

**MINUTES OF THE MEETING OF FEBRUARY 5, 2007**

PRESIDENT SCHULMAN: 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 COUNCILMEMBERS PRESENT: (DON CASAR, JOE CARBENIA, MARY M. CIRELLI, BILL SMUCKLER, GREG HAWK, THOMAS E. WEST, KELLY ZACHARY, TERRY PRATER, DAVID R. DOUGHERTY, RICHARD D. HART, & KARL "BUTCH" KRAUS)

JAMES GRIFFIN ABSENT

CLERK TIMBERLAKE: One absent Mr. President.

PRESIDENT SCHULMAN: Thank you Madame Clerk. We'll have the invocation given tonight by Councilmember Kelly Zachary. If you'll all remain standing for the pledge of allegiance.

*The regular meeting of Canton City Council was held on Monday, February 5, 2007 at 7:30 P.M. in the Commons Bldg at Timken High School. The roll call was taken (see above) by Clerk of Council Cynthia Timberlake. The invocation was given by Ward 4 Councilmember Kelly Zachary, followed by the Pledge of Allegiance led by President Schulman.*

PRESIDENT SCHULMAN: Before we move into Agenda corrections and changes, I know we do have some brave students in the audience who actually came out tonight despite the fact it's 10 degrees below 0. Uh....I think, would you stand up and....and just tell us who you are? Young man.

*(INAUDIBLE)*

PRESIDENT SCHULMAN: Any other students here? We have ah.....from the leader council?

*(INAUDIBLE)*

PRESIDENT SCHULMAN: Okay. Nice to have you. Thank you very much for attending. We...owe, one more?

*(INAUDIBLE)*

*(APPLAUSE)*

PRESIDENT SCHULMAN: Great, thank you. Welcome, thank you for braving the elements tonight, we appreciate it. And ah....school board member, Fred Thompson is here. Fred, thank you very much. Thank you for your hospitality here.

**AGENDA CORRECTIONS & CHANGES**

PRESIDENT SCHULMAN: We are now under agenda corrections and changes. Members of Council, you're being asked suspend Rule 22A to add the second reading of Ordinances #6 through and including #20, except that #17 will be held in Committee. Member Casar, the Chair will recognize that motion.

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MEMBER CASAR: Mr. President. I move we suspend Rule 22A and to add Ordinance #6 through and including #20, excluding #17 to this evening's agenda; seconded.

PRESIDENT SCHULMAN: It's been moved and seconded to suspend Rule 22A to add seconding reading Ordinances #6 through and including #20, except #17 to this evening's agenda. Are there any remarks?... If not, 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 this evening. The Chair will recognize a motion to suspend rule 22 to add Resolution #14 to this evenings agenda. Are there any remarks?.....I'm sorry....

MEMBER CASAR: Mr. President.

PRESIDENT SCHULMAN: Yes.

MEMBER CASAR: I move we suspend Rule 22 and Resolution #14 to this evening's agenda; seconded.

PRESIDENT SCHULMAN: It's been moved and seconded. Are there any remarks? If not, roll call vote please Madame Clerk.

NO REMARKS

ROLL CALL: 11 YEAS, 0 NAYS

CLERK TIMBERLAKE: Eleven yeas Mr. President.

PRESIDENT SCHULMAN: Thank you Madame Clerk. Rule 22 is suspended and Resolution 14 is a legal part of your agenda.

**PUBLIC HEARINGS**

PRESIDENT SCHULMAN: We're now on.... under Public Hearings. There are no public hearings this evening.

**PUBLIC SPEAKS**

PRESIDENT SCHULMAN: We're now under Public Speaks on Ordinances and Resolutions for adoption. We have no speakers signed up to speak tonight.

**INFORMAL RESOLUTIONS**

PRESIDENT SCHULMAN: We're now under Informal Resolutions. The Chair will recognize a motion to excuse members. Member Casar..

MEMBER CASAR: Mr. President, I move that Member Griffin be excused from this evenings ah...meeting ah...Jim had a minor surgery, well I guess it wasn't minor, he had a hernia operation and he's doing fine and

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will be back next week; seconded.

PRESIDENT SCHULMAN: That's good to hear. It's been moved and seconded. Any remarks? If not, roll call vote please.

NO REMARKS

ROLL CALL: 11 YEAS, 0 NAYS

CLERK TIMBERLAKE: 11 Yeas Mr. President.

PRESIDENT SCHULMAN: Let the Journal show that Member Griffin has been excused. Madame Clerk, please read Resolution #12 by title.

#12 CASAR, D. & CARBENIA, J., CNCLMBRS: SUPPORTING NEWSPAPER GUILD-COMMUNICATIONS WKRS. (TNG-CWA) & ALLIES TO ENSURE PURCHASE OF 'THE REPOSITORY' & HONOR THE LABOR CONTRACTS & MAINTAIN QUALITY JOURNALISM.

ADOPTED

MEMBER CASAR: Mr. President.

PRESIDENT SCHULMAN: Yes Member Casar.

MEMBER CASAR: I move we adopt Resolution #12; seconded.

PRESIDENT SCHULMAN: It's been moved and seconded to adopt Resolution #12. Are there any remarks? Member Hart.

MEMBER HART: My father worked 42 years at the Canton Repository as a printer and was a proud member of the union ah....as a youngster I lived through the buyouts and the Repository started with the buyouts in hopes that they would keep enough staff to maintain a quality newspaper the bottom line for any new owners will be profitable. And hopefully the new owner and workers will be creative and work together to be profitable and maintain quality journalism and community coverage. Thank you.

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

MEMBER CARBENIA: Mr. President.

PRESIDENT SCHULMAN: Member Carbenia.

MEMBER CARBENIA: I'd just like to say that ah....Mr. Hart that ah....that's just about what I was gonna say. The only other thing is ah....I hope that ah....everybody in the community gets together and ah....supports the Labor Unions and all the employees at The Repository.

PRESIDENT SCHULMAN: Are there any other remarks?

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MEMBER KRAUS: Mr. President.

PRESIDENT SCHULMAN: Member Kraus.

MEMBER KRAUS: I would also be glad and privileged to ah....have my name in support of that.

PRESIDENT SCHULMAN: Thank you Member Kraus. Any other remarks? I would just comment that ah...Rick Seneften, who I thought was one of the best columnists in the newspaper and one of the most active, and still is, community leaders is in the audience tonight with ah....M.L. Schultze, who is ah.....a terrific executive manager of The Repository and we appreciate you're being here. Thank you. Any other remarks? If not, by voice vote, all those in favor of the Resolution signify by saying aye... Those opposed no... Resolution #12 has been adopted.

NO REMARKS

RESOLUTION #12 APPROVED BY UNANIMOUS VOICE VOTE

PRESIDENT SCHULMAN: Resolution #13.

#13 CASAR, D & CARBENIA, J. CNCLMBRS: RECOMMENDING & SUPPORTING NEW  
SANITATION GUIDELINES FOR CITY OF CANTON SANITATION DEPT. - ADOPTED

MEMBER CASAR: Mr. President.

PRESIDENT SCHULMAN: Member Casar.

MEMBER CASAR: I move we adopt Resolution #13; seconded.

PRESIDENT SCHULMAN: It's been moved and seconded to adopt Resolution #13. Any remarks?... If not, by voice vote all those in favor say aye... Those opposed no... Resolution #13 has been adopted. Resolution #14 please Madame Clerk.

NO REMARKS

RESOLUTION #13 APPROVED BY UNANIMOUS VOICE VOTE

#14 INTERGOVERNMENTAL & PUBLIC SERVICE COMMITTEE: WITHDRAWAL OF OBJECTION  
FOR LIQUOR PERMIT RENEWAL REQUEST BY AHN INC DBA THE STORE @ 1105 WEST  
TUSCARAWAS NW. - ADOPTED

MEMBER CASAR: Mr. President.

PRESIDENT SCHULMAN: Member Casar.

MEMBER CASAR: I move we adopt Resolution #14; seconded.

PRESIDENT SCHULMAN: It's been moved and seconded to adopt Resolution #14. Are there any remarks?... If not, by voice vote, all those in favor say aye... All those opposed say no... Resolution #14 has been adopted. Resolution #15 Madame Clerk.



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## CAPITAL FUND. - ENV &amp; PUB UTILITIES AND FINANCE CMTES

66. SERVICE DIRECTOR CONCATTO: REQUEST SERV DIR TO ADVERTISE, REC PROPOSALS & ENTER INTO CONSTRUCTION & ENGINEERING CONTRACTS FOR TUSC. STREET RECONSTRUCTION PROJ GP 1064; REQ TO REC \$1,078,500 OPWC, \$500,000 ODOT GRANT & \$4,058,400 FEDERAL GRANT (TOTAL OF \$5,636,900) FOR R-O-W, CONSTRUCTION & CONSTRUCTION ENG; REQ \$5,363,900.00 SUPP APP FR: UNAPP BAL OF 4551 TUSCARAWAS ST. IMPROV FUND. - PUBLIC SAFETY & THOROUGHFARES AND FINANCE CMTES

***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 5, 2007.***

**ORDINANCES & FORMAL RESOLUTIONS FOR FIRST READING**

PRESIDENT SCHULMAN: We are now under Ordinances and Formal Resolutions for the first reading. Let the journal show that all ordinances are being given their readings as required by State Law. Madame Clerk, please read the first reading ordinances by title.

***NOTE: PRESIDENT SCHULMAN CALLED UPON CLERK TIMBERLAKE TO READ ORDINANCES #1 THROUGH #5 FOR THE FIRST TIME BY TITLE & ANNOUNCED THE COMMITTEE REFERRAL, AS FOLLOWS.***

- #1 (1<sup>ST</sup> RDG) AN ORDINANCE APPROVING AND ACCEPTING THE REPLATTING OF LOTS 6522 THRU 6526 & TWO VACATED ALLEYS; AND DECLARING THE SAME TO BE AN EMERGENCY  
Referred to Public Safety & Thoroughfares
- #2 (1<sup>ST</sup> RDG) AUTHORIZING THE CITY OF CANTON TO ACCEPT DONATION OF REAL PROPERTY FROM THE ESTATE OF WILLIAM E. BRINSON; AND DECLARING THE SAME TO BE AN EMERGENCY  
Referred to Community & Economic Development
- #3 (1<sup>ST</sup> RDG) AN ORDINANCE AUTHORIZING THE CITY OF CANTON TO ACCEPT DONATION OF REAL PROPERTY FROM ELINOR REPASKY; AND DECLARING THE SAME TO BE AN EMERGENCY  
Referred to Community & Economic Development
- #4 (1<sup>ST</sup> RDG) AUTHORIZING THE CITY OF CANTON TO ACCEPT DONATION OF REAL PROPERTY FROM KENNETH HALL, TRUSTEE; AND DECLARING THE SAME TO BE AN EMERGENCY  
Referred to Community & Economic Development
- #5 (1<sup>ST</sup> RDG) AN ORDINANCE AMENDING APPROPRIATION ORDINANCE #241/2006, AS

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AMENDED, BY MAKING THE SUPPLEMENTAL APPROPRIATION HEREIN DESCRIBED; AND DECLARING THE SAME TO BE AN EMERGENCY  
Referred to Finance

**ORDINANCES & FORMAL RESOLUTIONS FOR SECOND READING**

PRESIDENT SCHULMAN: We are now under Ordinances for their second reading. Madame Clerk, will you please read Ordinances #6 through #20 by title.

***NOTE: PRESIDENT SCHULMAN CALLED UPON CLERK TIMBERLAKE TO READ ORDINANCES #6 THROUGH #20 FOR THEIR SECOND TIME BY TITLE AS REQUIRED BY STATE LAW, AS FOLLOWS.***

- #6 (2<sup>ND</sup> RDG) AN ORDINANCE AMENDING CHAPTER 743, JUNK DEALERS, OF PART SEVEN, BUSINESS REGULATION CODE OF THE CODIFIED ORDINANCES OF THE CITY OF CANTON
- #7 (2<sup>ND</sup> RDG) AN ORDINANCE AUTHORIZING THE MAYOR OR DIRECTOR OF PUBLIC SERVICE TO ENTER INTO CONTRACT WITH BROWNFIELD RESTORATION GROUP IN AN AMOUNT NOT TO EXCEED \$284,733.00 FOR PHASE II ASSESSMENT WORK AT THE FORMER HERCULES ENGINE SITE; AND DECLARING THE SAME TO BE AN EMERGENCY
- #8 (2<sup>ND</sup> RDG) **ADOPTED AS ORDINANCE NO. 16/2007** AN ORDINANCE APPROVING A 3-YR COLLECTIVE BARGAINING AGREEMENT BETWEEN THE CITY OF CANTON & AFSCME LOCAL 3449/OH COUNCIL 8; AND DECLARING THE SAME TO BE AN EMERGENCY

PRESIDENT SCHULMAN: Member Casar.

MEMBER CASAR: Mr. President, I move the statutory rules be suspended on Ordinance #8; seconded.

PRESIDENT SCHULMAN: There's a motion to dispense with the three readings of Ordinance #8, it's been moved and seconded. Are there any remarks? If not, roll call vote please.

CLERK TIMBERLAKE: Eleven yeas Mr. President.

NO REMARKS

ROLL CALL: 11 YEAS, 0 NAYS

PRESIDENT SCHULMAN: You've heard the three readings, Member Casar.

MEMBER CASAR: Mr. President, I move we adopt Ordinance #8; seconded.

PRESIDENT SCHULMAN: It's been moved and seconded that you adopt Ordinance #8. Are there any remarks under this Ordinance? If not, roll call vote please Madame Clerk.

CLERK TIMBERLAKE: Eleven yeas Mr. President.

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NO REMARKS

ROLL CALL: 11 YEAS, 0 NAYS

**#8 ADOPTED AS ORDINANCE NO. 16/2007**

#9 (2<sup>ND</sup> RDG) AN ORDINANCE AMENDING SECTIONS 151.07, 151.08, 151.09, 151.12, 151.13, 151.14 & 151.26 & REPEALING SECTIONS 151.091 & 151.092 OF CHAPTER 151, EMPLOYMENT PROVISIONS, OF THE CODIFIED ORDINANCES OF THE CITY OF CANTON; AND DECLARING THE SAME TO BE AN EMERGENCY

#10 (2<sup>ND</sup> RDG) **ADOPTED AS AMENDED AS ORDINANCE NO. 17/2006** AN ORDINANCE AMENDING EXHIBIT A TO ORDINANCE NO 164/2001, AS AMENDED, THE CLASSIFICATION PLAN & SALARIES FOR ALL MANAGEMENT & NON-BARGAINING UNIT EMPLOYEES OF THE CITY OF CANTON; AND DECLARING THE SAME TO BE AN EMERGENCY

PRESIDENT SCHULMAN: Member Casar.

MEMBER CASAR: Mr. President, I move the statutory rules be suspended on Ordinance #10; seconded.

PRESIDENT SCHULMAN: There's a motion to dispense with the three readings of Ordinance #10, it's been moved and seconded. Are there any remarks? If not, roll call vote please.

CLERK TIMBERLAKE: Eleven yeas Mr. President.

NO REMARKS

ROLL CALL: 11 YEAS, 0 NAYS

PRESIDENT SCHULMAN: You've heard the three readings, Member Casar.

MEMBER CASAR: Mr. President, I move we adopt Ordinance #10; seconded.

PRESIDENT SCHULMAN: It's been moved and seconded to adopt Ordinance #10. Are there any comments or remarks?

MEMBER CASAR: Mr. President.

PRESIDENT SCHULMAN: Member Casar.

MEMBER CASAR: Per the copy that all Councilmembers have in front of them, I move to amend per.....; seconded.

*AMENDMENT: Pursuant to Rule No. 36, I move to amend Agenda Item No. 10 by submitting the amended ordinance attached to this Amendment for the original ordinance currently pending before Council.*

PRESIDENT SCHULMAN: It's been moved and seconded to amend the Ordinance #10 per copy before each of you. Are there any remarks? If not by voice vote, all those in favor signify by saying aye. Those opposed no.

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NO REMARKS THE AMENDMENT WAS APPROVED BY UNANIMOUS VOICE VOTE

PRESIDENT SCHULMAN: The question you are now voting on is the Ordinance As Amended. Are there any remarks under this Ordinance as amended? Roll call vote please Madame Clerk.

CLERK TIMBERLAKE: Eleven yeas Mr. President.

NO REMARKS ROLL CALL: 11 YEAS, 0 NAYS

PRESIDENT SCHULMAN: Ordinance #10 is adopted.

**#10 ADOPTED AS AMENDED AS ORDINANCE NO. 17/2007**

#11 (2<sup>ND</sup> RDG) **ADOPTED AS AMENDED AS ORDINANCE NO. 18/2006** AN ORDINANCE AMENDING EXHIBIT B TO ORDINANCE NO 164/2001, AS AMENDED, THE CLASSIFICATION PLAN & SALARIES FOR ALL MANAGEMENT & NON-BARGAINING UNIT EMPLOYEES OF THE CITY OF CANTON; AND DECLARING THE SAME TO BE AN EMERGENCY

PRESIDENT SCHULMAN: Member Casar.

MEMBER CASAR: Mr. President, I move the statutory rules be suspended on Ordinance #11; seconded.

PRESIDENT SCHULMAN: It's been moved and seconded to dispense with the three readings of Ordinance #11. Are there any remarks? If not, roll call vote please Madame Clerk.

CLERK TIMBERLAKE: Eleven yeas Mr. President.

NO REMARKS ROLL CALL: 11 YEAS, 0 NAYS

PRESIDENT SCHULMAN: Thank you Madame Clerk. Member Casar.

MEMBER CASAR: Mr. President, I move we adopt Ordinance #11; seconded.

PRESIDENT SCHULMAN: It's been moved and seconded that you adopt Ordinance #11. Are there any remarks? Member Casar.

MEMBER CASAR: Mr. President. Per the copy that all Councilmembers have in front of them, I move to amend Ordinance #11; seconded.

**AMENDMENT:** Pursuant to Rule No. 36, I move to amend subparagraph (a) to Section 1 of Agenda Item No. 11 as follows:

- (a) Effective and retroactive to January 1, 2007 by 4% for employees employed by the City of Canton on the date of passage of this ordinance.



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NO REMARKS

ROLL CALL: 11 YEAS, 0 NAYS

PRESIDENT SCHULMAN: Ordinance #16 is adopted.

*(Note: This Ordinance was not adopted by error, however rules were suspended and roll call will be taken for adoption on 2/12/07 and will then will be adopted as 19/2007)*

PRESIDENT SCHULMAN: We're now under Ordinances for their third and final reading.....Sorry....oh, we have three left.

MEMBER CASAR: Four

PRESIDENT SCHULMAN: Four, well, I'm getting better.

CLERK TIMBERLAKE: You're doing great.

#17 (2<sup>ND</sup> RDG) **RETAINED IN COMMITTEE**

#18 (2<sup>ND</sup> RDG) AUTHORIZING THE DIRECTOR OF PUBLIC SERVICE TO ENTER INTO CHANGE ORDER #1 WITH GROUND TECH, INC. IN AN AMOUNT NOT TO EXCEED \$13,646.00 FOR THE WPCC BIOFILTER MEDIA REPLACEMENT PROJECT; AMENDING APPROPRIATION ORDINANCE NO 241/2006, AS AMENDED BY MAKING THE SUPPLEMENTAL APPROPRIATION HEREIN DESCRIBED; AND DECLARING THE SAME TO BE AN EMERGENCY

#19 (2<sup>ND</sup> RDG) AN ORDINANCE AUTHORIZING THE DIRECTOR OF PUBLIC SERVICE TO ENTER INTO CONTRACT WITH MITY-LITE, INC IN A TOTAL AMOUNT NOT TO EXCEED \$58,616.00 FOR THE PURCHASE OF FOLDING CHAIRS, STACKING CARTS & STACKING BASES FOR THE CANTON MEMORIAL CIVIC CENTER; AND DECLARING THE SAME TO BE AN EMERGENCY

#20 (2<sup>ND</sup> RDG) AN ORDINANCE AUTHORIZING THE DIRECTOR OF PUBLIC SERVICE TO ENTER INTO A CONTRACT WITH MOTTER & MEADOWS ARCHITECTS IN AN AMOUNT NOT TO EXCEED \$56,600.00 FOR ARCHITECTURAL/ENGINEERING SERVICES FOR THE COLLECTION SYSTEMS DEPARTMENT; AND DECLARING THE SAME TO BE AN EMERGENCY

**ORDINANCES & FORMAL RESOLUTIONS FOR THIRD AND FINAL READING**

PRESIDENT SCHULMAN: Okay, now we're under Ordinances for their third reading, Madame Clerk, please read Ordinance #21 by title.

***NOTE: PRESIDENT SCHULMAN CALLED UPON CLERK TIMBERLAKE TO READ THE FOLLOWING ORDINANCES #21 THROUGH #29 FOR THEIR THIRD AND FINAL READING BY***

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***TITLE AS REQUIRED BY STATE LAW, AS FOLLOWS. ALL THE ORDINANCES WERE ADOPTED BY COUNCIL FOLLOWING THEIR THIRD READING.***

#21 (3<sup>RD</sup> RDG) **ADOPTED AS ORDINANCE # 20/2007** AN ORDINANCE AUTHORIZING THE MAYOR OR DIRECTOR OF PUBLIC SERVICE TO ENTER INTO A JOB CREATION TAX INCENTIVE & NET PROFITS INCENTIVE AGREEMENTS WITH LITTLE CHICAGO INVESTMENTS, INC., DBA LITTLE CHICAGO BISTRO PURSUANT TO THE CITY'S ECONOMIC GROWTH INITIATIVE PROGRAM; AND DECLARING THE SAME TO BE AN EMERGENCY.

MEMBER CASAR: Mr. President.

PRESIDENT SCHULMAN: Member Casar.

MEMBER CASAR: I move we adopt Ordinance #21; seconded.

PRESIDENT SCHULMAN: It's been moved and seconded to adopt Ordinance #21. Are there any remarks? Hearing none, roll call vote please Madame Clerk.

CLERK TIMBERLAKE: Eleven yeas Mr. President.

NO REMARKS

ROLL CALL: 11 YEAS, 0 NAYS

**#21 ADOPTED AS ORDINANCE #20/2007**

PRESIDENT SCHULMAN: Thank you Madame Clerk, Ordinance #21 has been adopted. Ordinance #22.

#22 (3<sup>RD</sup> RDG) **ADOPTED AS ORDINANCE # 21/2007** AN ORDINANCE AUTHORIZING THE MAYOR AND/OR SERVICE DIRECTOR TO FILE AN APPLICATION TO THE STATE OF OHIO TO PARTICIPATE IN THE CLEAN OHIO REVITALIZATION FUND, APPLY FOR FINANCIAL ASSISTANCE & ADMINISTER THE FUNDS RECEIVED FOR THE HERCULES PROJECT; AND DECLARING THE SAME TO BE AN EMERGENCY.

MEMBER CASAR: Mr. President.

PRESIDENT SCHULMAN: Member Casar.

MEMBER CASAR: I move we adopt Ordinance #22; seconded.

PRESIDENT SCHULMAN: It's been moved and seconded to adopt Ordinance #22. Are there any remarks? Hearing none, Madame Clerk, ah....roll call vote please.

CLERK TIMBERLAKE: Eleven yeas Mr. President.

NO REMARKS

ROLL CALL: 11 YEAS, 0 NAYS

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PRESIDENT SCHULMAN: Ordinance #22 has been adopted. Ordinance #23 please Madame Clerk.

#23 (3<sup>RD</sup> RDG) **ADOPTED AS ORDINANCE # 22/2007** AN ORDINANCE AUTHORIZING THE MAYOR AND/OR SERVICE DIRECTOR TO FILE AN APPLICATION TO THE STATE OF OHIO TO PARTICIPATE IN THE CLEAN OHIO REVITALIZATION FUND, APPLY FOR FINANCIAL ASSISTANCE & ADMINISTER THE FUNDS RECEIVED FOR THE BISON PROJECT; AND DECLARING THE SAME TO BE AN EMERGENCY.

MEMBER CASAR: Mr. President.

PRESIDENT SCHULMAN: Member Casar.

MEMBER CASAR: I move we adopt Ordinance #23; seconded.

PRESIDENT SCHULMAN: It's been moved and seconded that you adopt Ordinance #23. Are there any remarks? Hearing none, Madame Clerk, roll call vote please.

CLERK TIMBERLAKE: Eleven yeas Mr. President.

NO REMARKS

ROLL CALL: 11 YEAS, 0 NAYS

**#23 ADOPTED AS ORDINANCE #22/2007**

PRESIDENT SCHULMAN: Ordinance #23 has been adopted. Ordinance #24 please Madame Clerk.

#24 (3<sup>RD</sup> RDG) **ADOPTED AS ORDINANCE # 23/2007** AN ORDINANCE AUTHORIZING THE MAYOR OR DIRECTOR OF PUBLIC SERVICE TO ENTER INTO JOB CREATION TAX INCENTIVE & NET PROFITS INCENTIVE AGREEMENTS WITH REM COMMERCIAL PURSUANT TO THE CITY'S ECONOMIC GROWTH INITIATIVE PROGRAM; AND DECLARING THE SAME TO BE AN EMERGENCY.

MEMBER CASAR: Mr. President.

PRESIDENT SCHULMAN: Member Casar.

MEMBER CASAR: I move we adopt Ordinance #24; seconded.

PRESIDENT SCHULMAN: It's been moved and seconded that you adopt Ordinance #24. Are there any remarks? Hearing none, Madame Clerk, roll call vote please.

CLERK TIMBERLAKE: Eleven yeas Mr. President.

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NO REMARKS

ROLL CALL: 11 YEAS, 0 NAYS

**#24 ADOPTED AS ORDINANCE #23/2007**

PRESIDENT SCHULMAN: Ordinance #24 has been adopted. Ordinance #25 please Madame Clerk.

#25 (3<sup>RD</sup> RDG) **ADOPTED AS ORDINANCE # 24/2007** AUTHORIZING THE DIRECTOR OF PUBLIC SAFETY TO ACCEPT A DONATION TO ASSIST IN THE PURCHASE OF WATER RESCUE EQUIPMENT AND AMENDING APPROPRIATION ORDINANCE #241/2006, AS AMENDED BY MAKING THE SUPPLEMENTAL APPROPRIATION HEREIN DESCRIBED; AND DECLARING THE SAME TO BE AN EMERGENCY.

MEMBER CASAR: Mr. President.

PRESIDENT SCHULMAN: Member Casar.

MEMBER CASAR: I move we adopt Ordinance #25; seconded.

PRESIDENT SCHULMAN: It's been moved and seconded that you adopt Ordinance #25. Are there any remarks? Hearing none, roll call vote Madame Clerk.

CLERK TIMBERLAKE: Eleven yeas Mr. President.

NO REMARKS

ROLL CALL: 11 YEAS, 0 NAYS

**#25 ADOPTED AS ORDINANCE #24/2007**

PRESIDENT SCHULMAN: Ordinance #25 has been adopted. Ordinance #26 please Madame Clerk.

#26 (3<sup>RD</sup> RDG) **ADOPTED AS ORDINANCE # 25/2007** AN ORDINANCE AUTHORIZING THE DIRECTOR OF PUBLIC SAFETY TO ENTER INTO CONTRACT WITH BURGESS AMBULANCE SALES, INC., & ROAD RESCUE, INC., FOR THE PURCHASE OF A MEDIC UNIT AND/OR RELATED EQUIPMENT PURSUANT TO OHIO REVISED CODE SECTION 125.04; AND DECLARING THE SAME TO BE AN EMERGENCY.

MEMBER CASAR: Mr. President.

PRESIDENT SCHULMAN: Member Casar.

MEMBER CASAR: I move we adopt Ordinance #26; seconded.

PRESIDENT SCHULMAN: It's been moved and seconded that you adopt Ordinance #26. Any remarks? Hearing none, Madame Clerk, roll call vote please.

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CLERK TIMBERLAKE: Eleven yeas Mr. President.

NO REMARKS

ROLL CALL: 11 YEAS, 0 NAYS

**#26 ADOPTED AS ORDINANCE #25/2007**

PRESIDENT SCHULMAN: Ordinance #26 has been adopted. Ordinance #27 please.

#27 (3<sup>RD</sup> RDG) **ADOPTED AS ORDINANCE # 26/2007** AN ORDINANCE AUTHORIZING THE DIRECTOR OF PUBLIC SERVICE AND SAFETY TO ADVERTISE, RECEIVE BIDS & ENTER INTO CONTRACT FOR SUPPLY ITEMS, MATERIALS & PROFESSIONAL SERVICES FOR THE CITY OF CANTON’S OPERATIONS DURING THE 2007 CALENDAR YEAR; AUTHORIZING ALTERNATIVELY THE PURCHASE OF SAID ITEMS PURSUANT TO THE STATE COOPERATIVE PURCHASING AGREEMENT AND/OR ODOT PURCHASING AGREEMENT; AND DECLARING THE SAME TO BE AN EMERGENCY

MEMBER CASAR: Mr. President.

PRESIDENT SCHULMAN: Member Casar.

MEMBER CASAR: I move we adopt Ordinance #27; seconded.

PRESIDENT SCHULMAN: It’s been moved and seconded that you adopt Ordinance #27. Any remarks? Hearing none, Madame Clerk, roll call vote please.

CLERK TIMBERLAKE: Eleven yeas Mr. President.

NO REMARKS

ROLL CALL: 11 YEAS, 0 NAYS

**#27 ADOPTED AS ORDINANCE #26/2007**

PRESIDENT SCHULMAN: Ordinance #27 has been adopted. Ordinance #28.

#28 (3<sup>RD</sup> RDG) **ADOPTED AS ORDINANCE # 27/2007** AN ORDINANCE AUTHORIZING THE DIRECTOR OF PUBLIC SERVICE TO ENTER INTO CONTRACT WITH THE CANTON JOINT RECREATION DISTRICT FOR FIELD MAINTENANCE AT THURMAN MUNSON MEMORIAL STADIUM; AND DECLARING THE SAME TO BE AN EMERGENCY.

MEMBER CASAR: Mr. President.

PRESIDENT SCHULMAN: Member Casar.

MEMBER CASAR: I move we adopt Ordinance #28; seconded.

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PRESIDENT SCHULMAN: Ordinance #28 has been moved and seconded. Any remarks? Hearing none, Madame Clerk, roll call vote please.

CLERK TIMBERLAKE: Eleven yeas Mr. President.

NO REMARKS

ROLL CALL: 11 YEAS, 0 NAYS

**#28 ADOPTED AS ORDINANCE #27/2007**

PRESIDENT SCHULMAN: Thank you Madame Clerk. Ordinance #28 is adopted. Ordinance #29.

#29 (3<sup>RD</sup> RDG) **ADOPTED AS ORDINANCE # 28/2007** AN ORDINANCE AMENDING APPROPRIATION ORDINANCE 241/2006, AS AMENDED BY MAKING THE SUPPLEMENTAL APPROPRIATION HEREIN DESCRIBED; AND DECLARING THE SAME TO BE AN EMERGENCY

MEMBER CASAR: Mr. President.

PRESIDENT SCHULMAN: Member Casar.

MEMBER CASAR: I move we adopt Ordinance #29; seconded.

PRESIDENT SCHULMAN: It's been moved and seconded that you adopt Ordinance #29. Any remarks? Hearing none, Madame Clerk, roll call vote please.

CLERK TIMBERLAKE: Eleven yeas Mr. President.

NO REMARKS

ROLL CALL: 11 YEAS, 0 NAYS

**#29 ADOPTED AS ORDINANCE #28/2007**

PRESIDENT SCHULMAN: Thank you Madame Clerk. Ordinance #29 has been adopted.

**ANNOUNCEMENT OF COMMITTEE MEETINGS**

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

MEMBER CARBENIA: Mr. President.

PRESIDENT SCHULMAN: Member Carbenia.

MEMBER CARBENIA: Community & Economic Development will meet ah... February 12<sup>th</sup> at 6:30.

PRESIDENT SCHULMAN: Thank you.

MEMBER PRATER: Mr. President.

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PRESIDENT SCHULMAN: Member Prater.

MEMBER PRATER: Personnel Committee will meet February 12<sup>th</sup> at 6:30.

PRESIDENT SCHULMAN: Thank you.

MEMBER HAWK: Mr. President.

PRESIDENT SCHULMAN: Member Hawk.

MEMBER HAWK: The Finance Committee will meet Monday, February 12<sup>th</sup> at 6:30.

PRESIDENT SCHULMAN: You know, I'm actually doing better just not even looking at you guys.

(LAUGHTER)

MEMBER HAWK: Better sound system, sir.

PRESIDENT SCHULMAN: Really under.....I can hear your voice. Anyone else.

MEMBER KRAUS: Mr. President.

PRESIDENT SCHULMAN: Member Kraus.

MEMBER KRAUS: Public Safety and Thoroughfare will meet February 12<sup>th</sup> at 6:30.

PRESIDENT SCHULMAN: Thank you.

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

PRESIDENT SCHULMAN: We are now under Public Speaks, Open Forum. We have two speakers tonight. First is Mike Williams. Mr. Williams. And thank you sir for braving the elements tonight, we appreciate you being here. Ah....would you please tell us your name and your residential address and just as a cautionary instruction, Council has determined that you only have 3 minutes for public speaks so try to maintain that please.

MIKE WILLIAMS: Yes, ah....Mike Williams my residential address is 400 E. Tuscarawas Street. I'm here to thank Council, the City, the Mayor and Staff for their efforts (*inaudible*)

PRESIDENT SCHULMAN: Your microphone is on but may we recommend, because we're recording this, could you speak in a little closer, you can even pick it up if you want.

MIKE WILLIAMS: That's alright I'll move in here.

PRESIDENT SCHULMAN: Thank you,

MIKE WILLIAMS: As we are ah.....moving near the end of the project. Ah.....we...ah have taken great

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pride in our efforts and great support from your efforts and I just wanted to say thank you on behalf of our board of directors and how much we are pleased that we were able to work harder to bring about a senior service center and a revitalization for that area. Councilman West has been a great support and we would like to just say thank you and invite you to tour our facilities as soon as possible.

PRESIDENT SCHULMAN: Thank you Mr. Williams. Our next speaker is someone who is known to all, President J.R. Rinaldi. Mr. Rinaldi, you have 3 minutes sir. *(Laughter)* Would you tell us your name and your home address please.

J.R. RINALDI: You don't have Ray's stop watch do you? *(Laughter)* Ray lives..... uh....look there it is.

PRESIDENT SCHULMAN: Yes I do.

J.R. RINALDI: You're a little taller then Ray but that's not saying much but that's alright. *(Laughter)*

PRESIDENT SCHULMAN: Member Casar, do we hear a motion to adjourn? *(Laughter)*

J.R. RINALDI: First of all..uh...you the superintendent Mr. President, what can you do for us. I would like to think we could look at each other and say what can we do for each other. Mr. Carmen had his Christmas list ready and he would like 250 new homes on the fairground site, so if we're going open this up and make it move, let's go big, let's go large. But...but ah....Mr. President, thank you, Mayor, Leader Casar and the rest of Council and the staff, thank you so much for coming out and experiencing what we have in Canton City. Ah.....I would like to say that we represent our working families well, our kids deserve the best, we need to ah...stand up and be heard. Let the folks know in Columbus that things aren't going the way they should be done. We in Canton, as we always do *(inaudible)* we unite, we organize, we let them know that ah...what goes on here is important to all of our families. I think that just coming together tonight on a very cold night, being out here with each other says we care about our kids in this town. We talk about some of the special things with the schools...uh, it wasn't too long ago that we had a young man ride the bus from Massillon to Timken High School to take the Robotics class. So when you talk about how we have some unique things here...uh...and for those kids that are pretty, that are skilled and very smart, we have programs and ah.....we are bringing back some of the labor things...ah....form a little union with East Central Ohio Building Trades. We are starting up a program with our Career and Tech. Department, with our Industrial Technology to where all 15 of the crafts will now come down and be involved with our Industrial Technology Program, so after they graduate from Canton City, there are 15 trades that they can choose from. They'll get post secondary credits and when they graduate from us, they'll become a second year apprentice right out of high school. They will make 70% of the union scale of what those folks make. If you're a pipe fitter, I think those folks make about around \$26.00 an hour plus their benefit package which is up over *(inaudible)*. So, it wasn't too long ago somebody said "Everybody is going to college." Well when you come from Canton, Ohio you understand that we're a blue collar hard working town. If you're lucky to be that 12% of going to college from here and graduating, God Bless you but we gotta remember those hands on people. So I think tonight is the beginning of a huge relationship with education. Thank you much and God Bless you guys. And ah...before I leave there was a Councilmember that wanted me to announce that there's a good looking guy at the end of the table and I know....Member Kraus, I know you'll be heart broken but it's not you. *(Laughter)* But you're learning, I like that. But Member Casar, Leader Casar, God Bless ya. But thank you so much, all kidding aside, it's been a monumental night and ah.....the kids will thank you one day for it. Thank you.

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(APPLAUSE)

PRESIDENT SCHULMAN: Thank you President Rinaldi. I really appreciate it and that program you talked about....ah....you know, ah.....Leader Casar and I and ah.....President Rinaldi had a meeting with the United Union Metal President and his sales people and they're ready to hire some of those young students that come out of that program. So we congratulate you. Thank you very much for your hard work.

**MISCELLANEOUS BUSINESS**

PRESIDENT SCHULMAN: We're now under Miscellaneous Business. Ah.....is there any miscellaneous business?

MEMBER CARBENIA: Mr. President.

PRESIDENT SCHULMAN: Member Casar. Oh..Member Carbenia.

MEMBER CARBENIA: I know I look as good as him anyways. (*Laughter*) Um....I would just like to say ah....Mr. Rinaldi is very instrumental in that program that they were talking about for the new curriculum for the high school. I know how much that....how much work he put into it and the Canton School Board. J.R. worked hard going to the East Central Building Trades people, setting this up and ah....going to the schools. I think he's done a heck of a job and the students are going to be better for it. And ah....the other thing I'd like to say is...don't believe him on some of the things he says about Casar. (*Laughter*) Thank you.

PRESIDENT SCHULMAN: Thank you Member Carbenia.

MAYOR CREIGHTON: Mr. President.

PRESIDENT SCHULMAN: Mayor.

MAYOR CREIGHTON: Thank you. Um...I just would like to remind everyone that, that while we're together here tonight, to some it might appear that we don't have ongoing communication and I want to insure everyone in our community that there is a strong commitment and a strong communication ah.....a strong communication that takes place really probably on a weekly basis with our Canton City Schools. Whether it is one of us visiting a school, whether it is meeting with the Superintendent and her Principals at meetings, whether it is conversing with school board members sometimes out of the normal ah...setting. I want to reassure our public that we have a great deal of respect for our Canton City Schools and as I said before "A City is only as successful as the schools and the schools are only as successful as the City." So we must work together.

PRESIDENT SCHULMAN: Thank you Mayor.

LAW DIRECTOR MARTUCCIO: Mr. President.

PRESIDENT SCHULMAN: Law Director Martuccio.

LAW DIRECTOR MARTUCCIO: Thank you. I wanted to say thank you to all of the members of the school system and the City who made this possible. I know a lot of work went into it just looking at the setup and the wires that are underneath of us. Thank you all very much. Secondly, some of you who maybe new to this

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procedure of watching City Council may think it's an assembly line. And a lot of items on the Agenda, a lot of Ordinances were passed (*Inaudible*). Far from it. Communications that are listed on the Agenda have an explanation. They're letters, communications of our work through a letter explaining what it is that's being sought and (*inaudible*) each Ordinance. Upon it's second reading, committees take place. Those committees start at 5:30, 6 or 6:30 and much of the work that's done there where the Ordinances are explained and debated and those are open to the public with the exception of those few items that might be in executive session, such as personnel items. You're always welcome to attend those as well. Thirdly, ah....for those 4 of you who are with me on the Claims Committee, I'll ask you afterwards what your preference is to meeting to discuss an imminent claim against the City and pending litigation. Ah...either tonight or sometime this week or next Monday we can set a time to do that. And lastly, um....I wanted to let everyone know that tomorrow morning there's an annual event taking place at the beautiful Negro Old-time's that's here in Canton. It's a splendid facility, they have great ah....meals there. There'll be a breakfast and it's an annual Crime Prevention joint effort for the Law Enforcement Agency, City, County and others to commend and recommend and appreciate the work of certain people in the law enforcement community. Tomorrow you may want to attend um....because attending, if I heard correctly is our newly elected Ohio Attorney General. So that might be of great interest to some of you who um appreciate what law enforcement does or wants to see whose involved in it. Thank you.

PRESIDENT SCHULMAN: Thank you Law Director Martuccio. Anyone else?

SERVICE DIRECTOR CONCATTO: Mr. President.

PRESIDENT SCHULMAN: Yes, Service Director Concatto.

SERVICE DIRECTOR CONCATTO: Uh...I just want to say that uh...in the newspaper article awhile back about the Student Council and some of the comments was that they would like to see some people, some of us come into their classrooms. I just want to make it know that I would be more than happy to come into any government (*Inaudible*) either into Canton City Schools to convey what knowledge I have about the government system. But I just want to say that we don't just walk into them. It is by invitation. I would be open to doing that anytime, just please contact me. I'm sure all of our...all of the staff would do that. I think it's important that understand what you heard here tonight is a little hard to understand, we go through it quite....quite fast um....but there's a lot to it. I just want to say that I would be more then happy to attend.

PRESIDENT SCHULMAN: Thank you Service Director Concatto. Anyone else?

MEMBER CASAR: Mr. President.

PRESIDENT SCHULMAN: Member Casar.

MEMBER CASAR: I move we adjourn; seconded.

PRESIDENT SCHULMAN: Moved and seconded to adjourn.....

MEMBER WEST: Mr.... Mr. President. There is a committee meeting ah Jim Griffin has, Environmental & Public Utilities to meet February 12<sup>th</sup>.

PRESIDENT SCHULMAN: Thank you very much. Moved and seconded to adjourn, any remarks? Which there

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shouldn't be any...uh...Madame Clerk, roll call vote please.

CLERK TIMBERLAKE: Eleven yeas Mr. President.

NO REMARKS

ROLL CALL: 11 YEAS, 0 NAYS

PRESIDENT SCHULMAN: The meeting is adjourned. (*Gavel falls*)

ADJOURNMENT TIME: 8:22 PM

ATTEST:

APPROVED:

CYNTHIA TIMBERLAKE  
CLERK OF COUNCIL

ALLEN SCHULMAN  
PRESIDENT OF COUNCIL