

MINUTES OF THE MEETING MARCH 12, 2007

PRESIDENT SCHULMAN: (*SOUND OF GAVEL*) With a quorum being present, the Chair calls this meeting of Canton City Council to order. Roll call please Madame Clerk.

ROLL CALL TAKEN BY CLERK TIMBERLAKE:

10 COUNCILMEMBERS PRESENT: (JOE CARBENIA, MARY CIRELLI, GREG HAWK, THOMAS E. WEST, JAMES GRIFFIN, KELLY ZACHARY, TERRY PRATER, DAVID R. DOUGHERTY, RICHARD D. HART, & KARL "BUTCH" KRAUS)

CLERK TIMBERLAKE: Ten present Mr. President. (CASAR & SMUCKLER ABSENT)

PRESIDENT SCHULMAN: Thank you Madame Clerk. We'll have the invocation tonight given this evening by Councilmember Butch Kraus. Will you all please remain standing for the pledge of allegiance.

The regular meeting of Canton City Council was held on Monday, March 12, 2007 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 8 Councilmember Butch Kraus, followed by the Pledge of Allegiance led by President Schulman.

AGENDA CORRECTIONS & CHANGES

PRESIDENT SCHULMAN: We are now under agenda corrections and changes. Members of Council, you're being asked to suspend Rule 22A to add the second reading of Ordinance #4. Member Carbenia, the Chair will recognize that motion.

MEMBER CARBENIA: Mr. President, I move we, I move Rule 22A be suspended so we can um, to add 2nd Readings Ordinance #4; seconded.

PRESIDENT SCHULMAN: It's been moved and seconded to suspend Rule 22A to second reading Ordinance #4 on tonight's agenda. Are there any remarks?... If not, by roll call.

NO REMARKS

ROLL CALL: 10 YEAS, 0 NAYS

CLERK TIMBERLAKE: Ten yeas Mr. President.

PRESIDENT SCHULMAN: Thank you Madame Clerk. Rule 22A is therefore suspended and Ordinance #4 is a legal part of your agenda.

INFORMAL RESOLUTIONS

PRESIDENT SCHULMAN: Mr. Carbenia, I'll recognize a motion to excuse members.

MEMBER CARBENIA: Mr. President. I move we excuse Members Casar and Smuckler from tonight's agenda..ah, meeting; seconded.

PRESIDENT SCHULMAN: It's been moved and seconded to excuse members Casar and Smuckler from this evening's meeting. Are there any remarks?... If not, roll call vote please.

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CLERK TIMBERLAKE: Ten yeas Mr. President

NO REMARKS

ROLL CALL: 10 YEAS, 0 NAYS

PRESIDENT SCHULMAN: Thank you Madame Clerk.

PUBLIC HEARINGS

PRESIDENT SCHULMAN: We are now under Public Hearings. There are no public hearings scheduled for this evening.

PUBLIC SPEAKS

PRESIDENT SCHULMAN: We are now under Public Speaks on Ordinances and Resolutions for adoption. We have no speakers signed up to vote.

INFORMAL RESOLUTIONS

PRESIDENT SCHULMAN: We are now under Informal Resolutions. The Chair will recognize the motion to adopt Resolution #23. Member Carbenia.

MEMBER CARBENIA: Mr. President I move we ah, postpone both 23 and 24 Resolutions until 3/19/09, 07; seconded.

PRESIDENT SCHULMAN: There's a motion to postpone Resolution 23 and 24 till March 19th, 2007. Are there any remarks?... If not, by voice vote, all those in favor signify by saying aye; those opposed no.

NO REMARKS

RESOLUTIONS #23 & #24 POSTPONED BY UNANIMOUS VOICE VOTE

PRESIDENT SCHULMAN: Those Resolutions #23 and #24 are therefore postponed until next Monday. The Chair will recognize a motion ... oh, I'm sorry.

COMMUNICATIONS

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 MARCH 12, 2007.

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

119. HAWK, GREG, FINANCE CHAIRMAN, CITY OF CANTON: REQUEST \$200.00 FOR COUNCIL OFFICE PETTY CASH FUND. - FINANCE CMTE

220. HEALTH BENEFITS ADMINISTRATOR, ROSE BRESSON, CITY OF CANTON: FEB 2007, MONTHLY COMPARATIVE REPORT OF INSURANCE CLAIMS & JAN - FEB 2007 PAID CLAIMS & COMPARATIVE REPORT. - RECEIVED & FILED

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221. LIQUOR CONTROL DIVISION, STATE OF OHIO: REQUEST TRANSFER OF OWNERSHIP & LOCATION OF D5 LIQUOR PERMIT FR: JOHN FELLOUZIS, FINIKI INC DBA FLAMING PIT @ 3504 W TUSCARAWAS ST TO: LUIGI TOZZI LLC DBA PICCIANOS @ 221 - 27 SECOND ST NW. - INTERGOVERNMENTAL & PUBLIC SERVICE CMTE
222. LIQUOR CONTROL DIVISION, STATE OF OHIO: ADVISING THAT HEARING RE: FULTON RD DRIVE-THRU INC @ 1133 FULTON RD NW 1ST FLOOR SOUTH UNIT & BASEMENT HAS BEEN CANCELED. - RECEIVED & FILED
223. LIQUOR CONTROL DIVISION, STATE OF OHIO: NOTICE OF HRG FOR TRANSFER OF PERMIT ON 3/29/07 @ 9:00 AM RE: STERN & MANN BAR & GRILLE, LLC DBA STERN & MAN BAR & GRILLE @ 220 MARKET AVE N . - RECEIVED & FILED
224. LIQUOR CONTROL DIVISION, STATE OF OHIO: NOTICE OF HRG FOR TRANSFER OF PERMIT ON 3/29/07 @ 10:00 AM RE: ABUKWAIK, INC DBA FOOD CENTER @ 636 ROWLAND AVE NE. - RECEIVED & FILED
225. LIQUOR CONTROL DIVISION, STATE OF OHIO: NOTICE OF HRG FOR RENEWAL OF PERMIT ON 3/29/07 @ 11:00 AM RE: BP PRODUCTS NORTH AMERICA INC DBA BP FOOD MART 5896 @ 1200 N MARKET ST & GAS PUMPS. - RECEIVED & FILED
226. TREASURER, ROBERT SCHIRACK, CITY OF CANTON: FEB 28, 2007 COMPARATIVE REPORT OF CASH RECEIPTS. - RECEIVED & FILED
227. TREASURER, ROBERT SCHIRACK, CITY OF CANTON: FEB 2007 PARKING METER REVENUE. - RECEIVED & FILED
228. TREASURER, ROBERT SCHIRACK, CITY OF CANTON: DEPOSITS & PAY INS FOR FEB 2007 FOR AMBULANCE LOCK BOX ACCOUNT. - RECEIVED & FILED
229. TREASURER, ROBERT SCHIRACK, CITY OF CANTON: REPORTS OF TREASURER'S OFFICE BANK RECONCILIATIONS & CITY'S OUTSTANDING INVESTMENTS AS OF 2/28/07. - RECEIVED & FILED
230. TREASURER, ROBERT SCHIRACK, CITY OF CANTON: REQUEST APPROVAL OF A MORAL OBLIGATION IN THE AMT OF \$10,151.71 TO PPI GRAPHICS FOR TAX PACKAGES. - FINANCE CMTE
231. WILLIAMS, ERIC, ATTORNEY AT LAW: SUBMITTING NOTICE OF APPEAL RE: PLAIN TWP BD OF TRUSTEES V. BOARD OF COUNTY COMMISSIONERS, STARK COUNTY, ET AL (DIANO ANNEXATION). - RECEIVED & FILED
232. ZACHARY, KELLY, WARD 4 COUNCILMEMBER: REQUEST TO MAYOR CREIGHTON THAT SHE ESTABLISH A VOLUNTARY MENTORING PARTNERSHIP BETWEEN CITY EMPLOYEES & THE YOUTH WHO ATTEND THE COMMUNITY DROP IN CENTER. -

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RECEIVED & FILED

ORDINANCES & FORMAL RESOLUTIONS FOR FIRST READING

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

NOTE: PRESENT SCHULMAN CALLED UPON CLERK TIMBERLAKE TO READ ORDINANCES #1 THROUGH #3 FOR THE FIRST TIME BY TITLE & ANNOUNCED THE COMMITTEE REFERRAL, AS FOLLOWS:

- #1 (1ST RDG) AN ORDINANCE AMENDING APPROPRIATION ORDINANCE NO. 241/2006, AS AMENDED, BY MAKING THE SUPPLEMENTAL APPROPRIATIONS AND APPROPRIATION TRANSFERS AND REDUCTIONS HEREIN DESCRIBED; AND DECLARING THE SAME TO BE AN EMERGENCY
Referred to Public Property Capital Improvement and Finance Committees
- #2 (1ST RDG) AN ORDINANCE AMENDING APPROPRIATION ORDINANCE NO 241/2006, AS AMENDED BY MAKING THE SUPPLEMENTAL APPROPRIATION HEREIN DESCRIBED; AND DECLARING THE SAME TO BE AN EMERGENCY
Referred to Finance Committee
- #3 (1ST RDG) AN ORDINANCE AUTHORIZING THE DIRECTOR OF PUBLIC SERVICE TO ADVERTISE, RECEIVE BIDS AND ENTER INTO CONTRACT FOR THE CONSTRUCTION OF WATER TREATMENT PLANT UPGRADES; TO ENTER INTO CONTRACT WITH BURGESS & NIPLE FOR THE ENGINEERING SERVICES AND TO MAKE APPLICATION AND ENTER INTO CONTRACT WITH THE OHIO WATER DEVELOPMENT AUTHORITY FOR A LOAN IN THE AMOUNT OF \$3,500,000.00; AMENDING APPROPRIATION ORDINANCE NO. 241/2006, AS AMENDED, BY MAKING THE SUPPLEMENTAL APPROPRIATION HEREIN DESCRIBED; AND DECLARING THE SAME TO BE AN EMERGENCY
Referred to Finance and Public Property Capital Improvement Committees

ORDINANCES & FORMAL RESOLUTIONS FOR SECOND READING

PRESIDENT SCHULMAN: We are now under Ordinances for their second reading. Madame Clerk will you please read Ordinance #4 by title.

NOTE: PRESIDENT SCHULMAN CALLED UPON CLERK TIMBERLAKE TO READ ORDINANCES #4 & #5 FOR THEIR SECOND TIME BY TITLE AS REQUIRED BY STATE LAW, AS FOLLOWS. ORDINANCE #4 WAS ADOPTED ON ITS FIRST READING AND ORDINANCE #5 WAS RETAINED IN COMMITTEE.

- #4 (2ND RDG) **ADOPTED AS AMENDED AS ORDINANCE #51/2007** AN ORDINANCE

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DECLARING THE SAME TO BE AN EMERGENCY**

MEMBER CARBENIA: Ah, Mr. President. I move we dispense with the 3 readings of Ordinance #4; seconded.

PRESIDENT SCHULMAN: It's been moved and seconded to dispense with the 3 readings on Ordinance #4. Are there any remarks?... Hearing none, roll call vote please Madame Clerk.

NO REMARKS

ROLL CALL: 10 YEAS, 0 NAYS

CLERK TIMBERLAKE: Ten yeas Mr. President.

PRESIDENT SCHULMAN: Motion carries. You've heard the 3 readings. Member Carbenia.

MEMBER CARBENIA: Mr. President. I move we adopt Ordinance #4.

PRESIDENT SCHULMAN: It's been moved and seconded that you adopt Ordinance #4. Are there any remarks under this Ordinance?

MEMBER CARBENIA: Ah, Mr. President.

PRESIDENT SCHULMAN: Yes, Member Carbenia.

MEMBER CARBENIA: I move ah, we amend Ordinance #4 per the copy that everyone has in front of them.

PRESIDENT SCHULMAN: It's been moved and seconded to amend Ordinance #4 per the copy before each of you. Are there any remarks?... If not, by voice, voice vote, all those in favor signify by saying aye. Those opposed no. The motion carries.

NO REMARKS

MOTION APPROVED BY UNANIMOUS VOICE VOTE

MEMBER CARBENIA: Ah, Mr. President. I move we adopt Ordinance #4 as amended; seconded.

PRESIDENT SCHULMAN: It's been moved and seconded to adopt Ordinance #4 as amended. Are there any remarks?... Roll call vote please Madame Clerk.

NO REMARKS

ROLL CALL: 10 YEAS, 0 NAYS

CLERK TIMBERLAKE: Ten yeas, Mr. President.

PRESIDENT SCHULMAN: Ordinance #4 as amended has been adopted.

#4 ADOPTED AS AMENDED AS ORDINANCE #51/2007

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#5 (1ST RDG) **NOT READ - RETAINED IN COMMITTEE**

ORDINANCES & FORMAL RESOLUTIONS FOR THIRD AND FINAL READING

PRESIDENT SCHULMAN: We are now under Ordinances for their third and final reading, Madame Clerk.

NOTE: PRESIDENT SCHULMAN CALLED UPON CLERK TIMBERLAKE TO READ THE FOLLOWING ORDINANCES #6 THROUGH #14. FOR THEIR THIRD AND FINAL READING BY TITLE AS REQUIRED BY STATE LAW, AS FOLLOWS. ALL THE ORDINANCES WERE ADOPTED BY COUNCIL FOLLOWING THEIR THIRD READING. ORDINANCES #13 AND #14 WERE POSTPONED UNTIL MARCH 19, 2007.

#6 (3RD RDG) **ADOPTED AS ORDINANCE #52/2007** AN ORDINANCE APPROVING AND ACCEPTING THE RIGHT OF WAY DEDICATION PLAT OF A PORTION OF 26TH STREET SW; APPROVING AND ACCEPTING A REPLATTING PARTS OF OUTLOT 483 THROUGH 485; AND DECLARING THE SAME TO BE AN EMERGENCY

MEMBER CARBENIA: Mr. President.

PRESIDENT SCHULMAN: Member Carbenia.

MEMBER CARBENIA: I move we adopt Ordinance #6; seconded

PRESIDENT SCHULMAN: It's been moved and seconded to adopt Ordinance #6 Are there any remarks?... If not, roll call vote please Madame Clerk.

CLERK TIMBERLAKE: Ten yeas Mr. President.

NO REMARKS

ROLL CALL: 10 YEAS, 0 NAYS

PRESIDENT SCHULMAN: Ordinance #6 has been adopted. Ordinance #7 please Madame Clerk.

#6 ADOPTED AS ORDINANCE #52/2007

#7 (3RD RDG) **ADOPTED AS ORDINANCE #53/2007** AN ORDINANCE AUTHORIZING THE MAYOR OR DIRECTOR OF PUBLIC SERVICE TO MAKE APPLICATION FOR AN ACCEPT GRANT FUNDS FROM THE OHIO DEPARTMENT OF DEVELOPMENT FOR THE STEIN INDUSTRIAL PARK; AND DECLARING THE SAME TO BE AN EMERGENCY

MEMBER CARBENIA: Mr. President.

PRESIDENT SCHULMAN: Member Carbenia..

MEMBER CARBENIA: I move we adopt Ordinance #7; seconded.

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PRESIDENT SCHULMAN: It's been moved and seconded that you adopt Ordinance #7. Are there any questions or comments?... If not, Madame Clerk, roll call vote please.

CLERK TIMBERLAKE: Ten yeas Mr. President.

NO REMARKS

ROLL CALL: 10 YEAS, 0 NAYS

PRESIDENT SCHULMAN: Ordinance #7 has been adopted. Ordinance #8 Madame Clerk.

#8 (3RD RDG) **ADOPTED AS ORDINANCE #54/2007** AN ORDINANCE AMENDING SECTION 181.12, VIOLATIONS, PENALTY OF CHAPTER 181 INCOME TAX.

MEMBER CARBENIA: Mr. President.

PRESIDENT SCHULMAN: Member Carbenia.

MEMBER CARBENIA: 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, Madame Clerk, roll call vote please.

CLERK TIMBERLAKE: Ten yeas Mr. President.

NO REMARKS

ROLL CALL: 10 YEAS, 0 NAYS

PRESIDENT SCHULMAN: Ordinance #8 has been adopted. Ordinance #9 please Madame Clerk.

#8 ADOPTED AS ORDINANCE #54/2007

#9 (3RD RDG) **ADOPTED AS ORDINANCE #55/2007** AN ORDINANCE AUTHORIZING THE DIRECTOR OF PUBLIC SAFETY TO DONATE YOUTH POLICE WORKOUT MATS TO STARK STATE COLLEGE OF TECHNOLOGY

MEMBER CARBENIA: Mr. President.

PRESIDENT SCHULMAN: Member Carbenia.

MEMBER CARBENIA: I move we adopt Ordinance #9; seconded.

PRESIDENT SCHULMAN: It's been moved and seconded that you adopt Ordinance #9. Are there any remarks under this ordinance?... If not, Madame Clerk roll call vote please.

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

NO REMARKS

ROLL CALL: 9 YEAS, 0 NAYS, 1 ABSTAIN
(ZACHARY ABSTAINED)

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PRESIDENT SCHULMAN: Ordinance #9 has been adopted. Ordinance #10 please Madame Clerk.

#9 ADOPTED AS ORDINANCE #55/2007

#10 (3RD RDG) **ADOPTED AS ORDINANCE #56/2007** AN ORDINANCE AUTHORIZING THE DIRECTOR OF PUBLIC SERVICE TO ENTER INTO CHANGE ORDER #2 WITH OHIO TECHNICAL SERVICES INCORPORATION IN AN AMOUNT NOT TO EXCEED \$249,492.14 FOR THE ONESTO HOTEL PROJECT; AND DECLARING THE SAME TO BE AN EMERGENCY

MEMBER CARBENIA: Mr. President.

PRESIDENT SCHULMAN: Member Carbenia.

MEMBER CARBENIA: I move we adopt Ordinance #10; seconded.

PRESIDENT SCHULMAN: It's been moved and seconded that you adopt Ordinance #10. Are there any remarks under this Ordinance?

MEMBER CIRELLI: Mr. President.

PRESIDENT SCHULMAN: Member Cirelli.

MEMBER CIRELLI: Ah, question to the Law Director. Um, if I'm correct on this, we discussed this last week and I would have it on the record or something to the fact that Council simply has to pass this um, even though we don't necessarily approve of how this all came about. Could you explain that sir, and have it for the record?

LAW DIRECTOR MARTUCCIO: Thank you. Mr. President.

PRESIDENT SCHULMAN: Law Director.

LAW DIRECTOR MARTUCCIO: Member Cirelli. Thank you for bringing that point forward. Um, as we've described in a number of meetings and sessions and committee meetings, this all goes back to the removal of asbestos from the building known as the Onesto Hotel Building, in preparation for its next phase to be reconverted into um, living establishments. Um, as we've noted in the ordinance, there was more than anticipated, more was spent by this company to remove it than anticipated, um, it's been inspected, the Health Department and the consultants, there's no need for further re-mediation and yes, to make it clear, Council and this is written into the whereas clause here, was not an entity involved in the construction oversight process um, but they have been advised by the city's department of health and consultants and so on, there's no need for further remediation. Again, ah, this was something that Council merely serves as a fiscal pass through for the Ohio Department of Development. The ODOD had previously authorized \$900,000 plus for asbestos removal. The company that it was successfully bid to underestimated how much it would cost and this change order would restore it to that figure and not cost the city any additional dollar in city dollars. Thank you.

MEMBER CIRELLI: Ah, Mr. President.

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PRESIDENT SCHULMAN: Member Cirelli.

MEMBER CIRELLI: Ah, Law Director, thank you sir for your explanation. Furthermore, I did some research on the internet on ah, both of these companies that were involved in this issue, and neither one of them could I find anywhere, have they done ah, historic preservation. So, this, I think, would probably be a first. However, I don't want it to be, or, if they, in the future, would contact the city, I don't want it to appear that we're real peachy-creamy with the whole thing, ah, and yeah, they're really great at this whole issue because I don't feel that's the image that we want to project out there ah, saying yeah, Canton approved this and now they're going to more less use our, our community saying well, we did historic preservation there whenever I don't really feel that they're capable of handling what they got into. So, could you comment on that sir?

LAW DIRECTOR MARTUCCIO: Mr. President.

PRESIDENT SCHULMAN: Mr. Martuccio.

LAW DIRECTOR MARTUCCIO: Thank you. Member Cirelli, I can comment on a part of it, at least legally speaking. Um, ah, I understand consultants were involved in the initial bidding and, and, and choosing process. As I mentioned to Council in the past, in previous, in subsequent bids from this point forward, and certainly in all our bids, it's always been our prerogative to look at the quality of the bids that come before us. The standard is lowest and best so, often times the public thinks we simply choose the lowest and often times, we can't. But, the best means, we're supposed to look to see what kind of compliance they've had with meeting deadlines, how many cost over-runs or change orders, so yes, these factors that we've gone through with this project, are factors that we can always look at as a city in the future, to grade them should they ever decide to re-bid on a project here again.

MEMBER CIRELLI: Ah, Mr. President.

PRESIDENT SCHULMAN: Member Cirelli

MEMBER CIRELLI: Thank you Mr., ah, thank you Law Director Martuccio for your explanation. I will vote for this project because I want the city to move forward. I think it's going to be a positive thing for the City of Canton. I don't like, as well as I'm sure as the rest of some of the other Councilmembers, I can't speak for them, I don't necessarily like the process of how it was handled, and what have you, ah, and that had nothing to do with the Administration or anything. I think the Administration has really bent over backwards to accommodate to get this process ah, up and running so that it can be restored and it will be a fine facility ah, that will add to our full downtown Canton. I think it will be something that will be a top-notch, cuz I've seen what the developer, Mr. Coon has done for this community and I think we need to see him ah, moving in the right direction. He's going in the right direction, so, like I said, I'm voting for it, ah, if I had my 'druthers', I wish it would druthers came out with somebody different, or what have you, on this, on the end of it all, but I will support it just to see it move along. Thank you very much.

PRESIDENT SCHULMAN: Thank you Member Cirelli. Are there any other remarks?

SERVICE DIRECTOR CONCATTO: Mr. President.

PRESIDENT SCHULMAN: Yes, Service Director Concatto.

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SERVICE DIRECTOR CONCATTO: I just want to make one statement if I may. OTS was the low bidder and was reviewed quite extensively for their experience in remove asbestos and their experience with historical buildings. They were, they were somebody that we waited a couple months before we picked OTS and confided in a lot of groups to see whether they were a viable organization. I'm not speaking for what they did there, I'm just speaking for the fact that the Administration, when picking OTS, did do their due diligence in my opinion and, and ah, in researching what they did and following up on people that they did work with, I don't know what you researched Member Babcock, or, I'm sorry... okay, I'll shut up. Member Cirelli, but, I, I, I, I just wanted, I just wanted, I needed it because it's on the record, that, that it said that they didn't do it, I just wanted to make sure that we did review their credentials.

MEMBER CIRELLI: It's okay Mr. Miller. (LAUGHTER)

PRESIDENT SCHULMAN: Are there any other remarks on Ordinance #10?... Hearing none, Madame Clerk, roll call vote please.

NO FURTHER REMARKS

ROLL CALL: 9 YEAS, 1 NAY
(PRATER VOTED NO)

CLERK TIMBERLAKE: I'd be happy. Ten yeas, 1 no Mr. President. I'm sorry, nine yeas, 1 no.

PRESIDENT SCHULMAN: Ordinance #10 has been adopted. Ordinance #11.

#10 ADOPTED AS ORDINANCE #56/2007

#11 (3RD RDG) **ADOPTED AS ORDINANCE #57/2007** AN ORDINANCE AUTHORIZING THE CITY AUDITOR TO PAY MORAL OBLIGATIONS IN AN AMOUNT NOT TO EXCEED \$350.00 TO BARCO SECURITY SYSTEMS INC., \$121.50 TO SILCO FIRE PROTECTION CO., AND \$138.84 TO MEGGIT DEFENSE SYSTEMS; AND DECLARING THE SAME TO BE AN EMERGENCY

MEMBER CARBENIA: Mr. President.

PRESIDENT SCHULMAN: Member Carbenia.

MEMBER CARBENIA: I move we adopt um, Ordinance #11; seconded.

PRESIDENT SCHULMAN: It's been moved and seconded by Member Cirelli that we adopt Ordinance #11. Are there any remarks?... Hearing none, Madame Clerk, roll call vote please.

NO REMARKS

ROLL CALL: 9 YEAS, 0 NAYS, 1 ABSTAIN
(ZACHARY ABSTAINED)

CLERK TIMBERLAKE: Nine yeas, 1 abstain Mr. President.

PRESIDENT SCHULMAN: Thank you Madame Clerk. Ordinance #11 has been adopted. Ordinance #12.

#11 ADOPTED AS ORDINANCE #57/2007

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#12 (3RD RDG) AN ORDINANCE AUTHORIZING THE CITY AUDITOR TO PAY A MORAL OBLIGATION IN AN AMOUNT NOT TO EXCEED \$3,308.38 TO PET SUPPLIES PLUS; AND DECLARING THE SAME TO BE AN EMERGENCY

MEMBER CARBENIA: Mr. President.

PRESIDENT SCHULMAN: Member Carbenia.

MEMBER CARBENIA: I move we adopt Ordinance #12; seconded.

PRESIDENT SCHULMAN: Ordinance #12 has been, it's been moved and seconded that you adopt Ordinance #12. Are there any remarks?... Hearing none, roll call vote please Madame Clerk.

CLERK TIMBERLAKE: Nine yeas, 1 abstain.

NO REMARKS

ROLL CALL: 9 YEAS, 1 ABSTAIN
(ZACHARY ABSTAINED)

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

#12 ADOPTED AS ORDINANCE #58/2007

PRESIDENT SCHULMAN: Ordinances #13 and #14, by virtue of the Chair's prerogative had been previously set to a date certain of March 19th, 2007. These two ordinances will be on the agenda next week. It'll be, these two ordinances will therefore be postponed until March 19th, 2007.

#13 (3RD RDG) **POSTPONED TO MARCH 19, 2007**

#14 (3RD RDG) **POSTPONED TO MARCH 19, 2007**

ANNOUNCEMENT OF COMMITTEE MEETINGS

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

MEMBER HAWK: Mr. President.

PRESIDENT SCHULMAN: Member Hawk.

MEMBER HAWK: The Finance Committee will meet March 19th at 6:15.

PRESIDENT SCHULMAN: Thank you.

MEMBER DOUGHERTY: Mr. President.

PRESIDENT SCHULMAN: Member Dougherty.

MEMBER DOUGHERTY: Public Property Capital Improvement will also meet 6:15....on the 19th.

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PRESIDENT SCHULMAN: Thank you. That's it? Member Prater?

MEMBER KRAUS: Mr. Chair... Mr. President.

PRESIDENT SCHULMAN: Member Kraus.

MEMBER KRAUS: I don't know if you was here, but um, my committee will be at um, in the neighborhood next week on a road closure for Public Safety and Thoroughfares.

PRESIDENT SCHULMAN: Very good. Thank you Member Kraus.

PUBLIC SPEAKS (OPEN FORUM--CITY BUSINESS ONLY)

PRESIDENT SCHULMAN: We're now under Public Speaks, Open Forum. We have one speaker signed up tonight. Veronica Callahan. Miss Callahan if you'll come forward. I know you're no stranger, ah, to City Council. We would ask that you state your name, your home address please and again, I, indicate to you as we do all speakers, meaning no disrespect, ah, we have a 3 minute limitation. Thank you.

MS. CALLAHAN: My name is Veronica Callahan. I reside at 3406 34th Street NE in the City of Canton, 44705 and thank you um, President, um, Schulman and Mayor Creighton and all the Council present and all the Staff present. I just wanted to take the opportunity, and I'm not going to take 3 minutes, and this is real quick, but I wanted to publicly acknowledge those Council people that attended our NorthEast Community Forum last week. I really appreciated seeing all of you that came out. I am one of the collaborating partners in that meeting and I just wanted you guys to know that a, a, lot of the constituents that were there, they received some very helpful information. Um, these meetings were brought together um, Safety Director Hunt, you've been attending these meetings. We appreciate it. So has Mr. Conatto and again, Mayor Creighton. Um, we all got together as a result of some of the murders last year that took place at the request of the residents. We've been talking and communicating and I just wanted to publicly say thank you because the turn out was awesome and the information that was shared really helped some people and your presence was very well noticed. So, I appreciate you and so does a lot of people that I've talked to. Thank you.

PRESIDENT SCHULMAN: Thank you very much Ms. Callahan. We appreciate it.

MISCELLANEOUS BUSINESS

PRESIDENT SCHULMAN: We're now under Miscellaneous Business. Is there any miscellaneous business? Member Cirelli.

MEMBER CIRELLI: Thank you Mr. President. Ah, Member Zachary, if you might, on the communication 232 since the Mayor wasn't in the room when you made your ah, I think it would be nice if you would tell her what you wanted her to do.

MEMBER ZACHARY: Oh, I am asking for Council support as well as the Mayor's Administration, um, you and I had talked, um, not so much in length, but, about establishing a Mayor's mentoring initiative and one of the reasons why I brought it to the forefront, I was at a dinner at the Community Drop In Center and the person who came in and spoke has done this program in other cities, and it's a great way to get people who are city

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employees and who have already have had background checks involved in mentoring the youth ah, in the community, and it's a wonderful program. It's something that would have a positive impact on the southeast area of town and it's something, as I had mentioned earlier, that um, I know, ah, Council, City Council often gets hit with um, we should be doing more with our youth and and, that burden has been placed on our shoulders but I don't think it's just our responsibility. I think it's we, as a whole, need to foster the youth in our community and make sure that they have the resources that they need to, to make something of themselves so, I would ask that you look at the information that I provided to you and at some point ah, in the near future, if you, I and ah, Pastor Cox could sit down and talk about the program in many details and we can go from there. Thank you Member Cirelli.

PRESIDENT SCHULMAN: Thank you Member Zachary.

MEMBER WEST: Mr. President.

PRESIDENT SCHULMAN: Member West.

MEMBER WEST: Question for ah, Safety Director and the Mayor in reference to our security cameras. Of course in 2004 we brought forth um, this effort to try to get security cameras within our neighborhoods for, to help with crime, um, and last week he wasn't here but you did ah, you did respond in writing but I wanted a chance for you to put this on record so that we can move forward with trying to get those security cameras.

SAFETY DIRECTOR HUNT: Mr. President.

PRESIDENT SCHULMAN: Safety Director Hunt.

SAFETY DIRECTOR HUNT: Thank you. Um, in 2004 we ah, we had an unfortunate incident, a homicide at Skyland Terrace. At that point in time I came to Council and indicated that you were ah, interested in buying security cameras. We did provide a security camera at the sight of that homicide, ah, Skyland Terrace. That necessitated the City of Canton entering into a 3 year agreement with Warner Cable. We also had to enter into a contract with AEP to use their pole. Ah, we were able to get that camera up. That camera is operational and if you go to that area right now, as Member Zachary knows, it is ah, you don't see anyone hanging around and ah, it did it's job. Ah, we also have security cameras in two of the city's decks, in the cornerstone parking deck we have security cameras. We're going to add security cameras to ah, Millennium Deck and, I don't know if anyone is aware of it or not, but at Canton City Hall lobby and in the patio outside, there are ah, presently located security cameras in that area. Ah, because it took ah, it's such a complicated thing to enter into contracts with Warner Cable, because ah that camera had to be hard-wired. No more cameras will be added into the City until we get our WiFi up and running. Once we are able to do that, we will be able to move cameras to locations ah, that could be helpful. Councilman Carbenia requested that I go out to one of the salvage yards and talk to the lady there, Ms. Valentine, and I indicated to her the same thing that we weren't able to do that at that time because of the necessity to hardwire these cameras. However, once we get WiFi up, we will be able to move cameras to different locations. Ah, I will be establishing a budget to buy ah, some cameras so that we will be able to move them to the areas that they are needed. I am hopeful that at the end of the year, when that WiFi is up and running, I think that's already been out to bid, ah we will be able to post those cameras where they are needed, and the big key with this is being able to move and ah, the camera did a good job at Cherry extension but unfortunately, we cannot move that camera. So, we have a lot of money tied up in a camera that we could use in another location.

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MEMBER WEST: Mr. President.

PRESIDENT SCHULMAN: Thank you Safety Director Hunt.

MEMBER WEST: When we met with um, that camera crew here in the caucus, they had indicated that those cameras could be moved prior to the WiFi. The second thing I want to add to that is why, why will WiFi will only encompass only the Special Improvement District? So, how will that serve the northeast side, the southeast side and so on and so forth if, and maybe I'm not a computer geek, but I can tell you this, I know a little bit about WiFi and it only and it only encompasses a certain geographical area. I'm kindda concerned that the neighborhoods are being neglected where the crime is actually occurring and we're taking care of the central city which is downtown.

SAFETY DIRECTOR HUNT: Mr. President.

PRESIDENT SCHULMAN: Mr. Hunt.

SAFETY DIRECTOR HUNT: Ah, in my opinion, portability is the key ah, to this. I do not think it would serve the citizens of Canton to put hardwired cameras up in locations and ah, it's like ah, you put ah, ah, too much, ah, dirt in a paper bag, ya squeeze it and the dirt goes some place else. So, ah, it would not be a good use of city ah, funds to ah, put cameras in locations and then when the crime moves to another location, then you're stuck with a camera in a location that's very good but there's ah, ah, no need for it in that. I'd like to ah, ah, comment on ah, Councilmember West's thought that they indicated that they could move the cameras. That was a company that came in and gave us some conversation on that, however, ah, to be able to utilize moveable cameras, it requires a technology where you'd have to have line of sight, ah, for the ah, for the camera to be able to go to our service, not our service center, but our um, communication center. So, if you had buildings in front of where you wanted to put it, you would not be able to utilize that camera so, that's the technology that's, ah, usable under perfect circumstances and unfortunately, a lot of places that we would want to put these cameras would not, we would not be able to put it and get the best use for it.

MEMBER WEST: Ok, I'll leave it with that but, my second comment, Mr. President...

PRESIDENT SCHULMAN: Member West.

MEMBER WEST: ...um is with, ah is with regards to our presentation today and I think this will go to the Service Director. Ah, with the street paving program that was presented this afternoon, or this evening. If there was a street on there like O'Jays Parkway that has the same ripple-affect that we had on McKinley Avenue a couple years ago, where you feel like you're going over railroad tracks, they're not scheduled for the next 3 years, based on that map in there, so, how would we get that taken care of under the new paving program?

SERVICE DIRECTOR CONCATTO: Mr. President.

PRESIDENT SCHULMAN: Service Director Concatto.

SERVICE DIRECTOR CONCATTO: The paving program that we introduced to Council this evening, was in our opinion a very objective way of paving our streets and they are not compared to other streets in individual wards, they are compared to all the streets in the city. Ah, I have not seen the list I, I've went over it, I, I,

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basically went over it, I don't know where Mahoning... O'Jay Boulevard's at on the list, but apparently, there are more streets that are in more need of repair than the ripple-affect of O'Jay Boulevard. This is done again by an objective method and I know, and we didn't have an opportunity to ask questions and I can bring back the engineer to ask and answer questions. Again, we were looking for a very objective, we typically, and a lot of times, you may or your residents or your constituents will compare streets to what they're used to and that's in their ward. They don't necessarily compare them to another street in another ward. This program allows us to compare all the streets in the city as a whole and to determine the worse streets in the city, not just by a, by a casual look at them, but, but what they're saying is a scientific look at them. I understand that this is very different than what Council's used to, in, probably forever, and I know that Member Dougherty and I had a little bit of conversation yet today, ah this evening, about that. I know it's very different. We are open for suggestions but we do again feel that this is an objective way of repairing the most needed streets in our city.

MEMBER WEST: And I did see their name on, I seen it on the list but in terms of a map that it was presented, it didn't suggest that it was going to be within the next three years and my concern is that as people are going down O'Jays Parkway, you'll probably start seeing some law suits on the city based on how bad the road is, just as it comes from, from 12th Street, or from Mahoning Road to um, Lucia's. I mean, it's really bad in that area.

SERVICE DIRECTOR CONCATTO: Mr. President.

PRESIDENT SCHULMAN: Mr. Concatto.

SERVICE DIRECTOR CONCATTO: Again, as the engineer had said in his presentation, that the streets that were evaluated by ODOT last year, there will be another evaluation based on the, on the bad winter that we had. Now, whether that street, O'Jay Boulevard has sustained additional damage, based on that weather conditions and the snow storms that we had, it's something that they were evaluating. Now, they have supposedly, ah, I believe already evaluated that making that list. I can have further discussion with ah, Mr. Moeglin, again, I'm only emphasizing that this is an objective way of picking our streets. Every year we have an issue of what streets are going to get done and how many streets in each ward and I respect the fact that you have constituents that are calling you determining that their streets are the worst. Ah, this is a way that we feel is a, a, determining that.

PRESIDENT SCHULMAN: Anything else Member West? Okay.

MEMBER CIRELLI: Mr. President.

PRESIDENT SCHULMAN: Member Cirelli.

MEMBERS CIRELLI: Ah, I hope to, ah, I mean I'm sorry to have to regress a minute, but, ah, Mr. Hunt, could you possibly tell me if the city is entertaining on the WiFi. I know the ah, area that they're look at right now, but do they anticipate any future projections that will go out to the residential areas because there are some cities that are doing completely WiFi and they're using it as a utility themselves and collecting monies for it with their constituents so, do you have any projections if that could be a possibility for the City of Canton sir?

SAFETY DIRECTOR HUNT: Mr. President.

PRESIDENT SCHULMAN: Mr. Hunt.

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SAFETY DIRECTOR HUNT: As I indicated earlier and as Councilmember West alluded to, this is just a start. It is ah, our opinion that this is, would be not only good for that area but a good selling point, ah, for ah, young people who would like to move into the city and for businesses who would like to expand, so, it's our hopes that after this test area is completed, that we will have enough interest in it and we will be able to move, ah, to move forward out to ah, the other parts of the city.

MEMBER CIRELLI: Thank you and thank you Mr. President.

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

MEMBER ZACHARY: Mr. President?

PRESIDENT SCHULMAN: Yes. Mem.... I'm sorry.

MEMBER ZACHARY: Safety Director Hunt. If I could just ask you really quickly. If we're gonna move WiFi throughout residential neighborhoods, would that not mean we're paying for internet service for someone like myself who has a laptop with a wireless connection to tap into the city's um, internet service, so to speak and be able to access um, the internet and go on line without having to pay for the service; and, if that is the case, then is there some way that we can look at maybe possibly doing a split between Wifi and, and hardwire cameras and some of the higher crime areas to, to help alleviate the problems that some of us are having.

SAFETY DIRECTOR HUNT: Mr. President.

PRESIDENT SCHULMAN: Safety Director Hunt.

SAFETY DIRECTOR HUNT: Ah, Member Zachary, ah, I would applaud your suggestion to use a combination of Wifi and ah, hardwire, ah cameras. Ah, you've asked the technical question about ah, how that would work for your particular area. Ah, I would respectfully ask ah, Chief of Staff Conde to answer that because he has been doing the contract and he knows the technical terms.

CHIEF OF STAFF CONDE: Mr. President.

PRESIDENT SCHULMAN: Chief of Staff Conde.

CHIEF OF STAFF CONDE: Thank you. Ah yes. The way Wifi is working, it is presently, we're working with the Law Department, MIS and the company that will be installing the Wifi. We're finishing up on the MSA right now. Wifi will then be put into the downtown business district, after it is, um, we feel satisfactory, then we'll be moving out. It will be moving out in all directions. Ah, as to are, are, are people going to be able to use the city's internet, ah, which is understandable, ah, with the Wifi, you're only going to get 2 hours of service with the free Wifi, you're going to get 2 hours of service per day. You can, you can use them as your, as your provider, but you'll be paying them a fee. When you pay them a fee, you're going to get the faster service the Wifi as extended out, is the slower broadband ah, that the, that the city is going to have throughout ah this area.

MEMBER WEST: Mr. President. I do have one more thing to say.

PRESIDENT SCHULMAN: Yes, Member West.

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MEMBER WEST: I guess, the way I look at this and, and, and please forgive me about the passion about this, but, we're talking about crime in neighborhoods versus business use. The business use is what we're looking at for downtown. To be able to get younger people, younger generations to come in, but what we're looking for, what we've been asking for ah, in the City in downtown area, in our neighborhoods, have been crime prevention. When we put that up on 4th Street because there was a death in the 4th Ward, it alleviated some of the pressure that they were faced with on that corner. If you say that to 7th Street, they would pretty, they would pretty much be very excited that there was a camera down there on 7th Street NE. I mean, if I gave you the number of streets in my ward that's faced with crime. There's people that's not even calling in because they're used to the crime. Their cars getting broken into and they don't call the police because it's normal. That's a problem, and I'm saying to you if people are faced with this on an on-going basis, then we need to move and we need to put some cameras out there and show the community that we do care about their neighborhood. We do care about crime and this Council in the beginning of the year said we're gonna get tough on crime. This is one prevention measure that we can use towards that and whatever it costs, we have to take it. We have to take a stand right now and make that happen. We can't wait 2, 3 more years, we lose residents every single day when we do that.

PRESIDENT SCHULMAN: Thank you Member West.

SAFETY DIRECTOR HUNT: Mr. President. Mr. President, if I could just respond briefly.

PRESIDENT SCHULMAN: Yes, Safety Director Hunt. Sure.

SAFETY DIRECTOR HUNT: Ah, I understand Councilmember West's passion ah, for this camera. I'm sure he'd like to have one in his backyard, as would every city Councilmember. However, that is not economically ah, feasible at this point in time. The City of Canton has done a lot of things ah, towards fighting crime. I would urge you to tell the folks in your area that if they have any crime prevention ideas, they should share that, ah, with us. As the Mayor has said in the paper, both the citizens and the Administration have to work together. The City of Canton has done a lot towards fighting crime. We've gone to a combination of one man vehicles, we've ah, added police officers, we're looking at a proposal to add more police officers ah, ah, right now. We've just gone to a police sub station where we'll be having a, a, bicycle ah, officers on the street ah, so I believe the City of Canton has done a lot and we will do more. Ah, the cameras will come. We wish we could put them in, as I said, every Councilmember's backyard. Ah, maybe we'll get to that point some day, but we're not there now.

MEMBER CARBENIA: Mr. President.

PRESIDENT SCHULMAN: Yes, Member Carbenia.

MEMBER CARBENIA: I would hope that we could continue this, if you're going to continue this ah, if you're going to continue speaking about this, that they should meet with the Director and try to iron out some of these problems. I have some problems and I'm gonna meet with the Director because of when we first got the cameras, I was one of the first ones to ask him to get the cameras which, ah, we needed to put it where we put it, and I'm glad that we did. At that, I would like to call for ah, for adjournment, but I'll hold off in case I cut somebody off.

PRESIDENT SCHULMAN: Any other remarks?...

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MEMBER WEST: Mr. President, I did want to respond to Safety Director in reference to ah, working with the police and the city departments. I mean, I think I've done that and ah, and, I, and I, I don't want it in my backyard. Matter a fact, I'd like to see it on 7th Street and some of the other streets that are hit harder than my area but more specifically, I wanted to let him know that I had been working with the Chief and went on TV to ask the citizens of Canton to also chime in to help with this crime effort so, I'm just saying that this is something that we've asked for for quite some time and I'm just feeling like it's being felt on deaf ears because we haven't seen it um, over the last 3 years, so I'm, that's why I'm bringing this to the forefront because we continue to bring it to the forefront and it hasn't been done yet.

PRESIDENT SCHULMAN: Thank you Member West. Any other remarks, comments?...

MEMBER CARBENIA: Mr. President.

PRESIDENT SCHULMAN: Member Carbenia.

MEMBER CARBENIA: I'd like to ask that we adjourn. I move we adjourn; seconded.

PRESIDENT SCHULMAN: It's been moved and seconded that you adjourn. Roll call please.

CLERK TIMBERLAKE: Ten yeas.

NO REMARKS

ROLL CALL: 10 YEAS, 0 NAYS

PRESIDENT SCHULMAN: This meeting of Canton City Council is adjourned (*Gavel falls*)

ADJOURNMENT TIME: 8:14 PM

ATTEST:

APPROVED:

CYNTHIA TIMBERLAKE
CLERK OF COUNCIL

ALLEN SCHULMAN
PRESIDENT