest area. We did enter into a CEDA Agreement with Canton Township. There were promises made back when this area was annexed and the CEDA was formed that there would be water and sewer service to this entire within I think one year. While the Mills Industrial Park did get water and sewer, that promise never came to fruition and since I've arrived, I..I've...I've, you know, been interacting with...with 11th Street Church of God and particular Council people who have been interacting with those folks, you know, who are obviously saying, you know, "Where's our water and sewer?" The problem is in the State Law, water funds maybe used directly to extend waterlines. However, in kind of an anomaly or difference in the treatment of the water system vs the sewer system, sewer funds may not be used to extend mains so you would have to rely on capital dollars, OBWC funds, State grants, what have you...so...or the general fund. So, there were a number of different solutions sought and you know this is bigger, not that the 11th Street Church of God and their plans and you know, what they want to do isn't important and the City didn't essentially promise back when we annexed it, but it's bigger than that. You have an 800 acre area here that has untapped potential, we could be developing it now but there's no water and sewer. The reason being is it's blocked by I-77 and the geography. So, it's...it's difficult, they say water only flows downhill, that's not...we can make it flow uphill but requires pump stations, lift stations and it's hard to do. Representative Schuring, I won't say on his own, I mean he certainly interacted with Canton Officials but this was clearly as you read it, it's...it's only applicable to 2014, it's only in Stark County, it's only in the CEDA area where a City and a Township have some sort of agreement. So, I think it was certainly tailored for us. But what it will enable us to do is utilize sewer funds to front the cost of extending water and sewer to this area and it will allow for us to pay for that out of sewer funds and amortize that over a period of years that makes it affordable, lives up to the City's promise, enables us to...to, you know, grow that area and I do want to thank Representative Schuring for...for doing this but also for, I mean you name it, from Councilman Smuckler to Councilman Prater to Councilman Hawk, I mean, you know everybody on Council has been supportive of getting water to the project and also to 11th Street Church of God and Councilman Fisher, since he took office has been on it. In fact just before the meeting, he asked to speak with me on it and essentially reminded me everyday that the legislation has been passed and we need to get moving forward on that. So, I view it as a good thing. We have found a solution, it was going to cost millions of dollars to bore under 77. We think we found a cheaper solution combining a lift station kind of phasing it in but

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this will at least get water to the key areas and in particular to 11th Street Church of God, which has been, you know, waiting in the wing for years to be able to expand the Church.

PRESIDENT SCHULMAN: Thank you Director, Member Cirelli.

MEMBER CIRELLI: Thank you Chief of Staff, I think you gave a very good explanation and I'm relieved to hear it because some of the people out there back with the hydrofracking were upset thinking we were going to be using our water, moneys to get...do you see where I'm going with this? So, you've clarified it perfectly so this way they can tune into the internet and hear what you have to say about it. So I appreciate that and I agree with you, I think it's the honorable thing to do for the 11th Street Church of God since it was promised and it's something that we have to honor because it was the right thing to do, we made a deal and we should follow through. Thank you very much.

PRESIDENT SCHULMAN: Thank you Member Cirelli, any other Miscellaneous Business.

MEMBER FISHER: Mr. President.

PRESIDENT SCHULMAN: Member Fisher.

MEMBER FISHER: Yeah, I just want to thank the Chief of Staff for giving that explanation to that and I hope I haven't been too obnoxious with you since January 1st but believe me when...when this legislation passed, I don't think 20 minutes went by before it crossed the Governor's desk before my phone started blowing up going when are we breaking ground, when are we breaking ground on it. So, I just wanted to...I wanted thank you because we've had several meetings on this with Dan Moeglin and with Tyler and with others and looking for ways to bring the cost down and make it a win, win so the City can develop the property. We can begin the process of being able to...to bring jobs to the area and also fulfil the....the City's promise that is now 9 years in the waiting to this church. So, thank you sir.

PRESIDENT SCHULMAN: Thank you Member Fisher. Any other Miscellaneous Business? Director Price.

SERVICE DIRECTOR PRICE: Mr. President between a combination of the City's legislative and Administrative branch also involving the State legislature, look sometimes Government does work. Isn't that a nice way to end the meeting.

PRESIDENT SCHULMAN: It's a miracle. There is some positive news I was waiting for somebody to say something about the Canton Marathon yesterday. It was...wow, congratulations to the Administration, the City workers, the Police, Fire, all the volunteers, 5,000 runners....5,000 runners, phenomenal. (*Applause*) And I think we certainly have started something that the City can be proud of and the communications or what people have been saying on the internet is almost 99.9% positive. So, it's terrific. I know they'll come back next year. Mayor, do you want to add to that?

MAYOR HEALY: Yeah, thank you Mr. President. I just want to say, you know, the Administration was really not involved in the organization of this, I mean we certainly supported it and I know that the safety forces and service forces, service dept or what have you, had a lot of...a lot of people and manpower out there to..to support it. But the organization that was involved in it, I think Steve...Steve Mears and his partner and I can't tell ya how many volunteers from...from Canton and surrounding areas. Those are the ones really need to be congratulated. It was an amazing event, I...I was on Market Avenue watching all the runners go by and it was...it was just very emotional for me just to see, you know, you sit there and it's just hard not to get into it. So I do want to congratulate all those

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involved as well as you have and let them know that we...we're very honored and proud to have the City of Canton be part of the host of that thing and certainly look forward to next years. I did...Warren actually went by...

PRESIDENT SCHULMAN: Three times I think.

MAYOR HEALY:in a car.

PRESIDENT SCHULMAN: Yes. *(Laughter)*

MAYOR HEALY: Thank you Mr. President.

PRESIDENT SCHULMAN: Any other remarks? Leader.

MEMBER DOUGHERTY: Yeah Mr. President, I was going to speak on that. This group got together last winter with this idea and invited me to join them and put me to work which was very difficult. Everybody in the room, nobody had any experience putting a marathon together so it was kind of interesting. And I was in charge of logistics. So, I immediately found someone who was much smarter than me and put him in charge. So, Mr. Chris Feller did an excellent job with that. There was a...there was a runner who finished the race and he had run, this was his 156th marathon and he has like run in every state and he said "This inaugural marathon, I've run a lot of them..." and he said this was the best one he had ever run and was...and was very excited about coming back. The volunteers made this happen. It's kind of like, it was just so huge, just second to the Hall of Fame. This is the biggest thing we need volunteers for and they came through. Our two office members here tonight volunteered their time and efforts. We had a Member of City Council, Member Mack run in the relay and dawning the Canton City shirts and thank you for that. There was 40....people from 41 different states that came, as far away as Hawaii, we had 3 countries represented and so I just wanted to say it was a huge success for....for the first time. It was great for the community and Mayor you're right at that finish line, we had the finish in the stadium and you ended at the 50 yard line on Fawcett Stadium. So, they came through the gates and had 50 yards to complete, and kids....it was Father's Day and kids were running up to their dads and kids were running up to their moms and they were carrying them that last 50 yards. It was just, I mean, it...it was great, so. Aultman Hospital of course I gotta pitch that, you know, they ran the...the medical tent and all that. Our Doctors and Nurses and everything were very involved with that, volunteering their time. So, it was a great time all around. I move we adjourn.

(APPLAUSE)

MEMBER BABCOCK: Seconded.

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

NO REMARKS

ROLL CALL 11 YEAS, 0 NAYS

CLERK TIMBERLAKE: Eleven yeas, Mr. President..

PRESIDENT SCHULMAN: Thank you Madame Clerk. Meeting is adjourned. Be careful going home everybody.
(Gavel falls)

ADJOURNMENT TIME: 8:32 P.M.

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ATTEST: JUNE 25, 2012
CYNTHIA TIMBERLAKE
CLERK OF COUNCIL

APPROVED: JUNE 25, 2012
ALLEN SCHULMAN
PRESIDENT